

GEORGE MASON UNIVERSITY  
School of Recreation, Health, and Tourism

PRLS 614 – 001 Legal Issues in Recreation Administration (3)  
Fall 2015

DAY/TIME:	Distance Education	LOCATION:	NET NET
PROFESSOR:	Dr. James C. Kozlowski	EMAIL ADDRESS:	jkozlows@gmu.edu
OFFICE HOURS:	By Appointment (available	most afternoons and evenings, including weekends)	
		CELL NUMBER:	703-455-8474
		SKYPE ID:	James C Kozlowski

PREREQUISITES: graduate status in SRST Masters program

COURSE DESCRIPTION: Examines selected current legal issues relevant to Recreation Administration, including, but not limited to, tort law, civil rights law, employment law, constitutional law, and copyright law. This course uses case studies of recent court decisions.

#### COURSE OVERVIEW:

Through the case study method, this course examines the role of the courts and federal and state law in addressing a variety of law related issues in Recreation Administration. Issues include, but are not limited to, constitutional law, copyright law, gender discrimination, disability rights, administrative law, public/private competition, and non-resident discrimination. Students will be introduced to legal research methodology and analysis used by state and federal courts to address law related controversies in Recreation Administration.

In much academic coursework, evaluation and grading is based on quizzes, exams, term papers, etc. In the real world, however, individuals are not generally evaluated based upon some sort of quiz or exam. On the contrary, professional staff are oftentimes assigned a task by their superior to research an issue and report back to their agency with a memo and/or presentation which analyzes the issue and recommends a course of action based on the analysis.

PRLS 614 attempts to follow a similar practical approach in which students will choose from a list of approved Legal Issues in Recreation Administration. For selected issues, students will submit a series of memos, as well as one or two virtual presentations, to demonstrate their understanding and practical significance of the rules of law illustrated by background articles selected for each issue. In addition, students will be required to demonstrate a basic understanding of legal research using Lexis/Nexis to identify later relevant cases for listed issues as well as an elective issue

#### COURSE OBJECTIVES

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

1. Describe the role of the courts in addressing a wide variety of complex law related issues in Recreation Administration.
2. Analyze the relevance and significance of specific facts in a particular case involving a law related issue in Recreation Administration.

3. Identify the complex legal issues and various questions of law to be resolved by the court in a particular case involving Recreation Administration in various settings.
4. Identify the relevant sources and rules of law applied by courts to resolve law related issues in Recreation Administration.
5. Describe the legal analysis and methodology applied by courts to resolve complex law related issues in Recreation Administration, including the role of precedent cases, administrative regulations, legislative materials, and other relevant law related information used by courts to resolve controversies.
6. Demonstrate the ability to research and access cases, regulations, legislative materials, and other relevant law related information on law related issues in Recreation Administration.

#### PROFESSIONAL ASSOCIATION STANDARDS

Courses offered in the Sport and Recreation Studies (SRST) graduate program are guided by the principles of the Commission of Sport Management Accreditation (COSMA). COSMA (2010, p. 1) “bases its accrediting process on principles, rather than standards.” The eight recommended principles are:

- outcomes assessment;
- strategic planning;
- curriculum;
- faculty;
- scholarly and professional activities;
- resources;
- internal and external relationships; and
- educational innovation.

For more information, please see:

Commission of Sport Management Accreditation. (2010, June). Accreditation principles and self study preparation. Retrieved November 23, 2013 from <http://cosmaweb.org/accredmanuals>

#### COURSE REQUIREMENTS

Based on the Grading Scale described below, students will be required to write 5 to 8 memos on selected issues, including an elective issue, as well as 1 or 2 virtual video presentations of selected issues via Skype.

Each required memo in the course should be 2 to 3 pages (single spaced 900 – 1200 words, 12pt Times Roman font). Each memo should be directed to their actual or a fictional agency director.

Each memo submitted in the course should:

- (1) clearly identify the issue
- (2) describe the applicable general legal principles illustrated by the required readings and/or additional relevant case law
- (3) describe the practical implications of this law related information for the recreation administration in general, and the agency in particular
- (4) make recommendations based on this information which demonstrates your basic understanding of the legal aspects of the identified issue.

