

SECOND EDITION

# SPORTS ETHICS

## FOR SPORTS MANAGEMENT PROFESSIONALS



Walter T. Champion, Jr. | Richard T. Karcher | Lawrence S. Ruddell



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*To my friend Patrick Thornton, rest in peace.*

**–Walter T. Champion, Jr.**

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*To all of the college athletes in commercialized sports  
who sow but do not reap.*

**– Richard T. Karcher**

---

*To my dad, Joe Ruddell, who was a star performer  
on the Virginia Tech basketball team of the 1940s,  
and brothers Pres (who played Minor League Ball  
with the Twins), Jim, and Bill, and my kids,  
Preston and Anna.*

**– Lawrence S. Ruddell**



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# Preface

As you can probably guess, the gist of a book titled *Sports Ethics for Sports Management Professionals* is ethics, or rather the lack thereof, in sports.

Penn State, which is no stranger to the ethics in sports debate, hired Robert Boland as its Athletics Integrity Officer. To begin with, Athletics Integrity, is an oxymoron, just like Jumbo Shrimp or Military Intelligence. The book's major instruction for sports management professionals (SMPs) is to make the right decision when confronted with difficult ethical questions. One wonders what is meant by the phrase "Athletics Integrity."

Should an athlete have more (or less) integrity than a regular student? Some might argue that most athletes are more inherently responsible than your run-of-the-mill students because they are involved with an extra-curricular activity that demands a heightened sense of commitment and dedication. Should the onus of integrity be more profound with athletes?

As the *Second Edition* goes to press, there appears to be an ethical malaise currently surrounding big-time college athletics after the Baylor football scandal. However, the infractions at Baylor were of such a heinous invasive quality that it should not have merely instigated a sea-change in our opinions on athletic integrity. If anything, the Baylor scandal should invoke a discussion on feminism in our society as a whole, not just a titillating, myopic witch-hunt against college athletics.

In the past, there were certainly more dramatic ethical mishaps in college sports, such as

the sad case of Jack Molinas, who fixed college (and professional) basketball games for a living. These days appear to be over, ironically, as a result of legalized sports betting and daily fantasy sports. This more civilized view on legalized sports gambling is a result of education, which could be the answer to the alleged problem of athletic integrity: "Teach your children well."

The term *ethics* covers a broad spectrum of disciplines in today's society. Business ethics, medical ethics, legal ethics, environmental ethics, and, yes, even sports ethics are prevalent in today's culture. Sports ethics confronts many issues that are common in our society within the context of the sports world. Race and discrimination, gender-equity issues, privacy, intellectual property, gambling, violence, and drug use and drug testing are all significant topics in the study of sports ethics.

SMPs will be confronted with many ethical decisions during their careers. It is essential that they be equipped to make the right decision when faced with a difficult situation. This book was written with an eye toward the SMP, who will certainly encounter many tough decisions during his or her career. It is one of the goals of this book to assist the SMP in making the right decision when the situation arises. Ethical situations can arise for the sports manager under a variety of circumstances: In the employment process, in the administration of an athletic program at both the amateur and professional levels, in youth sports, and in the everyday decisions that an SMP must make in fulfilling his or her duties and responsibilities.



## ► Organization of This Text

In Chapter 1, several ethical models are presented that the SMP may use as a platform to make ethical decisions. Chapter 1 also presents several practical cases (“tough calls”) for the SMP relating to discrimination in the workplace, eligibility and participation issues, disability issues in sports, and ethical issues confronting the SMP in collegiate and professional sports. Each case allows the student to apply the ethical decision-making process to a sports-related ethical dispute.

In Chapter 2, the concepts of sportsmanship, gamesmanship, and cheating are examined. Is there a difference between them? If so, what are the differences, and how are they applied in the sporting world? Every sport has rules by which all participants (fans, players, coaches, referees, and parents) must abide. However, rules are often broken, particularly by the participants. Sometimes, this is even done intentionally. Should sports tolerate the intentional breaking of the rules of the game or sport? America’s national pastime of baseball seems to tolerate the concept of gamesmanship more than other sports, and Chapter 2 further explores the differences between sportsmanship, gamesmanship, and cheating in this context. No one likes a cheater; that is a simple proposition. The concept of cheating is explored in the second chapter. How is cheating actually defined, and what should be done to prevent cheating in sports? Spying and espionage have always been present in sports. Trying to figure out the “secrets” of another athlete’s success can be valuable information for a competitor. Those concepts are developed and discussed fully in Chapter 2. “Trash talking” and profanity have become prevalent in both professional and amateur sports. Is it ever acceptable to engage in either, and if so, under what circumstances? The limits of this

kind of behavior are also discussed for all levels of sports.

Gambling has been present in sports ever since participants have thrown or passed a ball. It is a simple, but true, statement: Individuals like to play games of chance with the hope of winning money. But, is gambling good for a sport? Every professional sport league regulates gambling to a certain extent. Many experts agree that gambling diminishes the integrity of the sport. Chapter 3 explores the influence that gambling has had on players, teams, referees, and leagues at both the professional and amateur levels and what has been done to reduce the influence of gambling in sport.

