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## **Indiana AHPERD Journal**

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## Indiana Association for Health, Physical Education, Recreation, and Dance

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## President's Message

anticipate this will find everyone wrapping up another academic year; one that seemed to fly by faster than the previous one no doubt. I know many are facing significant changes from new positions, to moving into new facilities and many to the new adventure of retirement. I am confident these new endeavors will be a celebration for all.

In the winter journal, I offered you a challenge. That you spend the year lifting your nose from the grindstone and tell someone what you do, what IAHPERD is about and 'why' we have pride in our profession. How did we do? I know we had many guests in classrooms, community partners have increased and effective data is being gathered daily. These are just a few of the advocacy things I know about. Imagine all the things happening that haven't been listed. Have you shared the journal with a friend or colleague? How about added a new unit to your curriculum? Maybe you shared your Fitnessgram data with your principal or superintendent. Whatever it was, be proud – you made a difference.

How proud I was in Charlotte! To see IAHPERD represented so strongly! From high quality sessions presented by some of IAHPERD's finest, to the fabulous

representation of Andrea McMurtry as our candidate for NASPE Teacher of the Year, all the way to the high number of representatives we had ALL DAY at the Alliance Assembly. Pride in the profession was loud and clear each and every day. All that AND elevators and lights all week too – it was a powerful week.

Past presidents are working hard to finalize another outstanding state convention. Session proposals are coming in at a steady stream. Please get your submissions to Keith Beutow as soon as possible. We'll be offering CPR certification this year as well as finalizing an amazing keynote speaker for Thursday morning. Stay tuned!

Be sure to spend the warmest weather recharging you batteries and focusing on the important things in life – however you choose to rank them.

Pride brings passion, spread the word! See you in October!

"The mission of IAHPERD is to enhance the credibility of the disciplines within our association through advocacy, professional development, and research-based pedagogies resulting in healthier communities."

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JOURNAL IS
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Students
Graduate Students
Teachers At All Levels

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## IAHPERD Information for Journal

IAHPERD has sent numerous e-mails since the January of 2012. Several are coming back as undeliverable since the address is a school address and the school has IAHPERD filtered out. Please check your SPAM folder to see if indianaahperd@ aol.com or inahperd@inahperd.org is in there and work with your school to change that and see that our communications are reaching you. Another solution is to send your home e-mail to: inahperd@ inahperd.org for an update.

Thanks!

## Attention IAHPERD Members

As an association, in the future more of our communications will be done through e-mail. If you did not receive an e-mail in January or February from: indianaahperd@aol.com or inahperd@inahperd.org – please update your e-mail address.

This may be done by e-mailing your current e-mail, name, and address to:

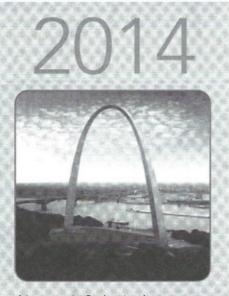
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Any questions? Contact Karen Hatch, Indiana AHPERD Executive Director at the above e-mail or by telephone at:

765-664-8319

Thanks for keeping the IAHPERD membership records up-todate.

# Future AAHPERD National Conventions



Meet me in St. Louis, the gateway to the west. Here you can take in the view from the top of the Arch, America's tallest manmade monument, observe nature's power at the confluence of the Missouri and Mississippi rivers. You can get up close and personal with the Clydesdales and tour the historic Anheuser-Busch brewery, or cheer for one of the home teams. including baseball's Cardinals, the Rams football or the Blues hockey team. In the evening enjoy some authentic blues and jazz at one of many St. Louis night spots.

2014 – St. Louis, Missouri

America's Center

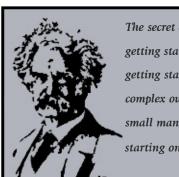
April 1-5, 2014 (Tuesday-Saturday)

2015 - Seattle, Washington

Washington State Convention & Trade Center

March 17-21, 2015 (Tuesday-Saturday)

**2016 – Minneapolis, Minnesota** Minneapolis Convention Center April 5-9, 2016 (Tuesday–Saturday)



getting started. The secret of getting started is breaking your complex overwhelming tasks into small manageable tasks, and then starting on the first one.

— Mark Twain

positive youth development. Young people report that they are more highly motivated and engaged in sports than in many other contexts (e.g., Larson & Kleiber, 1993; Weiss, 2008), and these conditions often create rich environments for personal and interpersonal development (Larson, 2000). However, playing sports during childhood does not automatically produce benefits. Research shows that positive outcomes depend on (a) the manner in which sports are organized, (b) what occurs in a young person's relationships with parents, peers, and coaches, and (c) the meaning that a young person gives to sport experiences, and (d) the way a young person integrates sport experiences into other spheres of life. Knowledge of these factors is crucial when creating a framework that maximizes the benefits of sport participation. Some of the benefits mentioned below may also be applied to general physical activities as well as organized sports.

it is The National Association of Sport and Physical Education's (NASPE's) current position that:

- Encourage a mastery environment that emphasizes skill development rather than a competitive environment that focuses only on winning.
- 2. Remember that children are not miniature adults and they do not see or interpret the world around them as adults do.
- 3. Respect and accommodate the physical and psychosocial developmental stage of young people playing sports.

- 4. Ensure that the goals of the youth sport program are clearly stated and conveyed so that parents can determine if participation is appropriate for their children.
- 5. Identify and discuss with young people the lessons learned through sport experiences and how they can be useful in other areas of their lives.
- 6. Support quality coaching education for youth sport coaches and recommend that youth sport organizations follow NASPE's National Standards for Sport Coaches (NASPE, 2006).

The most relevant and important findings from the current research are summarized here:

## Research Findings on Possible Health and Physical Benefits

With regular participation in a variety of sports, children can develop and become more proficient at various sports skills (including jumping, kicking, running, throwing, etc.) if the focus is on skill mastery and development. Children participating in sport also develop agility, coordination, endurance, flexibility, speed, and strength. More specifically, they can develop:

- Enhanced functioning and health of cardiorespiratory and muscular systems,
- Improved flexibility, mobility, and coordination,
- · Increased stamina and strength,
- Increased likelihood of maintaining weight (American Academy of Pediatrics (AAP) Committee on Sports Medicine and Fitness (COSMF), 2001; Beets & Pitetti, 2005; Brown, Clark, Ewing, & Malina, 1998).

Sports provide an arena for youth to be physically active and reduce the time spent in sedentary pursuits, such as watching TV and playing video games (AAP COSMF, 2001; Brown et al., 1998).

Youth sports participation can lead to lifetime participation in sports and physical activities (Beets & Pitetti, 2005; Brady, 2004; Brown et al., 1998; Healthy People, 2010).

Regular participation in sports and physical activity decreases the risk of diabetes, heart disease, obesity, and other related diseases. Children also tend to be more nutrition-conscious in their food choices when participating in sports (Beets & Pitetti, 2005; Brady, 2004; Brown et al., 1998; Kawabe et al., 2000).

Girls involved in sports are less likely to become pregnant or begin smoking and have a decreased risk of developing breast cancer (Leone, Lariviere, & Comtois, 2002).

Youth athletes have showed lower total cholesterol and other favorable profiles in serum lipid parameters associated with cardiovascular disease (Beets & Pitetti, 2005; Brady, 2004; Brown et al., 1998).

Favorable changes in and maintenance of body composition (i.e., higher percentage of fat-free mass and lower percentage of body fat) are associated with participation in youth sports (e.g., basketball, distance running, field hockey, lacrosse, gymnastics, soccer, and tennis), and training activities are associated with enhanced

bone mineral and density (Bencke, Damsgaard, Saekmose, Jorgensen, Jorgensen, & Klausen, 2002; COSMF, 2000; Faigenbaum, Kraemer, Blimkie, Jeffreys, Micheli, Nitka, & Rowland, 2009; Ginty, Rennie, Mills, Stear, Jones, & Prentice, 2005; Laing, Wilson, Modlesky, O'Connor, Hall, & Lewis, 2005; Radelet, Lephart, Rubinstein, & Myers, 2002; Van Langendonck, Lefevre, Claessens, Thomis, Philippaerts, & Delvaux, 2003).

Research Summary: Health and Physical Benefits of Youth Sport

Participating in many sports and physical activities maximizes physiological development among young people. Growing bodies are predisposed physiologically to non-specialized physical activities; therefore, physical development and success in sports are enhanced by participating in multiple sports on a schedule that allows for periods of active rest and recuperation throughout the year. Participating in multiple sports and physical activities is more likely to enhance balanced physical development, expand skill-development opportunities, and encourage sport participation that maximizes lifelong fitness and well-being. However, youth do not necessarily acquire the health and health-related fitness benefits that many assume are achieved through participating in youth sports without deliberate efforts to ensure that the amount of moderate or vigorous exercise is sufficiently maintained for each young person. Better awareness education about what is reasonable from a health perspective is also needed (see, for example, American Academy of Pediatrics Committee on Sports Medicine and Fitness (2000; 2001); National Institute of Arthritis and Musculoskeletal and Skin Diseases: http://www.niams.nih.gov/hi/topics/childsports/ child sports.html).

## Research Findings on Possible Psychological/Affective Benefits

When children experience enjoyment and intrinsic motivation while participating in sports, they can have gains in self-esteem (Fox, 2000), specifically physical self-concept (Blackman, Hunet, Hilyer, & Harrison, 1988).

Through sports, young people are presented with opportunities to develop social skills, learn about teamwork, and develop leadership skills (e.g., Light, 2010). Young people must learn to work together in order to achieve a shared goal. Leadership is often a by-product of teamwork, but most often occurs when the adults involved in the activity intentionally foster it.

Sports teams offer opportunities for young people to have regular access to peers (Jones, Dunn, Holt, Sullivan, & Bloom, 2011). As such, they provide the opportunity to cultivate friendships and learn about peers from different backgrounds. Research finds that young athletes are more likely to display pro-social values, including caring, empathy, and compassion (e.g., Bailey, 2005). However, research also suggests as youth become more involved in sport their moral development can decline depending on their experiences and experience more negative peer and adult interaction than in other activities (Hansen, Larson, & Dworkin, 2003). Young athletes also tend to endorse

values surrounding positive social interactions with others, including friends and families (Jones et al., 2011).

Sports that require high levels of performance can provide context where young people experience strong emotions, such as anger and anxiety. Some youth report gaining insight into how to manage these emotions (Hansen et al., 2003).

Sports are an avenue where young people are given the opportunity to take initiative (Larson, 2000; Larson, Hanson, & Moneta, 2006). Initiative has been defined as the ability to commit energy to a goal over time. When young people are intrinsically motivated and challenged by sports, they can develop important skills for working toward their goal. These skills may include the ability to develop plans, organize time, and solve problems.

Youth sports can offer a positive context for the development of identity because youth are able to try out different activities in the process of establishing a sense of self (Hansen et al., 2003; Light, 2010). Being involved in a sport provide an opportunity to reflect on one's strengths and weaknesses and to gain a better understanding of who one is.

Research Summary: Psychological/Affective Benefits of Youth Sport

Research indicates there can be a unique collection of psychological and affective benefits from participation in youth sports. When a positive environment is created, children can receive psychological and emotional benefits; however, these benefits tend to be less tangible then potential benefits in other categories.

## Research Findings on Possible Intellectual/Academic Benefits

Physical activity participation is positively linked to better cognitive functioning in children (attention and working memory) (Bailey, 2006; Castelli, Hillman, Buck & Erwin, 2007), grades, test scores, school engagement, and education aspirations (Eccles & Barber, 1999; Marsh & Kleitman, 2002), reduced school dropout (Mahoney & Cairns, 1997), and a higher likelihood of college attendance (Barber, Eccles, & Stone, 2001).

Students in athletics have been shown to perform better academically than their non-athletic peers with specific increases in academic self-concept, locus of control, school attendance, educational aspirations, and time on homework (Fejgin, 1994; Marsh, 1992). How sport participation influences academic achievement is not known (Broh, 2002) and does not account for self-selection bias (Fredricks & Eccles, 2006).

Sport participation in school does not worsen academic results despite taking time away from class (Sallis, McKenzie, Kolody, Lewis, Marshall, & Rosengard, 1999).

Researchers report that sport and physical activity participation has greater benefits for high-risk youth (Mahoney, 2000; Mahoney & Cairns, 1997), and youth from low-income families (Marsh & Kleitman, 2002). Students at the highest risk of school dropout benefit the most from extra-curricular activities.

Potential explanations for academic benefits include

having a structured schedule to assist with task completion, having strong perceptions of school belonging to increase motivation and associating with a prosocial peer group (Fredericks & Eccles, 2005), and increasing mental alertness from the physical activity used to help cognitive functioning, as well as possible increased blood flow to brain and an enhanced mood (Bailey, 2006).

Other possible explanations include the leading-crowd hypothesis where association with non-deviant peers and positive academic role models lead to motivation for academic success, or the use of sports to justify grades and studying because of eligibility requirements to maintain social status; therefore, avoiding being labeled a "nerd" (Broh, 2002).

The Social Capital Model may also explain the academic benefits of sports where athletes have greater social capital and interactions with positive adult role models and greater ties with peers, teachers, and parents, which creates greater social control, transmission of information and resources, and more encouragement (Broh, 2002).

Participation in multiple activities can have beneficial effects, but over-involvement may have a negative impact on academics. Fredricks (2012) reported that being involved in two activities seems to be the threshold for positive effects of activity participation on academics.

Research Summary: Intellectual/Academic Benefits of Youth Sport

Involvement in extra-curricular activities, specifically sport, has been related to better cognitive functioning in children (attention and working memory) and greater outcomes academically including higher grades, test scores, engagement in school, satisfaction with school, aspirations and rates for attending college, as well as lower absenteeism and drop out rates. Demonstrated in interscholastic sports mostly, the research is not causal, the mechanisms for how sport participation influences academics are not proven, and few studies have accounted for self-selection bias and have not addressed the effects of developmental activity (Fredricks & Eccles, 2005).

