

Thomas A. Baker III
Department of Kinesiology
University of Georgia

ACADEMIC HISTORY

Rank:

Assistant Professor, Appointed August 16, 2007

Proportion Time Assignments:

9-month .75FTE

2007 – present: 60% instruction, 40% research

Tenure Status:

Non-tenured on tenure track

Graduate Faculty Status:

Graduate faculty

Degrees:

Ph.D., Sport Management
The University of Florida, Gainesville, FL, May 2007

J.D., Law (Top 10%, *cum laude*)
Loyola University of New Orleans School of Law, New Orleans, LA, May 2001

B.A. Journalism
University of Southern Mississippi, Hattiesburg, MS, December 1997

Academic Positions Held

August 2007 – Present Assistant Professor
University of Georgia, Athens, GA

January 2003 – May 2007 Instructor/Graduate Research Assistant
University of Florida, Gainesville, FL

Other Professional Employment

August 2001 – January 2003 Attorney
Middleberg, Riddle & Gianna, New Orleans, LA

August 2000 – May 2001 Judicial Extern
The Honorable Eldon E. Fallon, New Orleans, LA
U.S. District Court, Eastern District of Louisiana

July 2000 – August 2000 Judicial Intern
The Honorable Bert W. Millings, Mobile, AL
U.S. District Court, Southern District of Alabama

May 2000 – July 2000 Law Clerk
Alabama Attorney General, Montgomery, AL
Constitutional Defense Division

RESIDENT INSTRUCTION

UGA Courses Taught (Courses w/Faculty Evaluations)

Course	Course Title	Semester	Enrollment	Course Rating	Instructor Rating
KINS 3415	Sport Ethics	Spring 2008	41	4.04	4.39
		Spring 2009*	46	4.60	4.60
		Spring 2010*	72	4.60	4.70
KINS 3420	Managing Legal Aspects of Sport (undergrad)	Fall 2007	25	4.33	4.50
		Fall 2008*	54	4.70	4.60
		Sum. 2009*	18	4.80	4.80
		Fall 2009*	56	4.70	4.60
		Fall 2010*	53	4.70	4.8
KINS 7260	Legal Issues in Sport (graduate)	Spring 2008	13	3.25	2.87
		Spring 2009*	16	4.90	4.70
		Spring 2010*	30	4.50	4.40
KINS 7270	Facility Design and Event Management in Sport	Fall 2007	15	2.73	2.73
		Fall 2008*	8	4.70	4.70
		Fall 2009*	30	4.10	4.10
		Fall 2010*	23	4.50	4.60

*Surveys were modified in 2008 to remove questions 30 and 31 (course rating and instructor rating). For evaluations from fall 2008-fall 2010, I used the overall mean for questions 7-15 for my instructor rating and I used question 15 for course rating.

UGA Courses Taught

Course	Course Title	Semester	Enrollment
KINS 3303	Kinesiology Practicum	Summer 2009	16
KINS 5450	Internship in Kinesiology	Summer 2009	8
KINS 6000	Directed Study in Kinesiology	Summer 2009	1
KINS 7005	Grad Student Seminar	Fall 2009	8

		Fall 2010	2
KINS 7300	Master's Thesis	Fall 2009	1
KINS 7450	Internship in Kinesiology	Summer 2009	2
		Summer 2010	2
		Fall 2010	3
KINS 9000	Doctoral Research	Summer 2010	1
		Fall 2010	1
KINS 9005	Doctoral Graduate Seminar	Summer 2010	1
		Fall 2010	2
KINS 9300	Doctoral Dissertation	Spring 2011	1

Advising at UGA

Year	MSNT		MS	Ph.D.
	Advisor	Committee	Advisor	Advisor
2007	0	0	0	0
2008	2	6	1	0
2009	6	10	1	1
2010	6	N/A	1	2

University of Florida Courses Taught

Course	Course Title	Semester
SPM 4723	Legal Issues in Sport	Fall 2003, Spring 2003, Sum. 2003, Fall 2004, Spring 2004, Sum. 2004, Fall 2005, Spring 2005, Fall 2006
PET 3121	History of Sport	Fall 2005
SPM 3012	Sport and Society	Spring 2007
PEL 1211	Introduction to Softball	Spring 2003, Sum. 2003

SCHOLARLY ACTIVITIES

Publications

Books Authored or Co-Authored: [2]

1. Spengler, J. O., Connaughton, D. P., Anderson, P. & **Baker, T. A.** (2009). *Introduction to Sport Law*. Champaign, IL: Human Kinetics
2. Hronek, B. B., Spengler, J. O. & **Baker, T. A.** (2007). *Legal Liability in Recreation and Sports*, (3rd Ed.). Champaign, IL: Sagamore