All those involved in sports have an ethical calling. Coaches should perform their duties ethically and responsibly. Sports officials have a moral and ethical duty to be fair and unbiased in all of their rulings. These concepts are explored in Chapter 4. Coaches must supervise and instruct athletes properly to prevent injury, and they must refrain from violent and abusive behavior toward the athletes they coach. It is an understatement that sports officials have a tough job, but they must perform it without bias and with consideration for the safety of all participants and fans.

Chapter 5 discusses two of the most important participants at any sporting event—parents of youth sports participants and fans. Parents are becoming more involved in their children’s sporting events, and along with that increased involvement come ethical duties. Parents should conduct themselves appropriately and be good examples for youth sports participants at all events. “Parental rage” has become a major issue, both legally and ethically, at the youth sports level. Chapter 5 discusses this concept in depth. Every sporting event needs enthusiastic fans. Without fans, no sport can survive. Fans love to cheer their team to victory, but it must be done in an ethical and certainly a nonviolent manner. Fans at sporting events owe an ethical duty to others at the sporting event to conduct themselves

appropriately while enjoying the sporting event and refrain from “fan rage,” violent behavior, “over the top” heckling, or stalking athletes. All of these concepts and ethical issues are explored in Chapter 5.

Violence in sports is a major ethical issue facing almost every major sport. Violence is tolerated in many sports and even encouraged in others. Issues of how much violence at all levels of sports should be tolerated are explored in Chapter 6. Both civil and criminal sanctions can be levied against violent athletes to attempt to curb inappropriate behavior. The sport of professional hockey tolerates, and in some cases even encourages, fighting and has clearly stated so. Unfortunately, athletes sometimes also engage in “off-the-field” violence. Leagues, teams, and managers may have to deal with off-the-field violent and nonviolent issues as well, determining appropriate punishment for the offenders.

It seems that no topic has been explored and discussed more in the sporting world in the last few years than drug use and drug testing. Chapter 7 explores drug testing and use and its ethical implications in the context of both professional and amateur sports. Steroid use has become prevalent in sports and is a controversial issue. This topic presents major ethical dilemmas for athletes and for the SMP. Congress has become involved in professional sports leagues to try to “clean up” the sport. Ethical issues abound in this area for the sports manager, athlete, coach, and athletic association as well as for professional teams and leagues.

Race has a long history in sports. In Chapter 8, race and discrimination issues are discussed. Racial issues are present at all levels of sports and involve all participants, sports officials, coaches, and parents. In this chapter, cases and case studies explore issues dealing with race in the employment context as well as with eligibility issues.

Sports agents arrived on the sports scene in the late 1960s, primarily because of the

increasing salaries for professional players. In Chapter 9, numerous ethical issues facing sports agents are examined. Agents are in a trust or fiduciary relationship with clients, and they must abide by certain ethical and legal rules when performing their duties. Agents have many responsibilities and obligations to their clients, including contract negotiations, endorsements, tax advice, and legal advice. All of these duties must be performed in an ethical and legal manner. The issue of attorneys also acting as agents is explored. Many entities regulate sports agents: The NCAA, states, player unions, and universities. Any regulation of agents must be fair and ethical, and any discipline levied against unethical agents must comport with the agent regulatory system.

Chapter 10 discusses gender discrimination and Title IX. For many years, women did not have the same opportunities as men to participate and be involved in sports. Many antiquated attitudes existed—and some still do—about the “fragile” woman who is unable to participate in sports and “can’t keep up with the boys.” Unfortunately, discrimination and abuse against women in sports have become very significant issues for all involved in sports. An SMP will be called upon to make ethical decisions dealing with both sexual harassment and sexual abuse of female athletes. Title IX has done a lot to make women’s sports “equal” to men’s sports, but there is still room to grow. An SMP working at the collegiate level will certainly be faced with ethical issues related to Title IX and must understand the reasons behind its implementation. Compliance issues dealing with Title IX are also explored.

In Chapter 11 sports ethics is discussed in the context of sports media. Sports fans can access sports games and news in a wide variety of forms. Reporters, writers, and producers all owe a duty to perform their jobs in an ethical manner including producing factually accurate and truthful stories and to verify the facts of any story. The



production of the story must be done in a truthful and forthright manner, presenting all sides of an issue. Ethical and legal issues can arise in reporting stories of athletes. The media must immediately issue a retraction for any statement or story that is untrue and also issue an apology. That is the ethical thing to do. Media outlets should be aware of how the individuals in a story are portrayed and refrain from stereotyping any groups or individuals during their presentation of the news or a journalistic piece. Social media has now become a form of art, and ethical issues abound in this area. These are explored in depth as well.

