

Course: BA 200, Course: BA 200, summer 2010 (June 28 – August 12, 2010)

Course Title: Business Law – Legal Foundations

Office Hours: By appointment

Instructor Name and Credentials: Michael S. Brown, esq., Ph.D., J.D.

E-mail Address: mibrown@bellevuecollege.edu

Course Materials:

Required:

Carper et al, eds. *Legal Foundations*, 4th ed. Thomson, 2006. ISBN 0-324-62242-2.

Optional/recommended:

Hacker, Diana. *A Writer's Reference*. Boston: Bedford/St. Martin's (latest edition).

Turabian, Kate. *A Manual for Writers of Term Papers, Theses, and Dissertations*. Chicago: University of Chicago Press (latest edition).

Course Description:

This is a hands-on course combining readings and online discussions. We will look at theories about the legal system, statutes, and case law. We will also learn formal analytical techniques by critically reading case law. Among the various substantive areas of law that we will critically examine are contracts, torts, criminal law, criminal procedure, constitutional law, and employment law.

Netiquette:

It is critical that you include in the subject line of all e-mails you send to me 1) an identification of both the class and the matter to which the note pertains (example: NOT "question"; BUT "BA 200, Second Exam,"etc.). Not knowing what it is about or what information it contains will only cause me – as well as you – delays. Also, if you do not receive a reply from me within 24 hours (longer on weekends/holidays), it could mean that, for whatever reason, I did not receive your e-mail. In this case, please feel free to send the same note to me again to make sure that I am aware that you are trying to contact me. Strict adherence to these guidelines is critical, as I often receive dozens of e-mails in a single day, and your e-mail will easily become invisible if you do not identify it according to these rules. You are responsible for confirming receipt of any e-mail. Consequences for any glitches resulting from not following these or any other instructions are your responsibility.

Weekly Chapter Discussion Questions:

You must post responses to the assigned discussion questions based on the assigned readings from our textbook on the appropriate link in the course site.

Weekly Case Brief Discussions:

You must post your comments on assigned case readings to the appropriate link on the Discussion Board. These are not graded, but they do count towards your overall participation grade (see "Participation" below).

Research Paper Project:

You must write a paper pertaining to the consequences of government deregulation of any aspect of business. In Week 6, you will submit both 1) a formal outline of your paper as well as 2) the actual paper in a single Word document.

There will be additional, specific instructions on this project pertaining to acceptable sources, citation format, adherence to guidelines on formal outlining of your ideas, among other things. Your paper must conform to these and all other guidelines; failure to do so will result in an *automatic minimum of a one letter grade deduction* from your Research Paper Project (example: a paper that would have received a “B” will automatically receive a “C”).

All portions of the Research Paper Project must be uploaded to Turnitin.com no later than the due date for this project.

Participation:

Participation is worth 50 points. At a minimum, this means that you must log into the course website 3 times every week, e.g., Week 2, Week 3, etc.. A “week” begins at 12:00 a.m. on Sunday and ends at 11:59 p.m. on Saturday of that same week. Beyond the minimum of 3-logins per week, the participation grade may be affected by a wide range of factors including timeliness in submitting assignments, the quantity and depth of your positive contributions to online discussions, and overall adherence to course guidelines, etc.

Course Grading:

Research paper: **50** points total
Weekly Chapter Discussion Questions: **10** points per week
First exam: **50** points
Second exam: **50** points
Participation: **50** points

Grading Scale:

A 93-100; A- 90-92; B+ 87-89; B 83-86; B- 80-82; C+ 77-79; C 73-76; C- 70-72; D+ 67-69; D 60-66; F 0-59.

Not following Instructions:

There is a minimum one grade deduction from any assignment for not following instructions (either written or announced in class. Misunderstanding of pertinent guidelines does not excuse non-adherence; it is the students’ responsibility to take the initiative by contacting the instructor for clarification on any given matter and to do so in a timely manner, i.e., providing the instructor with enough time to respond and the student with enough time to incorporate the instructor’s feedback.

