

KES 4313 – Issues in Sports Law – 16-Week Syllabus
Department of Kinesiology & Human Performance
Sul Ross State University

Instructor Information

Instructor: Alonzo Maestas, JD, MCJ, MLS, MA, ABD

Email (preferred): amaest77@unm.edu (Response time: 24hrs Monday – Thursday; 48hrs Friday – Sunday)

Phone: Unavailable at this time

Syllabus Objective

The purpose of this syllabus is to outline the semester for you in a manner that is easy to read and understand. I will cover the course requirements, assignments, deadlines, grading scale, and any and all other expectations of this course. Remember that this syllabus is subject to change, but I will let you know if I will be making any changes.

Credit Hours

3 credit hours

Course Delivery

This is a fully online course. This course follows a 16-week calendar as detailed in the course schedule.

Course Description

Basic legal principles, terminology, and risk management approaches; applications of legal principles to protection of employees, and employers in kinesiology related fields, contemporary ethical issues.

Required Textbook

Title: Legal Aspects of Sports, 2nd Edition

Author: Miller and Schoepfer

Publisher: Jones & Bartlett Learning

ISBN: 9781284141337R30

You will also need to access the SRSU Library to locate and download peer-reviewed, scholarly articles. For assistance, you may [Ask the Library](#) or contact the [Graduate Student Center](#) for help.

Finally, the following link is a great resource for the intersection between law and sports:

<https://www.si.com/author/michael-mccann>

Expectation of Students

Students are responsible for keeping up with the reading and are expected to read the assigned chapters and/or other posted readings prior to class in order to contribute to online discussion. Handouts distributed through Blackboard should be kept in a notebook in order to be referred to as necessary.

Student Learning Outcomes

At the conclusion of the course each student will be able to:

1. Explain why we live in a litigious society and the importance of managing risk.
2. Differentiate between civil and criminal law, the types of torts, and the place that negligence fits within the legal system.
3. Discuss the difference between the federal court system and the state court system, and why we find federal cases in the context of recreation, sport and tourism.
4. Analyze the elements of negligence and sources of information used to determine the standard of care.
5. Define the concept of strict liability, how it differs from ordinary negligence, and the types of situations that might give rise to a strict liability claim.
6. Summarize the defenses to negligence, which legal protections shift the responsibility to the plaintiff.
7. Describe the elements that are needed to make a valid and enforceable waiver, and pitfalls in drafting and implementing a waiver.
8. Define intentional torts, and their essential elements, where harm occurs to a person.
9. Describe the intentional torts that apply to property, both real and personal, and the essential elements of these torts.
10. Identify the common defenses to intentional torts discussed in chapters 6 and 7.
11. Discuss human rights covered in the textbook.
12. Describe the legal issues and civil legal actions that can arise associated with due process, privacy, speech and religion.
13. Discuss the protections afforded by Title VII of the Civil Rights Act of 1964, in the context of discrimination, and recreation, sport, and tourism.
14. Identify each of the four steps and their components of the risk management process.
15. Describe how to protect yourself and your organization when hiring and terminating employees.
16. Identify ways to avoid the pitfalls associated with claims of sexual harassment while at the same time protecting the rights of the individual(s) making the claim.
17. Summarize the purposes, objectives, and methods in developing an employee safety and health program.

Marketable Skills

The following marketable skills are met in this course:

1. Career Management. Your Unit Short Answer assignments are designed to teach you theories that you will encounter throughout your careers as sports administrators.
2. Critical Thinking. Your Final Paper Project is designed to enhance your critical thinking skills.

Learning Objectives

Students will learn the following standard and competency:

1. Standard X – The physical education teacher understands the legal issues and responsibilities of physical education teachers in relation to supervision, planning and instruction, matching participants, safety, first aid, and risk management.
2. Competency 013 – The teacher understands legal issues and responsibilities of physical education teachers in relation to supervision, planning and instruction, safety, first aid and risk management.

Introduction



Welcome!

My name is Alonzo Maestas (you can call me Alonzo or Mr. Maestas), and I will be your instructor for this course. I have extensive training and experience in law and sport, and am excited to facilitate your learning. My training includes the following degrees: Bachelor of Arts, English Literature and Government (New Mexico State University, 2002); Juris Doctor (The University of New Mexico School of Law, 2009); Master of Criminal Justice (New Mexico State University, 2012); Master of Legal Studies, Sport Law and NCAA Compliance (Drexel University, 2017); Master of Arts, Athletic Coaching Education (Ball State University, 2018); and All But Dissertation, PhD program, Sport Administration (The University of New Mexico, expected May 2021).