In Chapter 12, sports ethics is discussed in the context of the NCAA's collegiate model of athletics. The model was formulated by Myles Brand, former NCAA president, as a way to recommit to the academic success of intercollegiate athletics, to respect the concept that the student-athlete is central to the enterprise, and to reconnect athletics programmatically and financially with the rest of the universities. The chapter explores exactly how Brand planned on using the model to reach these goals and how he tried to steer clear of intertwining with a professional model so that student athletes maintain their amateurism. Brand believed that this was a preeminent step in his goal of reform and advocacy, but many critics would say otherwise; this is also discussed in Chapter 12. The chapter looks at ethical concerns that are related to the big money sports. The NCAA is the center of discussion as to whether the major money college sports only care about making money and the athlete is forgotten. It is true that some college coaches earn up to \$10,000,000 per year, but college-athletes earn nothing. Another truism is that 80% of all professional athletes are broke in 6 years. The question is whether universities are about education or sports.

This chapter discusses the NCAA's "Collegiate Model of Athletics" to ascertain its viability and ethical righteousness.

It is our hope that this book will assist you in furthering your understanding of ethics and, more specifically, sports ethics. We also hope that it provides you with some practical decision-making skills to assist you in your career in the sports industry.

Good luck in your study of sports ethics.

## ► New to the *Second Edition*

In crafting the *Second Edition*, we have generally followed the same format as the previous edition. With that said, global changes and chapter revisions include the following:

- Many of the "Case Studies" and "Cases" have been deleted and replaced with new ones containing more recent and updated material.
- The material in the "Notes and Discussion Questions" following each chapter have also been updated. However, the notes and questions are now dispersed throughout the chapter rather than being grouped together at the end of each chapter. Additionally, since Chapter 1 serves primarily as an introduction to the text and contains no "Cases" or "Case Studies," the "Notes and Discussion Questions" for Chapter 1 have been retained at the end of the chapter.
- Chapter 1 includes more material on the principles, concepts, and theories that provide the foundation for analyzing ethical dilemmas in sport. The material in Chapter 1 on the topic of cheating has been deleted or moved to other chapters where appropriate.

- The material on the topic of violence previously found in Chapter 2 has been moved to Chapter 6.
- The section on gambling in amateur sports in Chapter 3 now includes a discussion of the results of the NCAA's survey given to college athletes on the subject of gambling.
- The title of Chapter 4 has been changed to “Ethical Issues Involving Coaches,” reflecting that the sections on sports officials’ ethics and participant ethics have been removed. These subjects are covered in other chapters.
- Chapter 7 includes new material on the World Anti-Doping Agency (WADA) and the WADA Code, as well as some “Cases” and “Case Studies” involving rulings of the Court of Arbitration for Sport (CAS).
- The first edition’s chapter on intellectual property in sports has been removed.
- Chapter 12, “The Commercialization of Amateur Sports,” is new to this edition and addresses both the “collegiate model of athletics” and principles of “amateurism” and the student-athlete.

## ► Instructor Resources

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The following resources are available for instructors to use in conjunction with the text:

- Test Bank
- Slides in PowerPoint format
- Instructor’s Manual



# Acknowledgments

A good book needs input from a variety of people, and this book is no exception. There are many people to thank for this project. This is the second edition and we proudly acknowledge the debt to our late friend Patrick Thornton. He is greatly missed.

Much of the information in this book has been collected through research as well as experiences we have had in the sports industry, classroom teaching, and even by watching sports. Of course, a great deal of thanks and credit goes to my co-authors in the second edition of *Sports Ethics*, Richard T. Karcher and Lawrence S. Ruddell. Richard is a former baseball player and Larry is a former Marine Chaplain. It is a pleasure to work with these ethical scholars. I was taught sportsmanship very early in life by my family and through youth sports. But, I also observed “sports ethics” while watching fans pelt Santa Claus with ice balls at an Eagles game. As far as someone who was ethical and exhibited sportsmanship at all times, my hat has to go off to Walter Payton. More specifically, thanks goes to my research assistant Valarie Cortez, who played collegiate soccer, and generally

super lawyer Nick Nichols who played point guard at Rice University and won big for Rudy Tomjanovich in *The Punch* by establishing an ethical standard of behavior for professional basketball and, in fact, for all sports.

—Walter T. Champion, Jr.

I'd like to acknowledge all of my former students who have had to put up with me over the years. I hope you've learned as much from me as I've learned from you.

—Richard T. Karcher

I'd like to thank my colleagues Walter T. Champion and Richard T. Karcher for including me in this important project; Chip Mason, Dean of the College of Business at Belhaven University for his support and encouragement to write; and my coaches throughout the years (Sink, Purcell, Holland, and many others) who taught me sports ethics and sportsmanship as a way of life.

—Lawrence S. Ruddell

# Case Study Rubric

We have prepared many case studies for your use in the study of sports ethics. We believe that the case studies in the book will assist you greatly in your study and teaching of sports ethics. The following guidelines will assist you with the case studies in the book. Most of the studies are based on actual events in the sporting world. We have referenced each one so you can do further research and study if you so desire. You should find them very helpful in developing your own ethical decision-making skills. For the instructor, they are arranged so they can be assigned to students to write papers, develop questions, or used as extra credit assignments that will further develop knowledge of sports ethics.

