

UNIVERSITY OF SOUTH CAROLINA
COLLEGE OF HOSPITALITY, RETAIL, & SPORT MANAGEMENT DEPARTMENT
OF SPORT AND ENTERTAINMENT MANAGEMENT
SPTE J320
Sport and the Law Winter2019

I. GENERAL INFORMATION

Time and Place: Distance Learning

Credit Hours: 3

Instructor: John Grady, J.D., Ph.D.

Office: Carolina Coliseum, Room 2012

Office Hours TBA

Phone: (803) 777-9327

E-mail: jgrady@mailbox.sc.edu

Required Text: Clement, A. & Grady, J. (2012). *Law in sport: Concepts and Cases* (4th edition). Fitness Information Technology. (Copies are available in the USC Russell House Bookstore and through online booksellers like Amazon (Amazon offers free 2 day shipping). **An e-book (\$37.00) is available from the publisher:**
[Law in Sport: Concepts and Cases eBook](http://fitpublishing.com/content/law-sport-concepts-and-cases-4th-edition-0) (<http://fitpublishing.com/content/law-sport-concepts-and-cases-4th-edition-0>)

II. COURSE DESCRIPTION

This course is designed to assist the student in acquiring knowledge of legal issues that frequently arise in the context of sport. This course will expand on introductory legal concepts and provide the student with a more comprehensive understanding of the law as it applies to sport as well as how the law affects participants, spectators, coaches, leagues, and facility managers, among others.

III. STUDENT LEARNING OUTCOMES

Upon completion of the course, the student will be able to:

1. Discuss the role and implications of the law in sport.
2. Construct legal arguments for both plaintiff and defendant in sport-related dispute.
3. Analyze recent trends in court decisions affecting sport.
4. Recognize the need to secure legal protection for athletes, teams, and leagues.
5. Apply substantive areas of law to actual scenarios faced by professionals in the sport industry.

All learning outcomes in this course are equivalent to the face-to-face (F2F) version of this course.

IV. PREREQUISITES

SPTE 240 (Business Law) or equivalent

V. EXPECTATIONS

Given the format of this course, the following is expected of you as a student in this class:

1. Keep up with class lectures and related readings on a daily basis.
2. Participate in class discussion through online discussion boards and ask questions of me and your peers through email or discussion boards.
3. Complete assignments on time and turn in a high-quality product.
4. Demonstrate professionalism in online communication.
5. Apply what you are learning about the law to actual situations that you have faced in your current or previous jobs that pertain to class discussion.

VI. COURSE REQUIREMENTS

Exam

There will be one exam given during the semester, worth 25 percent of the course grade. The exam will cover material discussed in during the class lectures as well as information assigned in the text that may or may not be addressed in class. Students are responsible for all material assigned. *The exam is open-book and lecture notes, including all class materials.*

Makeup Exam Policy

Students who have a valid and documented official university excuse or illness with documentation will be permitted to take a makeup exam. Students must notify me by email before the exam begins, if possible, in order to be eligible to take a makeup exam.

Academic Integrity

You are expected to practice the highest possible standards of academic integrity. Any deviation from this expectation will result in a minimum academic penalty of your failing the assignment, and will result in additional disciplinary measures. This includes improper citation of sources, using another student's work, and any other form of academic misrepresentation.

The first tenet of the Carolinian Creed is, "I will practice personal and academic integrity."

Below are some websites for you to visit to learn more about University policies:

[Carolinian Creed](http://www.sa.sc.edu/creed) (<http://www.sa.sc.edu/creed>)

[Academic Responsibility](http://www.sc.edu/policies/staf625.pdf) (<http://www.sc.edu/policies/staf625.pdf>)

[Office of Student Conduct and Academic Integrity](https://www.sa.sc.edu/academicintegrity/) (<https://www.sa.sc.edu/academicintegrity/>)

[Information Security Policy and Standards](https://sc.edu/about/offices_and_divisions/division_of_information_technology/security/polic)

(https://sc.edu/about/offices_and_divisions/division_of_information_technology/security/polic)

y/universitypolicy/)

Class Conduct/Netiquette

Professionalism will be expected at all times, but most especially with your interactions online. Because the university classroom is a place designed for the free exchange of ideas, we must show respect for one another in all circumstances. We will show respect for one another by exhibiting patience and courtesy in our exchanges. Appropriate language and restraint from verbal attacks upon those whose perspectives differ from your own is a minimum requirement. Courtesy and kindness is the norm for those who participate in my class.