In addition to my education, I also practiced contract, fiscal, and administrative law in the U.S. Army JAG Corps, and both criminal and civil law in Albuquerque, New Mexico. I have also worked as an Athletic Director at a small private school, have coached various youth sports, and currently work as the Director of the Veteran & Military Resource Center at the University of New Mexico.

I design my classes in a way that you can succeed; that being said, if you are having any problems with the course at any time during the semester, please reach out to me as soon as possible so we can work out an arrangement for you to get your work turned in. If you have any questions about the course, I prefer email at amaest77@unm.edu. Please see the "Instructor Information" section above for my response time.

Finally, if you did not learn, I did not do my job, so let's work together to see to it that you learn and enjoy this class.

Welcome

Hello, and welcome to Legal and Ethical Issues in Kinesiology and Sport! I am happy to have you in my class, and look forward to a fun and productive semester. From performance enhancing drug use to injuries in a recreational league, sports and law intersect at various levels.

Before you start, please review the syllabus and make sure you order the required materials. Although there are slides for the chapters, you will need the book to ensure you don't miss anything and get all the readings done.

This class is a mix of readings, short answers, unit tests, a final project, and a final exam. This will ensure you get a solid understanding of the legal and ethical issues that present themselves

in sport. In addition, you will be required to locate and synthesize resources to put your final project together, so I encourage you to familiarize yourself with the SRSU library database searches as early as possible.

I encourage you to not wait to read the assigned chapters until the last day of each unit. If you take the time to read a chapter or two per day during the week, you will find that the reading is not overwhelming. I suggest blocking time for this class in your weekly schedule. The due dates for the readings, assignments, discussions, quizzes, and final paper are listed in Blackboard, as well as in your syllabus, so please pay attention to those due dates. All in all, time management will be critical to succeed in this course (as in all your courses).

I'm looking forward to an interesting, fun, and rewarding semester!

Getting Help

Blackboard

Navigating Blackboard and this course is essential to your success as a student. If you have problems submitting assignments, contact the support staff listed below.

Mon-Fri 9:00 am - 6:00 pm

Sandy Bogus: sbogus@sulross.edu; phone 432-837-8523

Sat-Sun 11:00 am - 6:00 pm

Rusty Klein: rklein@sulross.edu; phone 432-837-8595

Computer and Digital Literacy Skills

To be successful in this course, students are expected to be able to:

- Use a learning management system (LMS); specifically, Blackboard Learn
- Search the World Wide Web and efficiently use a web browser such as Firefox
- Have a basic understanding of their computer operating system
- Use Adobe Reader to view and download PDF documents
- Use email
- Play audio/video files
- Use online libraries and databases to locate and gather appropriate information
- Create and submit files in commonly used word processing formats (specifically Microsoft Office Word)
- Properly cite information sources

Netiquette

When posting or emailing, please remember that professionalism is not only encouraged, but expected. You are practicing your written and electronic communication skills, and want to form good habits before you go out in the work force.

On that note, when posting on the Discussion Board, please keep in mind the following:

- Please be courteous. Don't flame (i.e., post insults, invective, or other personally disrespectful comments) or post flamebait (i.e., deliberately provocative or manipulative material intended or likely to elicit flames).
- Please be careful in the use of sarcasm and irony. Online communication lacks the subtle nonverbal cues that help us interpret such rhetorical flourishes in face-to-face

settings, so that it is easy to miss the point or misunderstand. More importantly, it is easy to give or take offense where none is intended. Accordingly, give people the benefit of the doubt, and if you are misunderstood, don't get defensive.

- Avoid typing in all capital letters, as this is considered to be shouting and is considered rude.
- Limit the use of emoticons (emotion icons) to introductions and less formal communication.
- Use proper grammar and spelling. Avoid abbreviations and informal language. Text messaging abbreviations are not appropriate.
- Be tolerant of those who are still learning how to use this forum (e.g., people who accidentally send multiple copies of the same message, PEOPLE WHO FORGET AND LEAVE THEIR CAPS LOCK KEY ON WHEN TYPING).
- Don't post excessively or monopolize the conversation. Remember that multiple shoot-from-the-hip posts are much less effective than fewer carefully-thought-out ones, and that patience in responding will encourage more contributors with a wider variety of ideas and perspectives to participate.

