

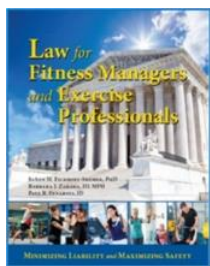
Teaching Fitness Law: 2021 Faculty Training Course

Summary of Course Evaluations

Introduction/Purpose of Course

In order to prepare exercise science (or related) students for the many legal duties and risk management responsibilities they will have upon entering the profession, it is important for academic programs to adequately cover these topics in their programs of study. However, this area of preparation is often missing in exercise science academic programs. This is likely due to academic departments not having anyone on their faculty with the background to teach legal/risk management topics. Thus, the purpose of the faculty training program was to provide this educational background for faculty members who wanted to include legal/risk management content in an existing course or teach an entire course in this area. Below is a summary of the course evaluations completed by faculty members who enrolled in the summer 2021 training course -- a “pilot” program. This summary begins with a brief description of the course and textbook and ends with a brief description of two faculty training course options to begin in 2022.

Brief Description of the Course and Course Textbook



This course was designed and delivered by the Fitness Law Academy, LLC and the professors of a new textbook titled: *Law for Fitness Managers and Exercise Professionals*. A brochure to promote the course was posted on the Fitness Law Academy’s website and disseminated via mail and e-mail. Because this was offered as a “pilot” course and recognizing the financial challenges facing academic institutions due to COVID, there was no course fee. Professors, though, needed to purchase the required textbook for the course on Amazon (\$89). A brief description of the textbook is provided below.

Upon registration, faculty members received (a) study questions for each of the 11 chapters in the textbook, and (b) answers to study questions for each chapter. The 9-week faculty training course was held between June 7th and August 6th and consisted of three modules and self-study assignments as follows:

Module 1 (weeks of June 7, 14, and 21)

Assignment: Read Chapters 1-4 and answer the study questions for each chapter and compare your answers with the provided answers

Module 2 (weeks of June 28, July 5, and 12)

Assignment: Read Chapters 5-8 and answer the study questions for each chapter and compare your answers with the provided answers

Module 3 (weeks July 19, 26, and August 6)

Assignment: Read Chapters 9-11 and answer the study questions for each chapter and compare your answers with the provided answers

At the end of each module, a live Zoom class was taught by the authors of the textbook to review key legal/risk management content in the chapters assigned and provide/describe various ancillaries (described below) that were provided throughout the course.

Course Textbook

The course textbook is the only comprehensive resource covering the law, legal liability, and risk management, specifically designed for fitness managers and exercise professionals. It is not a “sport law” textbook, although

it does cover legal cases and risk management issues involving strength and conditioning coaches working in athletic venues. The titles of the 11 chapters are presented in Exhibit 1. A brief summary of each chapter's content and a description of the textbook's special features (e.g., 30 spotlight cases and over 80 additional cases, key points, forms/documents) can be found on the Fitness Law Academy website: <https://www.fitnesslawacademy.com/textbook>. The website includes many of the forms and documents included throughout the textbook that can be easily downloaded so they can be used/adapted by fitness managers and exercise professionals.

Exhibit 1. Textbook Brief Contents: *Law for Fitness Managers and Exercise Professionals*

PREFACE

Part 1: The Need for Legal and Risk Management Education

Part 2: Textbook Organization, Special Features, Definitions, and Website

PART I OVERVIEW OF THE LAW, LEGAL LIABILITY, AND RISK MANAGEMENT

These chapters provide a basic understanding of the law, legal liability and risk management, which is needed prior to moving to Part II in the textbook.

Chapter 1 U.S. Law and Legal System

Chapter 2 Creating a Safety Culture: Building a Comprehensive Risk Management Plan

Chapter 3 Complying with Federal Laws: Honoring Legal Rights

Chapter 4 Negligence and Common Defenses to Negligence

PART II LEGAL LIABILITY EXPOSURES AND RISK MANAGEMENT STRATEGIES

These chapters describe the many legal duties and risk management responsibilities of fitness managers and exercise professionals. Each of these chapters contains two major sections (a) assessment of legal liability exposures (e.g., description of applicable laws, case examples, summary of published standards of practice), and (b) development of risk management strategies (e.g., description of risk management strategies that minimize legal liability exposures).

