

Course Syllabus

BADM 350 Legal Environment of Business 3 Credit Hours

South Dakota University Center

Academic Term and Year: Fall 2009

Course Meeting Time and Location: This course will be delivered over the Internet through D2L. A combination of lesson notes, powerpoint presentations, lecture recordings and discussion forums will be used to ensure adequate class interaction and communication.

Instructor's Contact Information:

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Course Description: This is a study of legal topics as they apply to the business environment. Topics include an introduction to the law, the U.S. Court System, legal process, government regulations, and criminal, tort and contract issues.

Course Prerequisites: None.

Technology Skills: Word processing, e-mail, and database searches.

Instructional Methods: Lecture recordings, online group discussion, case analysis.

Course Requirements:

Required textbook and other materials: West's Business Law, West Publishing Company, 11th Ed. 2006. ISBN 0-324-65522-3

The textbook Web site is at: <http://wbl.westbuslaw.com>

Student Learning Outcomes:

On tests, quizzes, case briefs, and other assignments the student should be able to:

1. Describe the legal system in the United States.
2. Describe the major ethical philosophies and recognize ethical issues related to law in business.
3. Describe issues concerning how the Constitution and administrative regulations affects business and apply constitutional principles to determine if a statutes or regulation is constitutional.
4. Identify and define the elements of business torts & crimes, and contract.

5. Describe the legal remedies available for breach of contract and calculate the amount of damages in a breach of contract case.
6. Analyze legal issues using an “elemental analysis;” applying legal elements to fact situations to arrive at a legal outcome.
7. Describe the facts and legal issues for both parties in a legal dispute. (Argue both sides of a dispute.)
8. Read extensively and respond critically in written discourse, e.g. do significant outside reading with corresponding writing assignments.
9. Use writing to learn course content by practicing writing as an integral, ongoing part of the course and applying writing conventions of appropriate style manuals.

Course Goals: The long term goal of this course is to give you a legal background from which you can recognize legal issues and problems that affect business. (I use the term “business” broadly. It covers all forms and kinds of business, including wellness centers, hospitals, and clinics.)

The course is divided into three Units and fourteen Chapters:

Unit 1: The Legal Environment of Business

- Chapter 1: Introduction to Law and Legal Reasoning
- Chapter 3: Court Procedures
- Chapter 4: Constitutional Authority to Regulate Business
- Chapter 5: Ethics and Business Decision Making

Unit 2: Torts and Crimes

- Chapter 6: Intentional Torts
- Chapter 7: Negligence and Strict Liability
- Chapter 9: Criminal Law and Cyber Crime

Unit 3: Contracts

- Chapter 10: Nature and Terminology
- Chapter 11: Agreement
- Chapter 12: Consideration
- Chapter 13: Capacity and Legality
- Chapter 14: Mistakes, Fraud, and Voluntary Consent
- Chapter 17: Performance and Discharge
- Chapter 18: Breach of Contract and Remedies

Class Attendance Policy: You are responsible for all material covered and all assignments given, regardless of personal illness, family emergency, or computer system failures.

Although this is an online course, it is not self-paced. Reasonable deadlines have been set to insure that you have adequate time to complete all assignments within the current session. Active participation in this class is required. Anyone who misses two due dates in a row, or more than three due dates, without communicating with the instructor prior to the due date, will be dropped two letter grades.

Due to the diversity of locations of the students enrolled in this class, it is unlikely that a synchronous class forum discussion will be able to be held. However, should the Professor call for a class forum discussion, students are expected to actively participate in them. Any class forum discussion will be conducted using the platform “Elluminate”. The Professor will provide instructions via D2L or email on program usage if the need arises.

Rules of discussion: The classroom and online format should be a safe haven within which individuals can discuss the widest possible range of topics without fearing retribution, ridicule, or attack. In order for this to happen, we must assume that we are all persons of intelligence and good will who may ultimately disagree, sometimes to a profound degree, with one another but whose characters are not impugned or intelligence disparaged because of this disagreement. The classroom and online forum is not a forum for proselytizing, nor is it a soapbox for diatribes by either students or faculty. For the academic endeavor to succeed, we must treat each other with civility, courtesy, and respect. All perspectives and questions are welcome, as long as they are impelled by a genuine desire for knowledge, can be articulated thoughtfully, and supported by sound reasoning.