Memos are to be submitted on the listed due date. Late Memos will not be accepted.

Moreover, Memos are not to be “batched” or “dumped” at the beginning, during or end of the semester in an attempt to “finish early” or “play catch up.”

Memos must be e mailed in a Word attachment to the instructor no later than 11:59 pm on the due date to [jkozlows@gmu.edu](mailto:jkozlows@gmu.edu) The student is responsible for ensuring timely submission and receipt of his/her work.

Memos will be reviewed and deemed either acceptable (credit) or unacceptable (no credit) by the instructor.

Memos deemed unacceptable, at the discretion of the instructor, may be returned to the student for revision and resubmission. No credit will be given for unacceptable and/or late memos. (If you “miss” or skip an issue for whatever reason, if time allows, you may have an opportunity to redeem yourself with completion later issues later in the semester.)

Memos must reflect graduate level writing and analysis, providing practical information and recommendations that would be understandable and useful to a Recreation professional in the field, including the administrator in your agency, if any.

## **SKYPE REQUIRED COURSE COMMUNICATION TOOL, VIRTUAL PRESENTATIONS**

During the course, we will be utilizing Skype as a vital communication tool, including required video presentations by the student to the instructor during the course.

Accordingly, in addition to an introductory e mail during the first week of the semester, I am also requiring each student to schedule a meeting with me on Skype so we get to meet each of you at least virtually at the beginning of the semester. My Skype ID is: James C Kozlowski

In requiring this initial virtual meeting on Skype, I want to ensure that each student has access to Skype is comfortable with using it for their presentations and other purposes, as needed, throughout the semester.

To date, have you used Skype? If not, it’s easy and free. If you need any help getting up and running with Skype, you can always send me an e mail or call on my cell 703 455-8474

Any required Skype presentations for a listed or elective issue must be scheduled prior to the memo due date. The Skype presentation itself will be scheduled at an agreed upon time and date shortly after the memo due date.

Skype video presentations on a listed or elective issue should be at least 15 minutes and not exceed 20 minutes. At the discretion of the instructor, Skype presentations will be recorded and posted at an unlisted YouTube address to provide additional instructional resources for the course.

## **GRADING SCALE**

### **A**

Credit for memos on 8 approved Legal Issues in Recreation Administration with recent case update research and 2 Skype presentations on 2 of the 8 issues.

One issue must be an elective issue identified by student and approved by instructor with a memo and 1 of the 2 Skype presentations which demonstrates an understanding of basic legal research skills.

**A minus**

Credit for memos on 7 approved Legal Issues in Recreation Administration with recent case update research and 2 Skype presentations on 2 of the 7 issues.

One issue must be an elective issue identified by student and approved by the instructor with a memo and 1 of the 2 Skype presentations which demonstrates an understanding of basic legal research skills.

**B plus**

Credit for memos on 6 approved Legal Issues in Recreation Administration with recent case update research and 2 Skype presentations on 2 of the 6 issues.

One issue must be an elective issue identified by student and approved by the instructor with a memo and 1 of the 2 Skype presentations which demonstrates an understanding of basic legal research skills.

**B**

Credit for memos on 5 approved Legal Issues in Recreation Administration and 1 Skype presentation on 1 of the 5 issues

One issue must be an elective issue identified by student and approved by the instructor with a memo and the one required Skype presentations which demonstrates an understanding of basic legal research skills to identify later relevant case for the selected issue.

**B minus**

Credit for memos on 5 approved Legal Issues in Recreation Administration and 1 Skype presentation on 1 of the 5 issues which demonstrates an understanding of basic legal research skills to identify later relevant case for the selected issue.

**C**

Credit for memos on 4 approved Legal Issues in Recreation Administration and 1 Skype presentation on 1 of the 4 issues

**F**

Credit for memos on less than 4 issues and 1 Skype presentation.