Chapter 5 Hiring Credentialed and Competent Personnel

Chapter 6 Pre-Activity Health Screening and Fitness Testing

Chapter 7 Exercise Prescription and Scope of Practice

Chapter 8 Instruction and Supervision

Chapter 9 Exercise Equipment Safety

Chapter 10 Managing Facility Risks

Chapter 11 Emergency Planning and Response

List of Abbreviations

Glossary

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Summary of Course Evaluations

The week after the course ended, a course evaluation form was emailed to the 29 professors who enrolled in the course. A total of 15 (52%) completed the course evaluation. Given the quantitative data presented in Table 1 and the qualitative data presented in Exhibits 3-5, it is speculated that those who did not submit the course evaluation was because they were unable to actively participate in and/or complete the course. Several of the respondents indicated that they were unable to fully participate or complete all of the course assignments due to other commitments and responsibilities that came up during the summer. The reason for offering the course in the summer was that, generally, professors are less busy in the summer than in the fall or spring semesters. Exhibit 2 provides the data (responses) from general questions regarding the course.

Tables 1 and 2 describe the respondents' ratings of the course ancillaries provided throughout the course and the course textbook, respectively. Exhibits 3-5 provide qualitative data (comments) provided by 12 of the 15 respondents. They were not all the same 12 respondents. These qualitative data help explain some of the quantitative data obtained. The following is a brief description of the course ancillaries:

1. **Study questions for each chapter:** This document includes between 20-25 questions per chapter -- short answer, true/false, fill-in-the-blank, matching, and case studies. Note: Professors were informed that they could use/adapt these questions for quizzes and/or examinations (i.e. a test bank of sorts).
2. **Answers to study questions for each chapter:** This document includes prepared answers for each question as well as various additional resources (e.g., websites) to provide supplemental information to support (or add to) the answers to some of the questions.
3. **PowerPoint slides for each chapter:** Each chapter contains an average of 50-55 slides. The slides are comprehensive covering all the major topics covered in each chapter including many of the tables, figures, exhibits, key points, etc. with the idea that it is easier and more time efficient for professors to delete slides for a class presentation than to add slides. *Professors also received shorter versions of PowerPoint slides presented in the Zoom classes that highlighted each chapter's key concepts.*
4. **Ideas for class assignments/activities for each chapter:** Along with general ideas (e.g., having students give oral presentations describing the spotlight cases, how to utilize the study questions/answers within an LMS), these documents describe several ideas/suggestions related to each chapter's content with the goal to actively engage students in their learning. Many resources/websites were also included to expand on the content presented in the textbook.
5. **CAAHEP legal/risk management competencies covered in the textbook:** This document provides a list of the legal/risk management CAAHEP competencies at both the undergraduate and graduate levels. Below each competency, the location of where that competency was covered in the textbook was provided along with a brief description. Academic programs must be CAAHEP accredited by August 2027 in order for their students to be eligible for ACSM professional certifications that require a degree (EP-C and CEP).
6. **Guidelines for a community fitness center risk management audit:** Having students conduct a risk management audit of a community fitness center as a class "service-learning project" can be a valuable learning experience. This document describes important factors that professors need to consider to help ensure the audit is carried out in a professional manner. Three published articles were also included that described actual audits conducted by graduate students including evaluations (perspectives from students and community fitness center managers).
7. **Basic legal research/databases:** This document is primarily helpful/useful for those professors who had access to legal databases (e.g., Westlaw, Nexis). About half of the professors enrolled in the course indicated that their institution's library did not provide these databases. Using specific "search" examples with both Westlaw and Nexis, this document provides step-by step instructions on how to conduct basic legal research (e.g., locating primary sources of law such as case law and statutory law). How to properly cite legal resources was also provided along with a description of the various sections included in a published case.
8. **Teaching legal issues as a non-lawyer educator:** This document provides recommendations for professors to help ensure they are not practicing law while teaching legal/risk management content, e.g., a statement to include in the course syllabus, how to properly address student inquiries (in class and outside of class), placing disclaimers on class handouts, PowerPoint slides, etc., and informing students that they must seek legal counsel on a variety of legal issues as recommended through the textbook.