Cheating and Plagiarism Policy: Academic dishonesty includes giving, receiving or using unauthorized aid on any academic work. The definition of academic dishonesty and the procedure for handling it are described in detail in the current version of the student handbook. You should read and understand this material. **Any academic dishonesty will result in zero points on the assignment, test, etc. The matter may be referred to the Division Dean for appropriate action.**

Other Policies:

The professor reserves the right to make modify this course syllabus to better meet student needs.

University Deadlines:

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- **Add/Drop Deadline: September 10, 2009 is the last day to add a full semester class and or drop a full semester class and receive a 100% refund.**

- **Withdraw Deadline with Refund: November 4, 2009 is the last day to withdraw from a full semester course or all courses for a refund of University charges based on federal regulations and Board of Regents policy.**
- **Withdraw Deadline with No Refund: November 16, 2009 is the last day to withdraw from a full semester course or all courses and receive a grade of “W”. No refunds will be given.**

Writing Assignments: Writing and research assignments will be given throughout the semester. All written work must be word-processed. Points will be deducted if this format is not followed. More information about each of these will be provided throughout the semester. Students are expected to follow any and all directions that may be provided.

Proper writing that is clear and concise will be important in your future career. Therefore, all answers on tests, including definitions and short answers must be written in complete and grammatically correct sentences. This requirement will also apply to all outside class assignments. Failure to adhere to this format will result in loss of assigned points on tests and assignments.

Each week students will be assigned a written case brief based on the Extended Case in each chapter. These written case briefs are due at the end of each week with the due date be clearly marked in D2L. **The professor will NOT accept late case briefs.** Each case brief is worth 10 points each. It is imperative that the student turn these in on time. Other assignments will be given throughout the semester as well. Due dates and deadlines will be given at the appropriate time. It is the student’s responsibility to be mindful of these dates.

All assignments will be due by **midnight, Central Standard Time, on the announced due date. Late penalties** will be applied as follows:

- -5% for each day past the due date and time
- Up to -25% maximum penalty
- No assignments will be accepted if submitted more than two weeks past the announced deadline, or after the last day of the current session. No case briefs will be accepted after the due date.

Quizzes: Quizzes will be due each week (except during test weeks) consisting of 25 multiple choice questions. The due dates for the quizzes will be clearly marked. **Once you begin the quiz, you MUST finish it. They are timed quizzes. You will be given notice when time is about to run out. Pace yourself accordingly.**

Tests: There will be one final exam in this class. The **test** will cover the material discussed in the previous class periods, i.e. is comprehensive. This is a difficult examination that requires you to apply what you have learned. The test is a combination

of multiple choice, fill-in-the-blank, true and false and short answer essays. This will be open note, open book examination.

The test is to be taken the final week of class. Unlike the weekly quizzes, you should be able to enter the test and leave and then return to the test at a later date and time. If the technology does not allow you to do this, please get in touch with the Professor RIGHT AWAY. Do not procrastinate on this matter. You MUST turn in the test by the assigned due date so that the Professor can meet her deadline of submitting final grades. Failure to provide a valid reason for missing the test will result in an F grade and assigned points of “0” for the test. I will not accept late submission of the test.

All classroom material such as tests, quizzes, and assignments will be due on the last day of the week. Grades for tests and quizzes should be provided immediately as they are graded by the program. The exceptions of course being any short answer questions and the assignments. The Professor considers a week to be from Monday to Friday. All course due dates are Friday at Midnight. Grades for those items and the weekly case briefs will be given to students within about a week from the time the test is given or the exercise is handed in. The Professor will attempt to have grades made available for all assignments and other material handed in on the Wednesday following the Friday deadline. Sometimes, I am able to get them back to students sooner! Sometimes it may be later! It depends upon the nature and length of the material to be graded. Please be patient when waiting for grades to post.

Students are encouraged to keep copies of all written work submitted. Should a student wish to review the test or assignment and any comments, Students are encouraged to do so. Students only need to contact Instructor for a mutually convenient time to “meet”. We will be able to “meet” via the Elluminate Platform.