Technical problems:

Technical problems – including computer-related, printer-related, etc. – do *not* excuse late submissions. If you are experiencing technical difficulties, the resource to consult is the Help Desk or other formal sources dedicated to dealing with such issues. Links to technical help are available from the course home page.

*Make sure that you make allowance for technical problems with VISTA. VISTA is not always operational, so make sure that you give yourself enough time to complete all assignments and otherwise abide by all deadlines, guidelines, course policies, etc., in spite of any technical problems that may arise. Problems related to VISTA **DO NOT** excuse late submissions...plan accordingly.*

Incompletes:

There is no eligibility for a grade of Incomplete unless you have finished at least 90% of all course work at the time that you make the request. The request must be in writing and have your name, course name/number, and a detailed explanation concerning why you will not be able to finish the remaining work. You must make the request no later than Wednesday of Week 6. I retain sole discretion, however, and will grant requests only on a case-by-case basis.

There must be a legitimate medical or family emergency before I will grant a request for an Incomplete. However, there must be ample, written, documented proof of the emergency. You must attach the documentation to your written request for the Incomplete (see the section above about acceptable documentation for makeup requests). All supporting documentation must pertain to the period of the emergency.

Extra Credit:

There is no extra credit in this class.

Keeping Track of Your Work:

You must save all of your work and keep track of it for your own records.

Emergencies and Makeups:

There are exceptions on due dates and other class work for genuine emergencies. However, you must document such emergencies. For medical emergencies, I will accept only doctor, nurse, or other caregiver explanations on dated letterhead paper. All such documentation must pertain to the period during which you missed anything. For personal emergencies, I will accept only notes from family or relatives with a legible name, signature, date, and phone number. This paragraph notwithstanding, I reserve complete discretion in all such matters.

Makeups:

You may make up a missed, proctored exam only if you have a legitimate excuse in writing on letterhead paper or other official document from a legitimate source, e.g., doctor, official, college personnel, legal guardian, or parent; and it must have the preparer's signature and current contact information. This written documentation must 1) be submitted in writing to me no later than 5 calendar days prior to your proposed exam makeup date (with e-mail receipt showing date of submission of the request or other written proof of date of the request under all applicable guidelines in this syllabus, e.g., for e-mail communications) and 2) accompany your written request to take the makeup under all applicable guidelines in this syllabus. In addition, whether you can do the makeup will also depend upon whether there is a proctored time available for you to do the makeup. If

there is no such available time, you may not do the makeup. *All final decisions pertaining to the granting of makeups are up to the sole discretion of the instructor, and all makeups must abide by all applicable policies..*

Writing Proficiency:

I will grade you on grammar, punctuation, spelling, and all other aspects of writing. If you have problems with writing, I strongly recommend that you explore various means for correcting them. One handy reference tool for catching the most common problems in writing is Diana Hacker's *A Writer's Reference*. If you have Spell Check and/or Grammar Check in your version of Word, *turn them on and use them consistently*. A paper that is an "A" in content may still receive a grade in the "C" range, for example, if the writing style is not competent. The fact that another professor in another class gives a paper a particular grade and/or does not penalize it for writing errors is no indication about the grade the paper will receive in this class.

Late Assignments:

Unless I indicate otherwise, all assignments are due no later than **11:59 p.m. on Saturdays**. At any point thereafter, there is a minimum one grade deduction. There is also a one grade deduction for each calendar day that an assignment is late. Example: A student turns in her assignment on Monday even though the due date was Saturday. It is two calendar days late. The paper, which would otherwise have received a "B," becomes a "D" after two letter grade deductions for being late two calendar days. If she turns it in on Tuesday, it is three days late and the grade becomes an "F" (although a grade of an F may result, depending on whether it is a good faith effort, it may still receive some points at my sole discretion). Wherever applicable, the timeliness of submissions includes completion of submissions to both 1) the appropriate assignment submission link AND 2) the Turnitin.com link.