Exhibit 1. General Questions/Responses Regarding the Course, Frequencies (Percentages)

1. Which of the following best describes your participation in the self-study portion of this course?
 - A. Read and completed the study questions for all chapters: **4 (27%)**
 - B. Read and completed the study questions for most chapters: **4 (27%)**
 - C. Read and completed the study questions for about half of the chapters: **6 (40%)**
 - D. Read and completed the study questions for less than half of the chapters: **1 (6%)**
2. Which of the following best describes your participation in the Zoom classes ?
 - A. I attended (or listened to the recordings of) all **three** Zoom classes: **10 (67%)**
 - B. I attended (or listened to the recordings of) **two** of the three Zoom classes: **3 (20%)**
 - C. I attended (or listened to the recording of) **one** of the three Zoom classes: **2 (13%)**
 - D. I did not attend (or listen to the recordings of) any of the three Zoom classes: **0**
3. How would you rate your knowledge/understanding of “the law” and its application to the exercise profession after taking this course.
 - A. Improved significantly: **11 (73%)**
 - B. Improved: **4 (27%)**
 - C. Remained about the same: **0**
4. How would you rate your knowledge/understanding of “risk management” and its application to the exercise profession after taking this course.
 - A. Improved significantly: **11(73%)**
 - B. Improved: **3 (20%)**
 - C. Remained about the same: **1 (7%)**
5. If this course is offered again in the future, what would you recommend regarding the timeframe?
 - A. Extend the course to 11-12 weeks with 4-5 Zoom classes: **7 (47%)**
 - B. Keep it the same with 9 weeks and 3 Zoom classes: **8 (53%)**
 - C. Shorten the course to 6-7 weeks and 2 Zoom classes: **0**
6. Which of the following best describes your current and/or future teaching?
 - A. I currently teach an undergraduate and/or graduate legal/risk management course: **4 (27%)**
 - B. I plan to teach an undergraduate and/or graduate legal/risk management course: **2 (13%)**
 - C. Currently (or plan to) include legal/risk management content in an existing course: **8 (53%)**
 - D. None of the above: **1 (7%)**
7. How would you rate the overall course?
 - A. Excellent: **14 (93%)**
 - B. Very Good: **0**
 - C. Average: **1 (7%)**
 - D. Below Average: **0**
8. Would you recommend this course to other professors?
 - A. Yes: **15 (100%)**
 - B. No: **0**
 - C. Not Sure: **0**

Table 2. Ratings of the Course Ancillaries, Frequencies (Percentages)

Study questions for each chapter	Very helpful/useful = 12 (80%) Somewhat helpful/useful = 3 (20%) Not helpful/useful = 0
Answers to the study questions	Very helpful/useful = 12 (80%) Somewhat helpful/useful = 3 (20%) Not helpful/useful = 0
PowerPoint slides for each chapter	Very helpful/useful = 13 (87%) Somewhat helpful/useful = 2 (13%) Not helpful/useful = 0
Ideas for class assignments/activities for each chapter	Very helpful/useful = 14 (93%) Somewhat helpful/useful = 1 (7%) Not helpful/useful = 0
CAAHEP legal/risk management competencies covered in the textbook	Very helpful/useful = 13 (87%) Somewhat helpful/useful = 0 Not helpful/useful = 0 NA (e.g., not pursuing accreditation) = 2 (13%)
Guidelines for a community fitness center risk management audit	Very helpful/useful = 10 (67%) Somewhat helpful/useful = 5 (33%) Not helpful/useful = 0 NA (e.g., not feasible or no interest) = 0
Basic legal research/databases	Very helpful/useful = 6 (40%) Somewhat helpful/useful = 6 (40%) Not helpful/useful = 0 NA (e.g., no access to Westlaw/Lexis) = 3 (20%)
Teaching legal issues as a non-lawyer educator	Very helpful/useful = 14 (93%) Somewhat helpful/useful = 1 (7%) Not helpful/useful = 0

Table 3. Ratings of the Course Textbook, Frequencies (Percentages)

Contribution to the profession	Excellent = 13 (87%), Very Good = 2 (13%), Average = 0, Below Average = 0
Comprehensiveness/coverage of legal/risk management content	Excellent = 13 (87%), Very Good = 2 (13%) Average = 0, Below average = 0
Written at the appropriate level for students and professionals	Excellent = 10 (67%), Very Good = 4 (27%) Average = 1*(6%), Below average = 0
Covers the what, why, and how as described on the back cover	Excellent = 12 (80%), Very Good = 3 (20%) Average = 0, Below average = 0
Textbook features (e.g., spotlight cases, key points, tables, figures, exhibits, and appendices)	Excellent = 13 (87%), Very Good = 2 (13%) Average = 0, Below average = 0

*This professor commented: “it is appropriate, but students are becoming less able to digest textbook content and might find this text too challenging.”