You must first access the powerpoint presentations on the subject matter prior to accessing the assignment materials, the quizzes, and the tests.

Evaluation Procedure: Final grading will be based upon:

- 100-90 percent = A
- 89-80 percent = B
- 79-70 percent = C
- 69-60 percent = D
- 59 - below percent= F.

Grading Rubric:

- A. Depending on the amount of work involved, assignments and projects may be worth different points. The following is the rubric for evaluating your assignments:

grade	indicators
A	Work demonstrates analytic thinking and flexible application of the

	concepts learned from the course. Work meets the assignment requirements in all aspects and is error free. (spelling, grammar and other error)
B	Work demonstrates limited application of concepts learned from the course, but lacks flexibility. Work meets the assignment requirements in most aspects. Work may have some minor errors but is basically error free.
C	Work demonstrates very limited application of concepts learned from the course. Work meets the assignment requirements in some aspects. Work has some major problems and has major spelling errors and/or some grammatical errors.
F	Work lack functional understanding of the concepts covered in the course. Work has major spelling or grammatical errors.

- B. Students will be able to view assessment of their course work in progress and check grades online through the progress link of the course site.

Other Student Expectations: The professor will communicate frequently by email correspondence. Students are expected to check their email daily. The professor is given the student email address of the home school the student belongs to at the time of the student registration. If this is not the email the student uses, it the student’s responsibility to provide the professor with the email address most often checked. If sending an email from an address different than the University provided address, it is important that the student provide within the email text his/her name and class. Failure to do so will result in no response from the professor. **The professor will not accept any excuses for failing to receive professor emails.**

**PROFESSIONAL STANDARDS
NCATE**

NCATE Standard #1 Candidate Knowledge, Skills, and dispositions. Candidates preparing to work in schools as teachers or other professional school personnel know and demonstrate the content, pedagogical, and professional knowledge, skills, and dispositions necessary to help all students learn. Assessments indicate that candidates meet professional, state, and institutional standards **at professionally acceptable levels.**

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24:16:08:23. 7-12 business education program. A 7-12 business education program shall comply with all standards in general education, professional education, and 7-12 secondary education program requirements, and require coursework sufficient to constitute a major, with at least 50 percent in upper division coursework, which includes the following:

- (1) Study of accounting, computation, and finance;

- (2) Study of economics and international business;
- (3) Study of business law, management, marketing, entrepreneurship education, and interrelationships of business functions, including national policies, ethics, and political thinking;
- (4) Study of communications and career development;
- (5) Study of information systems;
- (6) Study of office technology, including study related to 7-12 program planning and development; and
- (7) Business-related occupational work-based practicum or internship.

Americans With Disabilities Act (ADA) Statement: If you have a documented disability and/or anticipate needing accommodations in this course, please arrange to meet with the instructor. Also, please arrange a meeting with Dakota State University’s ADA coordinator, Keith Bundy in the Student Development Office located in the Trojan Center Underground. Please call Keith at 256-5121 in order to set up this meeting as soon as possible. You will need to provide documentation of your disability, and it is best (though not absolutely necessary) to bring this documentation with you to this meeting. The ADA coordinator must confirm the need for accommodations before officially authorizing them. The DSU website containing additional information is http://www.departments.dsu.edu/disability_services/.

Freedom in Learning Statement: Students are responsible for learning the content of any course of study in which they are enrolled. Under Board of Regents and University policy, student academic performance shall be evaluated solely on an academic basis and students should be free to take reasoned exception to the data or views offered in any course of study. Students who believe that an academic evaluation is unrelated to academic standards but is related instead to judgment of their personal opinion or conduct should contact the dean of the college which offers the class to initiate a review of the evaluation.

TENATIVE COURSE OUTLINE

This is a “tentative” course outline that is subject to change contingent upon circumstances which may arise and/or material sequencing and timing. The Professor reserves the right to make adjustments to the calendar and outline as necessary to suit the needs of the class, participants, or goals of the course. The Professor reserves the right to amend, add or detract from the following and attached materials of this syllabus. All assignments, due dates, and point distributions are subject to change at the discretion of the professor. Students will be advised as soon as possible of any changes. This syllabus is not intended to be a legal contract. The due dates of the various assignments, quizzes, and tests as stated in D2L are to take precedence over any due date as listed below in the tentative schedule.