Book Chapters (Published, In Print, or Accepted): [4]

1. Cianfrone, A. B. & **Baker, T. A.** (2010). The use of student athlete likeness in sport video games: An application of the right to privacy. Republished in the *Entertainment, Publishing and the Arts Handbook* (2010 Ed.). Tripp, K.B. (Ed).
2. Connaughton, D. P. & **Baker, T. A.** (2010). Crisis Management. In *Sport Law for Sport and Recreation Managers* (5th Ed.). Cotten, D. J. & Wolohan, J. T. (Eds.) Dubuque, IA: Kendall/Hunt.
3. Connaughton, D. P. & **Baker, T. A.** (2009). Legal issues in exercise science. In *Fundamentals of Exercise Science*. Wilson, G. (Ed.) pp. 182-196. San Francisco: McGraw-Hill.
4. Connaughton, D. P. & **Baker, T. A.** (2007). Crisis Management. In *Sport Law for Sport and Recreation Managers* (4th Ed.). Cotten, D. J. & Wolohan, J. T. (Eds.) pp. 322-333. Dubuque, IA: Kendall/Hunt.

Journal Articles (Published, In Print, or Accepted): [13]

1. ***Baker, T. A.**, Connaughton, D. P., & Zhang, J. J. (in press). An examination of case law regarding the liability of recreational youth sport organizations for the pedophilic actions of coaches, administrators, and officials based on the theory of respondeat superior. *Applied Research in Coaching and Athletics Annual*.
2. ***Baker, T. A.**, Connaughton, D. P., & Zhang, J. J. (2010). An examination of immunity statutes regarding the liability of recreational youth sport organizations for the pedophilic actions of coaches, administrators, and officials. *Journal of International Council for Health, Physical Education, Recreation, Sport & Dance*, 5(1), 54-60.
3. *Cianfrone, A. B. & **Baker, T. A.** (2010). The use of student athlete likeness in sport video games: An application of the right to privacy. *Journal of Legal Aspects of Sport*, 20(1), 35-74.
4. *Connaughton, D. P., Spengler, J. O., Zhang, J. J. & **Baker, T. A.** (2008). Analysis of automated external defibrillator implementation, related risk management practices and constraints to implementation in Florida's municipal recreation and park agencies. *World Leisure Journal*, 50(3), 184-198.
5. ***Baker, T. A.**, Connaughton, D. P., Zhang, J. J. & Spengler, J. O. (2007). Perceived risk of terrorism and related risk management practices of NCAA Division 1A football stadium managers, *Journal of Legal Aspects of Sport*, 17(1), 27-51.

6. *Carroll, M. S. & **Baker, T. A.** (2006). The use of constructive notice in slip and fall cases in sport facilities. *Journal of Physical Education, Recreation and Dance*, 77(8) 8-9.
7. ***Baker, T. A.** & Connaughton, D. P. (2005). The role of arbitrability in professional sports, *Marquette Sports Law Review*, 16(1), 123-155.
8. ***Baker, T. A.** & Connaughton, D. P. (2005). Terrorism: A Foreseeable threat to U.S. sport facility owners and operators. *Journal of Contemporary Athletics*, 1(2), 109-124.
9. ***Baker, T. A.** & Connaughton, D. P. (2004). The selection of areas for physical activity. *Journal of Physical Education, Recreation and Dance*, 75(3), 6-7.
10. ***Baker, T. A.**, Spengler, J. O. & Connaughton, D. P. (2004). Products liability. *Journal of Physical Education, Recreation and Dance*, 75(7), 12-13.
11. *Connaughton, D. P. & **Baker, T. A.** (2003). Avoiding mismatches in physical activity programs. *Journal of Physical Education, Recreation and Dance*, 74(9), 7-8.
12. **Baker, T. A.** & Connaughton, D. P. (2005). Terrorism and sport facilities: The use of foreseeability to establish liability. *Journal of Florida Alliance for Health, Physical Education, Recreation and Dance*, 43(1), 6-7.
13. ***Baker, T. A.** & Connaughton, D. P. (2003). Cureton v. NCAA: A blow-by-blow account of the landmark Title VI challenges and their recent implications. *Journal of Legal Aspects of Sport*, 13(2), 145-179.

Works submitted but not yet accepted: [2]

1. ***Baker, T.A.**, Byon, K.K. (2011 submission). The Fourth Circuit's Application of The Fair Use Doctrine in *Bouchat v. Baltimore Ravens, Ltd. P'Ship. Sport Marketing Quarterly*.
2. ***Baker, T.A.** Maxcy, J. G. & Thomas, C. (2010 submission). Whether the NCAA will continue to circumnavigate antitrust regulation in the wake of *White v. NCAA. Journal of Legal Aspects of Sport*.

