

**With lawsuits on the rise, now is the time to prepare your students to meet the many legal duties and risk management responsibilities they will have as exercise and fitness/wellness professionals.**

## Faculty Training Courses - Two Options in 2022

The premier legal/risk management faculty training course, offered by the [Fitness Law Academy, LLC](#), was taught in the summer of 2021. Based on the course evaluations and feedback from professors who completed the course, it was decided to offer two options in 2022 to best meet the needs of faculty members and academic programs. A summary of the 2021 course evaluations is available at: [www.fitnesslawacademy.com](http://www.fitnesslawacademy.com).

### Professors Can Choose Which Option Is Best For Them:

**Option 1** is a **Self-Study Course** primarily designed for professors who want to include some legal/risk management content into an existing course. Professors complete the course on their own timeframe – no beginning or ending dates. The course professor, Dr. JoAnn Eickhoff-Shemek, is available to answer any questions as professors complete the course.

**Option 2** is primarily designed for academic programs that want to offer an entire legal risk management course at the undergraduate or graduate level. **This is a Self-Study Course that includes Weekly Zoom Classes for 10 Weeks.** Professors complete a self-study portion and also participate in weekly Zoom classes over 10 weeks that cover the course materials. **Dates: May 23rd - July 28th. Early Bird Registration: April 15th (Save \$50).** A description of Option 2 is on page 4.

**Register for Option 1 or Option 2 at: [Educational Courses \(fitnesslawacademy.com\)](http://Educational Courses (fitnesslawacademy.com))**

### Course Materials for Both Options Include:

\* **Comprehensive Textbook/Resource:** *Law for Fitness Managers and Exercise Professionals*

Authors: JoAnn M. Eickhoff-Shemek, PhD, Barbara J. Zabawa, JD, and Paul R. Fenaroli, JD.

\* **Ancillaries** to make teaching legal/risk management topics convenient and time-efficient:

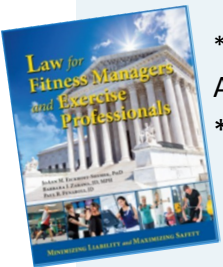
- 1) Study questions covering each chapter in the textbook
- 2) Answers to study questions for each chapter
- 3) PowerPoint slides for each chapter
- 4) Ideas for class assignments/activities for each chapter
- 5) List of CAAHEP legal/risk management competencies covered in the textbook
- 6) Guidelines for a community fitness center risk management audit
- 7) Basic legal research/databases
- 8) Teaching legal issues as a non-lawyer educator

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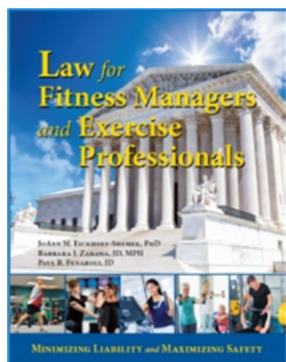
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## Description of Textbook

This groundbreaking, comprehensive, 538-page textbook is the exercise professional's "go to" resource. Specifically written for a "lay" audience, this textbook describes:



## Textbook Contents

A brief description of each chapter is available at: [Textbook Description \(fitnesslawacademy.com\)](http://fitnesslawacademy.com)

### PREFACE

**Part I** The Need for Legal and Risk Management Education

**Part II** Textbook Organization, Special Features, Definitions, and Website

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

**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

**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

### CASE INDEX

### INDEX

### Special Features:

- \*Descriptions of over 110 lawsuits that occurred in fitness facilities/programs including 30 "spotlight" cases.
- \*Descriptions of effective risk management strategies to help protect professionals and their employers from legal liability.
- \*Key Points in every chapter that highlight and emphasize important legal and risk management principles and concepts.
- \*Over 100 tables, figures, exhibits, and photos to provide additional, relevant information, and illustrate textual content.
- \*Numerous sample forms, documents, and resources.

## Description of Ancillaries

Faculty members teaching in exercise science academic programs likely received little or no legal/risk management education in their graduate coursework. This textbook and the following ancillaries provide this education as well as a plethora of resources to help make teaching these “must know” legal and risk management topics convenient and time-efficient.



**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 can use/adapt these questions for quizzes and/or examinations (i.e. a test bank of sorts).

**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.

**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 receive shorter versions of PowerPoint slides that highlight each chapter’s key concepts.

**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 are also included to expand on the content presented in the textbook.

**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).

**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 are also included that describe actual audits conducted by graduate students including evaluations (perspectives from students and community fitness center managers).

**Basic legal research/databases:** This document is primarily helpful/useful for those professors who have access to legal databases (e.g., Westlaw, Nexis). 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 is also provided along with a description of the various sections included in a published case.