When examining the case studies, the following questions should be asked:

1. What is the ethical dilemma or dilemmas posed in this case study?
2. What should be the goal of the sports management professional (SMP) when first addressing the problem?
3. What is the best ethical model to use to approach the ethical situation posed?
4. As an SMP, what other information would you need to have to make an ethical decision?
5. What other individuals would you need to consult to achieve a fair and ethical decision?
6. Does this ethical problem require a form of alternative dispute resolution such as a mediator? If so, how should you proceed, and what should be the goal of the mediator?
7. If this ethical problem cannot be resolved between the parties, what specific compromises can be offered in an attempt to resolve the problem?
8. Does the situation present legal issues that require the assistance of an attorney to arrive at a fair and ethical decision?
9. What cultural, social, or race issues need to be addressed by the parties involved in the scenario?
10. What are the possible consequences of making an unethical decision in this situation?

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## CHAPTER 1

# Ethical Concepts in Sports

### ► Sports in Society

Americans are sports-crazed, but they are not alone in their love of sports. The world is connected by a sports culture with millions of individuals in Spain, India, Australia, New Zealand, Canada, Colombia, China, and many other countries watching and participating in sports each year. Participating in sports can bring new challenges to an individual and teach valuable life lessons along the way. Americans participate in a variety of sports, including golf, basketball, cycling, tennis, baseball, soccer, and ice hockey. Parents are enrolling their children in youth sports at an ever-increasing rate so they might learn time-honored concepts such as hard work, dedication, team building, competition, and sportsmanship with the hope that they transfer those skills to their personal life. All are good societal values and help build character in youths.

Youth sports have never been more popular. In the United States, millions of kids participate in a variety of sports beginning as toddlers. Before their children can even bounce a ball, swing a club, or run in a straight line, overzealous parents have them in the sports arena learning how to kick a ball, take a charge, or throw a spiral. Kids participate in sports for a variety of reasons, some healthy and some

not. Many participate because their friends are playing, others because their parents insist, and some even participate just for fun! When sports stop being fun, kids tend to drop out. The benefits of youth sports include increased confidence, fitness (less time for video games), social awareness, moral development, and problem-solving skills. Choosing sides, nominating a team captain, and shaking hands with an opponent after a match are all good character traits for a young athlete to develop, although organized sports have taken some of these basic tasks away from the youth participant. Many youth sports programs involve “select” or All-Star teams, in which certain players are picked to play additional games.

Sports at the high school level are increasing in popularity and watching collegiate sports is extremely popular in the United States. With universities offering scholarships in a variety of sports, including basketball, bowling, lacrosse, football, ice hockey, rowing, and swimming, parents hope that their child will be a superstar.

People flock to stadiums around the world to watch sports. American fans love to watch football, both amateur and professional, collegiate and professional basketball, ice hockey, and of course, America’s national pastime, baseball. The business of sport has



become an extremely lucrative business and it is increasingly clear that sport is a growing industry. Head football coaches at Football Bowl Subdivision (FBS) institutions earn more than the President of the university and, for that matter, the President of the United States. In professional sports, athletes can earn millions of dollars playing their favorite sport. Professional sports franchises are valued at more than \$1 billion and college football games can draw more than 110,000 fans.

Some fans may take sports a little too seriously, including many parents involved in youth sports. Ardent fans spend hours each day ruminating over statistics for their individual fantasy leagues while others paint their bodies the color of their favorite team and “tailgate” for hours before NFL games. The contemporary sports world is fraught with “over-the-top parents” and fans alike.

Consider the following comments that appeared in the *New York Times* in 1895 concerning Americans’ infatuation with sports:

Is there not a certain defect of gaiety in contemporary sport? We Americans seem nowadays to take ours excessively hard. We take some of our soberer matters very easily. We giggle over heresy trials and have endless patience for the shortcomings of politicians, but we hold our breath over the reports of football games and yacht races and lose our sleep over intricacies in the management of those events. We worried nearly as much last September over the international yacht races as our fathers did a generation ago over Mason and Slidell and the affair of the Trent.<sup>1</sup>

Ethical, business, and legal issues abound in both professional and amateur sports. It is important for the sports management professional (SMP) to keep these three “buckets” in mind when thinking critically about issues and decisions since each entails different considerations that often conflict with one another. In other words, a business decision motivated solely by financial gain or success might not be an ethical one; moreover, just

because an act or decision is legal or in compliance with a rule does not necessarily make it ethical—indeed, a law or rule in and of itself may be unethical.

## ► Why Study Sports Ethics?

Is there a specific discipline of sports ethics as there is for business, legal, or medical ethics? Many think so. A good deal of scholarship has been produced on the subject of sports ethics.<sup>2</sup> Several noted scholars have been appointed sports ethics fellows and some universities have created centers for the study of sports ethics. Is there a practical reason for studying sports ethics? Race and ethnicity are at the forefront of social issues in sports. Other issues, such as gambling, drug testing, athletic eligibility, gender equity, and violence in sports all present serious issues for an intellectual debate on sports ethics. U.S. collegiate sports are fraught with ethical issues ranging from the commercial exploitation and low graduation rates of athletes to on- and off-field misconduct of athletes, coaches, and administrators.

