

## ARTICLES

### **A Content Analysis of Legal Aspects Courses in Sport Management**

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Sport management is a unique area of study. The first sport management curriculum was implemented at Ohio University in 1966 with a graduate degree in sports administration. In 1980, there were 20 graduate programs in sport management. By 1985, 83 academic institutions were identified as providing a curriculum in sport management while by 1993 this number had grown to 120 (Joint Task Force, 1993). Today, sport management curricula are firmly established on over 200 college and university campuses across the United States, with at least 10 such academic programs in Canada (Parkhouse, 1996). Since the first sport management curriculum, a considerable amount of literature has been published regarding curriculum guidelines and perspectives (Brassie, 1989; Parks & Quain, 1986), curricular models (Kelley, Beitel, DeSensi, & Blanton, 1994; Zanger, 1984), curriculum evaluation and assessment (DeSensi, Kelley, Beitel, & Blanton, 1990; Hardy, 1987; Mullin, 1984), and the current status of curricula (Parkhouse, 1987) at both the undergraduate and graduate levels. Because of the rapid growth of sport management curricula and opportunities in sport for graduates of these programs, this type of self-assessment and critique was necessary to meet the demand for competent and qualified individuals in management positions in the sport industry.

In 1993, the National Association of Sports and Physical Education (NASPE) and the North American Society of Sport Management (NASSM) joined forces to create curriculum standards for colleges and universities providing sport management degrees. The NASPE-NASSM Joint Task Force identified 10 core content areas at the undergraduate level and eight core content areas at the graduate level that "provide students with a body of knowledge needed by those preparing for careers in sport management" (Joint Task Force, 1993, p. 160). One of the content areas common to the core curricula at both the undergraduate and graduate levels is legal aspects of sport.

The likelihood that a sport manager or administrator will be the defendant in a sports-related lawsuit has increased significantly over the past 20 years. Examples of litigation in sport at the recreational, high school, college and professional levels are recorded in numerous journals, magazines, newspapers, newsletters, and law books. Sports-related litigation has become a multimillion-dollar industry, resulting in the sport manager facing issues today that did not exist in the past (Appenzeller, 1993). Litigation has permeated the administration of recreational sports programs at all levels to the degree that risk management and a basic knowledge of liability are an essential part of the professional preparation for today's sport manager (Rankin, 1991). The literature, therefore, supports the need and emphasizes the importance of the legal aspects content area in the NASPE-NASSM sport management standards.

While the importance of course work in legal aspects relating to sport and recreation is clear, the topics of study within the course also needs to be defined. Because the law is so broad with numerous topics and sub-topics, it is necessary to pinpoint those topics that are most applicable to sport management. Pittman (1991) conducted a study identifying content areas relating to legal issues in sport that should be taught in an undergraduate physical education curriculum. A significant finding of Pittman's study was that primary emphasis for sports law courses in physical education should be placed upon tort law, with specific emphasis upon products liability, negligence, and the development of risk management techniques to reduce the liability of negligence. Pittman's study provided a foundation for the study of legal aspects in sport management programs within physical education departments.

The NASPE-NASSM Joint Task Force curriculum standards recommended that the legal aspects of sport at both the undergraduate and graduate levels cover the following areas: state and federal legislation specific to sport; a fundamental understanding of the legal system; contract law; tort law; administrative law; constitutional law and its impact upon sport management; assessment of risk; and the development of risk management procedures. (Joint Task Force, 1993). Additionally, at the graduate level the recommended topics of study included antitrust law, collective bargaining as a component of labor law, and legal research (Joint Task Force).

The NASPE-NASSM standards provide guidelines and make recommendations for topics that should be addressed and studied. However, the final choice for the content of *any* college course usually remains with the course instructor. Ross, Jamieson and Young (1999) conducted

a content analysis of sport management programs in 1997. While they found that most curricula do provide some type of course focused upon legal aspects, they did not conduct a content analysis on individual courses within the curriculum. Research has been conducted on the content of introductory courses in sport management (Li & Cotten, 1996), however a review of the literature revealed no such study of the content of law and risk management courses as a part of the sport management curriculum. As a result, this content analysis of the legal aspects courses offered in sport management curricula was conducted. By discovering what is currently being taught, the implications, and perhaps the necessity for changes can be more clearly determined.

