

**KIN 364 Legal and Ethical Issues in Sport**  
**T. TH: 9:00-10:15**

Instructor: Dr. Taeho Yoh  
Office: Davies 110  
Phone: 453-3120  
Office Hours: Tuesday: 10:30-12:30  
Wednesday: 11:00-1:00  
Thursday: 10:30-12:30  
Email: [tyoh@siu.edu](mailto:tyoh@siu.edu)

**Required Text:** Cotton, C.J., & Wolohan, J. T. (2014). *Law for recreation and sport managers* (6th ed.). Kendall/Hunt Publishing Company: Dubuque, IA.

## **I. Course Description**

This course provides an extensive overview of legal principles and ethical issues in sport. This course introduces the different fields of law and issues (Federal Amendment, torts, contracts, labor relations) as they relate to sport. In addition, this course examines the basic philosophical issues concerning ethics and moral reasoning and how these issues relate to sport. Furthermore, this course is designed to help future sport administrators develop an ethical decision-making process. Topics discussed include the concepts of morality, personal philosophy regarding social responsibility, theories of ethics, professional code of ethics, etc.

## **II. Course Objectives**

Upon the completion of the course, the student will:

1. Be able to use ethical and legal literature for case law, statutes, periodicals, and texts.
2. Know the steps in a lawsuit and the responsibilities and obligations of the parties: plaintiffs, defendants, judges, and others.
3. Know tort law, including negligence, intentional torts, products and strict liability.
4. Understand Constitutional laws (Amendments, Gender Equity, and ADA) and the legal analyses used by the courts in civil rights decisions.
5. Apply theories of ethics to sport specific situations.
6. Understand the rights and responsibilities of sport administration professionals in relation to professional ethics.
7. Develop personal and administration values in sport settings.
8. Identify potential ethical dilemmas facing sport participants and sport administrators.

**III. Instructional Format**

To achieve the course objectives, the lesson format will include (but not limited to) the following: Lecture, Written Exams, Discussion, Presentations and Videos.

**IV. Class Assignments and Grading**

Students are to read materials and be prepared to discuss them in class. All assigned cases are to be prepared prior to class.

Case Analyses	10 (5 for each) pts	10%
Exam I	30 pts.	30%
Exam II	30 pts.	30%
Quiz	10 pts	10%
Volunteer work	10 pts	10%
Attendance	10 pts.	10%
Total	100pts.	100%
A	88-100 pts.	88%-100%
B	78-87 pts.	78%-87%
C	68-77 pts.	68%-77%
D	58-67 pts.	58%-67%
F	Below 57	

**Absolutely no extra credit opportunities after the start of finals week.**

**Examinations** will consist of multiple choice and short answer questions, and will cover material presented in lectures, videos, and class discussions. **No Make-up exams.**

**Late Assignment Policy:** Any assignment submitted after the due date without excusable documents will lose **20% and additional 10% penalty for each additional class period.** Late assignments will be accepted until the start of the final examination. **No assignments will be accepted after the start of the final examination.**

**Class Attendance Policy**

- A. Class attendance is mandatory. Students are required to be present and prepared in class. A student is allowed **2 unexcused absences** over the course of the semester. For each unexcused absence beyond given, **2 points will be deducted and two tardiness will count as one absence.** Students **with no absence without a tardy (no exceptions, including excused absences),** will receive 5 bonus points. **5-6 absences will result in one lower grade. 7 or more absences will result in an automatic F regardless of total points.**
- B. An excused absence is one that is approved **prior to the class meeting.** Excusable absences are: verified illness, death in a student's immediate family, and university functions. **Supporting documents are required** for excusable absences and no exceptions. However, **only one excused absences will be allowed (no exceptions).**

- C. Students **should not leave until the end of the class** without prior consent, failure to do so will be treated as an absence.

### **Class Attitudes (Class Requirements)**

- A. Students should treat each other and the instructor with respect at all times.
- B. The instructor has the right to ask a student to leave if he/she is considered disruptive (inappropriate language, behavior, loss of temper, or control). No class will be held until he/she leaves class. **The student will lose the attendance for the given day.**
- C. **No cell phone (ringing, talking, and texting) and laptop (except for the in classroom assignment) use during class.** Failure to do so will result in a deduction of **2 points**.

**Academic Honesty Code and Student Conduct Code:** The Department of Kinesiology believes in the importance of reinforcing and expecting academic honesty and student conduct code. The Department of Kinesiology expects students hold the highest standards of academic integrity and honesty. Academic dishonesty (**cheating, plagiarism, fabrication, forgery, and facilitating academic dishonesty**) is a serious violation of the trust upon which an academic community depends. **The penalty for academic dishonesty will result in an automatic zero for the assignment and will be no make-ups.**

## **V. Case Analyses and Interpretation**

Each student will be required to locate, read, analyze, and interpret two legal cases (**one on private law and one on public law**) as assigned by the instructor. **The cases should in sports or related fields (i.e. Recreation and PE).**

As you approach the reading of case law, and seek to make sense of what the justices have written, you will use the following outlines to gather pertinent information to assist you in understanding the issues and points of law involved in each case.

Case Title:           **Bourque v. Duplechin.**

Citation:           331 So. 2d 40

Topic:               Negligence

Facts:               What actually occurred, the actions taken by each side, what was being asked by each side, etc.

Findings and Reasoning of the Courts: What the finding/holdings of the courts were at the various levels. Of particular importance is the final ruling of the court.

Implication(s): After reading the case take a moment and reflect, and ask yourself how does this case affect you?

