

GEORGE MASON UNIVERSITY
School of Recreation, Health, and Tourism
PRLS 460 (Section 001) – Sport and Recreation Law (3)
Fall 2011

DAY/TIME:	Web based Tele video	LOCATION:	Web based Tele video
INSTRUCTOR:	Dr. James C. Kozlowski	E-MAIL:	jkozlows@gmu.edu
OFFICE:	220a Occoquan Bldg.	CELL PHONE:	703.455.8474
OFFICE HOURS:	by appointment	PHONE:	703.993.2027

PREREQUISITES: 60 credits

COURSE DESCRIPTION: Emphasizes safety, liability, risk, and insurance. Covers current law and liability issues for administrators of Recreation, Health, and Tourism facilities and programs.

COURSE OBJECTIVES: At the completion of the course, students should be able to:

- (1) read a series of articles and case reports which illustrate general legal principles governing recreation injury liability in recreation, sports, and physical education programs.
- (2) identify general legal principles and rules of law governing recreation injury liability in recreation, sports, and physical education programs as described in lectures, review questions, objectives, and required reading material used in the course.
- (3) identify definitions and terms which demonstrate a working knowledge of federal civil rights laws and their applicability to sports, recreation, and physical education programs, specifically gender discrimination.

Further, upon completion of this course, students will meet the following professional accreditation standards:

Council on Accreditation of Parks, Recreation, and Tourism Related Professions standards met

- 8.26:02 Contracts and tort law.
- 8.27 Understanding the principles and practices of safety, emergency, and risk management related to recreation, park resources, and leisure services.
- 9A.03 Understanding of the use of the law in management of leisure services, including land management, personnel, human rights, financing, and risk management.

REQUIRED READINGS & CLASS ITEMS:

The "textbook" in this course is a compilation of case reports and related articles which I have written, in particular my monthly "NRPA Law Review" column in *Parks & Recreation* magazine (the official publication of the National Recreation and Park Association). These case reports and related articles will be available for reading, downloading and printing on the PRLS 460 site of my GMU homepage at the following address: <http://classweb.gmu.edu/jkozlows/460.htm>

COURSE OVERVIEW: This course examines the issue of personal injury liability in a variety of contexts related to Recreation, Health, and Tourism, including recreation and parks, sports, events, and physical education administration. Case reports and articles will be used to illustrate general legal principles which determine recreational injury liability in a variety of contexts. Negligence liability will be defined through general legal principles, including reasonableness, foreseeability, and standard of care.

In addition to lifeguard and aquatics liability, this course will examine sport injury liability for coaches, participants, and spectators. The course will also examine the validity and enforceability of waivers and releases in sports and recreation. This overview of program supervision liability in sports and recreation will be complemented by an examination of general legal principles governing landowner liability for grounds and facilities used in sports and recreational activities. In addition to recreation injury liability, this course will also review several civil rights issues which impact significantly upon sport and recreation administration.

EVALUATION: 4 EXAMS on Blackboard 9.1 (open book, weighted equally, each exam worth 25%)

Grading Scale

Final grades are based solely on the percentage of points earned out of the total number of points available on all four exams. THERE IS NO EXTRA CREDIT. The grading scale for final grades based on the number of points earned out of a possible 200 on all four exams:

Grade Total Points Earned

A + 180 and above

A 170 - 179

A - 160 - 169

B + 150 - 159

B 140 - 149

B - 130 - 139

C + 120 - 129

C 110 - 119

C - 100 - 109

D 90 - 99

F 89 and below

ASSIGNMENTS: Students are expected to read and study the required readings for each unit as well as view the televideo lecture which accompanies each unit. The following link to the video lectures is posted to the PRLS 460 course webpage: [CLICK Webstream PRLS 460 Video Lectures \(on demand\) GMU-TV website](http://www.gmutv.gmu.edu/PRLS_460_Fall09.asp) The web address is: http://www.gmutv.gmu.edu/PRLS_460_Fall09.asp

In addition, to prepare for each exam, students are encouraged to access and complete the practice questions which will be provided on Blackboard.

COURSE SCHEDULE:

WEEK ONE 8/29-9/2: INTRODUCTION, CONTROL TEST & NEGLIGENCE PRINCIPLES (Webstream Video Lectures 1a & 1b)

WEEK TWO 9/5-9/9: STANDARD OF CARE IN NEGLIGENCE LIABILITY (Webstream Video Lectures 2a & 2b)

WEEK THREE 9/12-9/16: LANDOWNER LIABILITY GENERAL PRINCIPLES (Webstream Video Lectures 3a & 3b)

EXAM # 1 LECTURES 1A THRU 3B accessible Noon to Midnight 9/19-9/24 on Blackboard 9.1

WEEK FOUR 9/26-9/30: LANDOWNER LIABILITY FOR CRIMINAL ACTIVITY ([Webstream Video Lecture](#) 4a)

WEEK FIVE 10/3-10/7: LIFEGUARD & AQUATICS LIABILITY (Webstream Video Lectures 5a & 5b)

EXAM # 2 LECTURES 4A THRU 5B accessible Noon to Midnight 10/17-10/22 on Blackboard 9.1

WEEK SIX 10/17-10/21: SPORTS COACH LIABILITY (Webstream Video Lecture 6a)

**WEEK SEVEN 10/24-10/28: SPORT PARTICIPANT LIABILITY & ASSUMPTION OF RISK
SPORT SPECTATOR LIABILITY** (Webstream Video Lecture 7a)

SPORT PARTICIPANT LIABILITY & ASSUMPTION OF RISK (Webstream Video Lecture 7b)