The purpose of the study was to determine the current content of law and risk management courses in sport management curricula. Comparing the findings of the study with the NASPE-NASSM standards for sport management curricula should indicate whether or not students preparing for careers in sport management are adequately equipped to face the inevitable legal challenges.

## METHOD

### Subjects

One challenge of conducting a study involving academic sport management programs throughout the United States and Canada is that there exists no single source or directory listing all undergraduate and graduate curricula. While NASSM does provide a list of member institutions offering sport management curricula, that list generally does not include those sport management curricula with a focus upon recreational sport. Since a significant number of students matriculating through sport management programs do find employment in recreation settings (Ross et al., 1999; Young & Ross, 2000), it was deemed important to include these institutions in the study. As a result, other organizations such as the National Intramural-Recreational Sports Association (NIRSA) and the National Recreation and Park Association - Society of Park and Recreation Educators (NRPA-SPRE) were consulted in order to capture a more comprehensive sample of sport management curricula for this study. Admittedly, those recreational sport management curricula are not bound by the NASPE-NASSM standards, but because there is a dearth of curricular standards for sport management programs, many of those institutions look to the NASPE-NASSM standards as a guide for their curricula.

In their study of sport management curricula, Ross et al. (1999), developed a sample frame of academic programs by obtaining information and individuals to contact from the NIRSA, NRPA-SPRE, and NASSM. This process yielded a total of 242 institutions specifically offering sport management programs or courses. Since the study by Ross et al. was conducted in 1997, their list of sport management institutions was updated through a comparison process with current directories from NIRSA, the NRPA-SPRE Curriculum catalog, and NASSM. As a result, the final, updated list of institutions used in this study totaled 219.

Dillman's (1978) total design method was implemented in this study. In the spring of 2000, the contact person from each of these institutions (n=219) received a letter explaining the study. The contact persons were not necessarily the legal aspects course instructors, so they were asked to pass the letter along to the actual course instructor. In addition to explaining the study, the letter asked the recipients to send a copy of their syllabus from their legal aspects course(s) at both the undergraduate and graduate levels. A follow-up postcard was mailed to all non-respondents after 10 days. A second letter was mailed to all non-respondents after three weeks. Additional follow-up attempts to non-respondents were not implemented after the second letter as it was late May and many institutions and faculty were not available during the summer months. Of the 219 institutions receiving the mailing, 77 institutions (35%) responded. Of those 77 institutions responding 62 (80.5%) sent current syllabi of their courses. Fifteen institutions responded indicating they offered no specific course in legal aspects.

### Content Analysis

Content analysis is a research technique frequently used for examining information, or content, in written or symbolic material (Neuman, 1997). Weber (1990) asserted that the "central idea in analysis is that the many words of the text are classified into much fewer content categories" (p. 12). Since the present study involved the review of course syllabi from 62 colleges and universities, content analysis was chosen as the most appropriate method of achieving a meaningful outcome.

In establishing the framework of a content analysis, units of analysis and categories must be defined. The units of analysis for this study were the syllabi at the undergraduate and graduate levels of sport management curricula. The categories defined for measurement were: 1) course title; 2) course objectives; 3) course description or purpose; 4) textbook; 5) topical content; and 6) assignments. Frequencies were used for course title, textbook, and assignment categories identifying the number of

times a common course title, textbook or assignment was listed. Common themes in the course objectives and course descriptions were identified and tallied. Finally, in the topical content and course objectives categories, the content areas specified by the Sport Management Program Review Council of NASPE-NASSM (2000) for sport management curricula were identified. These areas of legal aspects of sport at both curricular levels included (a) administrative/statutory law; (b) constitutional law; (c) contract law; (d) crowd control and security; (e) the legal system; (f) products liability; (g) risk management; and (h) tort law. Two additional legal areas were only used at the graduate level, (a) antitrust/labor law, and (b) legal research.

## RESULTS

Of the 62 institutions responding to the study, 42 institutions offered an undergraduate legal course while at the graduate level 38 institutions offered courses. Of those 42 institutions offering undergraduate legal courses, 19 offered a course only at the undergraduate level while 23 offered legal courses at both curricular levels. Additionally, at the undergraduate level there were a total of 45 legal courses as three institutions provided two courses each. Likewise, at the 38 institutions offering graduate level courses, 15 provided a course only at the graduate level while 23 offered courses at both levels. At the graduate level there were 40 courses to review as two institutions provided two graduate level courses for their students. Table 1 provides a detailed breakdown of the institutions and courses.

