

Sports & Entertainment Law in Business
ADV 378S, Unique Number 06120
PR 378S Unique Number 06545

Fall 2018

BMC 3.204 – Wilfred & Bobbie Dietrich Classroom
Wednesday 3:30 – 6:30 p.m.

Instructor: J. Tullos Wells (Mr. Wells or Professor)

Office Hours: By appointment 1 hour before Class
210-865-3520
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Wednesday 1-3 pm and by appointment
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I. Course Aims and Objectives:

Aims

This course should provide students with a broad but good understanding of the legal issues that arise in all aspects of the sports and entertainment business from a communications and business perspective, as well as learning about and how to deal with practical legal problems in advertising, public relations media and business generally in the sports and entertainment world. The students will learn to prepare specific crisis management or other media plans in response to case studies.

Specific Learning Objectives:

By the end of the course, I expect students to be able to identify and understand legal concerns that will arise in the sports and entertainment industry for media and management-related professionals. Additionally, those who are considering a career in sports or entertainment should have a much better idea of what real-world and day-to-day life as a professional or manager involved in those industries would entail. To achieve this, students will be required to participate actively in discussions and presentations to the class in response to specific case studies or inquiries.

II. Format and Procedures:

The classes will consist of a seminar style roundtable on select issues set forth in the syllabus, including discussions on fact scenarios. Students will be expected to participate in class. It is one-third of your grade. In both the lectures and any group presentations, the Socratic Method will be utilized extensively.

During this course, I will be asking students to give feedback on how they are responding to the class and what could be done better or differently to maximize the useful take-away from each session. Students will have the opportunity to respond by way of surveys as well as responding to specific questions directed during the class. My philosophy, in this regard, is that students oftentimes have a better understanding of what they need to be able to learn than the professor does. Rather than guess at this, I expect my students to be helpful to me in understanding those issues.

III. My Assumptions

I have spent over 35 years as a lawyer in the sports and entertainment field, including over two decades as a trial lawyer. From that, I have learned that the ability to understand and communicate crisply and clearly is of monumental importance to the success of managers. Additionally, I have learned that the ability to build and enhance relationships with other professionals on teams responding to crises and other strategic situations is essential. I expect students in this class to take advantage of those opportunities to engage in both the communication and the relationship-building aspects of this business.

IV. Course Requirements:

1. Class attendance and participation policy:

I expect every student to show to me and all their colleagues the same respect and consideration that I will show to them. On the off-chance that a few simple ground rules are required, here they are:

- (a) Be punctual. Things always arise, and everyone is occasionally late. If it becomes a habit, in my sole discretion, you will be invited to leave the class and not return.
- (b) Attend. If you do not attend and participate, you will not pass. There is not a heavy homework schedule in this class, but while you are in class, I expect you to be prepared and engaged.

Which leads to:

- (c) No electronic devices, texting, Facebooking, Snapchatting, Instagramming, tweeting, blogging, emailing, netsurfing, *ad nauseum* during class time. I will most often give a break during class so that I can check my emails and you can check yours.
- (d) We will have guest lecturers who are giving up their valuable time to share unique insights with you. I certainly expect nothing but courtesy and cooperation to each of them.
- (e) If you are having a problem in the class that is preventing you from performing satisfactorily, and you are unable to resolve it on your own, please feel free to share it with me.
- (f) **Attendance** – An attendance sheet will be passed around for each of you to sign up at the beginning or during the course of every class. This works on the honor system. If you have another student sign for you, or you sign for another student, I will find out and you will automatically receive an F. Please honor the honor system. As you will learn, integrity in your dealings with colleagues and adversaries is one of the most important traits in a successful professional career.
- (g) If this is not interesting and enjoyable, it is probably not worth doing. I intend to enjoy our time together, and hope you will as well.

Religious Holy Days

By UT Austin policy, you must notify me of your pending absence at least fourteen days prior to the date of observance of a religious holy day. If you must miss a class, an examination, a work assignment, or a project in order to observe a religious holy day, I will give you an opportunity to complete the missed work within a reasonable time after the absence.

Course Readings/Materials:

- (a) Required Course Book: **“Sport Law, A Managerial Approach” (3rd Edition)** by Linda A. Sharp, Anita M. Moorman, Cathryn L. Claussen.
- (b) Recommended subscription: **Street & Smith's SportsBusiness Journal** available at www.sbjcollege.com/subscribe
- (c) URL sites will be provided for specific reading from time to time, specifically <http://sports-law.blogspot.com>.

2. Assignments, Assessment, and Evaluation

- (a) On the Wednesday following the initial class, you will be provided an assignment to be read and discussed in the following week's class.
- (b) Students who are unprepared or miss a class will have an opportunity to make up for the missed assignment.
- (c) Your grade will be based on your attendance and participation, and the caliber of presentations, both oral and written, that you provide during the course of the class.

3. Use of Canvas in Class

In this class I use Canvas —a Web-based course management system with password-protected access at <http://courses.utexas.edu> —to distribute course materials, to communicate and collaborate online, to post grades, to submit assignments, and to give you online quizzes and surveys. You can find support in using Canvas at the ITS Help Desk at 475-9400, Monday through Friday, 8 a.m. to 6 p.m., so plan accordingly.

V. Grading Procedures: Grades will be based on:

- (a) Class attendance and participation (50%). Please realize that some of this will be somewhat subjective, so please endeavor to make a good impression. Grading will be based on quality far more than quantity. Familiarity with the material in the text will greatly aid this.
- (b) Semester Paper (50%)

VI. Academic Integrity

University of Texas Honor Code

The core values of The University of Texas at Austin are learning, discovery, freedom, leadership, individual opportunity, and responsibility. Each member of the university is expected to uphold these values through integrity, honesty, trust, fairness, and respect toward peers and community.'