Manuscripts in Preparation: [6]

1. **Baker, T.A.** (under review). Contractual elements (for submission to *Encyclopedia of Sport Management and Marketing*).
2. **Baker, T.A.** & Grady, J. (2011 submission). The doctrine of unconscionability and its application to student-athlete contracts (for submission to *Marquette Sport Law Review*).
3. Byon, K.K., **Baker, T.A.** & Carroll, M.S. (2011 submission). Segmenting spectators to better understand service quality attributes: Applying psychological continuum model (for submission to *Journal of Sport Management*).

4. McCullick, B., **Baker, T.A.**, Tomporowski, P., Issac, T., & Lux, K. (2011 submission). A Statistical and legal analysis of state physical education polices.
5. Rappole, J., **Baker, T.A.**, & Byon, KK. (2011 submission). Title IX, football, and men's non-revenue sports: Why not have them all?
6. **Baker, T.A.** (2011 submission). Vivat rex: Arbitrability and the punitive powers possessed by the commissioner of the National Football League (for submission to *Marquette Sport Law Review*).

Grants Received

Funded: [2]

1. **Baker, T.A.** & Byon, K.K. (2011). 2010-2011 21st Century Community Learning Centers Administrative Project, The University of Florida. \$10,000.
2. **Baker, T. A.** (2009). Do the protective measures taken by youth sport organizations in Georgia protect participants from dangerously unfit coaches, officials, and administrators? College of Education Early Career Faculty Grant, The University of Georgia. \$6,000.

Unfunded: [1]

1. Byon, K., K. & **Baker, T.A.** (2010). Relationship between spectator motivation and spectator consumption by levels of team identification. American Alliance for Health, Physical Education, Recreation, & Dance Research Consortium Grant Program. \$7,500.

Convention Papers: [21]

1. Byon K.K. & T., **Baker, T.A.** (2011, June). The effect of image on satisfaction and behavioral intentions of spectators of women's Korea Football League. For poster presentation at *North American Society for Sport Management*. London, Ontario, Canada.
2. Rappole, J.M., **Baker, T. A.**, & Byon, K. (2011, April). Equal Protection: Why quotas should not be applied to educational opportunities. For poster presentation at the *4th Annual College Sport Research Institute Conference on College Sport*. Chapel Hill, NC.
3. Byon K.K. & T., **Baker, T.A.** (2011, March). The effect of peripheral service quality on future attendance. For paper presentation at the *American Alliance for Health, Physical Education, Recreation, & Dance* convention, San Diego, CA.
4. **Baker, T. A.**, Maxcy, J. G., & Thomas, C. (2011, March). Picking up where *White v. NCAA* left off: An analysis of antitrust law's application to NCAA grant-in-aid restrictions. For paper presentation at the *Sport & Recreation Law Association 2005 National Conference*. Savannah, GA.
5. Rappole, J.M., **Baker, T. A.**, & Byon, K.K. (2011, March). Title IX for men's non-revenue sports: A narrowly-tailored approach. For paper presentation at the *Sport & Recreation Law Association 2011 National Conference*. Savannah, GA.

6. Byon, K.K., Maas, C., Baker, T.A. & Allen, J.T. (2011, March). The effects of service quality and satisfaction on behavioral intentions of active tourists to the College World Series. For poster presentation at the *4th Annual College Sport Research Institute Conference on College Sport*. Chapel Hill, NC.
7. Isaac, T., **Baker, T.A.**, McCullick, B., Lux, K., & Tomporowski, P. (2011, March). Analysis of the statutory ambiguity of state PE policy. Paper presentation at the *American Alliance for Health, Physical Education, Recreation, & Dance* convention, San Diego, CA.
8. Thomas, C., **Baker, T.A.**, Byon, K. (2010, November). Franchise relocation restrictions of sports leagues according to the rule of reason. Poster presented at the *Sport Entertainment & Venues Tomorrow* (SEVT). Columbia, SC.
9. McCullick, B, **Baker, T.A.** Tomporowski, P.D., Issac, T., & Lux, K (2010, October). First things first: A preliminary analysis of state school-based physical education (SBPE) and obesity rates. For paper presentation at the *World Congress of the Association Internationale des Ecoles Superieures d'Education Physique*, A Caruna, ESP.
10. **Baker, T.A.** & Grady, J. (2010, May). That's Unconscionable: Analyzing the contractual rights of student athletes. Paper presentation at the *North American Society for Sport Management*. Tampa, FL.
11. **Baker, T.A.**, Byon, K.K., & Won, D. (2009, November). Do the protective measures taken by youth sport organizations in Georgia protect participants from dangerously unfit coaches, officials, and administrators? Poster presented at the *Sport Entertainment & Venues Tomorrow* (SEVT). Columbia, SC.
12. **Baker, T. A.** & Maxcy, J. G. (2009, May). Getting paid to play: An analysis of the application of antitrust law and labor law to NCAA Athletics. Paper presented at the *North American Society for Sport Management*. Columbia, S.C.
13. Cianfrone, B. A. & **Baker, T. A.** (2009, May). The use of student-athlete likeness in sport videogames: An application of the right to privacy. Paper presented at the *North American Society for Sport Management*. Columbia, S.C.
14. **Baker, T. A.**, Connaughton, D. P., Zhang, J. J. & Spengler, J. O. (2008, November). Case and statutory law regarding the liability of youth sport organizations for the pedophilic actions of youth sport coaches and officials based on the theories of respondeat superior, negligent hiring and negligent retention. Paper presented at the *Sport Entertainment & Venues Tomorrow*. Columbia, SC.
15. **Baker, T. A.**, Connaughton, D., P., Spengler, J. O. & Zhang, J. J. (2006, November). An analysis of the terrorism risk perception and preventive measures of NCAA Division I football stadium managers. Poster presented at *International Conference on Sport & Entertainment Business*. Columbia, SC.
16. Connaughton, D. P., **Baker, T. A.**, Zhang, J. J., Spengler, J. O. & Thomas, R. (2006, October). An analysis of the perceived risk and preventative measures of NCAA Division 1A football stadium managers in response to terrorism. Paper presented at the *World Leisure Congress*. Hangzhou, China.

