

**George Mason University**  
**College of Education and Human Development**  
PRLS 460 (DL2) - Sport and Recreation Law  
3 Credits, Spring 2017  
Distance Education Blackboard on NET  
Recreation Management

**Faculty**

Name: James C. Kozlowski, J.D., Ph.D.  
Office hours: By Appointment, Virtual via Skype  
Office location: Bull Run Hall 220 Science & Technology Manassas Campus  
Office phone: 703 993-2027 Cell: 703 455-8474 (cell is preferable)  
Email address: jkozlows@gmu.edu

**Prerequisites/Corequisites**

60 Credits

**University Catalog Course Description**

Emphasizes safety, liability, and risk. Covers current law and liability issues for administrators of RHT facilities and programs.

**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.

**Course Delivery Method**

This course will be delivered online (76% or more) using asynchronous format via the Blackboard learning management system (LMS) housed in the MyMason portal. You will log in to the Blackboard course site using your Mason email name (everything before

@masonlive.gmu.edu) and email password. The course site will be available on January 17, 2017.

### *Technical Requirements*

To participate in this course, students will need to satisfy the following technical requirements:

High-speed Internet access with a standard up-to-date browser, either Internet Explorer or Mozilla Firefox is required (note: Opera and Safari are not compatible with Blackboard).

Students must maintain consistent and reliable access to their GMU email and Blackboard, as these are the official methods of communication for this course.

Students may be asked to create logins and passwords on supplemental websites and/or to download trial software to their computer or tablet as part of course requirements.

Under no circumstances, may candidates/students participate in online class sessions (either by phone or Internet) while operating motor vehicles. Further, as expected in a face-to-face class meeting, such online participation requires undivided attention to course content and communication.

The following software plug-ins for PCs and Macs, respectively, are available for free download:

Adobe Acrobat Reader: <http://get.adobe.com/reader/>

Windows Media Player:

<http://windows.microsoft.com/en-US/windows/downloads/windows-media-player>

Apple QuickTime Player: <https://support.apple.com/downloads/quicktime>

SKYPE: <http://www.skype.com/en/>

### *Expectations*

- Course Week: Because asynchronous courses do not have a "fixed" meeting day, our week will start on Monday and finish on Sunday.
- Log-in Frequency:
- Students must actively check the course Blackboard site and their GMU email for communications from the instructor, class discussions, and/or access to course materials at least 3 times per week.
- Participation: Students are expected to actively engage in all course activities throughout the semester, which includes viewing all video lectures and course materials, completing all course activities and assignments.

- Technical Competence: Students are expected to demonstrate competence in the use of all course technology. Students who are struggling with technical components of the course are expected to seek assistance from the instructor and/or College or University technical services.
- Technical Issues: Students should anticipate some technical difficulties during the semester and should, therefore, budget their time accordingly. Late work will not be accepted based on individual technical issues.
- Workload: Please be aware that this course is **not** self-paced. Students are expected to meet *specific deadlines* and *due dates* listed in the **Class Schedule** section of this syllabus. It is the student's responsibility to keep track of the weekly course schedule of topics, readings, activities and assignments due.
- Instructor Support: Students may schedule a one-on-one meeting to discuss course requirements, content or other course-related issues. Students can meet with the instructor via telephone or web conference on Skype most afternoons and evenings, including weekends. Students should email the instructor to schedule a one-on-one session, including suggested dates/times.
- Netiquette: The course environment is a collaborative space. Experience shows that even an innocent remark typed in the online environment can be misconstrued. Students must always re-read their responses carefully before posting them, so as others do not consider them as personal offenses. *Be positive in your approach with others and diplomatic in selecting your words.* Remember that you are not competing with classmates, but sharing information and learning from others. All faculty are similarly expected to be respectful in all communications.
- Accommodations: Online learners who require effective accommodations to insure accessibility must be registered with George Mason University Disability Services.

### **Learner Outcomes or Objectives**

This course is designed to enable students to do the following:

- (1) demonstrate a recollection and understanding of the opinion of the court contained in a series of articles and case reports illustrating general legal principles governing recreation injury liability in recreation, sports, and physical education programs.
- (2) identify general legal principles and rules of law and their application to various recreation injury liability scenarios in recreation, sports, and physical education programs as described in lectures, review questions, objectives, and required reading material used in the course.
- (3) identify legal principles and rules of law governing federal civil rights laws and their applicability to sports, recreation, and physical education programs, e.g., gender discrimination.