WEEK EIGHT 10/31-11/4: LIABILITY RELEASES & WAIVER AGREEMENTS IN RECREATION (Webstream Video Lectures 8a & 8b)

Exam # 3 Lectures 6a thru 7b accessible Noon to Midnight 11/7-11/12 on Blackboard 9.1

WEEK NINE 11/14-11/18: AGENCY LIABILITY FOR SEXUAL MISCONDUCT (Webstream Video Lectures 9a)

SUPERVISION LIABILITY (Webstream Video Lectures 9b)

THANKSGIVING WEEK 11/21-11/26

WEEK TEN 11/28-12/2: GENDER DISCRIMINATION (Webstream Video Lectures 10a & 10b)

EXAM # 4 LECTURES 8A THRU 10B accessible Noon to Midnight 12/5-12/10 on Blackboard 9.1

ACADEMIC INTEGRITY: I take the GMU Honor Code very seriously. Allowing students to take PRLS 460 exams off campus on a more flexible schedule is a privilege which PRLS 460 students have traditionally appreciated and have conducted themselves responsibly, but it may be subject to abuse. I expect every PRLS 460 student to know and adhere to their personal duties and responsibilities under the GMU Honor Code.

Individual exam questions on each exam are randomly selected by Blackboard from question sets in the PRLS 460 question database. As a result, while testing a student's understanding of a similar principle in each question, no two exams are identical. Moreover, Blackboard provides extensive data on each exam to determine any irregularities on individual exams and identify patterns which may indicate collusion among students on PRLS 460 exams.

I am, therefore, able to examine each exam and/or exam question to determine whether there are irregularities that warrant further investigation pursuant to the Honor Code. Moreover, any irregularities could artificially inflate and skew the scores on individual exams and questions which might produce an adverse effect on the course curve to the detriment of individual students and the class as a whole.

Accordingly, you are reminded that the Honor Code is in effect for all exams in PRLS 460 on Blackboard. Further, to clarify and reiterate, no collaboration or group participation whatsoever is permissible during PRLS 460 examinations.

All PRLS 460 exams are open book, but you are limited to primary course materials and video lectures posted to the PRLS 460 course webpage, as well as your own notes prepared prior to the exam. The use of any other study aids, memoranda, books, data, or other information during PRLS 460 exam is prohibited.

Further, you are not to discuss the exam with any other student during or after the time which the exam is accessible. Providing or reproducing any information to another student about any questions on a PRLS 460 exam would constitute cheating within the context of the Honor Code, i.e., unauthorized use of study aids, memoranda, books, data, or other information. Such unauthorized information may provides individual students with an unfair advantage over other students in preparing for exams. Moreover, prior to each exam, practice questions taken from the

PRLS 460 exam question database are made available to the entire class on Blackboard, providing an equal opportunity to prepare for the type and format of questions for each exam.

Responsibility of the Students

Students are responsible for understanding this PRLS 460 policy with regard to the Honor Code. Students are also responsible for understanding the provisions of the Honor Code. Students should also request an explanation of any part of the policy they do not understand.

All students have a duty to report to a suspected violation of the Honor Code to the course instructor.

GMU Honor System and Code

<http://www.gmu.edu/catalog/9798/honorcod.html>

Cheating encompasses the following:

The willful giving or receiving of an unauthorized, unfair, dishonest, or unscrupulous advantage in academic work over other students.

The above may be accomplished by any means whatsoever, including but not limited to the following: fraud; duress; deception; theft; trick; talking; signs; gestures; copying from another student; and the unauthorized use of study aids, memoranda, books, data, or other information.

Attempted cheating.

George Mason University shares in the tradition of an honor system that has existed in Virginia since 1842. The Honor Code is an integral part of university life. On the application for admission, students sign a statement agreeing to conform to and uphold the Honor Code. Therefore, students are responsible for understanding the provisions of the code. In the spirit of the code, a student's word is a declaration of good faith acceptable as truth in all academic matters. Therefore, attempted cheating, plagiarism, lying, and stealing of academic work and related materials constitute Honor Code violations. To maintain an academic community according to these standards, students and faculty must report all alleged violations of the Honor Code to the Honor Committee. Any student who has knowledge of, but does not report, an Honor Code violation may be accused of lying under the Honor Code.



- Students must adhere to the guidelines of the George Mason University Honor Code [See <http://academicintegrity.gmu.edu/honorcode/>].
- Students with disabilities who seek accommodations in a course must be registered with the George Mason University Office of Disability Services (ODS) and inform their instructor, in writing, at the beginning of the semester [See <http://ods.gmu.edu/>].

- Students must follow the university policy for Responsible Use of Computing [See <http://universitypolicy.gmu.edu/1301gen.html>].
- Students are responsible for the content of university communications sent to their George Mason University email account and are required to activate their account and check it regularly. All communication from the university, college, school, and program will be sent to students solely through their Mason email account.
- Students must follow the university policy stating that all sound emitting devices shall be turned off during class unless otherwise authorized by the instructor.
- Students are expected to exhibit professional behaviors and dispositions at all times.
- The George Mason University Counseling and Psychological Services (CAPS) staff consists of professional counseling and clinical psychologists, social workers, and counselors who offer a wide range of services (e.g., individual and group counseling, workshops and outreach programs) to enhance students' personal experience and academic performance [See <http://caps.gmu.edu/>].
- The George Mason University Writing Center staff provides a variety of resources and services (e.g., tutoring, workshops, writing guides, handbooks) intended to support students as they work to construct and share knowledge through writing [See <http://writingcenter.gmu.edu/>].
- For additional information on the College of Education and Human Development, School of Recreation, Health, and Tourism, please visit our website [See <http://rht.gmu.edu>].