In addition to the above, please keep in mind the following:

- A professional and respectful tone is expected for all course communication.
- Respect the privacy of your classmates and what they share.
- Understand that we may disagree and that exposure to other opinions is part of the learning experience.
- Be respectful of the views and opinions of others. We are in this together. Before posting a comment, ask whether you would be willing to make the same comment face-to-face.
- Always give proper credit when referencing or quoting another source.
- Be careful with acronyms. If you use an acronym, it is best to spell it out first, then put the acronym in parentheses afterward. For example: Frequently Asked Questions (FAQ)

Methods of Evaluation (See below 'Course Requirements' for more details)

Outcome Measure	Points per unit	Available Points
Unit Test	50	250
Unit Short Answers	100	500
Final Five (5) – Page Research Paper	250	250
Final Exam	100	100
Total/Final Grade*	--	1100

*Letter grading as per SRSU policy will be used in this course, as follows:

90% and above: A 80 to 89.9%: B 70 to 79.9%: C 60 to 69.9%: D

59.9% and below: F

Late Work Policy

All coursework must be submitted by the provided due dates in Blackboard. Late work will be subject to the following deductions: Discussions/Responses/Assignments/Quizzes/Final Projects carry a 5% deduction per day late; up to 30% maximum deduction.

All Course Requirements Deadline

Due to the time requirement for grading purposes, all course requirements must be submitted/completed by the 'Course Requirements Deadline' of *Wednesday in Week 16 at 11:59pm* to be counted for credit towards the final letter grade in this course. There will be no exceptions to this policy. Late deductions will apply as per above policy.

Academic Dishonesty or Misconduct

Sul Ross State University is committed to the highest standards of integrity and ethical conduct. Participating in behavior that violates academic integrity (plagiarism, etc.) will result in disciplinary action and may include receiving a failing grade for the assignment, failing the course, and suspension and/or dismissal from the University.

Drop Policy

Students are responsible to register and withdrawal from courses themselves, either through Banner (LoboOnline) or by contacting the University Registrar by published deadlines. For information regarding enrollment/registration changes please review the website at:

<http://www.sulross.edu/page/967/schedule-changes-withdrawals>

Tentative Course Calendar

Dates	Unit	Assessments
1 (Aug 24 – Sept 6)	Unit 1	DUE: Unit 1 test (chapter 1) DUE: Unit 1 short answer
2 (Sept 7 – Sept 20)	Unit 2	DUE: Unit 2 test (chapters 2, 3, and 4) DUE: Unit 2 short answer
3 (Sept 21 – Oct 4)	Unit 3	DUE: Unit 3 test (chapters 5, 6, and 7) DUE: Unit 3 short answer
4 (Oct 5 – Oct 18)	Unit 4	DUE: Unit 4 test (chapters 8, 9, 10, and 11) DUE: Unit 4 short answer
5 (Oct 19 – Nov 1)	Unit 5	DUE: Chapter 5 test (chapters 12 and 13) DUE: Chapter 5 short answer
6 (Nov 2 – Nov 22)	Final five (5) page research paper	DUE: Final five (5) page research paper due by Sunday, November 22, 2020
7 (Nov 23 – Dec 4)	FINAL EXAM	DUE: Final Exam due by Friday, December 4, 2020

Course Requirements

Attendance/Participation: Participation in this class is mandatory. Although the class is self-paced, any student not making progress towards completion of the class by the midway point of the semester may be dropped at the professor's discretion.

Unit Tests: 250 points total (five tests, 50 points each)

Five unit tests will be based on the chapter(s) for the unit and reading completed. Reviewing the PowerPoints for the unit's chapters will be help in selecting important concepts to understand and answer the unit test questions. Each unit test will be completed and submitted on Blackboard. There are five unit tests at 50 points each, for a total of 250 points.

Short Answer: 500 points total (five short answer prompts, 100 points each)

Each unit will have a list of questions on Blackboard. Each student will answer one of the questions listed per unit. Your answer must be a minimum of one page, double-spaced. There are five short answer prompts at 100 points each, for a total of 500 points.

Semester Project: 250 points total

Each student must write a 5-page paper on an approved Legal and Ethical Issue in physical education.

Final Exam: 100 points total

The Final Exam will be primarily taken from the unit test concepts.

Learner Support

SRSU Disability Services

ADA (Americans with Disabilities Act): SRSU is committed to equal access in compliance with Americans with Disabilities Act of 1973. It is SRSU policy to provide reasonable accommodations to students with documented disabilities. It is the Student's responsibility to initiate a request each semester for each class. Students seeking accessibility and/or accommodations must contact Ms. Rebecca Greathouse Wren, LPC-S, SRSU's Accessibility Services Coordinator, at 432-837-8203 (please leave a message and we'll get back to you as soon as we can during working hours), or email Rebecca.Wren@sulross.edu. Our office is located on the first floor of Ferguson Hall (Suite 112), and our mailing address is P.O. Box C-122, Sul Ross State University, Alpine, Texas 79832.