### **Professional Standards**

2013 Council on Accreditation of Parks, Recreation, and Tourism Related Professions (COAPRT) standards met

Upon completion of this course, students will have met the following professional standards:

- 7.03 Students graduating from the program shall be able to demonstrate entry-level knowledge about operations and strategic management/administration in parks, recreation, tourism and/or related professions.

### **Required Texts**

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 Blackboard course site (In the event Blackboard is unavailable course materials are also available on my my GMU homepage at the following address:  
<http://cehdclass.gmu.edu/jkozlows/460.htm>

### **Course Performance Evaluation**

Students are expected to access and complete all examinations as scheduled on Blackboard.

### **Examinations Course Performance Evaluation Weighting**

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

### **Grading Policies**

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 out of a possible 200

A + 180 and above (90 percent)

A 170 - 179 85

A - 160 - 169 (80 percent)

B + 150 - 159 75

B	140 - 149	(70 percent)
B -	130 - 139	65
C +	120 - 129	(60 percent)
C	110 - 119	55
C -	100 - 109	(50 percent)
D	90 - 99	45
F	89 and below	

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.

All PRLS 460 exams are open book, but you are limited to primary course materials and video lectures posted to the PRLS 460 Blackboard site, 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.

### **Professional Dispositions and Integrity**

Students are expected to exhibit professional behaviors and dispositions at all times.

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 that may 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.

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.

### **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: <http://cehd.gmu.edu/values/>.

## **GMU Policies and Resources for Students**

### *Policies*

- Students must adhere to the guidelines of the Mason Honor Code (see <http://oai.gmu.edu/the-mason-honor-code/>).
- 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 Mason 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 with disabilities who seek accommodations in a course must be registered with George Mason University Disability Services. Approved accommodations will begin at the time the written letter from Disability Services is received by the instructor (see <http://ods.gmu.edu/>).
- Students must follow the university policy stating that all sound emitting devices shall be silenced during class unless otherwise authorized by the instructor.

### *Campus Resources*

- Support for submission of assignments to Tk20 should be directed to [tk20help@gmu.edu](mailto:tk20help@gmu.edu) or <https://cehd.gmu.edu/aero/tk20>. Questions or concerns regarding use of Blackboard should be directed to <http://coursessupport.gmu.edu/>.
- The Writing Center 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/>).
- The 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 Student Support & Advocacy Center staff helps students develop and maintain healthy lifestyles through confidential one-on-one support as well as through interactive programs and resources. Some of the topics they address are healthy relationships, stress management, nutrition, sexual assault, drug and alcohol use, and sexual health (see <http://ssac.gmu.edu>). Students in need of these services may contact the office by phone at 703-993-3686. Concerned students, faculty and staff may also make a referral to express concern for the safety or well-being of a Mason student or the community by going to <http://ssac.gmu.edu/make-a-referral/>.

**For additional information on the College of Education and Human Development, please visit our website <https://cehd.gmu.edu/>.**

### **Class Schedule**

**Exam One Feb 20-26: UNIT ONE THROUGH UNIT THREE**

**Exam Two Mar 20-26: UNIT FOUR AND UNIT FIVE**

**Exam Three Apr 10-16: UNIT SIX AND UNIT SEVEN**

**Exam Four May 10-16 UNIT EIGHT THROUGH UNIT TEN**

**Course Schedule & Readings** (Dates listed are approximate to allow students to keep pace)

UNIT ONE 1/23-1/29: INTRODUCTION, CONTROL TEST & NEGLIGENCE PRINCIPLES

UNIT TWO 1/30-2/5: STANDARD OF CARE IN NEGLIGENCE LIABILITY

UNIT THREE 2/6-2/12: LANDOWNER LIABILITY GENERAL PRINCIPLES

UNIT FOUR 2/13-2/19: LANDOWNER LIABILITY FOR CRIMINAL ACTIVITY

UNIT FIVE 2/27-3/5: LIFEGUARD & AQUATICS

Spring Break: March 13-19

UNIT SIX: SPORTS COACH LIABILITY 3/27-4/2

UNIT SEVEN: 4/3-4/9 SPORT PARTICIPANT LIABILITY & ASSUMPTION OF RISK

UNIT EIGHT 4/17-4/23: LIABILITY RELEASES & WAIVER AGREEMENTS IN RECREATION

UNIT NINE (Part i) 4/24-4/30: AGENCY LIABILITY FOR SEXUAL MISCONDUCT

UNIT NINE (Part 2) SUPERVISION LIABILITY 4/24-4/30

UNIT TEN 5/1-5/7: GENDER DISCRIMINATION

Note: Faculty reserves the right to alter the schedule as necessary, with notification to students.