While this is a brief outline, and can be extended or shortened, depending on individual needs, it should serve as a basic guide to your analysis and understanding of the case decision.

## VI. Calendar

Weeks	Topics
1	Introduction & Overview of Course.
2	Ethics
3	Judicial System
4	Legal Research (Lexis-Nexis)*. <i>Quiz (Thursday, Sept. 15)</i> <b>(Will meet in a computer lab)</b>
5	Negligence Ethical applications
6	Property & Premise Liability Ethical applications
7	Product Liability & Risk Management Ethical applications
8-9	Intentional Torts Ethical applications <i>Review of Exam 1</i>
10	<b><i>Exam I (Oct. 25)</i></b>
11	Contracts, Trademark, Copyright <b><i>(Due Case Analysis 1- Nov. 3)</i></b>
12-13	Constitutional and Statutory Law
13-14	Gender Equity, Sexual Harassment
15-16	ADA and OSHA. <b><i>(Due case Analysis 2and volunteer summary: Dec. 8)</i></b>
17	<b><i>Exam II (Dec. 13)</i></b>

**VI. References**

- Champion, W. T. (2005). *Sports law: Cases, documents, and materials*. New York: Aspen Publishers.
- DeSensi, J., & Rosenberg, D. (2003). *Ethics in sport management* (2nd ed.) Morgantown, WV: Fitness Information Technology.
- Epstein, A (2003). Book Review: Tilting the playing field: Schools, sports, sex and Title IX. *Journal of Legal Aspects of Sport* 13(2), 181-184.
- Gray, G., & Pelzer, J. A. (1995). The impact of Title IX on the discontinuation on NCAA Division I wrestling programs. *Journal of the Legal Aspects of Sport*, 5(2), 117-122.
- Gray, G. (1995). Risk management behaviors of high school principals in the supervision of their high school physical education and athletic programs. *Journal of Legal Aspects of Sport*, 5(1), 52-59.
- Hicks, W. M. (2001). Preventing and punishing player-to-player violence in professional sports: The court system versus league self-regulation. *Journal of Legal Aspects of Sport*, 11(2), 209-224.
- Mitton, M. J., Timothy D, R., & Smith, R. C. (2005). *Sports law and regulation: Cases, materials, and problems*. New York: Aspen.
- Morgan, W., Meier, K., & Schneider, A. (Eds.) (2001). *Ethics in sport*. Champaign, IL: Human Kinetics.
- Rosenstand, N. (2006). *The moral of the story: An introduction to ethics* (5th ed.). New York: McGraw-Hill.
- Ruggiero, V. (2004). *Thinking critically about ethical issues* (6<sup>th</sup> ed.). Boston: McGraw Hill.
- Simon, R. L. (2004). *Fair play: The ethics of sport*. (2nd ed.). Boulder, CO: Westview Press
- Weiler, P., & Roberts, G. R. (2004). *Sports and the law: Text, cases, problems*, (3rd ed.). St. Paul, MN: West Group.
- West, S., & Ciccolella, M. (2004). Issues in the standard of care for certified athletic trainers. *Journal of Legal Aspects of Sport*, 14(1), 63-74.

**VII. Volunteer Participation**

Each student is required to complete two volunteer activity. Each volunteer (worth 5 points) activity should meet the following criteria:

- a. Minimum of 2 hours
- b. Sport administration related fields
- c. **Minimum of 2 (no less than 1 ½ pages)** double-spaced pages of summary
- d. **Should not be used for other classes, and vice versa.**

**Verification Form (Attach to the summary)**

Name: \_\_\_\_\_

Event: \_\_\_\_\_

Date of Participation: \_\_\_\_\_

Start time: \_\_\_\_\_ End time: \_\_\_\_\_ Total hours: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Supervisor Email address: \_\_\_\_\_

Supervisor signature: \_\_\_\_\_

Student Signature: \_\_\_\_\_

Summary (**Minimum of 2 double-spaced pages**)

**Verification Form (Attach to the summary)**

Name: \_\_\_\_\_

Event: \_\_\_\_\_

Date of Participation: \_\_\_\_\_

Start time: \_\_\_\_\_ End time: \_\_\_\_\_ Total hours: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Supervisor Email address: \_\_\_\_\_

Supervisor signature: \_\_\_\_\_

Student Signature: \_\_\_\_\_

Summary (**Minimum of 2 double-spaced pages**)



PDF | The issue of concussion in sport is a matter of global public interest that is currently under dispute by educational , legal, and medical professionals and scientists. In this article we discuss the problem from philosophical, bioethical, and sports ethical perspectives. We...Â Otago, Dunedin, New Zealand. Concussion in Sport: Conceptual and Ethical Issues. Michael J. McNamee, Bradley Partridge, and Lynley Anderson. The issue of concussion in sport is a matter of global public interest that is currently under dispute by educa- tional, legal, and medical professionals and scientists. In this article we discuss the problem from philosophical, bioethical, and sports ethical perspectives. We articulate conceptual differences in approaches to deŕŕnition and. They frequently had difficulty distinguishing between legal and ethical issues. As we worked together in our presentations to these counselors, we found that we very rarely disagreed with each other, but we did bring differing perspectives. Barbara's ethics orientation led her to focus on client welfare and to emphasize protecting the client.Â This involves becoming familiar with ethical standards for counselors, understanding the ethical issues that counselors encounter, developing ethical reasoning and decision-making skills, and being able to use an ethical decision-making model to apply your knowledge and skills in your day-to-day professional activities. r Learning about the law as it applies to counseling.