## **Research Findings on Social Benefits**

Playing informal, player-controlled sports provide young people with opportunities to organize group activities, resolve interpersonal conflicts, solve problems, and sustain the consensus and cooperative relationships required to play competitive games (Martinek & Hellison, 1997).

Playing organized, adult-controlled sports provide young people with opportunities to participate in relationships with adult authority figures and engage in rule-governed teamwork in the pursuit of a shared goal.

Youth sports expand a young person's social network when they are organized to facilitate meaningful interaction with teammates and opponents.

Young people are less likely to engage in violence off the field when they participate in sport programs that teach a philosophy of non-violence, respect for self and others, the importance of fitness and self-control, confidence in physical skills, and a sense of responsibility to self and others.

When young people participate in local, communitysponsored youth sports, they are more likely to become engaged in civic activities as adults.

Youth sports provides opportunities to meet adults who may become helpful mentors and advocates in a young person's life.

Youth sports increases social awareness and sensitivity when young people have opportunities to play with peers from different social and cultural backgrounds and different levels of physical ability.

Research Summary: Social Benefits of Youth Sport

The social benefits that come with participation in youth sports are contingent that is, they depend on how youth sport experiences are organized and the kinds of relationships that are established during participation. When playing sports expands a young person's experiences and relationships, social benefits increase. When it limits new experiences and relationships by constricting free time and relationships with peers, social benefits decrease.

For more information on effective resources for youth sport programs, please visit NASPE'S Coaches Toolbox: http://www.aahperd.org/naspe/publications/teachingTools/ coaching/.

## **Position Statement Task Force**

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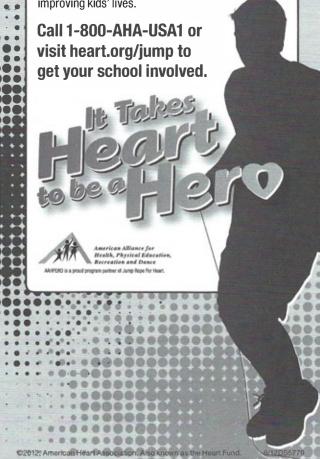


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# Cross-Curricular Education: Combining a Cultural Story and Creative Movement into Physical Education

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## **Abstract**

An interdisciplinary approach in teaching is a current trend within K-12 education. The physical education curriculum may provide a positive atmosphere for cross-curricular opportunities. This article provides suggestions on how to use cultural influences from other class work and incorporate into a physical education lesson on dance.

Key words: dance, creative movement, culture, cross-curricular

## Introduction

Dance has beautiful significance in relation to different cultures. Combining the reasoning for dance through the eyes of a specific culture may link the relevance to why people dance. Physical educators may increase the significance of the relationship between dance and the culture by choosing a culture that is connected to a reading or history assignment, the history of an art project, or through the music unit students are currently studying. The example lesson plan is influenced by an African welcome dance, Yabara, and will use fitness balls as drums to represent the strong ties to rhythm.

## Music

Incorporating music that is more similar to the selected culture into the lesson may help to influence the understanding of rhythm within different cultures. If collaborating with music instruction, using the same music from class with increase familiarity. In collaborating with art, reading, writing or history instruction, encouraging use of the same music from physical education class helps to promote the crosscurricular associations for students.

## Warming up with Cultural Influence

Warming up in a circle provides students who have difficulty creating dance movements on their own with the opportunity to see others in the class and use the movements of classmates to inspire them to create new movements of their own. Use of "creative movement" has fewer connotations than the term "dance." Encouraging students to think of a movement, rather than a dance, produces more creative expressions and allows students to truly express themselves. You can give very vague instructions such as move by feeling the music, or you can be more specific such as instructing students to mimic an animal or a sport. Another idea is to tie in emotions or feelings. For example, you can have students dancing for food, dancing for war, doing a welcome dance, performing a love dance, dancing in celebration, or dancing to tell a story.

Activity: Why do we dance?

Posing the question, "Why do people dance?" and demonstration of what a rain dance might look like will encourage students to join in. Ask students about other reasons cultures dance and invite students to demonstrate what they think the dance may look like. Each student's rendition may be different but encourages recall of what information they previously have on the topic and creative thinking to produce their demonstration. Reasons for dance may include emotions which may lead into the next sequential activity.

Activity: Emoticons

An activity to promote emotional dancing is Emoticon dance. Print or draw large, visible emoticons of happy, sad, silly, angry, and sleepy faces. Be creative and include other emoticon faces as well. When the instructor shows the angry emoticon faces, students dance or participate in movements to show they are angry.

## Across the floor (technique training)

Students can work on motor development through technique movements across the floor. Following lines on the floor through technique work may aid in the development of gross motor actions such as walking backwards or the ability to balance.

Selecting movements in the choreography to practice prior to reintroduction in the choreography establishes a level of mastery. Encourage movements that allow use of right and left side of body as well as crossing the midline. Ask students to develop a movement for the class to practice moving across the floor that they think represents their own family or culture. Students may demonstrate a movement like cooking because their family often cooks.

Examples of across the floor techniques that would be appropriate for the selected choreography in the example culture would include: Walking sideway squats, walking forward/backward raising arms from shoulder to extended up, walking and pretending to beat on a drum, and walking placing right leg and right arm out to side and back to center and switch to left leg and left arm out to side and back to center.

## Choreography

For the selected cultural influence of an African welcome dance, each student may receive a fitness ball to use as a drum (figure 1); using a step riser may keep the ball from rolling during the dance. This specific dance can be used to any music that represents the cultural tones. In songs that are difficult to determine chorus and verse, repeat parts B and C for an A-B-C-B-C-A pattern. An example of the African welcome dance is demonstrated in table 1.

Stations

Station work or "creative movement games" encourage development of movements. Three options for station work include: moving story, dancing dice and percussion dancing.

Activity: Moving Story

Using either a story or creating a story, read the story to the students and have them interpret the story into movements. One story may be about how a lion finds food. Have students start by lying down and describe to them how the lion wakes up. They should interpret what the teacher is saying and translate to movements (Kaufmann, 2006).

Activity: Dancing Dice

Write a reason for dancing or a dance movement on each side of a box. Students toss the dice, when it lands students perform that type of dance. Options for dance movements to write on the sides may include: Country heal taps, Hawaiian Hula, Fiesta Feet, Hip Hop hip shakes, Disco dance, Jungle jumps.

Activity: Percussion Dancing

Another station activity may include percussion dancing to incorporate rhythm and coordination. Give students percussion instruments such as clapping sticks or bells. For each instrument, assign a movement. For students with clapping sticks, they may be assigned to stomp at the

same rhythm as they clap the sticks together. At the same time, students with bells may shake their hips to the rhythm they create with the bells. The activity allows students to create music together as a group (Skinner, 2007).

**Evaluation** 

To evaluate the understanding of how dancing is used for many purposes in different cultures try putting students in small groups have them create a dance that represents a reason for dancing. Reasons may be significant looking at world cultures such as rain dance, welcome dance, or war dance. Other options may be creating dances significant to the culture of the school and its activities. For example, when students think of recess, what type of dancing would represent that part of their day, or encourage creativity when they think of how to represent library time, lunch, or hallway walking through dance.

## Conclusion

Using dance and cultural influences may aid in an interdisciplinary approach to creative inquiry of movement for students. Linking previous knowledge and familiarity from other classwork may increase openness to participate in dance activities. By incorporating cultural movements in warm up, technique training and station work, students may gain confidence to complete choreography and evaluation by using common movements, creativity and teamwork. Communication between reading, writing, music, art or history curriculum may provide ideas on how to incorporate cross-curricular learning experiences, specifically cultural learning experience, to use during physical education class time and increase collaboration between teachers within a school.

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Table 1: Yabara African Welcome Dance

Intro or part A:	Find the beat on the ball	
Verse or part B:	Tread (repeat on)	
Chorus or part C:	Walk clockwise around ball with right hand on ball and left hand in air Hands up in the air, bring hands down at same time as squat (4x) Walk counterclockwise around ball with left hand on ball and right hand in air Wave hands in celebration	
Outro or part A:	Find the beat on the ball	

Figure 1: Student using fitness ball as a drum in in choreography influenced by African welcome dance, Yabara.



# The Importance of Health-related Fitness Knowledge in Physical Education through the Principles of the Self-Determination Theory

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## **Abstract**

In modern-day society health and wellness are being compromised by widespread inactivity and poor nutrition selections. Overreliances on technology, as well as an abundance of high caloric and fat diets, have contributed to an obesity epidemic that has significantly altered the landscape of wellness in the United States. The obesity epidemic. the rise of health-related diseases, and the lack of physical activity (PA) are at all-time highs. One way to combat this epidemic is through increasing health-related fitness knowledge (HRFK) education in physical education (PE) classes in secondary institutions. The role of PE is more important than ever but is thought to be irrelevant in schools by many. PE plays a vital role in increasing PA and physical fitness (PF) throughout students' lifespans. As a possible determinant of keeping individuals physically active and fit while making PE pertinent, HRFK is a critical measure needed to ensure longevity of healthy fitness habits. Research, though limited, indicates a significant relationship between HRFK, PA and PF. Findings have also indicated PE classes that focused on an applied knowledge component have shown longitudinal increases in PA and PF. Through the Self-Determination Theory a framework can be developed to better explain the importance and relevance of HRFK to PA and PF and the need for it in PE.

## Introduction

The United States is facing an obesity epidemic that can be traced to an increased sedentary lifestyle and an unhealthy diet. According to the United

States Department of Health and Human Services Healthy People 2010 report, only 22% of adults engage in moderate PA for 30 minutes five or more times a week and nearly 25% of the population is completely sedentary. In addition, only about 29% of high school students participated in light to moderate activity nearly every day (CDC, 2011). Lack of PA continues to contribute to the high prevalence of overweight individuals and obesity within the United States. Over 35% of adults and 17% of youth are obese in the United States (Ogden, Carroll, Kit, & Flegal, 2012). In the state of Indiana 30% of adults, 13% of adolescents, and 14% of children are obese (CDC, 2012). Indiana profile data also indicates that only 43% of adults reach the weekly recommended moderate-vigorous PA suggested by the U.S. Department of Health and Human Services while 27 % of adults reported not participating in any PA (CDC, 2012). It is important to reverse this cycle of obesity as these data are problematic and a huge impact on overall health and the sustainability of health care (Cawley & Meyerhoefer, 2012).

Physical education plays an important role in the everyday lives of students and the eventual adults they become by helping to create lifelong healthy habits. Physical educators and researchers alike must understand the mechanisms that influence and promote lifetime PA and PF. To date, many interventions have been attempted to successfully increase PA and PF levels. However, the majority of those interventions have been unable to sustain longevity of PA and PF levels (Hillsdon, Foster, & Thorogood, 2005). The purpose of this manuscript

is to focus on a possible determinant that could have a longitudinal impact on PA and PF levels.

Health-related fitness knowledge (HRFK) may be a key component to giving individuals the ability to stay fit and active throughout their lifespan. HRFK has been marginalized because of the push to incorporate as much movement and PA into the PE classroom as possible during the limited school day (Lowry, et al., 2004; Stewart & Mitchell, 2003). With the limited time that physical educators have available to provide tools for students to be physically active and fit, one must consider what are the most important elements that should be taught to students?

Research involving HRFK has focused on three main areas: (1) overall HRFK, (2) the relationship between HRFK, PA, and PF, and (3) interventions involving HRFK. Research has indicated students from elementary to college age have inadequate HRFK, < 70%. This includes students studying to be professionals in health-related fields (Barnett & Merriman, 1994; Desmond, Price, Lock, Smith, & Stewart, 1990; Keating, et al., 2009b; Kulinna, 2004; Losch & Strand, 2004; McCormick & Lockwood, 2006; Miller & Berry, 2000; Miller & Housner, 1998; Petersen, Byrne, & Cruz, 2003; Placek et al., 2001). Research findings, though limited, have indicated significant relationships between HRFK, PA, and PF (Dilorenzo et al., 1998; Ferguson et al., 1989; Liang, et al., 1993; Thompson & Hannon, in press). Finally, research has indicated that PE classes designed around a knowledge component that allows for students to apply what is learned and develop their own personal fitness and PA regimens have shown significant longitudinal gains (Adams and Brynteson, 1992; Dale & Corbin, 2000; Dunn, et al., 1999; Jenkins, et al., 2006). From these findings, it is plausible to conclude the HRFK plays an intricate role in developing sustainable PA and PF levels.

HRFKI is imperative to the PE classroom to develop students into autonomous learners to continue in PA and PF on their own, while in school and as they leave K-12 education. The importance of HRFK can be better understood through the Self-Determination Theory (SDT) framework. The application of HRFK through the SDT framework is designed to further support the already aforementioned research showing the importance HRFK to PA and PF. Physical educators could benefit from a thorough understanding of HRFK through the lens of the SDT. The addition of the theoretical model assists with the application of these concepts in a real life environment (i.e., the PE classroom). The following sections address the application and research of SDT to HRFK.