Turnitin.com:

All students are required to have their own, personal Turnitin.com account ready for use no later than **11:59 p.m. on Saturday, July 4**. Students should set up their account within the first day or two of class, as it typically takes 24-72 hours for the account to be ready for use.

Academic Dishonesty and Plagiarism:

Evidence of academic dishonesty or unethical behavior will lead to disciplinary action, including, but not necessarily limited to: a 0 on the assignment; referral to appropriate authorities; penalties upon the final grade for the course; institution of formal proceedings according to university policies; and/or a combination of any/all of the foregoing.

All academic assignments are to be the work of the individual student. The following are some examples of dishonesty or unethical behavior:

Using another person's words, ideas, or results without giving proper credit to that person; giving the impression that it is the student's own work.

Any form of cheating on examinations.

Altering academic or clinical records.

Falsifying information for any assignments.

Partly or wholly completing an assignment(s) partially or wholly completed by another person or source.

Copying work or written text from a student, the internet, or any document without giving due credit to the source of the information in a manner making it clear that you are not the sole creator of the work.

Purported lack of awareness of what constitutes “plagiarism” or “academic dishonesty” will not excuse such conduct and will not affect appropriate disciplinary proceedings. This instructor assumes that students are aware of the difference between honest and dishonest conduct and will proceed accordingly.

All graded work will be screened by Turnitin.com. Any submission reported as being more than 15% unoriginal (other than source citations and the like) will be automatically rejected and receive a 0. There may be additional consequences according to the policies in this syllabus.

I highly discourage the use of directly quoted material. Dependence upon directly quoted material often crosses into plagiarism, and I sole retain discretion as to whether to accept any such assignment. I need to see what you say about your sources or how you interpret them; I do not need to see what your sources say.

Assignment Submission Guidelines:

I will not grade partial assignments. I will grade only what you submit in its entirety, i.e., the assignment must be complete at the time of submission. You may not submit it in separate pieces. If you turn in an assignment in more than one piece, I will grade only the first piece, and I will not consider anything else for a grade.

Special accommodations:

If you have a need for special accommodations, please let me know before the end of the first week of class. Accommodations are not retroactive and begin within a reasonable period after the student has notified the instructor.

Tutoring:

Tutors are available on an individual basis. Please see me as soon as possible if you are interested in working with a tutor.

COURSE OUTLINE:

WEEK 1 (June 28- July 4)	<p><u>Introduction to the American legal system</u> Read the text, Chapter 1 Set up your Turnitin.com account immediately Complete the Chapter 1 discussion questions in the text, post your responses on the appropriate link, and upload to Turnitin.com: questions 2 and 3 Read and study the Case Briefing Handout Read the <i>Eric J. v. Betty M.</i> case and post your comments on the appropriate link</p> <p><u>American court systems</u> Read the text, Chapter 3 Complete the Chapter 3 discussion questions in the text, post your responses on the appropriate link, and upload to Turnitin.com: questions 2 & 6 Read the <i>Jacobsen v. Massachusetts</i> case and post your comments on the appropriate link</p>
WEEK 2 (July 5 - July 11)	<p><u>Administrative law</u> Read the text, Chapter 8 Complete the Chapter 8 discussion questions (on the Week 2 links), post your responses on the appropriate link, and upload to Turnitin.com Read the <i>Nash v. Auburn University</i> case and post your comments on the appropriate link</p> <p><u>Ethics</u> Read the text, Chapter 4 Complete the Chapter 4 discussion questions in the text, post your responses on the appropriate link, and upload to Turnitin.com: questions 1 & 5 Read the <i>Gordon v. New Hampshire</i> case and post your comments on the appropriate link</p> <p><u>Dates for on-site, proctored exams</u> will be made available; procedures for off-campus proctored exams are available under the proctored exams link under exams from the home page. Deviations from exam dates – either on- or off-campus - will be granted only in cases of emergencies as defined in this syllabus</p> <p><u>Students taking the exam off the BC campus:</u> follow proctored exam procedures and submit exam requests no less than five days before your proposed exam date</p> <p><u>Students taking exam on BC campus:</u> sign up for the on-site exam on the BC campus as soon as the signup sheet is available on the exams link</p> <p><u>Exam study guide</u> will be available to students 5-7 days prior to the on-campus exam dates (exam dates will be available on the Announcements)</p>
WEEK 3 (July 12- July 18)	<p><u>Contract law</u> Read the text, Chapter 11 Complete the Chapter 11 discussion questions, post your responses on the appropriate link, and upload to Turnitin.com: questions 3 & 7 Read the <i>Hamer</i> case and the <i>Lucy</i> case and post your comments on the appropriate link</p>