TABLE 1

Institutions Providing Legal Aspects Courses

Curriculum Level	Institutions	Courses
Undergraduate only	19	45
Graduate only	15	40
Both undergraduate & graduate	23	—
Topic contained within existing course	5	5
TOTAL	62	90

Five of the institutions offering courses at both the undergraduate and graduate levels provided swing courses. A swing course is defined as a course offered for both undergraduate and graduate credit. Students attend the same class, however, the graduate students often have additional assignments since they are receiving graduate credit. Five institutions indicated they did not offer a "stand-alone" course in law and

risk management, but that the topic was addressed as a unit of study within another course. In four out of the five institutions reporting this situation, these courses were undergraduate sport management or recreation administration courses. One institution offered the law and risk management topic in a facility operations course. Finally, two institutions specifically provided a course focused upon risk management at the undergraduate level in addition to their legal aspects course. This finding was replicated at the graduate level where two institutions (different institutions from those at the undergraduate level) offered risk management as a stand-alone course in addition to their legal aspects course.

### Course Titles

There was a wide variety of course titles for law, liability and risk management courses. The title most frequently appearing in the syllabi at both levels was Legal Aspects (or Issues) of Sport and/or Recreation, with 16 courses out of 45 using this title at the undergraduate level, and 20 out of 40 at the graduate level. The course title appearing second most frequently at both levels was Sports Law, with 13 undergraduate courses and eight graduate courses using this title. Risk management was mentioned in the title of seven undergraduate courses and six graduate courses.

### Course Descriptions

The purpose of the legal aspects courses listed in the course descriptions was found to be similar at both levels of the curriculum. The general purpose was to introduce students to the legal principles and problems directly affecting recreation and sport management programs. Some legal issues specifically mentioned in the course descriptions included liability concerns, employment regulations, services for people with disabilities, legislative processes, and issues involved in the supervision, management, and conduct of sport and recreation activities. The legal duties and responsibilities of the managers, supervisors, coaches, teachers, and administrators overseeing these types of programs were also commonly mentioned in the course descriptions. Finally, a theme that emerged from the course descriptions at both levels was developing an awareness or attitude on the part of the students to help avoid or reduce the probability of litigation against their program or agency.

Of those 23 institutions offering legal courses at both the undergraduate and graduate levels, 12 indicated identical course descriptions for both courses, while nine institutions provided different course descriptions. Two institutions in this category provided no course description

for the study. Of the nine institutions providing different course descriptions, only three institutions provided significantly different foci for their undergraduate and graduate level legal aspects courses. The six remaining institutions had course descriptions that were worded differently at the different curriculum levels. However, the message of the descriptions was very similar and implied the same course purpose for both levels.

### Course Objectives

As is typical of many college courses, a list of learning objectives for the students was identified. From 45 undergraduate legal aspects courses, there were a total of 287 objectives with the number of objectives per course ranging from three to 41. In 11 undergraduate course syllabi, no course objectives were listed. Within the 40 course syllabi at the graduate level, a total of 270 objectives were listed with the number of objectives per course ranging from one to 41. Nine course syllabi listed no course objectives.

As mentioned in the Method section, eight areas of law were identified as important by the NASPE-NASSM standards to both levels of legal aspects courses (Joint Task Force, 1993). These eight areas included: (a) administrative/statutory law; (b) constitutional law; (c) contract law; (d) crowd control and security; (e) legal system; (f) products liability; (g) risk management; and (h) tort law. Additionally, at the graduate level antitrust/labor law and legal research categories were used in the analysis. Each course objective was reviewed and if the content of that objective related to one of the required content areas, it was placed in that category. Table 2 shows a summary of the number of learning objectives in their corresponding NASPE-NASSM categories for both levels of curriculum.