## Using Self-Determination Theory to Understand the Link between HRFK and Behavior

Self-determination is "the process of utilizing one's will" (Deci, 1980, p. 26). "Self-determination requires that people accept their strengths and limitations, be cognizant of forces acting on them, make choices, and determine ways to satisfy needs." (Schunk, Pintrich, & Meece, 2008, p. 248). Deci and Ryan (1985) suggested that humans have three needs in terms of motivation; competence, control (autonomy) and relatedness. Individuals experience a sense

of self-determination to the extent that they feel *competent* to perform actions, are able to make choices about what actions to undertake, and feel a sense of relatedness to others in the setting in which they are functioning. Failing to meet or support any one of these three factors diminishes the extent to which an individual may be self-determined in a situation, and thereby increases the likelihood that other external factors (e.g., close oversight of a coach or parent) will be operating to orient and motivate the individual's action. SDT provides a useful framework for examining the relationship between HRFK and behavioral variables because the three basic psychological needs integrated within this theory provide a framework for understanding how acquiring knowledge, applying the knowledge by your own control, and having the opportunity to relate to individuals with similar interests could increase engagement in PA.

## Applying SDT to engagement in Physical and Health-Related Behaviors

Several researchers have utilized SDT as a framework for understanding PA (Biddle & Nigg, 2000; Landry & Solomon, 2002). Many PA interventions have also used SDT as the framework to improve activity levels. For example, Levy and Cardinal (2004) sent out mail-mediated intervention information to 126 participants on how to incorporate PA behaviors into their every day lifestyles. Exercise behavior was tested by a self-report questionnaire and the variables used as mediators were the three psychological components of SDT: autonomy, competence, and relatedness. The researchers reported that women significantly increased PA behaviors over the 2-month intervention. The findings indicated that the women who were equipped with the knowledge/competence of being able to implement their own activities had higher levels of autonomy which opened up more avenues for enjoyment in PA behaviors.

Similarly, Vansteenkiste et al (2004) concluded from their findings that focusing on health and physical fitness (intrinsic goal attainment), compared to focusing on physical appearance and attractiveness (extrinsic goal attainment), had a positive effect on effort level, autonomous exercise motivation, long term adherence, and performance. These findings are aligned with the SDT and its framework for intrinsic motivation being the most autonomous form of motivation and the most likely form of motivation to drive individuals to act (Deci & Ryan, 1985). If an individual is more intrinsically motivated, meaning they are more focused on individual improvement and not improvement to impress others, they are more likely to continue with the activities that they are motivated by. Finally, Wilson et al (2005) found that a 4-week PA intervention which focused on SDT principles resulted in an increase of adolescents' short-term, moderate PA.

## HRFK May Provide a Sense of Competence in Fitness Contexts

Competence is related to perceived mastery of the environment or task (Schunk et. al, 2008). Individuals need

to be competent in the environment, competent working with others, and competent in their tasks to have a sense of belonging and confidence. At a basic level, if an individual cannot master her or his environment then the chances of survival are decreased (Schunk et. al, 2008). Competence in HRFK may be a key element of competence needed to function properly in a fitness setting (Ferguson, Yesalis, Pomrehn, & Kirkpatrick, 1989). To be competent in understanding different PF levels and abilities, an individual must be able to evaluate their current health or lack there of (Pastor, Balaguer, & Garcia-Merita, 2008). After evaluating current health status, an individual is able to use HRFK to set fitness goals. The acquired knowledge will enable the construction and implementation of a program to reach the goals that they have developed. Without the appropriate HRFK, it is very hard to identify, construct, implement, and succeed with a PF plan to improve overall health.

## **HRFK** and Fitness Contexts

The second basic psychological need of the selfdetermination theory is autonomy (Deci & Ryan, 1985). The need for autonomy is a need for control and a decision-making process by the individual. In fitness contexts, HRFK may be related to PA in that possessing knowledge may augment the capability to independently set fitness goals and develop one's own program. If an individual is equipped with the proper knowledge of understanding concepts of fitness, how to assess their own fitness, and the inherent ability to improve each area, then they have the autonomy to develop and implement their own PF regimen. Having the ability to develop one's own individual program allows an individual to decide what they want to accomplish, incorporate what they enjoy doing, and include the volume and intensity of activities to reach their goals. According to Landry and Solomon (2002), having knowledge may provide a sense of freedom and control for the individual which they would not have if they had not developed an appropriate knowledge base of PF. Consistent with SDT, having autonomy increases intrinsic motivation to work-out, which in turn will foster increased adherence to PF and PA levels.

An example of decreased motivation induced by lack of autonomy was demonstrated by Taylor, Blair, Cummings, Wun, and Malina (1999). These researchers investigated childhood and adolescent PA patterns and subsequent adult PA. One part of their study examined the relationship between "forced exercise" and "encouragement to exercise" during childhood and adolescents compared to subsequent PA in adulthood. The researchers found that participants who were forced to exercise at an early age had a negative perception of PA and had lower levels of PA in adulthood compared to participants who were encouraged to exercise at an early age. The researchers interpreted these findings participants who were forced into exercising had limited choices about the exercises they performed, and having "choice" or autonomy taken away from them made exercise a negative experience. The negative experience of being forced to exercise in childhood inhibited a desire to exercise in adulthood. In essence, individual's intrinsic motivation for PA had been diminished from their lack of autonomy as a child.

On the other hand, the "encouragement to exercise" group participants were encouraged to exercise but were given the freedom to choose if they wanted to exercise or not (Taylor et al, 2008). They were equipped with the tools to exercise, encouraged, and given the freedom to choose (autonomy). The "encouragement to exercise" participants had higher levels of PA in adulthood compared to the "forced exercise" participants. The findings from this study seem to point to the potential importance of autonomy in PA and how it may influence motivation for future PA behaviors.

Similarly, a study by Fortier, et al (2007) utilized SDT as the framework for a PA intervention with primary care patients. Patients (18-69 years) were randomly divided into two groups; the control group was given a short autonomy supportive PA counseling lesson to understand basic autonomy concepts and the experimental group was given an extensive three month autonomy supportive counseling from a PA counselor. Dependent variables included an autonomous motivation and perceived competence for PA. The researchers reported that participants who received the three months extensive counseling had higher autonomy support and autonomous motivation at six weeks and higher PA levels at 13 weeks then the control group. The researchers also found a significant correlation between autonomous motivation and perceived competence at six weeks, as well as a significant relationship between PA at week 13. These findings supported the SDT process model for PA adoption, and seem to suggest that developing competence (counseling) in individuals provided autonomy, in turn facilitated PA.

In addition to the relationship between HRFK and PA, fostering autonomous motivation has also been found to improve a number of other health-related behaviors including attendance and lower BMI among individuals participating in weight loss programs (Williams, Grow, Freedman, Ran, & Deci, 1996), improving diet regulation and health in individuals with diabetes (Senecal, Nowen, & White, 2000; Williams, Freedman, & Deci, 1998; Williams, McGregor, Zeldman, Freedman, & Deci, 2004), and increasing PA lifestyle changes with patients suffering from chest pain (Williams, Gagne, Mushlin, & Deci, 2005). Based on the understanding of autonomous motivation and its effect on many different health behaviors and PA, the possibility of HRFK being a factor in developing more autonomous motivation in PA needs to be considered and researched.

The ability to have autonomy makes participating in PA more enjoyable and motivating (Schunk et. al, 2008). The more intrinsic motivation an individual has, the more of a chance they will continue to advance in the PA that the motivation is directed at. Intrinsic motivation can be acquired from the ability to gain competence in HRFK which allows for autonomy. The cyclical effect of knowledge, application, autonomy, and motivation can continue to improve PA. The more HRFK acquired, the more opportunities for increased PF and PA.

## HRFK May Also Foster Feelings of Relatedness in Fitness Contexts

Relatedness is having a sense of belonging to a certain group, association, fraternity, or some other organization. To have a better understanding of relatedness in SDT and its relationship to PA, it is important to understand that if someone is more equipped with knowledge (competence) about different activities, they are more autonomous in what they do. From the activities they choose to do, they can enjoy relatedness with others in those same areas of PA.

In a study (Unger & Johnson, 1995) investigating social relationships and PA among health club members, three social variables were found to have positive effects on physical activity. Socializing outside of the club with friends met at the club, was the best predictor for increased work-out frequency. Having friends at the club was the best predictor of workout consistency, and exercising with a friend was the best predictor of work-out satisfaction. This connection with other people sharing common interests and abilities fulfills the need of relatedness. By becoming part of a group of individuals who exercise together, studies have predicted higher levels of intrinsic motivation which ultimately leads to more enjoyment for the individuals while exercising (Murcia, San Roman, Galino, Alonso, & Gonzalez-Cutre, 2008).

Having HRFK may open up avenues for becoming a member of different PA social groups. Social groups could include associations with running, bicycling, triathlons, weight lifting, aerobics classes, and other fitness orientated groups (Lemen, 2006). Having HRFK may be instrumental in identifying activities that maximize fitness as well as encourage and foster motivation through social interaction (Schunk et. al, 2008).

## Conclusion

The obesity epidemic must be attacked through a combination of education and action. It is understood by the authors of this paper that HRFK will not explain 100% of the variance on why and how individuals stay fit and active; however it is believed that HRFK can be a key determinant in lifetime PA and PF. Through the SDT framework, a very viable structure around the importance of HRFK to PA and PF can be developed. As physical educators, the concept of HRFK is something that must be thoroughly considered and its' relevance must be determined within their field and more importantly within their classrooms. If students are to be equipped with the tools to create the most advantageous environment to stay physically active and fit throughout their lifetime, then the knowledge component of understanding why and how to execute PA and PF becomes very valuable.

Competent individuals who partake in PA and exercise, also become autonomous learners and movers. With this autonomy, individuals are able to pick and choose the paths they want to pursue in PA and PF, which then leads to a relatedness with others of same interests. Through this development, the physical education environment becomes an avenue for endless options for students to

choose PA because they are freed as learners to explore on their own. The old Chinese proverb states "Give a man a fish and feed him for a day, Teach a man to fish and feed him for a lifetime". We want to teach our students how to go out on their own and pursue PA and PF, not try to just provide PA and PF in our classroom.

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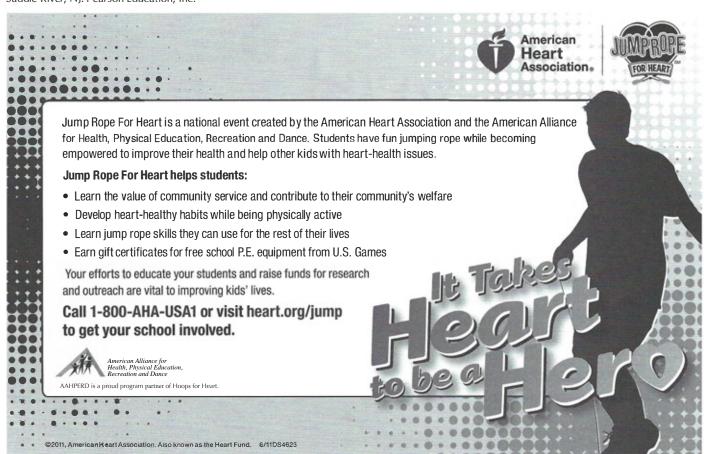
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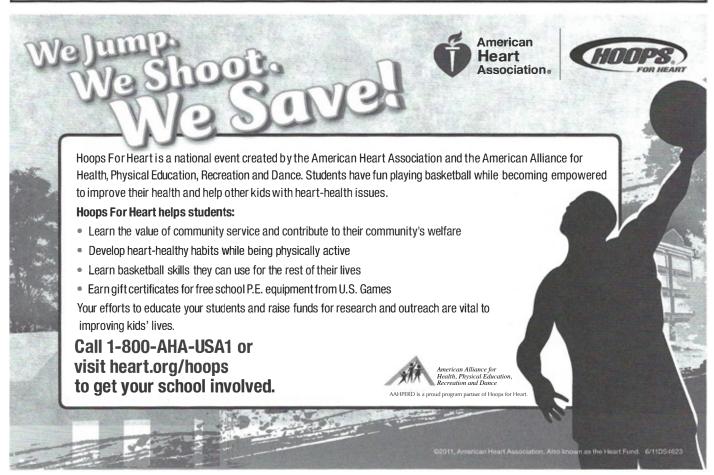
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## IAHPERD Scholarship/Awards Program, 2012

## **IAHPERD Recognition Awards**

Members of the Association have distinguished themselves in service to the profession and are recognized at an Awards Celebration. Various awards and scholarships are given to recognize the achievements and contributions in health, physical education, recreation, dance and sports.

## **Honor Award**

The Honor Award is the highest recognition by IAHPERD to one of its members who is clearly outstanding in his/her profession with long and distinguished service to health, physical education, recreation, dance, sport and/or allied areas.

Dale Berry was born in Jackson, MI where she rode her bike, played softball, swam, jumped rope – yes, movement was large part of her early life. Dale holds a B.S. degree in physical education teaching from Michigan State University, a M.A. degree from Ball State and a M.A. plus 30 hrs. from Western Kentucky University. She taught physical education at Floyds Knobs Elementary School, New Albany, IN the majority of her professional career.

Dale's curriculum was progressive and innovative. She implemented several fitness-type programs including but not limited to Halloween Fitness, Indy 500 Fitness, Kentucky Derby Fitness, etc. Creative, child-centered, energetic, fitness-based, life-time activities, and brain compatible lessons were the focus of her curriculum. Programs regularly incorporated parents who contributed to her programs success. Dale instituted JUMPING COUGARS, a jump rope performance team, which performed at high school basketball games and the Indiana State Fair. Dale also coached boy's and girl's cross- country. Her cross-country teams won three county championships during her coaching career.

Dale's involvement in IAHPERD is well documented. She served as Program Director for Jump Rope for Heart several years. She was a champion for the American Heart Association fundraiser, Jump Rope for Heart, encouraging other physical education teachers to get involved. Floyd Knobs Elementary School was second in the state for raising money for Jump Rope for Heart two consecutive years. She presented her K-5 jump rope curriculum at annual IAHPERD conferences. She was named IAHPERD Elementary Physical Education Teacher of the Year, 1999. Channel 11-WHAS, Louisville presented her with the EXCEL Teaching Award, 2000. Michigan State University named her Alumni K-12 Teacher of the Year and IAHPERD President, Molly Hare recognized Dale

with the "Presidential Award" for her hard work and dedication to IAHPERD.