Our discussion board is a way for you to share your ideas and learning with your colleagues in this class. We do this as colleagues in learning, and the Discussion Board is meant to be a safe and respectful environment for us to conduct these discussions.

Some Netiquette Rules:

- Treat one another with respect. It will be expected that we will not attack one another personally for holding different opinions.
- Do not use all CAPITAL LETTERS in emails or discussion board postings. This is considered "shouting" and is seen as impolite or aggressive.
- Begin emails with a proper salutation (Examples: Dr. Name; Ms. Name; Hello Professor Name; Good afternoon Mr. Name). Starting an email without a salutation or a simple "Hey" is not appropriate.
- When sending an email, please include a detailed subject line. Additionally, make sure you reference the course number (SPT 320) in the message and sign the mail with your name.
- Use proper grammar, spelling, punctuation, and capitalization. Text messaging language is not acceptable.
- Use good taste when communicating. Profanity should be avoided.
- Re-Read, think, and edit your message before you click "Send/Submit/Post."

Please remember when posting to be respectful and courteous to your colleagues, and limit your posts to discussions of this course and its assignments.

Diversity and Inclusion

The university is committed to a campus environment that is inclusive, safe, and respectful for all persons, and one that fully embraces the Carolinian Creed. To that end, all course activities will be conducted in an atmosphere of friendly participation and interaction among colleagues, recognizing and appreciating the unique experiences, background, and point of view each student brings. You are expected at all times to apply the highest academic standards to this course and to treat others with dignity and respect.

Participation

Given that the course will be taught in an online format, discussion will be conducted primarily through online discussion boards. *All students are expected to actively*

participate in class discussion.

Students are also expected to complete short assignments pertinent to the assigned readings. You are encouraged to ask questions via the discussion board that reflect your preparation for class based on the assigned readings. As part of your grade, **you are also expected to respond to at least other student's post to create a virtual class discussion on the topics we are studying.** Participation (via the discussion board) is worth 26 percent of the course grade.

Case Briefs

You will be responsible for completing **3 short written case briefs and article summaries** throughout the semester. These summaries will relate to required supplemental readings which include law review articles and legal cases and are indicated in the course timeline below. **Case briefs should be one page.** Expected length of the article summaries is 1-2 single spaced pages depending on the length of the article. Completion of the case briefs/summaries will account for 24 percent of the course grade (8% each).

Assignments

Studying the application of a specific area of law to a unique context in sport (e.g., **legal issues surrounding the World Cup**). You will complete two throughout the course. These require reading short supplemental readings to develop a deeper understanding of the case problem being presented as well as reading current industry news. *The case studies may be done in **small groups** (up to 4 students or fewer) or may be done alone if you prefer.* Completion of the major assignments is worth 20 percent of the course grade (10% each). If you are working in groups, make sure each student contributes to what is turned in as you will each receive the same grade. Also, please make sure all students' names appear on the case studies. **Even if working in groups, each person must submit the group's final product in Blackboard.**

Attendance

The University of South Carolina endorses the following attendance policy: "Absence from more than 10 percent of the schedule class sessions, whether excused or unexcused, is excessive and the instructor may choose to exact a grade penalty for such absences.

There are 21 total sessions for this class in the Winter session (which is online).

Therefore, each student is allowed TWO (2) absences without penalty. Each succeeding unexcused absence will result in the loss of ONE-HALF letter grade per absence.

Only three types of absences will be considered excused.

1. An official school activity
2. Official absence cleared by the College of Hospitality, Retail, and Sport Management.
3. Official written notification from Student Health Center advising student not to attend class.

Given that this class is being taught in an online format, students will be expected to complete assignments in a timely manner according to the due dates listed in the course timeline below. If illness or another valid excuse such as unexpected work commitment prevents you from completing an assignment on the day in which something is due, please notify me in advance if possible and I will do my best to accommodate you so long as you turn in the assignment soon after it was due. I am willing to be somewhat flexible

with the assignment deadlines so long as you are able to post to the discussion board in a timely manner with the rest of your classmates.

VII. TECHNOLOGY

Minimal Technical Skills Needed

Minimal technical skills are needed in this course. All work in this course must be completed and submitted online through Blackboard. Therefore, you must have consistent and reliable access to a computer and the Internet. The minimal technical skills you have include the ability to:

- Organize and save electronic files;
- Use USC email and attached files;
- Check email and Blackboard daily;
- Download and upload documents;
- Locate information with a browser; and
- Use Blackboard.