There is a clear advantage for the SMP who studies sports ethics along with a study of management and law. Sports executives need to have a solid grasp of the ethical decision-making process to perform their duties honestly, professionally, and ethically. Whether that individual is an athletic director, coach, general manager, business owner, agent, or sports executive, all must deal with significant ethical and legal concepts prevalent in sports.

Sports morality and ethics were much debated topics, even in the early years of the 20th century.<sup>3</sup> All-pro defensive end Bill Glass wrote a book in the late 1960s titled “Don’t Blame the Game,” with chapters including “Win at Any Cost,” “Booze Makes It Better,

“Trainers Are Junkies,” and “Racism Is Everywhere.” An excerpt from the book states: “You know the type, ‘Broadway’ Joe, Dave Meggyesy, Bernie Parrish, Jim Bouton – a handful of professional athletes whose escapades on and off the field have cast a shadow across the entire sport world.” Glass did not do himself any favors by naming specific players although he says the “swingers” are really not representative of the majority of professional sport personalities.<sup>4</sup> One wonders what Glass thinks of today’s sports world.

This book contains numerous cases and case studies involving ethical issues in sports. For a quick overview of some of the issues involved, consider the following scenarios and the types of ethical decision-making processes that may be required of the SMP:

1. NBA player Gilbert Arenas said he faked an injury in a preseason game to allow a teammate to get more playing time.<sup>5</sup>
2. NFL Houston Texans team owner Bob McNair ordered his team’s staff to search the players’ locker room to make sure they were not using any banned substances.<sup>6</sup>
3. The University of Mississippi’s new mascot, the “Rebel Black Bear,” replaced its former mascot, “Colonel Reb.”<sup>7</sup>
4. In November 2008, Grapevine Faith, a small Christian school in Dallas, played a football game against Gatesville, a state school at a maximum-security correctional facility for male teenage felons. The Gatesville players were required to travel in handcuffs. Grapevine’s coach, Kris Hogan, split his school’s fans and cheerleaders into two groups with one group cheering for Gatesville. One Gatesville player said, “Lord, I don’t know how this happened, so I don’t know how to say thank you, but I never would’ve known there was so many people in the world that cared about us.”<sup>8</sup>
5. In 2010, the Ladies Professional Golf Association (LPGA) voted to amend its constitution to allow transgendered players to participate.<sup>9</sup>
6. New York Yankees shortstop Derek Jeter faked that he was hit with a ball to get on base.<sup>10</sup>
7. New York Governor David Paterson was called before an administrative law judge to determine whether he violated ethics laws when he was able to secure tickets to the first game of the 2009 World Series at Yankee Stadium.<sup>11</sup>
8. The National Football League (NFL) banned the “Captain Morgan” (producer of rum) end zone celebration after Eagles tight end Brent Celek performed it on a Sunday night telecast after catching a touchdown pass. The Captain Morgan Rum Company had intended to offer charity contributions each time a player was caught on camera striking the “Captain Morgan” pose.<sup>12</sup>
9. A high school wrestler was charged with sexual assault after performing a novel move called the “butt drag” on a teammate during a practice.<sup>13</sup>
10. In 1982, with the game between the NFL Patriots and Dolphins tied at 0–0, the Patriots coach ordered snowplow operator Mark Henderson to clear a spot for the New England kicker. The 33-yard field goal was good and the Patriots won 3–0. Dolphins coach Don Shula called the NFL commissioner and said “it was the most unfair act that had ever happened in a football game.”<sup>14</sup> Henderson, a convicted felon, was on a work release program at the time of the game. He received a game ball from the Patriots.
11. In 2010, five football players at Ohio State University purportedly violated National Collegiate Athletic Association (NCAA) rules by selling championship rings, game gear, and personal awards for cash and/or tattoos. They were not suspended

by the NCAA for the Sugar Bowl, but instead were suspended for the first five games of the 2011 season.<sup>15</sup>

12. After a game between the Dallas Cowboys and the Philadelphia Eagles, Cowboys running back Tashard Choice asked Eagles quarterback Michael Vick to sign a glove for a family member who was a big fan of Vick's. Choice said, "I don't want anybody to think I was disrespectful. . . . My teammates, coaches, and Jerry [Jones] know where my heart is. I care about football. I meant no disrespect."<sup>16</sup>
13. Six-year-old Kennedy Tesch was tossed off the flag football cheerleading squad when her parents objected to the cheer "Our backs ache, our skirts are too tight, we shake our booties from left to right." Her parents thought the cheer was inappropriate for 6-year-old girls. After a team meeting, other parents voted to kick Kennedy off the squad because of her parents' objections.<sup>17</sup>

## ► Ethical Reasoning and Ethical Models

Any individual faced with an ethical or moral decision must make that decision based on certain guiding principles and a number of tough questions must be addressed:<sup>18</sup> How are ethical decisions to be made; which guiding principles should be employed in the decision-making process; should individuals merely do what they believe is right; should individuals employ the "Golden Rule"—"Do unto others as you would have them do unto you"—in all decisions and in their conduct when dealing with others; are there any guiding religious principles that should affect the choices made by the decision maker; should an ethical decision maker be concerned solely with what is legal and discard all other relevant

principles, or should other factors come into play; and can an action be considered legal but be immoral?