Dale is generous with her time and talent always thinking of how she can help others. She worked with Mississippi survivors of Katrina, was Captain for the FKE's Relay for Life team several years.

Although retired from Floyd Knobs, Dale teaches part-time at Grand Valley State University, Allendale, Ml. She teaches classes in movement/health activities for classroom teachers. She also works part-time for the Zeeland Recreation Center where she has started afterschool jump rope programs at five elementary schools. She is the secretary for Michigan AHEPRD and the Association Awards Committee Chair. Dale is an active individual. She continues to enjoy swimming, water aerobics, and snow skiing of her youth and Michigan State University football games.

## **Legacy Award**

The Legacy Award is designed to recognize persons who have given long and distinguished service to the Association. This award is not intended to overshadow the Honor Award but recognizes persons who have left a legacy, a benchmark or a standard in professional service, scholarship and leadership.

Karen Hatch taught physical education and health for 29 years at Marion Community Schools. She is currently an adjunct professor at Indiana Wesleyan University. During her teaching career at the public school level, Karen was very active in extracurricular activities coaching and officiating volleyball, track and field and basketball.

Karen is a true advocate for her profession. She served as President of the Midwest (2001-02) and Indiana (1997-98) Association for Health, Physical Education, Recreation and Dance and is currently the Executive Director for Indiana AHPERD. During her professional career, Karen has served in several leadership roles such as the Midwest Association Treasurer, Vice-President for Health and Safety, Chair of the Nominating Committee, etc. She has an equally long legacy of service in the Indiana Association serving as Vice President for Health, Secretary, and Director for Hoops for Heart, Awards Chair, etc.

Karen has been recognized for her professional contributions receiving the Midwest AAHPERD Meritorious Service Award (2006), the Midwest AAHERD Honor Award (2004), the Indiana Honor Award (2003), The Indiana Health Educator of the Year Award (2001), the Indiana Physical Education Teacher

of the Year Award (1995) and the American Association for Health Education (AAHE) National Teacher of the Year Award, Grades K-12 (1994).

Karen has presented her ideas about making health content fun and engaging for students. Karen has written numerous articles and advertisements for Jump and Hoops for Heart and has served to promote the importance of health and physical activity for youth through many statewide initiatives.

Cathy Huntsinger taught physical education, health, drivers education and English for 33 years primarily at Frankton Jr./Sr. High School.

Professionalism, service, and passion are words that describe Cathy. She has served on the Indiana Advisory Board for the Physical Education Standards and the National Board of Teaching Standards for Health Education. Cathy was a member of the Literacy Task Force that correlated the Literacy Standards and Indiana's Academic Standards in Health Education. She also served on the Professional Standards Board. Cathy assisted the Tobacco, Alcohol, and Other Drugs (TAOD) Task Force for Indiana and provided service to the Drug Grant Advisory committee and AIDS Advisory Task Force.

Cathy spent time in her early years coaching track and volleyball. In addition to coaching Cathy spent many years as the Health Club Sponsor, Honor Society Faculty Advisor, sophomore class sponsor, and Chair of the Steering Committee for North Central Evaluations. Cathy worked as a volleyball official, track meet director or starter, announcer for junior high sporting events and swimming official. During the summers she enjoyed coaching the YMCA swim team.

Cathy has been very involved with IAHPERD serving on the Executive Board of Directors as secretary for several years. During her twenty-five membership she provided assistance on the Awards Committee, Mini-Grant Committee, Health Council, Secondary Physical Education Council, Middle School Physical Education Council, Advocacy Committee, and the Statewide Youth Festival Steering Committee. Cathy has received the IAHPERD Leadership Award, Health Educator of the Year and the Secondary Physical Educator of the Year Awards. She has presented at IAHPERD, Midwest, and AAHPERD conferences focusing on "Making Health Fun and Engaging."

At the Midwest level, Cathy co-authored the Midwest curriculum for Hoops for Heart and Jump for Heart. For many years she served on the Midwest Jump and Hoops for Heart Task Force and the Health Council. More recently, she served as the Midwest executive secretary.

Although retired, Cathy has not given up her passion for teaching. She supervises student teachers, works as a substitute teacher and gives swim lessons in the summer.

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## Teacher of the Year Awards

The Teacher of the Year Awards recognizes the work of outstanding health, physical education and dance teachers. A teacher is defined for the purpose of this award as an individual whose primary responsibility is teaching students health, physical education, and/or dance in kindergarten through twelfth grades for a specific school corporation with dance being a possible exception.

Physical Education Teacher of the Year – Secondary School

Gretchen Shafer teaches physical education and serves as the physical education, health and nutrition department chair at Fishers High School, Indianapolis, IN. She is responsible for the duties of an administrator including staff supervision, budget preparation, equipment maintenance, professional development for staff, and online course development. She is also responsible for providing CPR and Lifeguarding courses/training that serve the school and Fishers community

Gretchen not only teaches physical education at Fishers High School, she teaches online health education courses through the Indiana Online Academy. She serves as an adjunct instructor in the Kinesiology Department at the University of Indianapolis where she teaches college students methods of teaching physical education. Gretchen has served as a Glencoe Health Teacher Reviewer for Glencoe-McGraw Hill Publishing Company and on Health textbook adoption committees for the state of Indiana.

Gretchen has authored "How to Successfully Teach Survival Swimming" which earned her recognition and publication by the International Center for Leadership Education. She also authored "Experiencing Special Needs" published in Valley Family Magazine and "Special Needs Simulation" published in Real Kids Magazine.

Gretchen's Gold Seal Lesson Plans reflect her commitment and passion for her students, with and without disabilities, and their preparation for real-world and unpredictable situations. The plans are student driven, analytical and require higher-level thinking.

Gretchen's principal writes," Mrs. Shafer understands her content, differentiates her instruction, invests in her students, creates a positive environment and is an advocate for her subject area. She is a leader. She cares deeply about the success of every student."

Physical Education Teacher of the Year – Middle School and Midwest Association Teacher of the Year

Andrea McMurtry teaches health and physical education at Fishers Junior High. Health and physical education curricula at Fishers are aligned with state and national standards. Daily lessons include an emphasis on reading and writing. Andrea emphasizes in her classes how to improve health, relieve stress, enjoy and challenge self and interact with others in a respectable way. She incorporates nontraditional activities such as flickerball, speedball, rugby, SHARBARDE, etc., as well as those more familiar activities in her classes.

Fitness is at the core of her teaching. She uses modern technology such as heart rate monitors, balance trainers, agility ladders, etc., to keep fitness exciting and interesting. She teaches students workouts they can recreate at home and share with family member. She incorporates differentiated instructional strategies in her health classes to keep students of various ability levels engaged.

Andrea continues to evolve professionally. She has completed the National Federation of High Schools Coaches Education Program, the Hamilton Southeastern Schools Administrative Leadership Academy, attended workshops on literacy, curriculum strategies. She has attended IAHPERD state conferences, received training in SPARK and Physical Best.

Andrea has presented her ideas at the IAHPERD Conferences. She was a member of the health textbook adoption committee for Indiana. She has received grants from the Hamilton Southeastern Schools Foundation, Best Buy, Geist Half Marathon and Fuel UP to Play 60. These grants have afforded her the opportunity to advocate for her school and programs which has been instrumental in the school being named Hoosier Healthy School for four consecutive years at the Silver level.

Dance Educator of the Year

Joy McEwen teaches undergraduate dance classes in the College of Health and Human Sciences in the Department of Health and Kinesiology at Purdue University. She has taught specialized movement classes at the undergraduate and graduate levels in the College of Liberal Arts Patti and Rusty Rueff School of Visual and Performing Arts Departments of Theater and Dance. Joy has taught at Hunter College, Marymount Manhattan College and Sterns College in New York and University of Las Vegas Nevada and at American Dance Festival at Duke University. She currently coaches the West Lafayette High School She Devils Dance Team. She also teaches classes at Morton Community Center in Lafayette.

Joy has enjoyed an impressive professional dance career. She was a member of the Erick Hawkins Dance Company, Nancy Meehan Dance Company in New York City. She co-founded the Wellspring Project in New York City. The mission of the Wellspring Project was to provide a platform to link the Hawkins aesthetic with the present dance forms. She was featured in the documentary video, The Erick Hawkins Modern Dance Technique Part I and Part II produced by Dance Horizons and the accompanying book written by Renata Celichowska.

Joy's teaching emphasizes creative methodology allowing students to express their artistic talents through the medium of dance. She promotes an understanding of dance as a creative art and emphasizes the significance of dance as an integral cultural component. Students create their own dances and share them at community functions such as an end of the year performance at Purdue's Loeb Theater.

Joy holds memberships in Indiana AHPERD and, National Dance Association. She has volunteered at the Super Bowl and Indianapolis Marathon. She volunteers her time and talent to choreograph for Purdue Theater, Tippecanoe Players and Red Devil marching band.

American Association for Health Education College/ University Health Education Specialist Award and Indiana AHPERD Health Educator

Renee Frimming is an Assistant Professor in the Department of Kinesiology and Sport at the University of Southern Indiana (USI). Dr. Frimming holds an Ed.D. in Health Promotions from University of Kentucky, an M.A. in Health Science from Ball State University and a B.S. in Community Health Education from Ball State. Dr. Frimming holds several American Red Cross certifications and is a Master Certified Health Education Specialist.

Dr. Frimming is responsible for the delivery of online and inclass undergraduate courses in health education at USI. Dr. Frimming has been recognized for her leadership in health education receiving the Indiana AHPERD Leadership Award (2011).

Not only are teaching and university service strengths for Dr. Frimming, her involvement in the Evansville community is particularly noteworthy. Dr. Frimming has assisted with the promotion and delivery the SMART Youth Fitness and Nutrition Program at several middle and elementary schools in Evansville. The program is designed to raise at risk students awareness about proper nutrition and exercise. She is responsible for initiating and coordinating a socially based after school run/walk program for tweens and supervising triathlon training programs at the middle and elementary school levels. Dr. Frimming provides the American Red Cross babysitting training program for tweens, Basic Aid training for scout groups, and numerous health fairs throughout the community. Her work at USI allows her the opportunity to assist pre-service teacher to bridge the gap between theory and practice by engaging undergraduate students in projects that will better prepare them for teaching.

Dr. Frimming's teaching, scholarship, professional activities and volunteer initiatives speak to her commitment to the promotion of healthy living. Dr. Frimming has three book chapters, nine refereed articles, 13 peer-reviewed international/national presentations, and several state presentations. She has secured grant funding for projects in excess of \$50,000. She is generous with her time and talent evidenced by a strong balance in all areas (teaching, scholarship, service).

## **Sports Management**

The Sports Management Award recognizes the work of an individual who exhibits excellence in sport management education at the college/university level.

**Michael Diacin** is an Assistant Professor of Kinesiology at the University of Indianapolis. He holds a PhD in Exercise and Sport Science from the University of Tennessee, a B.S and M.S. in Sport Management from Bowling Green State University.

Dr. Diacin has contributed to the body of knowledge in sport management through his research and publications in peer-reviewed journals and presentations at state, national

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and international professional meetings. His body of work includes writing and presentations on drug use and testing in intercollegiate sports, parental motivation for children in recreational sports, expectations of employers of entry-level sport management employees and financial and economic issues pertinent to sports as a business.

Dr. Diacin has been active at Indiana AHPERD conferences conducting informational sessions for attendees , hosting sport management panels for students to discuss internship experiences, and arranging for guest speakers to talk about sales and sponsorship management. Dr. Diacin is a member of the American AllianceHPERD, NASPE and the Research Consortium. He is also a member of the North American Society of Sport Management (NASSM). He has served on the publicity committee, made contributions to their semi-annual newsletter and reviewed abstracts for their conferences, etc.

Students find Dr. Diacin's teaching purposeful and relevant to their preparation for their future work in sport management fields. Dr. Diacin incorporates case studies and real life experiences in sport in his teaching to encourage students to think critically about issues facing sport management practitioners. He uses technology (Microsoft Excel, Publisher and Outlook) to familiarize students with programs essential to employment in sport related businesses.

## **Outstanding Student**

The Outstanding Student Award recognizes an undergraduate student who has displayed distinctive leadership and meritorious service to his/her profession.

Austin Barcome is a physical education major at the University of Indianapolis. Austin is also a site director at the YMCA in Indianapolis teaching in the after-school program. He teaches children about how to be physically fit and how to make healthy decisions. He implements the SPARK curriculum where he emphasizes 60 minutes of physical activity daily. He models healthy behavior through active participation with participants. Austin volunteer efforts during his two years with the YMCA include YMCA head football coach, YMCA sport summer camp director, 8-9 year old group leader, YMCA Spark and YMCA Play 60 campaign.

Austin is very active in the University functions. He assisted with a Special Olympics basketball tournament, is a member of the Kinesiology Club which serves to organize campus fitness activities such as UINDY Fit. Austin is a member of the UINDY leadership team and has served as UINDY campus ambassador and UINDY threshold counselor.

Austin has presented his ideas on new technology, Xbox Kinect and body gravity exercises at the 2011 IAHPERD state conference. He plans to present his ideas on exer-gaming as a form of physical activity at a 2012 IAHPERD regional conference.

A professor writes, "Austin possesses the characteristics and convictions necessary to serve as an educator and positive role model. His presence in the field will be a great benefit to his students and colleagues."

## Leadership

The Leadership Award recognizes an individual who has demonstrated significant leadership in terms of program development in health, physical education recreation, dance and/or allied areas and whose contributions reflect prestige, honor and dignity in the Association.