Exhibit 3. Qualitative Data (Comments) Regarding the Self-Study Portion of the Course

1. "I enjoyed the organization and layout of the textbook. The information was detailed and immediately applicable to the real world – case studies were on point. Information was comprehensive, yet easily understood by a non-lawyer."
2. "I feel the self-study portion was a great asset to the course as I could move through it within my timeframe."
3. "Great guiding supplemental materials to follow while reading/studying the book."
4. "Maybe ask to turn in a one-two page summary of chapter questions... to keep all accountable and help more with assignment completion."
5. "I read each chapter thoroughly, taking notes, following provided resources in the Reference lists and connecting readings and resources to my own class."
6. "The study questions were very helpful for identifying what to focus on."
7. "I felt that it took a lot of time to complete the study questions. I think it was helpful, but my summer seemed especially busy...in a more normal year this might have been less time-consuming."
8. "Loved it all."
9. "I really appreciated the guided self-study and only wish I had more time to invest in this course over the summer. It was a lot of new content for me that all felt relevant, so I would love to do it again next year and absorb even more of the information."
10. "I started out staying on time. As my summer progressed, this became difficult. There were a lot of study questions and reading. To really understand the material, this took a lot of time."
11. "I was able to read most of the textbook throughout the summer. However, it was difficult to read and complete the questions before the Zoom sessions (especially the 2nd and 3rd session) due to other obligations and amount of content. I liked having the ability to complete questions on my own time though. The questions were definitely helpful in remembering key content from the textbook."
12. "At times it did feel like a lot to read, being new to the subject. But it's good to get a feel for what the readings would be like when assigned to students. It can definitely be difficult to read about legal issues when it is not your main background."

Exhibit 4. Qualitative Data (Comments) Regarding Zoom Classes and Recordings

1. "I enjoyed the Zoom session I was able to attend. It provided a good review/summary of what we had read. The instructor(s) are knowledgeable and open to answering complex questions in a simplified way."
2. "I really enjoyed the Zoom class opportunity to review the content and connect."
3. "Very helpful. Especially, presentation slides were helpful in articulating the given content."
4. "Like the Zoom meetings; would have liked these to be "highlights" of the most important points from the chapters."
5. "The Zoom classes were professional and addressed our questions as they arose. Dr. Eickhoff-Shemek and guest speakers provided additional detail to the broader overview session PowerPoints made. I have quite a few activities and assignments to consider to the ones currently planned for – this is a great problem to have."
6. "Would be great if the recordings were available longer or if we could download them to refer back to."
7. "I wish we could have asked more questions. I did appreciate the overview of the chapters as I did not get to Chapters 10 and 11. I liked the surveys as well. But as a group we could have all done a better job asking more questions as we moved through the book."
8. "I appreciated the review of the key points from each unit. There was so much information to read and study, it was nice to have the live summary."
9. "This was not helpful to me. All of the details were in the documents so this seemed like a waste of time. I appreciate having the chance to ask questions, but the rest was unnecessary."
10. "I completed the reading for most Zoom meetings so the Zoom class just told me what I read. It might be helpful to...hit some highlights from the chapters and not go through all of the material in the chapters. I would also suggest to do a poll more toward the middle of the call as it seemed that was our only interaction...Keep us more engaged! Give more time for questions." (Note: polls were done only at the beginning of each Zoom class).
11. "Very easy to use."
12. "I enjoyed reviewing the chapters and it helped to clarify some confusions I had. I really appreciated the suggestions for student work and would have loved even more. It can be difficult to think of active learning strategies in a field with which you are less familiar."