The learning objectives listed under the administrative/statutory law category dealt with the study of governmental regulation by administrative agencies. An example of a learning objective in this category was: "[t]he student will demonstrate a knowledge of legal foundations and responsibilities of recreation and sport agencies as well as the legislative process and impact of policy formation upon recreation and leisure services at all levels of government and community organizations" (quote from syllabus). Objectives in the legal system category dealt with learning legal terminology, the structure of the court system and the steps involved in a lawsuit. The legal research category included objectives dealing with the use of legal resources, locating case law and analysis of case law. Finally, objectives in the tort law section dealt with negligence,

TABLE 2

Course Objectives By Legal Content Areas

Legal Area	Undergraduate	Graduate
Administrative/Statutory Law	15	1
Antitrust/Labor Law*	12	10
Constitutional Law	27	20
Contract Law	23	22
Crowd Control and Security	1	0
Legal System	37	33
Legal Research*	18	32
Products Liability	5	5
Risk Management	21	34
Tort Law	42	37
Miscellaneous	86	76

\*Denotes required at graduate level by NASPE-NASSM standards

defenses to negligence, conduct, and legal duties and responsibilities of individuals in supervisory roles.

Objectives not corresponding to any of the legal areas prescribed by the NASPE-NASSM standards were placed in a miscellaneous category. Many of the objectives placed in this category were more general, or concerned very broad statements regarding learning. Examples of these types of objectives were:

1. Students shall become aware of how the law affects the sports, physical education, and leisure services professions;
2. Students shall develop an understanding of the important legal issues that are relevant to the recreation field; and
3. Students shall gain an understanding of the effect of law on social change.

Other learning objectives frequently listed under the miscellaneous category dealt with trademark law, employment law, ethics, and the application of legal knowledge to practical, real-life situations.

### Textbooks and Resources

A wide variety of resources was implemented for use in the legal aspects courses in the study. A total of 20 different textbooks were identified at the undergraduate level as the required text for the course. The text most frequently listed as required for undergraduate courses was *Sport Law for Sport Managers*, edited by Cotten and Wilde (1997). At the graduate level 13 different textbooks were identified as the required text. The most frequently used textbook of the graduate courses was

again, *Sport Law for Sport Managers* with 16 out of 40 syllabi indicating this text as required. Table 3 indicates the textbooks identified most frequently as required at the undergraduate level while Table 4 reflects the required textbooks most frequently identified at the graduate level.

TABLE 3

## Undergraduate Required Textbooks

Title	Author(s)	Number of Courses Requiring Text
<i>Sport Law for Sport Managers</i>	Cotten & Wilde	10
<i>Risk Management in Sport: Issues and Strategies</i>	Appenzeller	6
<i>Sport, Physical Activity &amp; the Law</i>	Dougherty, Auxter, Goldberger & Heinzmann	3
<i>Legal Liability in Recreation &amp; Sport</i>	Hronek & Spengler	3
<i>Legal Liability &amp; Risk Management for Public and Private Entities</i>	van der Smissen	3
<i>Essentials of Amateur Sports Law</i>	Wong	3

In addition to a required text, many course syllabi indicated a supplemental or recommended reading list for the legal aspects course. Like

TABLE 4

## Graduate Required Textbooks

Title	Author(s)	Number of Courses Requiring Text
<i>Sport Law for Sport Managers</i>	Cotten & Wilde	16
<i>Legal Liability &amp; Risk Management for Public and Private Entities</i>	van der Smissen	5
<i>Essentials of Amateur Sports Law</i>	Wong	3
<i>Risk Management in Sport</i>	Appenzeller	2
<i>Law &amp; the Business of the Sport Industries</i>	Berry & Wong	2
<i>Sport, Physical Activity &amp; the Law</i>	Dougherty, Auxter, Goldberger & Heinzmann	2
<i>Legal Liability in Recreation &amp; Sport</i>	Hronek & Spengler	2
<i>Sports Law: Cases &amp; Materials</i>	Yasser, McCurdy & Goplerud	2

the required text list, the supplemental readings reflected a wide variety of sources. In a number of cases, a text listed as required for a course at one institution was listed as supplemental reading at another institution. Law reporters, videotapes, journals and professional magazines containing legal columns or articles were included on the list of supplemental readings in addition to textbooks.

Course Content

A review of the topical content of the courses at both curricular levels reflected a wide variety of topics. However, in light of the vast number of topics covered, some common themes emerged. Table 5 shows the frequency of the required content areas at each curricular level.