Glenna Bower is Chair and Associate Professor in the Kinesiology and Sport Department at the University of Southern Indiana (USI). She holds a Ph.D. in Educational Leadership and Organizational Development with a concentration in Sport Administration from the University of Louisville, an M.A. in Physical Education with a concentration in Adult Fitness from Indiana State University and a B.S. in Physical Education from the University of Southern Indiana with a minor in Psychology.

Dr. Bower is a prolific writer. She has published several manuscripts on mentoring to advance women in leadership positions in sport. Her scholarly work includes four book chapters and more than 30 publications in a variety of journals such as the Sport Management Education Journal, Advancing Women in Leadership, Mentoring and Tutoring, Women Sports and Physical Activity Journal, etc. She has made more than 50 presentations to various scholarly associations at the State, Regional and National levels including the European Association for Sport Management, the North American Society for Sport Management the American Alliance for Health, Physical Education Recreation and Dance, etc. She has accumulated more than \$132,000 in grants and event programming.

Dr. Bower is the recipient of several awards including the 2009 Outstanding Academic Advisor Award, 2009 National Association for Girls and Women in Sport Pathfinder Award, 2009 Indiana AHPERD Pathfinder Award, 2008 AAHPERD Mabel Lee Award, 2007 Indiana AHPERD Young Professional Award. Dr. Bower is an active member of the Alliance AHPERD serving as Vice President of Publications, a member of the Indiana AHPERD of Sport Management Council and member of the Diversity and Social Justice Committee for Midwest AHPERD. Dr. Bower has also been active in other organizations including National Intramural Recreational Sports, etc.

Jean Lee/Jeff Marvin Collegiate Scholarship Awards

The Jean Lee/Jeff Marvin Scholarship Awards were established by IAHPERD to recognize outstanding undergraduate students preparing for a career in health, physical education, recreation, dance and allied field.

Luke Bentley attends Manchester College where he is a junior majoring in health education and physical education teaching. Luke plans to teach at the middle school level and coach soccer and/or baseball. Luke is a resident assistant and Vice-president of the east hall

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Executive Board. He is President of the campus golf club and a member of the physical education SHAPE club. Luke is a member of Indiana AHPERD, serves on the Council for Future Professionals and participated in the 2011 Indiana AHPERD state conference. A professor writes, "Luke is capable and conscientious and is the kind of professional who will get things done while not seeking the spotlight."

Tricia Hensley attends the University of Indianapolis where she is a junior majoring in Sport Management. Tricia is interested in working with the NCAA, Indiana Sports Corp or similar types of sport affiliates. Tricia is a member of the Kinesiology Club, has be active in the sports information department assisting with managing sporting events and has volunteered her time assisting with Special Olympics. A professor writes, "She is hard-working, conscientious and willing to go the extra mile to succeed."

Rachel Lynn is a junior attending Indiana Wesleyan University where she is majoring in health education and physical education teaching. Rachel plans to teach physical education and coach volleyball. Rachel has been active in intercollegiate varsity volleyball, Special Olympics and intramural sports. She also serves as a part-time assistant volleyball coach. She is a member of Indiana AHPERD. A professor writes, "Rachel is intelligent, responsible who possesses a very friendly personality. Rachel exhibits a willingness to work hard while maintain a cheerful attitude."

## High School Scholarship Awards

The IAHPERD High School Scholarship Award was established to recognize outstanding high school seniors who enroll in an Indiana college or university to prepare for a health, physical education, recreation and dance and allied career.

Alexa Hankins graduated from Columbus East High School, Columbus, IN. Alexa is attending Indiana University majoring in dance. Alexa is an excellent student. She graduated from Columbus East with a 3.93 GPA. Alexa was very active in high school. She was a Co-Founder and Co-President of the Happiness Club. She was a member of the National Honor Society, served as editor of the yearbook, member of Fellowship of Christian Athletes, and historian for Best Buddies. Alexa has volunteered time working with Hospice and Indiana Kids Common. A teacher writes, "At my dance studio, she is looked up to y hundreds of younger girls who see her as their role model, not only for the amazing dancer she is, but for the beautiful and accomplished young lady she has become."

Keriann Marcum graduated from Union County High School, Liberty, IN. Keriann is attending Manchester College majoring in health education. Keriann is a good student graduating from Union County with a 3.0 grade point average. Keriann is an involved student. She was the football manager, played varsity basketball and varsity softball. She participated in extra-curricular activities such as the spell bowl team, Patriot patrol and the school spirit club. She was involved with little league softball and baseball during summers. A teacher writes, "Keriann has a zest for life that makes her a happy and grounded person.

Keriann is a strong role model for other students. She has a passion and a work ethic that exceeds expectations. She is willing to work with and for her fellow students and the school."

Brittni Guffey graduated from Lincoln High school, Cambridge City, IN. She is attending Indiana University East where she is majoring in dance. Brittni hopes to be a professional dancer and choreographer. Brittni was involved in varsity basketball, tennis and gymnastics in high school. She was a member of the Spanish Club, Key Club, SADD. She served as an assistant for the Guidance Office and math teacher. A teacher writes, "Brittni is a delightful young lady who is highly motive and always working to better herself. Her commitment to helping others is evident in her work in community service programs."

Zach Kurt graduated from Elkhart Central High School, Elkhart, IN. Zach is attending Manchester College majoring in physical education. Zach is an excellent student graduating from Elkhart Central with a 3.4 grade point average. During high school, Zach lettered in varsity football and wrestling. He was a regional qualifier and semistate qualifier in wrestling. Not only did Zach participate in interscholastic activities, he work several part-time jobs where he was given positions of responsibility and leadership. A teacher writes, "Zach is a hard worker and committed to getting a quality education. He is adept in balancing his school life with his jobs and has his goals firmly in place and attainable."



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## Using the College Sport Research Institute Case Study Competition to Teach Sport Management Students: The Case of Holy Cross

James E. Johnson, Lawrence W. Judge, Julie Hansell, Nathan Felver, Joseph Ciuffo, and Megan Ridley
Ball State University

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## **Abstract**

Integrating a national competition with the traditional case teaching method offers a unique and concentrated learning experience beyond what can be achieved in a typical classroom format. This article presents a graduate Sport Administration case analysis submitted to the College Sport Research Institute (CSRI). Included is an analysis of the case highlighting the argument the students presented as part of a national case study competition. Two faculty advisors prepared four Ball State University graduate students for the 1000 word analysis and oral presentation as part of the competitive format. Following the competition, student learning experiences were assessed using openended survey questions designed to encourage student reflection. Although students reported an immense time commitment, they were overwhelmingly satisfied with their competition experience that included in-depth learning, essential skill building, and real-world application. The purpose of this work is to present the response to the Holy Cross case study as a pedagogical model for teaching sport administration students.

## Introduction

The College Sport Research Institute (CSRI), located within the Exercise and Sport Science department at the University of North Carolina, hosts an annual conference focused on the latest college sport research. Although this gathering of researchers includes traditional conference components such as keynote speakers, research presentations, and panel discussions, an additional component allows students

to demonstrate their knowledge of college sport. The annual case study competitions are a unique component of the CSRI conference with the goal of "providing students with a practical, 'hands on' learning experience focused on relevant issues in college sport" (CSRI, 2013, ¶ 2).

Separate case study competitions for undergraduate and graduate students in sport management/ administration allow teams of four to provide a solution to a unique case while competing against their peers. The cases, developed specifically for the competition, are designed to test a variety of skills and knowledge through both a response paper, and an oral presentation. The case is released approximately one and a half months before the competition. Teams are given nearly a month to review the case, find appropriate literature, and craft the written response. The challenge of the written response is to provide a comprehensive answer with a 1000-word limit. The oral presentation is made during the CSRI conference, and addresses a similar question answered in the response paper. Judges of the competition include leading academicians in college sport research (CSRI, 2013).

For the 2013 case competition, graduate teams were challenged to evaluate the choice made by Holy Cross in 1979 not to join the newly established Big East Conference. Although it was a difficult decision, Holy Cross elected instead to join the Patriot League. Over 30 years later, this decision has been questioned by many stakeholders of Holy Cross due to the national fame garnered by the basketball-centered Big East through television contracts and athletic success.

Supporters of the decision point to the strong academic philosophy of Holy Cross that deemphasizes large-scale athletic pursuits focused on revenue, yet emphasizes extremely high academic standards unrivaled by their peers. Case study teams were asked to critically evaluate Holy Cross' decision by answering the question: "Should Holy Cross have joined the Big East in 1979?" (Weaver, 2013, p. 16). With the assistance of two faculty advisors, a graduate student team from Ball State University created the following written response to this difficult question. The purpose of this work is to present the response to the Holy Cross case study as a pedagogical model for sport management/administration students engaged in solutions for real-world cases.

## Response to Case Study Question

Based on this analysis, the College of the Holy Cross should not have joined the Big East Conference. Holy Cross' prestigious academic standards, limited athletic capabilities, and resistance to joining the commercialized arms race of college athletics, indicates that Holy Cross made the correct choice in avoiding the Big East.

## Athletic Isomorphism

The theory of athletic isomorphism, which suggests that institutions often change athletic conferences to satisfy institutional ambitions, can be used as a framework to analyze the situation (Sweitzer, 2009). Unfortunately, research indicates that moving to a higher tier (e.g., conference, NCAA division) is not advantageous to the school's long-term academic or athletic success (Fisher, 2009). For example, the Flutie Effect, which refers to a surge in the size of an institution's applicant pool after unusual athletic success, is largely isolated to a few institutions, and rarely leads to long term changes in admissions or donor support (Frank, 2004). Although the size of the applicant pool may increase immediately following athletic success, quality is rarely improved. In fact, students with lower SAT scores are drawn to schools with athletics success, while those with higher SAT scores prefer academic prestige (Chung, 2013). Furthermore, a positive isomorphic effect is difficult to achieve when a conference suffers from chronic instability. For example, of the 28 schools that have been members of the Big East between 1979 and 2013, only 7 have been present for the entirety of the conference's existence (Big East, 2013). A total of 12 schools are planning to leave the Big East in 2013 or 2014, including all 7 original members (ESPN, 2012).

## Academic Fit

In addition to lacking an isomorphic advantage, Holy Cross would not be an academic fit for the Big East. Holy Cross' mission statement, which advocates "the highest intellectual and ethical standards," embodies the college's long standing academic success. Currently, the average SAT score at Holy Cross is 1290 (Holy Cross, 2013). In comparison, the average SAT score of Big East institutions is 1102 (Forbes, 2013). Holy Cross student-athletes boast a 98% Graduation Success Rate (GSR), while the average GSR of Big East student-athletes is 86% (NCAA, 2013). The Holy Cross men's basketball program earned an Academic Progress Rating of 993 out of 1,000. The average APR for Big East men's basketball teams is 948 (NCAA, 2013). Additionally, the disparity in undergraduate enrollment between Holy Cross (2,905) and the average at Big East school (15,626) demonstrates a distinctly different campus environment (US News, 2013). These statistics reinforce a fundamental difference in the academic priorities and environments between Holy Cross and the Big East, thus supporting Holy Cross' decision not to join the Big East.

## Financial Resources

Athletically, Holy Cross does not possess the financial resources of the Big East institutions. In 2010, the Holy Cross men's basketball team had a budget of \$1,549,329, contributing no profit at year's end (Forbes, 2013). However, the average men's basketball budget in the Big East was \$8,155,913, with an average profit of \$2,662,631 (Isidore, 2010). Although these basketball profits may sound enticing to Holy Cross athletics stakeholders, there is a hard truth attached to the numbers. Big East institutions, and college athletic departments in general, rarely generate profits, and usually rely on significant subsidies to break even (Knight Commission, 2013). These financial realities hold true in the Big East, where subsidies can cover as much as 47.3% of an athletic department's yearly losses, and only four institutions reported a profit (USA Today, 2012).

## Facilities and Attendance

In addition to the financial realities surrounding college athletics, Holy Cross would not have fit in the Big East due to a lack of facility capabilities and attendance. For example, the Hart Center, Holy Cross' basketball arena, has not been renovated since it was first built in 1975, and has a maximum seating capacity of 3,600 (Holy Cross, 2013). In comparison, St. John's Carnesecca Arena, the smallest basketball facility in the Big east, seats 5,602 (RedStormSports, 2013). Given the clear discrepancies in arena size between Holy Cross and the Big East schools, Holy Cross would likely have been pressured to build a larger basketball arena in order to contend with others in the Big East. However, it would not have been financially viable or practical for Holy Cross to construct a new arena less than four years after completing the Hart Center. Additionally, the average attendance at a Holy Cross basketball game is 1,517 (NCAA, 2012), while the

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lowest average basketball game attendance in the Big East is Rutgers University at 4,916, more than triple that of Holy Cross (NCAA, 2012). Furthermore, the Hart Center is the only practice and competition venue for 13 Holy Cross men's and women's varsity sports, as well as all intramurals (Holy Cross Athletics, 2013). This suggests that joining the Big East would have required Holy Cross to construct additional athletic facilities to be competitive within the conference. Even Providence, which has the smallest athletics budget in the Big East, has a basketball-only venue (Providence College Athletics, 2013). Based on the discrepancies in athletic facilities and attendance, Holy Cross would have been at a clear competitive disadvantage had they joined the Big East.

Conclusion

Finally, one of the common arguments for Holy Cross joining the Big East is the financial benefits that could have resulted from a lucrative television contract. However, Holy Cross has adamantly veered away from reliance on television revenue to foster athletic programs, and has resisted the commercialized nature of Division I athletics. In a 1980 letter retrieved from the Holy Cross archives indicating why Holy Cross did not join the Big East, President John E. Brooks states, "I do not believe that Holy Cross should affiliate with a league principally because this is (a) a way of being awarded an automatic NCAA invite, and (b) a source of revenue. The main purpose of our basketball program is not to be a revenue producer." Thus, by choosing not to join the Big East, Holy Cross avoided affiliation with a conference whose financial ambitions were not aligned with Holy Cross' core academic and athletic values.