Exhibit 5. Qualitative Data (Comments): Additional Feedback

1. "Thank you for putting this together. This was very helpful and I looking forward to learning more..."
2. "The book is great and all the faculty training materials were on-point. Cases covered in the book are absolutely top-of-the line. We often see solely landmark cases as examples in other legal textbooks which are also important but with providing up-to-date legal cases it becomes clear to understand how far we've come in fitness risk management and room for improvement in current practicum."
3. "The course was awesome! I especially appreciate the case law and specific cases to add to material I already teach. I plan to weave this information throughout my course."
4. "All of the materials were quite useful! I feel as though the Study Guides and PowerPoints are somewhat useful for me, but...I utilize alternative methods of presenting material and have shifted to small projects rather than traditional tests...These resources are good references for me, but may make it into class in different formats than those provided, However, they are valuable resources all around. It is clear how much time, attention, and expertise went into these resources."
5. "It's difficult to find time to go through so much material, so digital material such a videos (YouTube), audio, podcasts, etc. would be great addition to the print materials."
6. "It was a lot to do in a busy summer. I wish there was more time, or that a person could have the choice to do a self-paced course over a longer period of time."
7. "Fitness facility managers and staff all need this training, but there is a huge lack of knowledge... in this area...we need to take and retake a course like this every few years!"
8. "I found the Google scholar is available to students and I try to use that for their research since they do not have access to Westlaw/Nexis."
9. "This was an excellent course (and textbook) for raising awareness in an area that has been all but overlooked by my program in the past. I feel much better equipped to audit our exercise center practices and modify them to align with best practices in this area...something I hadn't even thought to do before. Thank you for making this course available for us this summer and for all the extra work put into the study questions, PowerPoints, etc."
10. "This was SUPER helpful. I learned SO much about the law in regard to fitness. The class activities were very helpful. I feel prepared to add information to the course that I teach that already addresses some legal/liability issues. I did feel there was a lot of reading each session due to the chapters being so long. I cannot imagine my undergraduate students would read all of that. Maybe create a shortened primer that goes with the book. It was very well written and I appreciate all the work!! The cases were very interesting and added a lot to the material...Thank you so much for letting us do this in the summer and all the work put into it. It was well worth my time and I will be a better professor in the classroom because of this course!"
11. "Thank you for taking the time to offer this course. As someone who didn't have a course in their undergraduate/graduate experience, this course was extremely helpful. The importance of risk management and understanding the legal aspects of Exercise Science is often overlooked in the field. My students will benefit greatly as I feel much more knowledgeable and prepared to offer a course on these topics."
12. "Thank you for taking the time to put this course together and offering it to faculty. I find this to be a difficult subject to teach to undergraduates because they think..."nothing legal will happen to them." But having this great resource full of examples can show them how important it is. I would like to be able to ultimately make this a full course for our undergraduates and graduates, but...it can be used to enhance current classes until...we can give it a full course."

Brief Description: Two Faculty Training Course Options in 2022

Based on the valuable and helpful feedback from the professors who participated in the 2021 course, it was decided to offer two faculty training course options in 2022 based on the following:

- a) A little over half of the respondents want to (or want to continue to) include legal/risk management content in an existing course and a little less than half of the respondents want to (or want to continue to) teach an entire legal/risk management undergraduate or graduate course. The education and training needed for each of these two groups can take different approaches.
- b) Many of the respondents indicated that assignments for each of the three modules took a lot of time and, thus, they were unable to complete the assignments or keep up with the assignments as the course progressed. Course Option #2 will address this issue by having less reading, etc. assigned prior to each Zoom class.

RECEOMENDATIONS FOR AN ENTIRE COURSE:

If an entire course is offered at the undergraduate level, it is recommended that the course be a senior level course taken after students have completed basic courses in exercise science and prior to their internship. **It is highly recommended that all graduate programs offer an entire course.** Students often pursue graduate degrees to help prepare them for advanced positions in the field such as middle and upper management positions. In these roles, the exercise professional is the “risk management manager” and has the overall responsibility of carrying out many legal duties legal/risk management responsibilities (e.g., developing a comprehensive risk management plan for the fitness program/facility, training/supervision of staff members, etc.). An entire course, using the textbook as the adopted text, will provide students with the knowledge and skills needed to carry out these important duties/responsibilities and help them to intelligently discuss such issues with their legal counsel and insurance providers. The textbook will serve as their “go-to” resource after completing the academic course.

Professors Can Choose Which Option Is Best For Them:

Option 1: Self-Study Only. This option is primarily designed for professors that want to include legal/risk management content in an existing course. They can complete the course on their own timeframe – no beginning or ending dates. The lead author of the textbook and course professor, Dr. JoAnn Eickhoff-Shemek, will be available to answer any questions as professors complete the course.

Option 2: Self-Study and Weekly Zoom Classes for 10 Weeks. This option is primarily designed for academic programs that want to offer an entire legal/risk management course at the undergraduate or graduate level. **This course begins May 23 and ends July 28, 2022. Early bird registration deadline: April 15th (Save \$50).**

More information about the two options including course fees and registration is available at:
[Educational Courses \(fitnesslawacademy.com\)](https://www.fitnesslawacademy.com)

Conclusion

The summer 2021 faculty training course was offered as a pilot program. It was a successful course as demonstrated by the data obtained from the course evaluations. The evaluation data also provided helpful feedback on how to make improvements with the faculty training program. The two faculty training options, to begin in 2022, will incorporate many of the suggested improvements with the goal to enhance the quality of the training and meet the needs of faculty members.