

# Bemidji State University

## PHED 4309: Legal Aspects of Sport, Health, and Fitness

### A. COURSE DESCRIPTION

Credits: 3

Lecture Hours/Week: \*.\*

Lab Hours/Week: \*.\*

OJT Hours/Week: \*.\*

Prerequisites: None

Corequisites: None

MnTC Goals: None

An overview of the field of sports law, with applications to amateur sport, professional sport, recreation, health, healthcare, and fitness settings. Key areas of the law are identified, and applications within the sport, health and fitness industries are studied. Provides information about legal issues that may help professionals avoid litigation by foreseeing and preventing problems. Prerequisite: Junior or Senior status.

### B. COURSE EFFECTIVE DATES: 05/15/2013 - Present

### C. OUTLINE OF MAJOR CONTENT AREAS

1. Administration of sport; Negligence/Tort Law; Introduction to Risk Management Review and Application
2. Anti-Trust & Labor Law; Gender Equity; Title IX; The Equal Pay Act; Affirmative Action
3. College Athletics and the Law; Guest Speaker vs Online discussion; State Action; Due Process; Equal Protection; Search & Seizure; Right to Privacy
4. Completing Legal Research; Writing a Legal Brief; Arbitration; Tort Law and Product Liability
5. Contract Law
6. Defense Against Liability; Discuss Legal Research
7. Immunity, Waivers, Insurance; Agreements to Participate, Sport Applications: Emergency Care, Supervision & Conduct of the Activity, Transportation
8. Negligence, Risk Management, Risk Prevention Theory/Applications and Fitness Management approaches
9. Overview of Government and U.S. Legal System
10. Overview of U.S. Constitution; 1st Amendment; Judicial Review, Standing & Injunctions
11. Supervision & Conduct of the Activity, Transportation Product/Facility safety
12. Supervision & Conduct of the Activity, Transportation Product/Facility safety; Product/Facility safety
13. Title VII of the Civil Rights Act; Title I of the Americans with Disabilities Act; Disabilities Laws in Educational Settings; Statutory Law; Human Resources Law; Sexual Harassment Gender Equity; Title IX; The Equal Pay Act; Affirmative Action

#### **D. LEARNING OUTCOMES (General)**

1. develop skills in examining, researching, technical/professional writing, and solving legal problems.
2. review the U.S. Constitution, learn principles of constitutional restraints and interpretations, and be able to give examples of situations in sport contexts where constitutional law claims have been raised; areas such as due process, equal protection, and 1st Amendment rights.
3. demonstrate an understanding of issues related to injury and strict liability, especially in relation to Workers compensation, Product Liability, and principles concept of nuisance.
4. understand the legal implications of sex, race, age and disability discrimination and be able to describe and justify examples of non-discriminatory principles and policies with sport and fitness settings.
5. demonstrate a fundamental understanding of the U.S. government, U.S. legal system and legal terminology
6. explore theory of tort law, examine the legal defenses for negligence, and demonstrate an ability to apply risk management techniques within sports contexts.
7. be aware of the variety of special problems that frequently occur in day-to-day operations of in variety of sport and fitness settings; be able to construct and policies regarding dress, grooming, crowd control, violence and substance abuse

#### **E. Minnesota Transfer Curriculum Goal Area(s) and Competencies**

None

#### **F. LEARNER OUTCOMES ASSESSMENT**

As noted on course syllabus

#### **G. SPECIAL INFORMATION**

None noted