Technical Support

If you have problems with your computer, technology, IT-related questions, support, including Blackboard, please contact the Division of Information Technology (DoIT) Service Desk at (803) 777-1800 or submit an online request through the [Self-Service Portal](https://scprod.service-now.com/sp) (<https://scprod.service-now.com/sp>) or visit the [Carolina Tech Zone](https://www.sc.edu/about/offices_and_divisions/university_technology_services/support/ctz.php) (https://www.sc.edu/about/offices_and_divisions/university_technology_services/support/ctz.php). The Service Desk is open Monday – Friday from 8:00 AM – 6:00 PM (Eastern Daylight Time). If you are located in the Columbia, SC area, the Thomas Cooper Library at USC has computers for you to use in case you encounter computer issues/problems. If you are not located in the Columbia, SC area, most regional campuses and public libraries have computers for public use.

Technology Requirements

- Access to a working computer that has a current operating system with updates installed, plus speakers or headphones;
- Reliable Internet access and a USC email account;
- A current Internet browser that is compatible with Blackboard (Google Chrome is the recommended browser for Blackboard);
- Microsoft Word as your word processing program; and
- Reliable data storage for your work, such as a USB drive or Office365 OneDrive cloud storage.

VIII. ACADEMIC SUCCESS

Student Disability Resource Center

[Student Disability Resource Center \(http://www.sa.sc.edu/sds/\)](http://www.sa.sc.edu/sds/): The Student Disability Resource Center (SDRC) empowers students to manage challenges and limitations imposed by disabilities. Students with disabilities are encouraged to contact me to discuss the logistics of any accommodations needed to fulfill course requirements (within the first week of the semester). In order to receive reasonable accommodations from me, you must be registered with the Student Disability Resource Center (1523 Greene Street, LeConte Room 112A, Columbia, SC 29208, 803-777-6142). Any student with a documented disability should contact the SDRC to make arrangements for appropriate accommodations.

Student Success Center

In partnership with USC faculty, the Student Success Center (SSC) offers a number of programs to assist you in better understanding your course material and to aid you on your path to success. SSC programs are facilitated by professional staff, graduate students, and trained undergraduate peer leaders who have previously excelled in their courses. Resources available to you in this course may include:

- **Peer Tutoring:** You can make a one-on-one appointment with a [Peer Tutor](#) (www.sc.edu/success). Drop-in Tutoring and Online Tutoring may also be available for this course. Visit their website for a full schedule of times, locations, and courses.
- **Supplemental Instruction (SI):** SI Leaders are assigned to specific sections of courses and hold three weekly study sessions. Sessions focus on the most difficult content being covered in class. The SI Session schedule is posted through the SSC website each week and will also be communicated in class by the SI Leader.
- **Peer Writing:** Improve your college-level writing skills by bringing writing assignments from any of your classes to a Peer Writing Tutor. Similar to tutoring, you can visit the website to make an appointment, and to view the full schedule of available drop-in hours and locations.
- **Success Consultations:** In Success Consultations, SSC staff assist you in developing study skills, setting goals, and connecting to a variety of campus resources. Throughout the semester, I may communicate with the SSC via Success Connect, an online referral system, regarding your progress in the course. If contacted by the SSC, please schedule a Success Consultation. Success Connect referrals are not punitive and any information shared by me is confidential and subject to FERPA regulations.

SSC services are offered to all USC undergraduates at no additional cost. You are invited to call the Student Success Hotline at (803) 777-1000, visit the [SSC website](#) (www.sc.edu/success), or stop by the SSC in the Thomas Cooper Library on the Mezzanine Level to check schedules and make appointments.

Writing Center

[Writing Center](http://artsandsciences.sc.edu/write/university-writing-center) (<http://artsandsciences.sc.edu/write/university-writing-center>)

This course has many of writing assignments. The University Writing Center is an important resource you should use! It's open to help any USC student needing assistance with a writing project at any stage of development. The main Writing Center is in Byrnes 703.

Library Resources

[Library Resources](http://library.sc.edu) (<http://library.sc.edu>)

The university library has great resources for finding out how to cite materials in your projects. Remember that if you use anything that is not your own writing or media (quotes from books, articles, interviews, websites, movies – everything) you must cite the source in MLA format.