Each student in this course is expected to abide by the University of Texas Honor Code above. I have a personal very simple honor code – if you cheat, you fail . . . or worse.

VII. Other University Notices and Policies

Use of E-mail for Official Correspondence to Students

All students should become familiar with the University's official e-mail student notification policy. It is the student's responsibility to keep the University informed as to changes in his or her e-mail address. Students are expected to check e-mail on a frequent and regular basis in order to stay current with University-related communications, recognizing that certain communications may be time-critical. It is recommended that e-mail be checked daily, but at a minimum, twice per week. The complete text of this policy and instructions for updating your e-mail address are available at <http://www.utexas.edu/its/policies/emailnotify.html>.

Documented Disability Statement

The University of Austin provides upon request appropriate academic accommodations for qualified students with disabilities. For more information, contact the Office of the Dean of Students at (512) 471-6259 (voice) or 512 471-6441 (TTY). Faculty are not required to provide accommodations without an official accommodation letter from SSD.

- Please notify me as quickly as possible if the material being presented in class is not accessible (e.g., instructional videos need captioning, course packets are not readable for proper alternative text conversion, etc.).
- Please notify me as early in the semester as possible if disability-related accommodations for field trips are required. Advanced notice will permit the arrangement of accommodations on the given day (e.g., transportation, site accessibility, etc.).
- Reference SSD's website for more disability-related information:
http://www.utexas.edu/diversity/ddce/ssd/for_cstudents.php

Behavior Concerns Advice Line (BCAL)

If you are worried about someone who is acting differently, you may use the Behavior Concerns Advice Line to discuss by phone your concerns about another individual's behavior. This service is provided through a partnership among the Office of the Dean of Students, the Counseling and Mental Health Center (CMHC), the Employee Assistance Program (EAP), and The University of Texas Police Department (UTPD). Call 512-232-5050 or visit <http://www.utexas.edu/safety/bcal>.

Q drop Policy

The State of Texas has enacted a law that limits the number of course drops for academic reasons to six (6). As stated in Senate Bill 1231:

"Beginning with the fall 2007 academic term, an institution of higher education may not permit an undergraduate student a total of more than six dropped courses, including any course a transfer student has dropped at another institution of higher education, unless the student shows good cause for dropping more than that number."

Emergency Evacuation Policy

Occupants of buildings on the UT Austin campus are required to evacuate and assemble outside when a fire alarm is activated or an announcement is made. Please be aware of the following policies regarding evacuation:

- Familiarize yourself with all exit doors of the classroom and the building. Remember that the nearest exit door may not be the one you used when you entered the building.
- If you require assistance to evacuate, inform me in writing during the first week of class.
- In the event of an evacuation, follow my instructions or those of class instructors.

Do not re-enter a building unless you're given instructions by the Austin Fire Department, the UT Austin Police Department, or the Fire Prevention Services office.

VIII. Tentative Course Schedule: **This syllabus represents my current plans and objectives. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Such changes will be communicated clearly and should be expected.

Date	Main Topic(s) / Speakers
8/29	Introduction to Sports and Entertainment Law; meet Professor and GA; Constitutional law; Role of Lawyers. CHAPTER 1
9/5	Understanding Legal Systems as applied to Sports and Entertainment Industries; (a) Sources of U.S. Law; (b) Types of U.S. Law; (c) U.S. Court system; First Amendment Rights CHAPTER 3
9/12	Sports Governance – Professional Leagues; Conferences; Associations; Investigations; Olympics; NCAA, CHAPTERS 11, 12, and 13.
9/19	Speaker: Brandon James, San Antonio Spurs
9/26	Crisis Situation Responses: “On the Ball” (uploaded on Canvas Announcements)
10/3	Labor & Employment Part One – Collective Bargaining - CHAPTER 9; Collegiate and Professional –CHAPTERS 11 and 13
10/10	Labor & Employment Part Two – Regulation of Players/Artists CHAPTERS 4, 6, 7, 8, 10 and 14
10/17	Contract Law: Uniform Player Contracts. CHAPTERS 6 and 10; Personal Service Contracts
10/24	Criminal Justice System and Sports: criminalization of on and off-field conduct CHAPTERS 5 and 18
10/31	Intellectual Property; Legal and Business Issues; Technology; and Impact on Traditional Business Models. CHAPTER 19; E-Sports
11/7	Sports/Entertainment Law and Civil Rights / Individual Rights; Title IX CHAPTERS 5, 6 and 7
11/14	Industry Economics; Business Model Issues; Venues: CHAPTERS 15 and 16
11/21	<i>Holiday</i>
11/28	Future of Sports and Entertainment?; Priorities (Assigned Reading)
12/5	Course Review; Presentation of Seminar Papers

A Word about Conduct in a College Classroom

To make our time together as valuable as possible, we all have to work hard at it. The following basic principles may give us some guidelines:

Every student has the *right* to learn as well as the *responsibility* not to deprive others of their right to learn.

Every student is accountable for his or her actions.

In order for you to get the most out of this class, please consider the following:

- a. Attend all scheduled classes and arrive on time.
Late arrivals and early departures are very disruptive and violate the first basic principle listed above.
- b. Please do not schedule other engagements during this class time.
I will try to make class as interesting and informative as possible, but I can't learn the material for you.
- c. If you have trouble hearing the lecture or media presentation because of distractions around you, quietly ask those responsible for the distraction to stop.
If the distraction continues, please let me know. It is often impossible for me to hear such things from my position in the classroom.
- d. Please let me know immediately if you have any problem that is preventing you from performing satisfactorily in this class.

I am looking forward to working with you this semester.

J. Tullos Wells
Fall 2018