## **Student Experience**

The Ball State University graduate student team won the 2013 CSRI Case Study Competition. Upon completion of the case study competition, student participants were asked to reflect on their experiences using protocol established by Johnson, Judge, and Wanless (in press). Specifically, students were asked:

- 1. What did you learn from the case study competition experience?
- 2. What were the strengths of the case study competition experience?
- 3. What were the weaknesses of the case study competition experience?
- 4. How do you feel the case study competition prepared you for future employment in the sport industry?

Similar to findings from previous students who participated in CSRI case competitions, students reported an intense time commitment, but high levels of satisfaction. More specifically, students reported improved critical thinking skills, improved understanding of sport management concepts, and improved writing and presentation skills (Johnson et al., in press). In this specific case, students became quasi-experts in athletic conference realignment with emphasis on the Big East and Patriot League. Additional components of sport management, (e.g., financial and facility information) were necessary

to effectively complete the case. From a pedagogical perspective, faculty can use this case study example, as well as the model identified in Johnson et al. (in press), to effectively engage students in the case method. Utilizing this kind of intense learning experience engages students well beyond their required coursework, and challenges them to utilize both knowledge and skills.

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## At-Risk Youth and Community Sports: Youth Sports as an Alternative to Criminal Behavior

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## Introduction

Children growing up in today's society are susceptible to many risks that may shape the way they perceive acceptable behavior and process consequences and outcomes for such negative behaviors. Also many environmental elements play a large role in risk factors that contribute to children becoming at-risk and thus engaging in criminal behavior. Many believe the reason children of preadolescent and adolescent ages incur an at-risk labeling is due to many environmental factors that include: chronic poverty, single parent homes, poor education backgrounds, drug usage, poor parenting skills, gang influence and existence, and poor social skills. Currently 1 in 4 children under the age of six live below the poverty line. Each year spent in poverty reduces a 2% less chance of achieving a high school diploma. Also, many teens are not receiving proper parenting in regards to drug usage, participation in sex, and being susceptible to gang activity. According to the Children's Defense Fund (2008), in America everyday 181 children are arrested for violent crimes, as well as 383 arrested for drug abuse, 1,153 born to teen mothers, and 2,261 drop out from high school. Fortunately, there are options for at-risk youth and it starts with proper parenting, coaching and having great support systems. These support systems need to be aware of the warning signs, and also be aware of the solutions to combat these at-risk youth. The best way to combat these negative cultural and environmental issues is to involve these at-risk youth with community organized sports. At-risk youth who are involved with community sports have a higher graduation rate and learn many invaluable principles in the sporting realm to include, gamesmanship, perseverance, will and determination, and setting and reaching goals. That is why the target audience for at-risk youth starts with the parents and ends with coaches and volunteers in communities across the country as they try and deter at-risk youth from committing

crimes and leaning on community sports as an alternate life improving choice. According to *Kids COUNT Data Center* (2011). Across the board, from 2000 to 2010 at-risk youth involved in community sports have gone from an 11% high school dropout rate to a 6% dropout rate.

Criminal activity typically begins in at-risk youth before the age of 15, and youth who do not seek alternative lifestyles, or are not properly supervised, tend to be the most persistent offenders and rack up lofty criminal records. Carmichael (2009) suggests, that recently there has been a surge in criminal activity among at-risk youth and studies are pointing in the direction of the increase in street-gangs. Parents, teachers, coaches, and advisors, need to notice the warning signs before it is too late and introduce, implement, and enforce involvement in community sports. Concerned adults need to be more aware of where teenagers are spending their time and who is influencing their decisions. Warning signs for at-risk youth include early onset of depression, failing grades, truancy, behavioral problems at school, tattoos, drug and alcohol usage, and gang affiliations. In order to keep these warning signs from consuming the at-risk youth, coaches, parents, and support systems need to increase positive social development through community organized sport. According to many criminology experts, the most effective approach to reducing crime is to deter these at-risk youth away from negative social activities before they become involved in criminal activity. Organized sports are the answer, and it can be used to facilitate peace in communities and provide at-risk youth with such skills as leadership, self-governance, empowerment, and positive identity. The proof is in the results, Carmichael (2009) suggests that in Kansas City, Missouri, evening and midnight basketball programs have reduced the crime rate among African American youth by 16% from 2007 to 2008.

Ultimately drug consumption, teen violence,

cheating, bullying, and even racism are all forms of teen criminal behavior and are an adamant part of the teen sport culture, especially in the last three-four decades. Nevertheless, there is a lot of support and evidence suggesting sport involvement in teen years is regarded as a wholesome activity for young people to be involved in, and is an activity which is related to a whole series of positive attributes to the exclusion of the perils related to negative peer violent pressures and negative stereotypical media related attributes in today's society. According to the General Election Party (1997), sport can be crucial to the social and personal development of young people. By participating in sporting activities they can learn to differentiate between good and bad behavior.

The target audience in preventing crime among teens and getting them involved in community sporting activities is reaching the parents and community organizations. Positive involvement by parents, schools and community centers through sports actually prevent crime through creating positive opportunities, increasing policing, and preventing recivitimisation. What has been lacking is the actual prevention of anti-social behavior and criminality which necessarily involves focus on strengthening the three major influences in teens, which is family, sports, and schools/community. Osmand (1994) tells us that the aim is to reduce the risk factors associated with offending such as parenting, non-sport involvement, school failure, and enhancement of protective factors such as good parenting, school success, and community involvement. Parents of at-risk youth must be more involved in their children's lives in order to control their behavior, wellness, attitude, and decision-making processes. However, because of the economic crisis, many parents' are forced to work a lot of hours to provide for their families, therefore there are idle children in our communities when the parents are doing the best they can with the time they have. Then a partial responsibility falls on coaches, teachers, and community advisors to facilitate, implement, and supervise, after school and weekend community sports programs to keep these at-risk youth off the street and engaging in healthy exercise and sports programs, and being influenced by healthy rolemodels. Parents need to seek out and be aware of these programs, and coaches and concerned adults need to make this information known and available and target these at-risk youth. Each city has allotments and grants available for these after school and weekend programs, and there are many volunteers who get involved to support these programs, such as the Boys and Girls Clubs of America, YMCA and YWCA, and multiple church foundations.

Upon completion of implementing community based sports into the lives of at-risk youth, research suggests that organized sport programs are successful at reducing crime

and appear to improve feelings of competence, self-worth, connectedness, and empowerment among at-risk youth. The following are a list of some more important benefits that directly affect the lives of the at-risk youth do to steady involvement in community based sports:

- Reduction in idleness
- Reduction in criminal acts
- Reduction in drug usage
- Fostering of teamwork
- Increased self-esteem
- Developing decision-making skills
- Providing employment opportunities
- · Improving school attendance and grades

Additionally, Danish (1997) suggests' that organized sport can prevent youth crime by developing capable, mature and responsible youth. Further studies indicate most male at-risk youth would prefer to join athletic teams such as basketball and football teams over street gangs given the opportunity. That is why it is imperative these community based sports programs exist and these programs are skill based, so at-risk youth can maximize potential in a positive atmosphere and feel proud of their accomplishments. Burton (2005) suggests organized sport programs that engage at-risk youth by empowering them and providing opportunities for positive peer mentoring will foster reductions in youth crime. Also, in understanding why sport and leisure programming reduces crime, Nichols (1997) suggests that several possible rationales including reduction in the ability to take part in crime; meeting a need for excitement; increases in self-esteem; the development of cognitive competence; the importance of role models and provision of employment opportunities. Moreover, Purdy & Taylor (1983) highlights how sport can influence and generate self-esteem that participants are unable to obtain from educational achievement or other sources of social status. Teenagers mostly view academics as a job and feel that they are required to maintain a certain level of achievement through their parents and advisors, however through sports they can achieve personal accomplishments and learn the importance of self-motivation and perseverance internally. Although a coach may motivate a teen to achieve success, it is not necessarily a chore or a requirement and that is where natural self-esteem is empowered by self-perception and not of those who may demand it.

In today's society many people wonder if coaches, mentors, and advisors surrounding the at-risk youth are qualified to be influential in directing or influencing their behavior and decision making. This is not the right question to ask, the more appealing concern is, are these coaches making an effort to improve upon the lives of these at-risk youth through these community based sports? The answer is yes! As onlookers, local city councils, youth sport

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leagues, and community-based organizations make the decision to give coaches the whistle and trust the children in their hands. With all the negatively surrounding these at-risk youth, whether it is due to poverty, gang violence, or idleness, these coaches and parents must be able to create an environment that breeds positive reinforcement and social skill development through sport participation. Cote' & Fraser-Thomas (2007) suggest that the best liked and most successful coaches are those who demonstrated more technical instructional, reinforcement, and mistake contingent reinforcement behaviors. Indeed youth sport coaches can have a positive influence on young teens, especially those with criminal tendencies. However, there are different levels of coaches ranging from glorified volunteers, interested parent coaches, assistant coaches, and paid coaches. The background and perspective of youth sport coaches can vary from inexperienced volunteers to highly skilled coaches from recruiting style elite youth sport programs. Within the spectrum are many individuals that facilitate a broad range of coaching too many types of at-risk youth. The key to obtaining quality coaches and screening for quality coaches is allocating proper funding to make sure qualified coaches are interacting with these at-risk teens and actually care about "doing the right thing" when it comes to fulfilling special needs youth. Employing generic coaches to simply fill a position can have a negative impact on the at-risk teens because the coaches will not be motivated to properly motivate and teach the kids the proper way to engage in meaningful recreation and sport concepts all the while developing alternative sport skills that can motivate at-risk teens to steer away from criminal behavior. Some negative research on coaches in at-risk communities from Wiersma, (2000) suggests the following:

- Most youth sport coaches who remain coaches for numerous years found that being an assistant coach or having a mentor was vital to their specific longevity and when head coaches have a high turnover the elective to leave is welcomed.
- In an observation and interview study with 50 coaches it was found that most youth sport coaches' have some athletic experience and little to no experience with at-risk youth.
- When asked about the experience, most youth sport coaches revealed that coaching was a more difficult endeavor than anticipated. In one case study utilizing in-depth interviews with eight youth sport coaches some of the challenges in coaching were limited practice time, negative interactions with parents, excessive behavioral problems, and league political structure concerns.

The bottom line is that coaches play a vital role in the positive developmental process of at-risk teens, and fostering a relationship with coaches, parents, community, and the teens themselves comes with careful consideration of all aspects. So, it is very important to screen these coaches, and offer them ongoing training and education to ensure that they are qualified, motivated, and paid properly so the whole process of keeping these at-risk teens away

from criminal behavior succeeds.

Coaches are often among the top 5 most influential adults in a child's life (along with parents, teachers, and religious leaders). This is not a responsibility to be taken lightly. Inadequately trained coaches can unintentionally damage a child's self-esteem when simply trying to offer helpful feedback. Not to mention the risk of physical injury that could occur when a coach lacks necessary safety and injury prevention knowledge. In the United States, we've gone on too long by thinking that youth sports will take care of itself. According to Online Coaching Education (PR Web) (2008), there is a need to have positive adult leadership, and it comes down to one word: education.

Using sports within the framework of holistic community development intervention reduces the element of drug use and crime prevalence in at-risk youth. Crabbe (2000) suggests that sports can be crucial to the social and personal development of young people. By participating in sporting activities they can learn to differentiate between good and bad behavior. Psychologically at-risk youth are thrill seekers and need to satisfy their sense of achieving a sense of enjoyment. One of the principle reasons why sport is used in drug prevention and treatment intervention is because young people enjoy it. Sports in a community setting does not solve the problem alone, their still needs to be a surrounding support system that includes solid parenting and quality education. As a whole process, community sports provide the necessary enjoyment, social skills improvement, and positive peer and mentor involvement, however parents and teachers need to join in to complete and contribute to the process. The mission is to reduce the risk factors associated with offending such as poor parenting and school failure and enhance protective factors such as quality parenting and school success. Research shows that positive community based sports programs for at-risk youth reduce criminal activity and offer the following:

- Positive peer influence
- Restraint/delay gratification/self-control
- Peaceful conflict resolution/problem-solving
- Achievement motivation
- Self-esteem
- Sense of future/future sense of self/hope

Community based organized sport programs for at-risk youth that develop and foster cognitive skills, social skills, mentoring opportunities, and increase feelings of self-esteem and self-confidence provide a much needed antidote for today's disease of youth antisocial behavior. Coaches, parents and teachers need to implement new community sports programs as well as monitor and supervise existing programs. These programs need to be incentive based, so when criminal behavior, drug usage, and dropout rates go down, then cities, counties, and states need to award these communities with more funding so this success can continue and reach new heights.

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## Conclusion

Governors, Senators, and even Presidents spend millions of dollars on the war on drugs and crime, and often conveniently push these initiatives around re-election times. It can sometimes make or break a candidacy, however is this money in vain or can our society make sure this money is being well spent and starting at the foundation, which is America's youth? By the time an adult criminal reaches seventeen or eighteen, they have chosen their path in life and are often facing a short lifespan, poverty, disease, or a long life in and out of prison. This is due to the fact that on most levels they are sociopaths and choose to follow their own rules. That is why it is imperative to reach at-risk youth when they are young and spend these grants and money based initiatives on community sports to intercede these people before it is too late. Give them a chance to use sports as an outlet for proper communication, healthy competition, social and skill based learning, and healthy peer relationship building. Community sports are a great alternative for at-risk youth as a way to redirect their time and energy, as an alternative to criminal behavior. Coaches, parents, advisors and concerned community adults need to implement new sports programs in communities as well as improve, monitor, and sustain current sports programs that already exist.