Blackboard and Technology

[Blackboard and Technology](https://sc.edu/about/offices_and_divisions/division_of_information_technology/end_user_services/available_technology_resources/)

(https://sc.edu/about/offices_and_divisions/division_of_information_technology/end_user_services/available_technology_resources/)

As a student in this course, you have access to support from the Division of Information Technology (DoIT) for Blackboard and computer issues. The service desk can be reached at 803-777-1800.

Counseling Services

[Counseling Services](https://sc.edu/about/offices_and_divisions/student_health_services/medical-services/counseling-and-psychiatry/index.php)

(https://sc.edu/about/offices_and_divisions/student_health_services/medical-services/counseling-and-psychiatry/index.php): The University offers counseling and crisis services as well as outreach services, self-help, and frequently asked questions.

IX. ASSESSMENT

Grading Criteria

Your grade in this course will be based on the following five criteria:

| | |
|------------------------------------|-----|
| Exam 1 | 30% |
| Major Assignments (2@ 10% each) | 20% |
| Case briefs (2@ 12% each) | 24% |
| Participation via Discussion Board | 26% |

Grading Scale:

90% or better = A
 89-88% = B+
 87-80% = B
 79-78% = C+
 77% to 70% = C
 69-68% = D+
 68% to 60% = F

X. SYLLABUS CHANGE POLICY

This syllabus is a guide for the course and is subject to change with advance notice.

Course Timeline

All assignments and discussion board responses are **due by 11:59 p.m.** on the date indicated below.

Exam 1 is due at NOON on the date indicated below.

Note: Any updates to this syllabus will be emailed via Blackboard. **Make sure you are regularly checking the email account that you receive Blackboard emails from since this is how I will communicate with you throughout the course.** This is especially important in an online course as I will send several content-related emails per week throughout the course.

| | Topic | Readings | Due |
|---|---|---|--|
| Week 1 Monday, Dec. 30 | Class introduction “What is Sport law?” | Text: Read “Introduction” (p. xi-xii only) Read Davis, “What is Sports Law” article, pp. 1-7 only & “Summer of sports law” article by Zola | Skim sport law blog to find a current example of sport law The Sport Law Blog (https://twitter.com/inside_sportlaw?lang=en) Check in to Blackboard by Monday night to post a personal introduction and meet your classmates. Post “What is sport law” discussion board response by Wed. night |
| Week 1 Tues., Dec. 31 Thursday, Jan. 2 | MODULE 1 Intellectual Property: Trademark Copyright & Right of Publicity | Text: Chapter 10 Read “Johnny Football” Trademark articles Read “Guarding online content”-SBJ article | Post “Head Ball Coach”/Boom discussion board response by Thursday night |
| Week 2 Monday, Jan. 6 | MODULE 2 Tort law Negligence | Text: Chapter 1 Read Contact Sports Exception article Read <i>Nabozny v. Barnhill</i> to practice how to brief | Case Brief 1: <i>Cole v. Boy Scouts</i> Due Wed. (can be done with partner) |
| Week 2 Tuesday, Jan. 7 | MODULE 3 Employment Law Equal Pay Act, Title VII | Text: Chapter 5, pp. 111-115, PPT slides | (Nothing to turn in for this module) |

| | Topic | Readings | Due |
|-----------------------------------|--|--|---|
| Week 2 Thursday, Jan. 9 | MODULE 4 Contract Law (last content tested on Exam 1) | Text: Chapter 7 Read NASCAR contracts article; Lance Armstrong lawsuit | Do NASCAR Case Brief 2 due Sunday (can be done with partner) |
| Week 3 Monday, Jan. 13 | Special Topic: Women's World Cup 2019 (Legal Issues in marketing and sponsorship) | | Mega Event Assignment- (This is Major Assignment 1-10 points) Due Wed. night |
| Week 3 Wed., Jan 15 | Exam 1 posted | | Due back Sunday Jan. 19 |

| | Topic | Readings | Due |
|------------------------------------|---|--|--|
| Week 3 Thursday, Jan. 16 | MODULE 5 Legal and Constitutional issues in Pro Sports | Text: Chapter 9 <i>Supplemental readings on anthem protests</i> | Anthem protests in the NFL assignment & Discussion Bd. due Friday night |
| Week 3 Friday, Jan. 17 | MODULE 6 Legal issues in College Sports Gender Equity: Title IX compliance; NCAA Basketball corruption | Text: Chapter 5 & related supplemental articles | Title IX compliance workshop (submitted via Disc. Board) due Sunday night (This is Major Assignment 2- 10 points) |

Important date:

Exam 1 due Sunday Jan. 19 by 11:59 p.m. via Blackboard.