TABLE 5  
Most Frequently Listed Content Areas

Undergraduate (N=45)	f	%	Graduate (N=40)	f	%
Tort Law	34	77	Contract Law	29	73
Administrative/Statutory	31	70	Antitrust/Labor Law*	28	70
Constitutional Law	30	68	Constitutional Law	26	65
Legal System	28	64	Tort Law	25	63
Antitrust/Labor Law*	27	61	Legal System	23	58
Contract Law	26	59	Risk Management	23	58
Risk Management	23	52	Administrative/Statutory	19	48
Products Liability	16	36	Legal Research*	17	43
Legal Research*	14	32	Products Liability	12	30
Crowd Control/Security	9	20	Crowd Control/Security	8	20

\*Denotes required at graduate level by NASPE-NASSM standards

The percentages are based upon the total number of courses at each level, which is the number listed in the parentheses for each curricular level. Each of the content areas in Table 5 are fairly broad and encompass numerous legal topics related to recreation and sport programs. Some of the topics discussed at the undergraduate level related to tort law, included negligence, defenses of negligence, supervision and conduct of activities, legal duties and responsibilities of personnel, and intentional torts. Topics related to constitutional law included judicial review, state action, due process, equal protection, gender equity, individuals with disabilities, religion, and drug testing. Topics under the legal system category included state and federal court systems, steps for filing a claim, and the anatomy of a lawsuit. Risk management included the identification of hazards and reduction of risks, facility and equip-

ment liability, emergency care, transportation, and insurance. Other topics frequently listed on the undergraduate syllabi were tax law, criminal law, and copyright and trademark law.

At the graduate level, the content areas indicated most frequently on the syllabi were similar to those found in the undergraduate courses. Contract law was listed most frequently including elements of a contract, types of contracts, and breaches of contract. Tort law was also represented at the graduate level with most syllabi listing negligence theory, its elements and defenses as an area of study. The legal system category included legal terminology, the nature of a lawsuit, the court system, and sources of law. The risk management area included risk management planning, facility and equipment safety, aquatics and playground liability, transportation and emergency care considerations. Additional topics frequently listed on the graduate syllabi were criminal law related to sports, gambling, amateur athletic associations, tax law, and player/spectator violence in sport.

### Course Assignments

In this review of the law and risk management course syllabi in sport management curricula, a variety of methods were implemented to evaluate students' learning. At the undergraduate level the majority of courses required students to take exams although the number of exams administered varied by course and institution. Seventeen courses required two exams for their legal aspects course while 13 courses required three exams. Finally, in regard to examinations, 11 undergraduate courses required a comprehensive final exam for their students.

Of the other typical assignments in the undergraduate legal aspects courses, 17 course syllabi indicated students were required to write a research paper in an area of law related to recreation and/or sports. The development of a risk management plan for a recreation or sports setting was an assignment found in 12 different course syllabi. Case analysis and interpretation of court decisions was cited in 10 different course syllabi. In some instances, these case analyses were presented by the students in a class presentation for the purpose of sharing not only the facts of the case but also implications for the recreation and sports industry. Finally, five different syllabi indicated that mock trials, or moot court sessions, were held with students playing the role of judge, jury, plaintiff, defendant, and advocate.

At the graduate level, there was less variety in the types of assignments. Most of the course syllabi indicated exams were used as an evaluative tool, while 26 courses require two exams. Only nine course syllabi

indicated that the final exam was comprehensive. The most frequently cited assignment at the graduate level was a case analysis with 27 course syllabi listing this type of assignment. A research paper was also a frequently listed assignment at the graduate level with 25 syllabi requiring completion of this project. Other types of assignment activities listed at the graduate level included participation in class discussions and attendance (17), case presentations (8), moot court (7), quizzes (7), and the development of a risk management plan (6).

## DISCUSSION

One advantage of implementing a content analysis is the methodology's ability to reveal messages or themes in a text that are difficult to see with only casual observation (Neuman, 1997). In the present study, an underlying message, or theme, emerging from the analysis of the syllabi of legal aspects courses was that the undergraduate and graduate level courses were not easily distinguishable in terms of course descriptions, course objectives, content, textbooks and assignments. This finding was supported by others who have conducted research in sport management curricula (Brassie, 1989; DeSensi et al., 1990; Hardy, 1987; Parkhouse, 1987; Ross et al., 1999) and has been raised as a concern since the inception of a sport management curriculum at the undergraduate level. Concerning sport management curricula in general, Brassie (1989) made the observation that "a student may enter a sport management program either as an undergraduate or graduate, complete the prescribed curriculum, and graduate with basically the same knowledge and application experiences at either degree level" (p. 159). With only a few exceptions, Brassie's observation was supported by the findings in this study as they pertained to the legal aspects courses.