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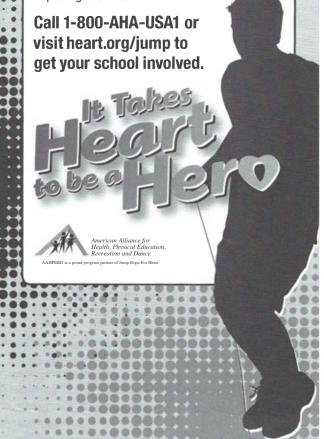


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## Legal Issues in Sports and Social Media

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## Introduction

"Amar'e Stoudemire fined \$50,000 for antigay tweet. J.R. Smith fined \$25,000 for posting an inappropriate picture on Twitter. And, of course, Mark Cuban the outspoken owner of the Dallas Mavericks with a long history of fines, most recently fined \$50,000 for tweeting comments about league officiating," (Hoyt, 2013). There are many reasons why sport employees including players, managers, and owners are fined. However, in the past few years of the blooming social media age there have been an increased number of reasons and ways for fines to accumulate within collegiate and professional sports.

The power of social media seems to have no boundaries. Sport employees are faced with a very fine line between their first amendment rights and the rules and regulations that they also must abide by according to their league or association. This line can be crossed easily and employees sometimes are not sure how to be able to use their freedom of speech and not break a rule within their organization as well. There are several law case summaries, dangers, and legal theories that can be used to describe how the cases have derived and accrued over time to create an issue that is spiraling out of control that seems to have no end.

## Negligence

There are several cases that illustrate the misuse of social media and the ramifications they can have on both the individual person and the organization as well. Elijah Fields from the Pittsburgh Panthers football team was prohibited from speaking to the media for most of the 2009 season. Fields first issue arose when images of him and his friends partying and engaging in the act of drinking alcohol appeared on his Twitter page. Twitter is one of the more popular social media tools of today that several athletes use to express their first amendment rights. However, the fact was still there that Fields did not follow the rules set forth by his team. He was let go of the team. There are so many examples just like this that have shown that 140 characters are more than enough to get athletes into trouble or to confuse fans (Wendt & Young, 2011).

Most recently, in T.V. v. Smith-Green Community School Corporation (2011), an Indiana high school suspended two girls for posting inappropriate pictures at a sleepover. The photos showed the girls inappropriate clothing with inappropriate comments to go along with it. The girls, as most high schoolers, thought they were fun and not meant to be looked down upon. The high school principal claimed that the Facebook post was a violation of the student code and suspended them from extracurricular and co-curricular activities for a calendar year. The student code states, "If you act in a manner in school or out of school that brings discredit or dishonor upon yourself or your school, you may be removed from extra-curricular activities for all or part of the year." (Wendt & Young, 2011).

Tatro v. University of Minnesota (2011), found "disruptive conduct" justifying school regulation and limiti ng speech when a student placed a controversial post on Facebook. Tatro was a mortuary science student who posted her Facebook page comments that suggested the idea that she would take violent actions towards her cadaver and even her ex-boyfriend. It stated:

Who knew embalming lab was so cathartic! I still want to stab a certain someone in the throat with a trocar though.[4] Hmm... perhaps I will spend the evening updating my "Death List #5" and making friends with the crematory guy. I do know the code....

The reports were made to the University of Minnesota. Tatro was charged with violating the University's student code of conduct by taking part in "threatening, harassing, or assaultive conduct... by engaging in conduct contrary to university rules related to the mortuary-science program, anatomy-laboratory course rules, and the rules listed on the anatomy-bequest-program disclosure form."

Tatro argued that her entries on Facebook were done off campus and should have nothing to do with the University, but also, "when read in context, were obviously literary expression, intended to be satirical, vent emotion, and incorporate popular culture references," (Wendt & Young, 2011).

The NCAA's Notice of Allegations shows that a NCAA institution's failure to monitor its student-athletes' social media use could potentially result in greater penalties in an enforcement action than what are already currently in place. The Notice of Allegation is the one of the first ways in which one can see that the NCAA does indeed expect universities to be aware of what its student-athletes are communicating on social media sites like Twitter and Facebook. It's another step to show that the teams are going to very likely be held even more liable for the players' actions on a day in and day out basis (Epstein, 2011). It is apparent that just as quickly as twitter has grown and changed so has the role of the universities. They have gone from teaching about social media and the acceptable activities to actually monitoring them (Penrose, 2012).

## **Legal Theories**

It is important to recognize that the player's in collegiate and professional sports are not having their first amendment rights taken away from them because of one main reason – they have agreed to it. The players sign contracts and rules that detail the idea of what is acceptable and unacceptable behavior regarding social media within their organizations. The leagues have gained the rights to make these social media rules with the collective bargaining agreements that have been negotiated (Hoyt, 2013).

Tinker case was one of the first cases that brought about the idea of freedom of speech in schools. It occurred in the 1960s. This was before social media but it had to do with the fact that students wanted to wear something in favor of a group and were banned to do so by the school system. The Tinkers were the ones that refused to listen and they continued to follow their rights that they believe they should be allowed to have. This is one of the first times where the court did explain that there were limits in situations like this if the actions disrupted the other students, schoolwork, or activities (Wendt & Young, 2011).

Tatro is significant because, for the first time, an appellate court used the *Tinker* "substantial disruption" standard in a college setting not high school. The court did not accept Tatro's arguments, noting, that the University does apply the code to off-campus situations and also that the students freedom of speech is subjected to the rules and rights of the university. The court in this case also explained that in a long line of cases beginning with *Tinker*, the Supreme Court has held that schools may limit or discipline student expression if school officials "reasonably conclude that it will 'materially and substantially disrupt the work and discipline of the school'," (Wendt & Young, 2011).

## Recommendations and Risk Management Tips

Hoyt summarizes the social media issue in sports by stating the following: "Social media policies in sports have become the norm, just as they are in everyday businesses. The leagues try their best to limit negative exposure, and they believe that fines, fees, and penalties will hopefully inhibit the players from posting an inappropriate tweet. If a player can be fined for yelling at a referee when no one but the referee can hear and maybe no one in the arena saw,

then does it not make sense to fine a player for conduct that could instantly and permanently be seen by millions? I believe so."

The following risk management tips could reduce possible social media liability in regards to both collegiate and professional sports:

- The NCAA "no comment" policy leaves it very easy for media to derive their own opinions and ideas of what an actual case involves.
- The NCAA has a much more important role now than just informing athletes on social media – they also must monitor the social media sources and take appropriate action towards eliminating negativity occurring again.
- The First Amendment only will go so far to protect a person that posts on social media if they have signed contracts with their respective league or university.
- The First Amendment rules are limited once a student decides to become a student-athlete. The university rules for just students are knowingly not as strict.
- It is vital for all universities and leagues to ensure that the Student-Athlete, or just Athlete, code of conduct is signed and adhered to in case any possible question arises on what is acceptable or not.
- A written copy of all code of conducts should be kept in an office that can be accessed at all times during regular business hours so athletes can have clear access and acknowledgement.
- There need to be public and known consequences for breaking the code of conduct. These can possibly be publicized in the media like anything else might be
- There are indeed prohibitions on certain language and gestures that need not be used and can be ruled against First Amendment laws and in favor of the code of conducts.
- Major problem with the idea of even gambling not able to occur is that college athletes cannot even participate in the NCAA basketball pool or buy a square like anyone else could.
- Courts will have to evaluate every liability that occurs from First Amendment stand point and code of conduct stand point. It is twice as much work and twice as much responsibility.

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## Risk Management: Title IX Issue

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## Biediger v. Quinnipiac University

728 F.Supp.2d 62 D. Conn., 2010. July 21, 2010

## Introduction

Women's collegiate volleyball team of Quinnipiac University brought action against the university alleging that the university violated the Title IX amendment by eliminating a women's varsity sport.

## Complaint

Quinnipiac University announced that it was eliminating three of the varsity sports. The sports that were up for elimination were women's volleyball, men's golf, and the men's outdoor track team. The University was planning to start competitive cheerleading as a varsity sport. The plaintiffs believed that the elimination of the varsity volleyball squad was a violation of the Title IX amendment.

The plaintiffs suggested multiple notions of Title IX discrimination, but the plaintiffs agreed to try the first claim: that Quinnipiac discriminates on the basis of sex in its allocation of athletic participation opportunities.

## Findings of the Case

Quinnipiac sponsors seven varsity men's athletic team, and 12 varsity women's teams, women's volleyball, women's cross country, women's indoor track and field, women's outdoor track and field, and women's competitive cheer.

If the university numbers were correct than the number of female athletes were 62.27 percent, and the male athletes were 37.73 percent, which would not violate the Title IX amendment. The plaintiffs then demonstrated how the university was counting the varsity female athletes.

The university was under sizing the male rosters, and oversizing the female rosters. The university was also counting the cross country female runners multiple times for their participation in indoor and outdoor track. To improve the roster process, Quinnipiac allocated an individual for roster management so that coaches may add spots or delete spots from their team with permission from the roster manager.

During the trial, the university demonstrated that it had very little undercounting of males and no over

counting of female athletes for the roster management of the teams. Quinnipiac decided to start a new varsity sport following the 2008-2009 year, competitive cheer. Competitive cheer is not a NCAA sanctioned sport, nor does the Department of Education recognize cheerleading as a sport. Although competitive cheer is not a sport according to the NCAA, Quinnipiac University continues to follow the NCAA guidelines.

## Verdict of the Court

The competitive cheer team cannot be counted as a varsity sport for the purposes of Title IX. The cheer team is not measureable by competition against other varsity opponents. The post-season was also not measureable to other varsity sports.

On the facts of the 2009-2010 season, the judge found that the competitive cheer team was not a varsity sport under Title IX.

Cross country, indoor track and outdoor track are each recognized as a distinct sport by the NCAA. The plaintiffs felt that it was wrong to count these athletes three times. The female track athletes participate in the season as any other athlete would, which would end in post-season participation.

The plaintiffs' next argument was the cross country runners were counted multiple times. The judge reported that the indoor and outdoor track teams participate in the bare minimum meets during the season while other varsity sports at Quinnipiac University reach the maximum number of events. The financial scholarships are offered to those in track and cross country. The judge then reports that the indoor and outdoor track team are not allowed cannot practice on campus, but every other Quinnipiac varsity team (including the competitive cheer team) was able to host at least one home competition. The coaching structure for women's running is different than other Quinnipiac varsity teams.

The Quinnipiac women's cross-country team's requirement that its members participate in the indoor and outdoor track seasons recalls roster manipulations similar to those the judge identified as depriving

athletes of participation opportunities in my preliminary injunction ruling. In granting the preliminary injunction, the judge held that Quinnipiac's practice of setting floors for women's teams rosters artificially inflated the University's number of female athletes and led to an over-counting of Title IX participation opportunities.

The plaintiffs only succeeded in proving that the injured and red-shirted cross-country runners, who amount to 11 of the 60 roster spots for the combined indoor and outdoor track seasons, should not be counted under Title IX. That number probably should be bigger to reflect the cross-country runners who would not choose to run indoor and outdoor track but who must do so in order to maintain membership on the cross-country team. But the plaintiffs have not demonstrated how much bigger that number should be 1

Similarly, the plaintiffs have not succeeded in proving that their identified deficiencies in the indoor and outdoor track programs warrant not counting any cross-country runner for her participation in those seasons.1 The judge did not find that the evidence supported that Quinnipiac University manipulated the roster. The evidence did support that the rosters set for men were small and large for women.

The judge concludes that at least 41 women must be removed from Quinnipiac's tally of female athletes during 2009-10. Those 41 represent the 30 competitive cheerleaders and the 11 cross-country runners who were injured and/or red-shirted during the indoor and outdoor track seasons. The judge said that "at least" 41 women must be subtracted because that number likely should be greater in light of Quinnipiac's practice of requiring its female cross-country runners to run indoor and outdoor track.¹ The second and final step is to compare the proportion of women in Quinnipiac's varsity athletics program to the proportion of women in the University's undergraduate population.1

The university had shortfalls among its compliance with Title IX. Then to add more females it added a sport that is not sanctioned by the NCAA. The judge concluded that during the 2009-2010 school year that Quinnipiac University was in violation of Title IX because it did not offer substantial athletic opportunities to women that compared to the enrollment. The university was counting on the competitive cheer squad, but it is not a sanctioned sport.

The judge therefore holds, as a matter of law, that Quinnipiac violated Title IX during the 2009-10 academic year by failing to offer equal athletic participation opportunities to its female students.<sup>1</sup> The plaintiffs demonstrated that the university was under violation of Title IX. By cutting the volleyball program, the university will be in further violation. Therefore, any compliance plan that Quinnipiac submits must commit to sponsoring the women's volleyball team during the 2010-11 season. Quinnipiac is not obligated to continue sponsoring the team beyond that point, however, so long as any decision

to eliminate women's volleyball is accompanied by other changes that will bring the University into compliance with Title IX.1

## Risk Management Issues

- 1. The university should offer the opportunity for the athletes to participate in indoor or outdoor track but should not require the participation to improve the number of female athletes.
- 2. If the university wanted to start a competitive cheer squad, they should have kept the NCAA sanctioned sports because technically cheerleading is not a sport.
- 3. The university should have verified the number of female athletes that were needed to continue to abide by the Title IX regulation.



<sup>&</sup>lt;sup>1</sup> 2010, July, 21. Biediger vs. Quinnipiac University, 728 F.Supp.2d 62, D.Conn.,2010.