Torts

Read the text, Chapter 9

Complete the Chapter 9 discussion questions, post your responses on the appropriate link, and upload to Turnitin.com: questions 1, 5, 6 & 8

Read the *Randi W.* case and the *Debra Agis* case and post your comments on the appropriate link

Take Exam One

WEEK 4

(July 19-

July 25)

The American Constitution and constitutional law

Read the text, Chapter 2

Read the *Bush v. Gore* case and the *Thomas et al v. Chicago Park District* cases and post your comments on the appropriate link

Complete the Chapter 2 discussion questions, post your responses on the appropriate link, and upload to Turnitin.com: questions 7 and 9

Employment law

Read the text, Chapter 14

Complete the Chapter 14 discussion questions, post your responses on the appropriate link, and upload to Turnitin.com: questions 7 & 10

Read the *Price Waterhouse* case and the *Gonzalez* case and post your comments on the appropriate link

WEEK 5

(July 26-

Aug. 1)

Criminal law

Read the text, Chapter 5; skim Chapter 10 on Sarbanes-Oxley Act

Complete the Chapter 5 discussion questions, post your responses on the appropriate link, and upload to Turnitin.com: questions, 3, 10, & 11

Read the *U.S. v. Knights* case and post your comments on the appropriate link

Criminal procedure

Read the text, Chapter 6

Complete discussion questions on Chapter 6 (on the Week 6 links), post your responses on the appropriate link, and upload to Turnitin.com

Read the *Terry* case and the *Miranda* case and post your comments on the appropriate link

Students taking the exam off the BC campus: follow proctored exam procedures and submit exam requests no less than five days before your proposed exam date.

Students taking exam on BC campus: sign up for the on-site exam on the BC campus as soon as the signup sheet is available on the exams link.

Exam study guide will be available to students 5-7 days prior to the on-campus exam dates (exam dates will be available on the Announcements).

Specific dates for on-site, proctored exams will be made available; procedures for off-campus proctored exams are available under the proctored exams link under exams from the home page). Deviations from exam dates – either on- or off-campus - will be granted only in cases of emergencies as defined in this syllabus.

- WEEK 6
(Aug. 2-
Aug. 8)
- Renters and landlords
Read the text, Chapter 12
Complete the Chapter 12 discussion questions, post your responses on the appropriate link, and upload to Turnitin.com: 1, 2, 3, 5 & 10
Read the *Stroot* case and post your comments on the appropriate link
- Intellectual property law
Read the text, Chapter 13
Complete the Chapter 13 discussion questions, post your responses on the appropriate link, and upload to Turnitin.com: 10-1, 10-2, 10-3
Read the *Schmidheiny* case and the *Tasini* case and post your comments on the appropriate link
Submit your research paper, along with a formal outline of the paper, no later than 11:59 p.m. on Saturday
Final Exam period begins (please note that the final exam period for this class may begin as early as Week 6 due to the availability of proctors and classroom space; please plan accordingly).
- WEEK 7
(Aug. 9-
Aug. 12)
- Final exam period for *on-site* classes (please be sure to see the note above about possible, early final exam dates in this class and to plan accordingly).

Notes:

This syllabus represents the proposed plan for this term. However, there may be changes according to unexpected circumstances, and students are responsible for inquiring about any updates.

The instructor does not provide legal advice. No communication between the student and the instructor gives rise to privileged communication, and students are advised that the course content represent general legal principles and not answers to any particular legal situation.