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**A plus**

Credit for memos on 11 approved Legal Issues in Recreation Administration with recent case update research and 3 Skype presentations on 3 of the 11 issues.

One issue must be an elective issue identified by student and approved by instructor with a memo and 1 of the 3 Skype presentations which demonstrates an understanding of basic legal research skills.

Note: Although a grade of B- is acceptable in a graduate course students must maintain a 3.0 to graduate; a grade of C for a graduate course is considered unacceptable.

## **READINGS FOR SELECTED LEGAL ISSUES**

The "textbook" in this course is a compilation of case reports addressing various law related issues in Recreation Administration. All of these reports are contained in articles which I have written for my monthly "NRPA Law Review" column in *Parks & Recreation* magazine (the official publication of the National Recreation and Park Association). These articles will be available for reading, downloading and printing on the PRLS 614 website of my GMU homepage at the following address:

<http://cehdclass.gmu.edu/jkozlows/614.htm>

In addition, an archive of most of my "NRPA Law Review" articles can be found at the following link:

<http://cehdclass.gmu.edu/jkozlows/lawarts/artlist.htm>

## **TENTATIVE COURSE SCHEDULE & MEMO DUE DATES**

**August 31 through September 7** Introduction, Legal Research on Lexis/Nexis, Search Article Archive for Issues of Interest: <http://cehdclass.gmu.edu/jkozlows/lawarts/artlist.htm>

The first two weeks of the semester will provide adequate time for students to familiarize themselves with the course and discuss course questions and concerns with the instructor and each other.

Moreover, during this two week period, students should review the course webpage at <http://cehdclass.gmu.edu/jkozlows/614.htm> as well as the Article Archive to select and schedule Issues of Interest including potential elective issues during the semester.

<http://cehdclass.gmu.edu/jkozlows/lawarts/artlist.htm>

Memo due on **September 14** for Issue One, COPYRIGHT LIABILITY UNLICENSED MUSIC  
PUBLIC PARKS & RECREATION

Memo due on **September 21** if Issue 2 is chosen: INDEPENDENT CONTRACTOR TAX &  
NEGLIGENCE LIABILITY

Memo due on **September 28** if Issue 2 is chosen: CONTRACT LAW

Memo due on **October 5** if Issue 3 is chosen: GENDER DISCRIMINATION & SEXUAL  
HARASSMENT

Memo due on **October 13** if Issue 4 is chosen: NON-RESIDENT DISCRIMINATION

Memo due on **October 19** if Issue 5 is chosen: AMERICANS WITH DISABILITIES ACT (ADA)  
EMPLOYMENT ISSUES

Memo due on **October 26** if Issue 6 is chosen: PRIVACY/PUBLICITY RIGHTS OF THE  
INDIVIDUAL

Memo due on **November 2** if Issue 7 is chosen: PUBLIC COMPETITION WITH PRIVATE SECTOR  
IN RECREATION

Memo due on **November 9** if Issue 8 is chosen: ENVIRONMENTAL & LAND USE LAW

Memo due on **November 16** if Issue 9 is chosen: CONSTITUTIONAL LAW: FOURTEENTH AMENDMENT DUE PROCESS CLAUSE: PEDOPHILE BAN POLICY

### **THANKSGIVING WEEK BREAK NOV 23-29**

Memo due on **November 30** if Issue 10 is chosen: Constitutional Law: Homeless, Panhandling, Loitering

Memo due on **December 7** if Issue 11 is chosen: First Amendment Establishment Clause: Religious Use of Public Facility

#### *Student Expectations*

- Students must adhere to the guidelines of the George Mason University Honor Code [See <http://oai.gmu.edu/the-mason-honor-code/>].
- 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/policies/responsible-use-of-computing/>].
- 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.

#### *Campus Resources*

- 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>].

**PROFESSIONAL BEHAVIOR:** Students are expected to exhibit professional behaviors and dispositions at all times.

**CORE VALUES COMMITMENT:** The College of Education and Human Development is committed to collaboration, ethical leadership, innovation, research-based practice, and social justice. Students are expected to adhere to these principles.