**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 throughout the textbook.

## Description of Option 2

This course will be taught like a graduate level course. Weekly Zoom classes will provide live, synchronous interactions among the participants and the course professor, Dr. JoAnn Eickhoff-Shemek. **The weekly, non-graded assignments include reading the chapter assigned and completing that chapter's study questions.** Professors should plan on around on 2-3 hours/week to complete the assignments. **Recordings of the Zoom classes will be available for professors unable to attend the scheduled classes.**

### 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, complying with federal and state laws, etc.).



### Weekly Zoom Classes

**The Zoom classes will be held the week following each of the 10 assignments to review/clarify chapter content, e.g., the first Zoom class will be scheduled during the week of May 23rd. The day/time for the Zoom classes will be set to accommodate preferences. Each class will be about 60-75 minutes. Course ancillaries will also be discussed throughout the 10-week course.**

#### Reading Assignments and Completion of Chapter Study Questions as Follows:

Assignment #1 — Weeks of May 9th and 16th: **Chapters 1 and 2** (Zoom class week of May 23)

Assignment #2 — Week of May 23: **Chapter 3** (Zoom class week of May 30)

Assignment #3 — Week of May 30: **Chapter 4** (Zoom class week of June 6)

Assignment #4 — Week of June 6: **Chapter 5** (Zoom class week of June 13)

Assignment #5 — Week of June 13: **Chapter 6** (Zoom class week of June 20)

Assignment #6 — Week of June 20: **Chapter 7** (Zoom class week of June 27)

Assignment #7 — Week of June 27: **Chapter 8** (Zoom class week of July 4)

Assignment #8 — Week of July 4: **Chapter 9** (Zoom class week of July 11)

Assignment #9 — Week of July 11: **Chapter 10** (Zoom class week of July 18)

Assignment #10 — Week of July 18: **Chapter 11** (Zoom class week of July 25)

After completing the course, Dr. Eickhoff-Shemek will continue to provide assistance for professors as needed. Updated "textbook" information is continually posted on the Fitness Law Academy's website at: [Textbook \(fitnesslawacademy.com\)](https://www.fitnesslawacademy.com).

Professors and students can also subscribe to the "free" quarterly newsletter to stay abreast of legal/risk management topics at: [Newsletter \(fitnesslawacademy.com\)](https://www.fitnesslawacademy.com).

## FAQs

- 1. Do I have to be a lawyer to teach a Legal/Risk Management course?** It is ideal, but not necessary. There are many professors who teach Sport Law courses who are not lawyers. However, a basic knowledge of the law is needed, which this textbook and training course cover. The legal content presented in this textbook is very basic – no complex legal theories. The focus of the textbook (written for a “lay” audience”) and faculty training course is on “risk management” strategies that help minimize legal liability. Throughout the text, it is emphasized that fitness managers/exercise professionals must consult with competent legal counsel regarding many “daily operational” issues.
- 2. What are the eligibility requirements to take this training course?** Individuals need to be full-time or part-time faculty members who teach in an exercise science (or related) academic program.
- 3. Have professors used this new textbook for a course?** Dr. Suzanne Wambold was the first professor to adopt this new text for a required course she taught in the fall of 2020 for exercise science majors at the University of Toledo. She stated:  
*The text is an outstanding compilation of legal cases to discuss with students as well as facts and risk management strategies to discuss and use as a basis for creating risk management plans. The legal cases presented have opened the eyes of many of my students. I encourage others to review this text and implement it in their programs. The knowledge the students obtain from this text will help them become responsible health/fitness professionals. It is my hope that they will keep this text and refer to it often as a helpful resource.*
- 4. What is the feedback from students after they complete a Legal/Risk Management course?** Dr. Eickhoff-Shemek taught a graduate level Legal/Risk Management course for 20 years. The following is an example of a typical student comment provided on the anonymous course evaluations in her last class at the University of South Florida prior to retirement in 2017:  
*I am very glad I took this class as it has taught me a lot of legal situations that can arise within the Exercise Science field. I believe this class is really important and should be a requirement for all students...It is important that as professionals entering the field we are aware of different legal scenarios that can occur, how to avoid them and handle them if they arise.*
- 5. Who do I contact if I have questions about the Faculty Training courses?** Dr. JoAnn Eickhoff-Shemek at: drjes2014@gmail.com.

## 2022 Registration Fees and Deadlines

The registration fees for both Option 1 and 2 include:

- 1) Textbook described on page 2 (sells for \$89 on Amazon)
- 2) Ancillaries described on page 3
- 3) CEC/CEU course (professors can earn 22 ACSM CECs or NSCA 2.0 CEUs) — interested professors will receive the Study Guide materials that include a 125 MC examination. More information about this course is available at: [Educational Courses \(fitnesslawacademy.com\)](https://www.fitnesslawacademy.com/educational-courses)



**Option 1: \$199 (No Deadline)**

**Option 2: \$399 (Deadline: April 30th) or \$349 (Early Bird Deadline: April 15th - save \$50)**

REGISTER AT: [Educational Courses \(fitnesslawacademy.com\)](https://www.fitnesslawacademy.com)



### Bio of Course Professor: JoAnn M. Eickhoff-Shemek, PhD, FACSM

- \*20 years experience teaching graduate legal/risk management courses and a unit on legal/risk management in undergraduate management courses in the Exercise Science programs at the University of South Florida & University of Nebraska at Omaha.
- \* Lead author or co-author of four legal/risk management textbooks, several book chapters, and over 90 journal articles.
- \* Former “legal columnist” (10 years from 2000-2010) and current “fitness safety columnist” for *ACSM’s Health & Fitness Journal*.
- \* Expert witness experience involving negligence cases. More information at: [About Dr. JES \(fitnesslawacademy.com\)](https://www.fitnesslawacademy.com).

**NOTE:** If available, text co-authors, Barbara J. Zabawa, JD & Paul R. Fenaroli, JD, may also teach portions of the Zoom classes.