This introductory chapter discusses how ethical standards serve as the basis for sports ethics. This topic is a fundamental introduction for encouraging an environment that highlights the essence of sports: fair play, character development, and excellence. Sport, just as any other endeavor, places much emphasis on rules and regulations.

Ethics is considered to be a branch of philosophy since it is concerned with what is morally right and wrong. The challenge lies in finding the standard by which one determines what is right and wrong. The philosophy of ethics is intimately connected with metaphysics, specifically with ontology, or the study of being. These disciplines try to answer questions such as where do we come from; why are we here; what is our purpose; how do we determine a standard of right and wrong; and what universal ideas do we embrace that help us make sense out of particular situations that we face in life? As we make choices in day-to-day situations that we face, why do we make certain choices and not others?<sup>19</sup>

Two separate techniques that can be utilized to assess whether something is right or wrong are "universality" and "reversibility."<sup>20</sup> Universalizing the case means to apply it to all cases within the context and see if it leads to a permissible result. For example, when analyzing the ethical dilemma posed by the NCAA's amateurism rules, the question is: Would it be permissible if all universities entered an agreement to cap the value of graduate assistants working in all college athletic departments and that any institution violating that agreement would be sanctioned? Would it be permissible if all companies doing business in any other industry (i.e. the auto industry) entered an agreement to cap the value of human capital? One might answer: All of the clubs in the NFL have entered such an agreement;

however, it is permissible in that context only because the clubs have negotiated the cap with the individuals who are capped and they have expressly accepted and agreed to it. This is not the case in the NCAA. Reversing the case means to apply it to *you* and ask if the same decision or action would be acceptable or permissible to you. So the question would be: How would I feel if I was restricted from capitalizing on a unique talent and skill that has huge monetary value and is in high demand in a multi-billion dollar industry?

## Ethical Theories and Principles

Ethical theories are divided into three general subject areas: metaethics, normative ethics, and applied ethics.<sup>21</sup> Metaethics examines the origins of theoretical concepts and notions and what they mean. Are ethics merely a social invention? Are they more than expressions of our individual emotions? The answers to these types of questions focus on issues of universal truth, God's will, and the role reason plays in ethical decision making defining ethical terms themselves.

Normative ethics takes on a more practical task. In normative ethics the inquiry is intended to determine what moral values or standards regulate right and wrong conduct and behavior.<sup>22</sup> This search for the ideal litmus test for proper conduct focuses on the duties and rules individuals should follow or the consequences that behavior or conduct have on other individuals. An example of normative ethics is the aforementioned Golden Rule. What systems or ideas are put forth to guide an individual's conduct and assist him or her in determining right from wrong? Subfields of normative ethics include deontological (duty) theories, consequential (utilitarian) theories, evolutionary ethics, and virtue theories.<sup>23</sup> Consequential ethical normative theory focuses on social benefit and achieving the greatest amount of good (usually at the expense of others), oftentimes applying a cost-benefit analysis to support or justify a decision, policy, or action.

Applied ethics examines specific, unresolved, controversial issues such as environmental concerns, social inequality, capital punishment, abortion, and racial discrimination.

Distinguishing between metaethics, normative ethics, and applied ethics can be a difficult task. In metaethics, it is argued that God or a form of Supreme Being provides the foundation of all ethical decision making. In normative ethics, it is argued that the foundation for ethical thought and decision making originates from agreements between individuals, from duty or virtue, or from consideration of the consequences of various actions on individuals or groups. In applied ethics, controversial issues such as capital punishment, stem cell research, gun ownership, and personal control over end-of-life are addressed.

Normative principles that can be applied uniformly, are not too narrowly focused, and take into account varying points of view include the following:

- Benevolence: assisting those in need.
- Honesty: not deceiving or lying to others.
- Autonomy: acknowledging an individual's bodily freedom.
- Justice: honoring an individual's right to due process and to live in a fair and just society.
- Paternalism: assisting others to achieve what is in their best interests when they are unable to do so.
- Harm: do no harm and prevent harm to others.
- Social benefit: acknowledging that certain actions are beneficial to society as a whole.
- Rights: acknowledging an individual's right to autonomy, privacy, free expression, and personal safety.
- Lawfulness: understanding that the rule of law benefits individuals and society as a whole.

These traditional normative principles (or moral values) are derived from several ethical approaches and can be applied to almost every ethical dilemma.