While it is clear from the findings of this study that the topic areas of the two curricular levels are very similar, the rigor with which each topic is addressed cannot be determined by analyzing the contents of the syllabi. Admittedly, a limitation of the content analysis methodology is that the depth of a topic, or the degree to which it is discussed, cannot be determined. Because the depth of each topic in the contents of the syllabi is unknown in this particular study, a recommendation for further study incorporating a method designed to determine the depth of the content areas must be made.

The expectation is that graduate level courses should be significantly distinguishable from undergraduate level courses. The NASPE-NASSM Joint Task Force (1993) supported this concept by recommending in its curriculum standards that graduate level programs "build upon the core

content" (p. 165) presented in their undergraduate standards. Hardy (1987), in his study of graduate sport management curricula, suggested that undergraduate curricula should provide technical competencies needed by sport managers, such as tournament scheduling, officiating mechanics, safety inspections, and promotional writing and public speaking. Hardy continued this progression by recommending that graduate programs should orient graduates to using those competencies in the "fulfillment of management tasks" leading to the emergence of individuals capable of managing sport and recreation organizations "to higher levels of quality and productivity" (p. 209). Kelley et al. (1994) also supported this line of thought by proposing that individuals with graduate degrees in sport management "would be prepared to accept positions at the administrative policy development level" (p. 98). The following recommendations are offered in an attempt to make legal aspects courses more distinct and appropriate to their respective levels of study.

### Recommendations at the Undergraduate Level

The legal aspects course at the undergraduate level should be introductory in nature. An introduction to the legal system at both the state and federal level is appropriate along with a description of the roles of judges, juries, and advocates. An appropriate class activity for the undergraduate level to help introduce students to the legal system would be a mock trial, or moot court exercise. Granted, the data of the study revealed that moot court exercises are currently conducted at both the graduate and undergraduate levels. Offering this type of activity only at the undergraduate level would lend itself to the introductory nature of the undergraduate course, and would be a step toward making the two levels of study more distinct.

Students at the undergraduate level should learn legal terminology as well as the basic premises and theories of tort, contract, and constitutional law. For example, the elements of negligence and defenses to claims of negligence should be taught along with examples from case law. The basic elements of a contract including the actions that constitute a breach, and typical remedies, should be presented. Establishing this theoretical foundation provides a launching point for the study of risk management and assists the student in comprehending why certain risk management techniques and practices are undertaken. Finally, the fundamental aspects of risk management should be defined at the undergraduate level, including an identification of hazards and the reduction of risks, the development of safety rules and regulations, knowledge of

emergency action plans, and the equipment necessary to carry out that plan.

This introductory focus seemed to be the nature of many of the courses reviewed in this study at both curricular levels. As a result, changes to the undergraduate level courses would be minimal. One change that might be made in order to maintain this introductory status at the undergraduate level is the elimination of a research paper assignment. Because this type of assignment requires students to delve into topics in greater detail and with in-depth analysis, the research paper may be more appropriate for the graduate level.

Assignments that might be more appropriate for the undergraduate level would include application of the fundamental concepts presented in class that could assist students in identifying concepts and becoming cognizant of their application in real-life situations. One assignment idea would be a field trip to one or more sport facility where students are required to identify hazards, and from that hands-on experience develop safety checklists for each facility visited. Another assignment that makes an application of the fundamentals of contracts is to have students obtain a waiver form from a sports organization and critique that waiver's validity based upon the basic elements of a contract. One final assignment idea at the undergraduate level is to have students find articles in trade magazines and professional journals revolving around legal issues and write reviews of the articles. This is yet another way for students to comprehend how the legal theories are applied to sport and recreation settings.

### Recommendations at the Graduate Level

Students at the graduate level should build upon the knowledge that they already should have gained from their undergraduate legal aspects course. At this point in the discussion, one cannot ignore the fact that students entering sport management curricula at the graduate level come from diverse academic backgrounds. Often students have never enrolled in a legal aspects course at the undergraduate level. As a result, some obvious problems for course content at the different levels must be confronted. One solution some institutions use is a prerequisite course. In the instance of a graduate student who has not taken a legal aspects course at the undergraduate level, that student would be required to take the undergraduate course as a prerequisite to the upper level course. While some educators may question the practicality of requiring a prerequisite course given students' schedules, finances and concerns for credit hours required at the master's degree level, this has been suc-

cessfully implemented at some institutions. Because of their lack of knowledge or course work in sport management, students are advised before they begin their degree work that they must take an additional course.