## Risk Management: Monopoly Issue

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## Rock v. National Collegiate Athletic Ass'n

--- F.Supp.2d ----, 2013 WL 786775 S.D. Ind., 2013. March 01, 2013

### Introduction

The student athletes were filing an action against the National Collegiate Athletic Association (NCAA) due to the Sherman Act. The students were claiming NCAA bylaws prohibiting multi-year athletics-based scholarships at Division III schools. The NCAA moved to dismiss.

United States District Court, S.D. Indiana, Indianapolis Division. John ROCK, et al., Plaintiffs,

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION, Defendant.
No. 1:12-cv-1019-JMS-DKL.
March 1, 2013.

## Complaint

Mr. Rock received an athletics-based scholarship to play football, but then his football coach left. The student athlete was a football who was promised a full four-year scholarship as long as he was performing well academically. However, a new football coach took over and informed him he would no longer receive a football scholarship. The student-athlete then had to pay tuition and room and board. If the NCAA's bylaw did not prohibit multi-year scholarships then he would have received his scholarship throughout his time at the university. After taking out thousands of dollars to complete the out of state tuition at the school, the student claims that he could contend anti-trust standing suit against the NCAA.

Mr. Collins and Mr. Stewards both attended Division III schools to play basketball and hockey. Mr. Collins sat out of sports one year to keep his academic scholarship. However, Student-athlete's allegations that after sitting out one year of competition to retain his academic scholarship, he gave up that scholarship and was forced to take out thousands of dollars in private loans to pay the balance of his out-of-state tuition bills in order to play basketball at Division III school, were sufficient to allege antitrust standing to bring suit against National Collegiate Athletic Association (NCAA) claiming its bylaw prohibiting athletics-based scholarships at Division III schools as well as other

bylaws unlawfully restrained trade among NCAA member institutions for the labor of student-athletes.

Mr. Stewards is the last student athlete was alleging an anti-trust case against the NCAA because he had accepted a diversity scholarship. But the diversity scholarship was a violation of the NCAA prohibition of athletic based financial aid while playing hockey. The student athlete chose to leave the school and transfer to another school in which he had to pay his own tuition and room and board.

## **Defendant Response**

It is undisputed that different NCAA bylaws govern Division I, II, and III member institutions. There is also no dispute that Mr. Rock received an athletics-based scholarship to play football at a Division I Football Championship Subdivision ("FCS") school, and that Mr. Steward and Mr. Collins attended Division III schools to play their respective sports, basketball and hockey. The NCAA argues that because the Court can only analyze the claims the plaintiffs have standing to bring as individuals, "[n]one of the plaintiffs can challenge Division I FBS rules, Division II rules, or rules that govern sports other than FCS football, Division III basketball or Division III hockey." Plaintiffs do not respond to this argument; therefore, the Court construes Plaintiffs' silence as an acceptance of its merit. Accordingly, the Court will not construe the complaint as stating any claim regarding rules that did not apply to the named Plaintiffs. The Defendant made the motion to dismiss the case.

## Findings of the Case

The NCAA contends that each of the named Plaintiffs has "failed to clear the first hurdle of antitrust standing: they have failed to allege facts demonstrating a causal connection between the alleged antitrust violation and their alleged injury." Plaintiffs dispute the NCAA's contention.

The NCAA argues that Plaintiffs' proposed "nationwide market for the labor of student athletes" is not properly defined or legally cognizable because

it is simultaneously too narrow and too broad. According to the NCAA, Plaintiffs' proposed market is too narrow because it ignores non-NCAA substitutes and Plaintiffs have alleged no facts to explain why those opportunities are not part of the alleged labor market for student-athletes. The NCAA further argues that Plaintiffs' proposed market is too broad because it implausibly claims that all NCAA student-athletes and all NCAA member institutions participate in the same market for generic student-athlete labor.

Because the NCAA and NCAA member institutions control college sports, any individual who wishes to provide athletic services in exchange for the payment of tuition for an undergraduate academic and athletic education must by necessity attend an NCAA member institution. There are zero practical alternatives that can provide the unique combination of attributes offered by NCAA member institutions: (i) the ability to exchange athletics services for attributes offered by NCAA member institutions, (ii) high quality academic educational services, (iii) top-of the-line training facilities, (iv) high quality coaches that will best be able to launch players to professional careers, and (v) national publicity through national championships and nationwide broadcasting contracts.

The Sherman Act requires three components: a contract, combination or conspiracy; a resultant of trade in relevant market; and accompanying injury.

While Plaintiffs argue that NCAA institutions are unique because allegedly there are no "plausible substitutes" for "the unique combinations of attributes" they offer—including the ability to get athletics-based scholarships and obtain high quality academic educational services—Plaintiffs' proposed market is impermissibly narrow because it ignores the existence of other associations that offer athletic scholarships and the opportunity to obtain a high-quality education.

Plaintiffs' proposed market fails because NCAA schools are not necessarily adequate substitutes for each other. For example, NCAA schools offering top-tier Division I football programs may be comparable substitutes, but it is implausible to suggests that lower-tier Division I football schools offer the same high level of in-kind benefits (premier coaching, facilities, and national publicity) that Plaintiffs allege are present at all NCAA schools across their market. Even that hypothetical gives Plaintiffs' proposed market too much credit because it is limited to a specific division and sport, unlike that which Plaintiffs propose. Likewise, it is implausible for Plaintiffs to suggest that a school without a football team is an adequate substitute for a school with a football team, from the perspective of a student-athlete

who wants to play football. In sum, Plaintiffs' decision to lump all NCAA schools into the same market regardless of material distinctions in division, sport offered by gender, or athletic success proves that their proposed market is not legally cognizable.

Turning to substitution by student-athletes selling their labor, Plaintiffs' market is impermissibly broad in that it includes all student-athletes in the same labor market without accounting for germane differences such as gender and sport played. Plaintiffs' proposed market claims that student-athletes "compete for spots on athletic teams of NCAA member institutions" but this ignores the realities of the transaction. Even at the motion to dismiss stage, the Court will not "don blinders" and "ignore commercial reality" when analyzing Plaintiffs' market allegations.

## Verdict of the Case

For these reasons, the Court agrees with the NCAA that Plaintiffs' "proposed nationwide market for the labor of student athletes" is not legally cognizable. Plaintiffs make no effort to properly identify the labor market at issue, plead its rough contours, or account for the commercial reality of the transaction, and it is not the Court's duty to do so. Accordingly, the Court GRANTS the NCAA's motion to dismiss.

Mr. Rock may move to amend his complaint pursuant to Federal Rule of Civil Procedure 15(a)(2) within 28 days if he can show good cause for doing so. Should he choose to move to amend, the Court ORDERS a review of Federal Rule of Civil Procedure 8(a), which requires a pleading to contain "a short and plain statement of the claim...." Mr. Rock's amended complaint should not make conclusionary legal allegations or cite cases; but, instead, should provide a short and plain statement detailing the necessary factual allegations supporting a plausible claim for relief. Failure to do so will result in the Court denying the motion to amend and closing this case.

## **Risk Management Tips**

- In the case of Mr. Rock, the university may continue to offer scholarship agreements with athletes even though a change of coaching staff may occur to prevent this from happening.
- 2. In the case of the Division III athletes, it is important that they understand the rules and regulations that are in place by the NCAA before then choose to be an athlete at the school.
- 3. If the students were aware of the information in regards to financial aid, then they would not have been placed in the financial struggles that they endured.

## Share your Journal with your coach.

## Risk Management: Undisclosed Banned Substances in Dietary Supplements

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## WILLIAMS v. NATIONAL FOOTBALL LEAGUE

582 F.3d 863 Sept. 11, 2009.

## Introduction

Professional football players suspended after testing positive for banned substance brought action in state court against football league, independent administrator of league's drug testing policy, consulting toxicologist, and league's vice president of law and labor policy, alleging violations of Minnesota common law. Action was removed to federal court. Players' union brought federal court action against league and league's bargaining agent, alleging breach of contract under Labor Management Relations Act (LMRA), violation of Minnesota Drug and Alcohol Testing in the Workplace Act (DATWA), and violation of Minnesota Consumable Products Act (CPA). The United States District Court for the District of Minnesota, Paul A. Magnuson, J. granted league's motion for summary judgment in part and denied it in part, and denied players' and union's motions for summary judgment. League, players, and union appealed, and appeals were consolidated. All of these types of hearings and arguments in the court have an effect and impact on the sport management world. It is my intentions to make sure that these are obvious to the sport management professional so that these mistakes in the future can be changed.

## **Complaint**

The NFL appeals the district court's partial denial of its motion for summary judgment. Specifically, the NFL appeals the district court's decision that the Players' Minnesota statutory claims are not preempted by section 301. Conversely, the Players appeal the district court's determination that their Minnesota common law claims are preempted by section 301.

## **Findings**

In 2006, several NFL players tested positive for burnetanide, a prescription diuretic and masking agent

that is banned under the Policy. When Dr. Lombardo was alerted to a possible connection between the positive results for bumetanide and StarCaps, a dietary supplement, he informed Dr. Finkle. The StarCaps label does not disclose bumetanide as an ingredient. Dr. Finkle asked Dennis Crouch, Director of the Sports Medicine Research Testing Laboratory, to analyze StarCaps. On November 14, 2006, Crouch emailed Dr. Finkle and Dr. Lombardo, informing them that StarCaps contained bumetanide. Birch was also made aware of this.

On December 19, 2006, the NFLMC sent a memorandum to the presidents, general managers, and head athletic trainers of all NFL teams entitled "Dietary Supplement Endorsement Prohibition." The memorandum provides: "Effective immediately, please be advised that Balanced Health Products, which distributes StarCaps, has been added to the list of companies with which player endorsements or other business relationships are prohibited." The memorandum does not state StarCaps was banned under the Policy, that StarCaps contained bumetanide, or that StarCaps contained any banned substance.

On December 20, 2006, Stacy Robinson, the Union's Director of Player Development, sent a memorandum to all NFL agents. The memorandum states: "Please be advised that effective immediately Balanced Health Products, which distributes StarCaps, has been added to the list of prohibited dietary supplement companies. Players are prohibited from participating in any endorsement agreements with this company or using any of their products."

Dr. Lombardo did not refer any player who tested positive for bumetanide in 2006 for discipline. Sometime in late 2006 or 2007, Birch communicated with Dr. Lombardo about Dr. Lombardo's duties under the Policy. Birch informed Dr. Lombardo that if a player

tested positive for a banned substance then, assuming the player had no therapeutic reason to be taking the banned substance, the player must be referred to the NFL for discipline.

Between November 10 and 13, 2008, Roger Goodell, the Commissioner of the NFL ("the Commissioner"), designated Pash as the Hearing Officer for the five players' appeals of their suspensions. Also, in that same time period, Pash learned that StarCaps contained bumetanide. The arbitration hearing took place on November 20, 2008. Each player testified that he was taking StarCaps around the time of his positive bumetanide test and that he did not know that StarCaps contained bumetanide. The players admitted that they were aware of the warnings regarding supplements, the supplement hotline, and the Policy's rule that each player is responsible for what is in his body. However, the players argued that their positive results should be excused because Dr. Lombardo and the NFL knew, as of November 2006, that at least some StarCaps capsules contained bumetanide-an undisclosed banned substance-and did not specifically advise NFL players of this fact. After the hearing but before issuing his decisions, Pash communicated with the Commissioner regarding "the threat of litigation that Pash thought hung over these proceedings."

On December 3, 2008, the Players filed suit against the NFL, Dr. Lombardo, Dr. Finkle, and Birch in Minnesota District Court for the Fourth District, alleging numerous violations of Minnesota common law. That same day, the state court issued a temporary restraining order ("TRO") blocking the suspensions. Following entry of the TRO, the NFL removed the case to federal district court. We note that both of the Players' contracts with the Vikings, in effect at the time of their positive test results, state that Minnesota law governs the contracts.

On December 5, 2008, the district court granted the Union's motion for a preliminary injunction and declined to overturn the TRO entered in state court prior to removal, which allowed the players to continue playing until the end of the NFL's 2008-09 season. Following expedited discovery, the parties filed cross-motions for summary judgment. The district court granted the NFL's motion for summary judgment in part and denied it in part. The court denied the Union and the Players' motion for summary judgment. First, the district court concluded that the Players' common law claims were preempted by section 301 such that they must be construed as section 301 claims. Second, the court determined that the arbitration awards did not fail to draw their essence from the CBA/ Policy because the arbitrator's decision construed and applied the language of the Policy. Also the arbitrator acted within the scope of his discretion under the Policy. Third, the court concluded that the Union's argument-that the NFL and Dr. Lombardo violated public policy by failing to disclose that StarCaps contained bumetanide-failed because Dr. Lombardo warned players about weight-loss supplements in general and testified that had a player asked him about StarCaps he would have disclosed that it contained bumetanide. The court determined that Dr. Lombardo's decision not to provide an ingredient-specific warning was within his discretion. The court further decided that the NFL had no duty to specifically inform players when a supplement is found to contain a banned substance. Finally, the court determined that Pash was not a partial arbitrator and, even if Pash's involvement could somehow establish bias, the Players and the Union had waived any such claim. Therefore, the court dismissed the Union's section 301 breach of contract claim and the Players' common law claims.

### Verdict

The Court affirmed the judgment of the district court in all respects.

## Recommendations

The following are risk management recommendations that should be considered when dealing with athletes:

- All players, coaches, and staff need to constantly have professional development meetings regarding these substances. The players need to know of a reliable area they can look or contact regarding these substances. Therefore, they have a place to check to see if they are appropriate or not.
- When handling these types of cases, there should be more than one individual testing and making sure of all results.
- Overall, there should be constant professional development. This way all top individuals know exactly what is going on in their world and the world around them. This can help them make decisions better.



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