## Non-Moral Values and Rationalization

All of those involved in sports—managers, executives, players, agents, sports officials, fans, and owners—face tough ethical decisions. Sports ethics is concerned with what the right thing is to do in sports for all those involved.<sup>24</sup> But how do we determine what is right and wrong? Making an ethical decision begins with a recognition of our motives. A motive is something that causes a person to act in a certain way or do a certain thing—it is what drives our decisions and actions. A motive typically takes the form of a non-moral (amoral) value. Non-moral values are objective-based measures of life or social worth that have no relation to morality, *i.e.* they are neither moral nor immoral. The list of non-moral values is endless and include: money, success, good grades, winning, power, fame, convenience, and self-gratification. They are not good or bad nor right or wrong, they just are. We all desire money, success, good grades, winning, etc., but the key is *how* we obtain them. It is the tension between these non-moral and moral values (honesty, justice, harm, rights, etc.) that creates ethical dilemmas.<sup>25</sup>

Ethical decision making requires striking the proper balance between non-moral and moral values. When we put too much weight and emphasis on non-moral values, we have a tendency to act solely out of self-interest; *i.e.*, what's in it for me? One scholar explains:

“In developing a reasoned view, we must grow beyond, ‘What’s in it for me?’ Rather, our goal should be to consider the ramifications of each decision in relation to other people who may be affected by our action. This becomes even trickier in the sport management world because profit will veil and darken our perspective.”<sup>26</sup>

An overemphasis on non-moral values leads one to *rationalize* their failure or refusal to act in accordance with moral values

(normative principles). People often rationalize their avoidance of moral values by speculating, generalizing, making assumptions, blaming others, finger-pointing, or making excuses. They rationalize by saying things like: “everyone else is doing it,” “business is business,” “I can’t change it on my own,” “I personally think it’s wrong but it doesn’t matter what I think,” “market forces require it,” “we have always done it that way,” or “when you make your bed, you must lie in it.”

One aspect of sports ethics addresses how individuals and teams conduct themselves when competing or preparing to compete in sporting events.<sup>27</sup> In this case, the major concern is competing hard, yet doing so in the right way. In youth sports, the goal is character development and ethical concerns center on hard work, honor, teamwork, diligence, courage, and self-discipline. In competitive sports, including professional sports, the goal is to win (a non-moral value) through effort and excellence rather than by cheating. This is more a personal ethical matter but there can be strong influences from others including: coaches, teammates, friends, family, and fans.

The business aspect of sports applies to youth league organizations as well as to professional sports. How do organizations manage their sports programs and sporting events? Is the sports organization as a whole following ethical guidelines and making ethical decisions? This is where sports ethics intersects with business ethics. Corporations face increasing competition in a rapidly changing global economy and with that change comes more pressure to develop unethical ways to compete. Many times this pressure leads to the notion that “business is business” and an “anything goes” attitude;<sup>28</sup> unfortunately, this same mind-set can sometimes be found in the sports world. Individuals and teams often face increased competition and, like corporations, the challenges and pressures can come from several entities, including: government, sports

governing organizations, agents, fans, parents, coaches, other athletes, and other clubs. To change this mind-set, organizations must understand the long-term benefits of ethics to individual, team, and organizational success. It is easy to believe that it is necessary to cut corners ethically to succeed in sports. Everyone connected with sports must realize that this reflects a short-term view of success that often ignores the potential for long-term consequences. Unethical viewpoints and conduct must be replaced by the realization that sound ethical principles are good for sports and for the individuals and clubs participating in sports.

## Collaborative Ethics

The key to sports is competitive cohesion wherein the nexus between athletes and fans should be collaborative as opposed to adversarial. There are many examples of both the collaborative model and the adversarial model. In the collaborative model, athletes play with sportsmanship and enthusiasm while showing respect for fans, management, opposing players, and referees. For example, an outfielder practicing before the game will throw the last ball to a young fan. In the collaborative model, professional athletes visit hospitals and chat with sick children at every opportunity and fans respect the athlete's privacy and do not use profane, rude, or disrespectful language. The ethical fan appreciates the time and energy athletes spend pursuing goodwill. Conversely, the adversarial model is typified by the spoiled athlete and the obnoxious fan. The athlete will not readily sign autographs and takes on an adversarial persona. The obnoxious fan will taunt the athlete, drink to excess, "pester" the athlete, and does not respect his or her privacy.

The standard between athletes and fans should be one of collaborative ethics. All parties involved in sports should work together to maintain the integrity of the sport and the

greater glory, pride, and self-esteem of the team and the team's city, or country. The inherent value of a sports contest is its capacity to produce a quality experience for the participants and the fans that is deemed good in and of itself.