At the graduate level, the legal aspects course should require in-depth critical thinking and application of legal theories and concepts previously learned at the undergraduate level. For example, in terms of contract law, students should apply the basic knowledge of this area to the development of contracts in the form of player contracts, facility lease agreements, waivers, or agreements to participate. In the area of risk management, students should be able to apply the basic elements of managing risk, develop a risk management plan and articulate strategies, for implementation within a recreation or sport organization. They should be required to conduct a facility risk review, critique the results and then propose and implement policy changes in an attempt to reduce risks. Students at this level should apply specific concepts of constitutional law such as due process, equal protection, and religious rights, to hiring practices, employee policies, and drug testing. Finally, there should be greater emphasis on research at the graduate level. Students could be assigned a topic to research and required to become familiar with and use legal resources (i.e., Lexis/Nexis, the law library, etc.). Students at this level should be required to learn how to conduct legal research and case analysis. The goal for these activities is to have students draw implications for policy development in their own organizations.

### Textbooks

Another observation based upon the findings of the study involves textbook requirements for sport management courses in law and risk management. There exists a good deal of duplication in terms of the textbooks required for both curricular levels. As was reported in the Results section, *Sport Law for Sport Managers* (Cotten & Wilde, 1997) was the most frequently required text at both levels. Once again, the limitation of the methodology prevents the researcher from analyzing the depth to which the readings in the text are discussed at each level. On the other hand, this overlap of textbooks cannot help but contribute to the similarity of course content previously discussed. As a result, a recommendation to distinguish the graduate level from the undergraduate level is a two-book series on legal aspects in recreation and sport. The first text in the series could be targeted at the undergraduate level providing an overview and exposure to the many areas of law and risk management that impact sport and recreation. The second text of the

series could be directed to the graduate level and would provide more in-depth understanding of the legal theories applicable to sport management. A greater emphasis would be placed upon case law not only as an introduction to research, but also as a method to use case analyses to develop implications for future policy development.

### Future Research

A need for further research has been alluded to a number of times throughout this article, and this point in the discussion serves as an appropriate time to make specific recommendations as to the direction that research path might take. One recommendation that would enhance the present study is to gather data on the credentials of the instructors for these legal aspects courses. Information such as degrees earned, years of teaching experience, and academic preparation in legal aspects would highlight the knowledge and level of expertise for instructors of these courses. This information would reveal whether individuals with law degrees are teaching these courses, or whether individuals with academic backgrounds in sport management teach these courses. This kind of data gathering might lend greater insight into the text chosen for a course, the topics covered, and the assignments given.

A second recommendation is to develop a survey instrument on which each instructor could indicate the number of sub-topics covered and the time spent on each topic area. This information could provide greater insight into the depth to which each legal area is covered and discussed. Additionally, instructors could have the opportunity to explain their rationale for spending the time on and covering specific topics under a particular legal area. Finally, instructors could also describe their assignments made in conjunction with the various legal areas as well as indicate learning outcomes for those assignments. This data could be gathered by implementing a mail survey, a telephone interview, or by forming focus groups of course instructors at selected professional conferences. Regardless of the method that is chosen, the main point is that the current study only serves as the launching point for further study in this area.

### SUMMARY AND CONCLUSIONS

The study of law and risk management related to sport management is essential in the academic curriculum for students choosing careers in recreation and sport management. A significant increase in the amount of litigation in recreation and sports programs has been recognized over the past 30 years (Appenzeller, 1993; Burnstein, 1994; Hronek & Speng-

ler, 1997). It is crucial that sport management educators continue to examine and critique the curriculum in order to make the adjustments and changes necessitated by the work environment encountered by our graduates. By examining the content of legal aspects courses offered by a sample of institutions with sport management curricula, the present study contributes to this on-going critique.

A major finding of this study was the similarity in content of the legal aspects courses at the undergraduate and graduate levels. In an attempt to maintain the sport management curricula standards established by the NASPE-NASSM Joint Task Force, it is important that the graduate level legal aspects courses build upon the foundation established by the undergraduate legal courses. By revealing the current status of the law and risk management courses in sport management curricula, research such as the current study provides the platform for further discussion and study of pedagogical issues of legal aspects courses.

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