Week One (August 31-September 4, 2009)	Read Chapter 1 Review Chapter 1 Powerpoint Presentation	Assignment One Due Extended Case Brief Due Quiz One Due	Due Date September 4, 2009 at Midnight
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Week Two (September 7-September 11, 2009)	Read Chapter 3 Review Chapter 3 Powerpoint Presentation	Assignment Two Due Extended Case Brief Due Quiz Two Due	Due Date September 11, 2009 at Midnight
Week Three (September 14-September 18, 2009)	Read Chapter 4 Review Chapter 4 Powerpoint Presentation	Assignment Three Due Extended Case Brief Due Quiz Three Due	Due Date September 18, 2009 at Midnight
Week Four (September 21-September 25, 2009)	Read Chapter 5 Review Chapter 5 Powerpoint Presentation	Assignment Four Due Extended Case Brief Due Quiz Four Due	Due Date September 25, 2009 at Midnight
Week Five (September 28-October 2, 2009)	Read Chapter 6 Review Chapter 6 Powerpoint Presentation	Assignment Five Due Extended Case Brief Due Quiz Five Due	Due Date October 2, 2009 at Midnight
Week Six (October 5-October 9, 2009)	Read Chapter 7 Review Chapter 7 Powerpoint Presentation	Assignment Six Due Extended Case Brief Due Quiz Six Due	Due Date October 9, 2009 at Midnight
Week Seven (October 12-October 16, 2009)	Read Chapter 9 Review Chapter 9 Powerpoint Presentation	Assignment Seven Due Extended Case Brief Due Quiz Seven Due	Due Date October 16, 2009 at Midnight
Week Eight (October 19-October 23, 2009)	Read Chapter 10 Review Chapter 10 Powerpoint Presentation	Assignment Eight Due Extended Case Brief Due Quiz Eight Due	Due Date October 23, 2009 at Midnight
Week Nine (October 26-October 30, 2009)	Read Chapter 11 Review Chapter 11 Powerpoint Presentation	Assignment Nine Due Extended Case Briefs Due Quiz Nine Due	Due Date October 30, 2009 at Midnight
Week Ten (November 2-November 6, 2009)	Read Chapter 12 Review Chapter 12 Powerpoint Presentations	Assignment Ten Due Extended Case Briefs Due Quiz Ten Due	Due Date November 6, 2009 at Midnight
Week Eleven (November 9-November 13, 2009)	Read Chapter 13 Review Chapter 13 Powerpoint Presentations	Assignment Eleven Due Extended Case Brief Due Quiz Eleven Due	Due Date November 13, 2009 at Midnight
Week Twelve (November 16-November 20, 2009)	Read Chapter 14 Review Chapter 13 & 14 Powerpoint Presentations	Assignment Twelve Due Extended Case Brief Due Quiz Twelve Due	Due Date November 20, 2009 at Midnight
Week Thirteen (November 23-November 27, 2009)	No Chapter Reading	NO Assignments or Quizzes	Thanksgiving Break

Week Fourteen (November 30-December 4, 2009)	Read Chapter 17 Review Chapter 17 Powerpoint Presentation	Assignment Thirteen Due Extended Case Brief Due Quiz Thirteen Due	Due Date December 4, 2009 at Midnight
Week Fifteen (December 7-December 11, 2009)	Read Chapter 18 Review Chapter 18 Powerpoint Presentation	Assignment Fourteen Due Extended Case Brief Due Quiz Fourteen Due	Due Date December 11, 2009 at Midnight
Week Sixteen (December 14-December 18, 2009)	Final Exam Comprehensive Chapters 1, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 17, & 18	No Assignments Due No Quiz Due No Case Brief Due	Final Exam Due December 18, 2009 11:00pm

Selected Bibliography

Restatement, Second, Contracts American Law Institute 1979.
American Law Institute Publisher

South Dakota Codified Law

Northwestern Reporter

Supreme Court Reporter

United States Code Annotated