## ► The Role of the SMP in Ethical Decision Making in the Workplace

The SMP faces many difficult situations in the workplace, especially in the employment context—many times, he or she is required to work with the human resources department to resolve difficult personnel issues and resolve disputes that inevitably occur. No company wants to end up in a dispute or lawsuit with an employee. An SMP must be able to bring to the workplace a multitude of skills for negotiating with employees. One of the most needed skills is that of dispute resolution or conflict management. A skilled professional must be able to resolve disputes ethically, fairly, and as quickly as possible.<sup>29</sup> The old adage "you can't please everyone" may be true, but a good-faith effort must be put forth to satisfy all the parties involved in any dispute. An SMP must be able to understand different cultures and points of view when attempting to resolve any workplace disputes. Effort must be made to understand each party's viewpoint and not favor one person over another when seeking fair resolution of any employment dispute. To maintain an ethical decision-making process, the SMP must develop and implement an understanding of another person's point of view, even though it may be different from their own.

"Team loyalty" is a valuable asset to a company. One of the most important responsibilities of an SMP is to contribute to the success of his or her employer. Towards this end,

the SMP must be able to build morale, loyalty, and enthusiasm among employees. It is essential to employee morale that they feel that the company is on their side and understands their viewpoint. Granting every employee's wish is not realistic, and keeping every employee "happy" is not always achievable; however, individuals who enjoy their work will certainly be more productive. Unfair treatment in the employment context can lead to low employee morale, poor job performance, "back-biting" among employees, and even lawsuits. Although some lawsuits cannot be avoided, a lawsuit against the company is not a positive step. In an effort to stop a lawsuit before it happens, SMPs must be able to interact with a diverse population of individuals in the workplace and make ethical decisions in the context of that culture.

The discipline of business ethics applies to sports in the same way it applies to corporate America. All club personnel, from the leaders on down, face ethical decisions on a daily basis in their jobs. Corporate decision-makers, including those in the sports industry, are faced with ethical issues relating to employees, fans, clients, and customers. Sport organizations (professional teams, leagues, university athletic departments, etc.), as with any business or company, have a "mission statement" which details why the organization exists and what it wants to achieve. It often includes a statement of the organization's philosophy and values and provides a sense of direction for everyone in the organization.<sup>30</sup>

Most SMPs think of themselves as ethical people and it has been argued that being ethical in business is no different from being ethical in one's private life. Treating people with respect and dignity, being concerned for the welfare of others, and treating people like you want to be treated are all simple propositions that can and have been translated into the corporate culture by many successful companies. On a broader scale, high-level managers have responsibility for the creation

and maintenance of an ethical corporate culture that protects against unethical and illegal conduct by employees and customers as well. Each person in a corporation, from the president of the club to the ticket-taker at the entrance to the ball-park, occupies a specific role and is charged with specific duties that must be undertaken in a fair, reasonable, and ethical manner. Some positions may encounter more difficult problems, but ethical decisions must be made regardless of an individual's status, wage, or position within a company.

## ► Summary

Business activity takes place within an extensive framework of laws, and some hold the view that the law determines whether an activity or conduct is ethical—in other words, if an activity is legal, then it is by definition ethical. However, obtaining approval from a company's legal department does not always translate to the solution of a business problem in an ethical and fair manner. In a more practical sense, SMPs need to consider both the ethical and the legal aspects of a situation when making a decision. Not every immoral act may be considered illegal. For example, taking credit for someone else's work (unless it constitutes plagiarism) is not necessarily illegal, but most people would agree that it is unethical. Conversely, just because a certain action is legal or complies with a rule does not make it ethical. For example, league or association rules that do not provide a fundamentally fair process for resolving a disciplinary matter or eligibility dispute would be deemed unethical; therefore, it is important for the SMP to be aware of the three "buckets" (ethical, business, and legal) when thinking critically about issues and decisions and to use the guiding principles and standards in their decision-making process in order to determine what is right and wrong under each circumstance.

## ► Notes and Discussion Questions

### Sports in Society

1. How are business ethics and sports ethics inter-related? Are there overlapping principles applicable to both?
2. What are some examples of ethical decisions that SMPs have to make in the sports industry?<sup>31</sup>
3. What are some examples of ethical decisions corporations are required to make in the sports industry?<sup>32</sup>
4. Which principles from business ethics could be adopted by sports ethics?<sup>33</sup>
5. What can be done to further promote the concept of sports ethics?<sup>34</sup>
6. How are sports ethics principles applied differently to SMPs, coaches, and participants?
7. Are there any sports ethics principles that can be considered “universal”?
8. How should sports ethics be addressed at the international level? Do sports ethics differ in other cultures?<sup>35</sup>
9. What human rights issues are reflected in sports ethics?<sup>36</sup>

### Ethical Decision Making and the SMP

10. What are the major ethical dilemmas facing the SMP today?<sup>37</sup>
11. What is the best training (military or work experience) and education (degree in business administration, sports management, liberal arts or law or a combination of several of these qualifications) for an SMP to enable him or her to deal with the important issues they will face in the workplace?
12. What are the essential elements of a corporate ethics program?<sup>38</sup> In the sports industry, how would this program differ from that in other industries such as financial, manufacturing, sales, or service?
13. Should every corporation establish an ethics hotline? Would this be a good idea for a professional sports franchise?
14. What are the essential skills needed by an SMP to develop an ethical decision-making model?

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