



Practical Applications of Values in Higher Education:
Navigating the Ethical Dilemmas and Legal
Constraints of Regulating Fan Behavior at
Collegiate Sporting Events

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Session Goals

- Explore challenges of negative fan behavior
- Review relevant legal constraints
- Discuss ethical considerations of regulation
- Consider relevant values inherent in administrative action or inaction
- Generate options to address challenges

Examples: Problematic Fan Behavior

- University of Maryland students wear t-shirts and display signs with the words, “Fuck Duke” at a nationally televised men’s basketball game.
- A fan loudly cheers and heckles players while encouraging similar conduct among others in his sideline seating area. After yelling offensive phrases such as "fuck you" or "you suck" at players, he is approached by a student attendant, but continues to use profanity when warned to stop the behavior.
- A fan throws a plastic bottle filled with water at a game official during a time out at a men’s basketball game. The bottle narrowly misses the official, who requests that the fan be removed.
- Following an incident in which a football player struck another player after the game was over, fans taunt the player and leave their seats in the stadium to provoke him to fight them.

Conflicting Interests

In considering fan behavior at athletic events sponsored by public higher education institutions, a range of interests are involved:

- ❑ the fan's right to freedom of expression
- ❑ the patron's interest in enjoying the game free from undesired exposure to threat or vulgarity
- ❑ the parent's right to prevent his or her minor child from exposure to offensive language and conduct
- ❑ the institution's duty of care to invitees
- ❑ the institution's fiscal and public image



Options for “Legal” Strategies

- ❑ Prohibit sale of alcohol and deny admission to intoxicated fans
- ❑ Zone certain areas of the venue for families with kids or alternately for selected fans
- ❑ Regulate signage
- ❑ Create contract obligations on tickets to adopt “fan behavior” standards
- ❑ Prosecute for disorderly conduct, disruptive conduct, interference by throwing or projecting an object onto the competition area or seating area



Guiding Questions

- ❑ When fans, alumni, parents, community leaders, and even students complain about offensive behavior at sporting events, what can administrators do legally?
- ❑ What are the implications of inaction?
- ❑ What should we do ethically?
- ❑ How are institutional and personal values reflected in administrative responses?



No Perfect Solution

- Options for administrative response to negative fan behavior are highly variable
 - Unique institutional culture
 - Athletic traditions
 - Relationships with alumni, community, and other constituents
 - High visibility
 - Specific contextual factors of behaviors



What are your experiences?



Ethical Considerations

- ❑ Is negative fan behavior self-regulating?
- ❑ Is intervention required?
- ❑ What are possible unintended consequences of attempts to regulate fan behavior?
- ❑ What precedents exist or may be generated through attempts at regulation?

Values Clarification

St. John (2009):

“When professionals allow the technical or procedural aspects – what we can think of as the rules of the profession – to dominate over situated judgment, they ignore the moral aspect of reasoning in action situations” (p. 57).

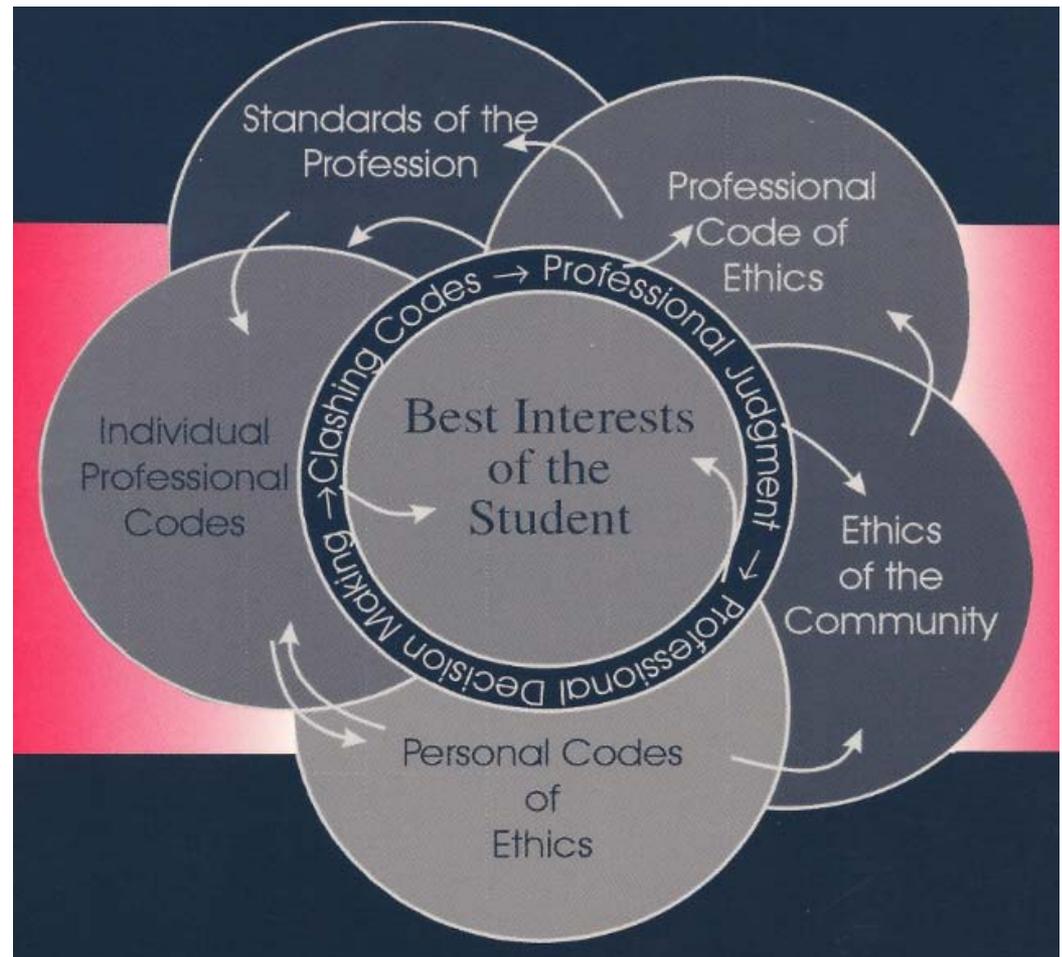
- Calls for an integration of moral judgment and professional expertise in a reflective frame for action-oriented decision-making

“The best way to understand this problem – the interrelationship between reasoning in action and the moral consequences of action – is to engage in reflection on our experiences” (p.73).

- Considers the responsibilities of professionals to exercise moral judgment and how we teach (or fail to teach) moral decision making in professional training

“Ethic of the Profession”

- Interweaves classic ethical paradigms (Justice, Critique & Care) with **personal and professional ethical codes**
- Separate and distinct paradigm for **ethical decisions in professional work**



Shapiro & Stefkovich (2005)



Options for Response to Problematic Fan Behavior

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Questions & Comments

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