17. **Baker, T. A.** & Connaughton, D. P. (2006, March). Arbitrability and player discipline in professional sports. Paper presented at the *Sport & Recreation Law Association 2006 National Conference*. Albuquerque, NM.
18. Spengler, J. O., **Baker, T. A.** & Connaughton, D. P. (2005, March). Legal duties and practical recommendations for establishing medical emergency action plans in port and physical activity programs. Paper presented at the *Sport & Recreation Law Association 2005 National Conference*. Virginia Beach, VA.
19. **Baker, T. A.**, Connaughton, D. P. & Spengler, J. O. (2005, November). Risk Management in Sports Panel Session: Emergency medical planning for sport and physical activity programs. Paper presented at the *International Conference on Sport & Entertainment Business*. Columbia, SC.
20. **Baker, T. A.**, Connaughton, D. P., Spengler, J. O. & Zhang, J. J. (2005, November). An analysis of foreseeable threat that terrorism poses to sport facility managers. Paper presented at the *International Conference on Sport & Entertainment Business*. Columbia, SC.
21. **Baker, T. A.** & Connaughton, D. P. (2004, March). Terrorism: A foreseeable threat to sport facility owners and operators. Poster presented at the *Sport and Recreation Law Association National Conference*. Las Vegas, NV.
22. **Baker, T. A.**, Connaughton, D. P. & Spengler, J. O. (2004, November). The role of foreseeability in determining the liability of sport facility managers for the acts of third-party Terrorists. Poster presented at the *International Conference of Sport and Entertainment Business Conference*. Columbia, S.C.

Recognition and Achievements

1. The Clifford A. Boyd Graduate Scholarship Award: The University of Florida. (2006)
2. The Dr. Charles W. LaPradd Ph.D. Fellowship: The University of Florida. (2004)
3. The Norma M. Leavitt Scholarship: The University of Florida. (2004)
4. Admitted to the Louisiana Bar. (2001)
5. William L. Crowe, Sr. Scholar (for graduating in the top 10%): Loyola University School of Law.
6. Selection to William C. Vis International Commercial Arbitration Moot Competition in Vienna, Austria: Loyola University School of Law. (2000)
7. Academic Excellence Award- Sports and Entertainment Law: Loyola University School of Law. (2000)
8. Mississippi Press Association, Best General Interest Column, 1997, First Place. (1997)
9. Mississippi Press Association, Best Sports Column, 1997, Second Place. (1997)
10. University of Southern Mississippi Alumni Scholarship. (1992-1997)

Areas of Research

My research in sport management focuses on the application of the law to sport. I specialize in commercial litigation and I have developed a research line that focuses on how courts apply complex contractual doctrines and codified commercial law to sports. Additionally, I conduct research on the application of tort law to sport with two secondary lines: (a) the

application of tort doctrines to youth sport, and (b) the application of premises liability law to sport facility management.

OTHER SERVICES

The University of Georgia

College of Education

COE Faculty Senate Academic Appeals Committee, 2010-2012

COE Faculty Senate Awards Committee 2010-11

Department Committees

Faculty Search Committee, 2010.

Kindig Research Award Selection Committee (Chair) 2010

Soule Award Committee, 2008

Outstanding Teacher Assistant Award Committee, 2008