



BUSI 3332.130, Legal Environment of Business

Spring 2018

Texas A&M University-Central Texas

INSTRUCTOR AND CONTACT INFORMATION

Instructor: Marc Rietvelt, J.D., M.B.A.

Office: None – Adjunct Faculty

Phone: 210-478-8884 (cell; please call before 9pm)

Email: mrietvelt@tamuct.edu

Office Hours:

I will be available before and after class each week and by email.

Mode of instruction and course access:

This course meets face-to-face. This course uses the A&M-Central Texas Canvas Learning Management System [<https://tamuct.instructure.com>].

Student-instructor interaction:

Don't hesitate to shoot me an email or call me on my cell. Please remember that I am an adjunct faculty member, and my day job takes up most of my time between 8:00AM and 6:00PM during weekdays. That said, I generally try to check my TAMUCT email at least once per day (typically in the evening) and will respond within 24 hours. For emergencies or time-sensitive matters, you may get a quicker response by calling me on my cell (listed above).

911 Cellular:

Emergency Warning System for Texas A&M University – Central Texas

911Cellular is an emergency notification service that gives Texas A&M University-Central Texas the ability to communicate health and safety emergency information quickly via email, text message, and social media. All students are automatically enrolled in 911 Cellular through their myCT email account.

Connect at [911Cellular](https://portal.publicsafetycloud.net/Texas-AM-Central/alert-management) [<https://portal.publicsafetycloud.net/Texas-AM-Central/alert-management>] to change where you receive your alerts or to opt out. By staying enrolled in 911Cellular, university officials can quickly pass on safety-related information, regardless of your location.

COURSE INFORMATION

Course Overview and description:

This course provides an assessment of the legal environment in which business and public

organizations operate with particular attention being placed on related ethical and social issues. Emphasis is placed on current laws, trends and research related to the various aspects of the employment environment. It examines legal issues and regulatory processes related to employment relationships, equal employment opportunity and affirmative action, privacy, employment testing and staffing, compensation and benefits, employee/labor relations, and occupational health and safety.

Course Objective:

At the conclusion of the course, the student should be able to, at an acceptable level per the grading scale found in syllabus section 5.0 (Minimum of 715 Points):

1. Explain the impacts of the Constitution and Judiciary on business law.
2. Recognize when a tort has been committed and discuss the ways an individual's rights may be enforced.
3. Classify violations of one's intellectual property rights, as well as crimes committed against them.
4. Identify when an ethical dilemma exists, as well as different ethical decision making frameworks.
5. Explain what is required for a legally enforceable contract.
6. Recognize the legal impacts of business globalization.
7. Identify when a contract must be in writing, is supported by legally sufficient consideration, and when a contracting party has capacity to contract.
8. Indicate the level at which a contract has been performed and discuss the remedies for a breach.
9. Apply the provisions of the UCC to contract situations.
10. Explain the requirements of and liabilities surrounding negotiable instruments and their usage.

Competency Goals Statements (certification or standards):

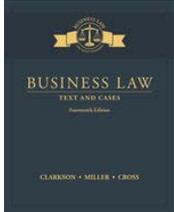
At the conclusion of the course the student should be able to, at an acceptable level per the grading scale found in syllabus section 5.0 (Minimum of 715 points):

- 1) Define and classify a law according to its type.
- 2) Explain the concepts of legal precedence and *stare decisis*.
- 3) Identify the different types of judicial opinions and analyze a Supreme Court case.
- 4) Recognize when a court may properly exercise jurisdiction.
- 5) Compare and contrast the various methods of dispute resolution.
- 6) Demonstrate comprehension of the trial process.
- 7) Explain the applicability of the Commerce Clause on businesses.
- 8) Explain the concept of preemption with regards to the Supremacy Clause.
- 9) Contrast the situations where speech is protected and unprotected under the 1st Amendment.
- 10) Describe the differences between ethics and law.
- 11) Compare duty based and outcome based ethical decision making.

- 12) Classify torts according factual examples.
- 13) Define negligence and identify situations where it has occurred.
- 14) Discuss the legal requirements for products liability and potential defenses for companies in a products liability suit
- 15) Identify and recognize the differences between trademarks, patents, copyrights and trade secrets.
- 16) Discuss the potential criminal liability of corporations and their officers.
- 17) Demonstrate the ability to properly classify crimes based on factual scenarios.
- 18) Identify proper defenses to criminal liability, including Constitutional safeguards.
- 19) Differentiate between the principles of comity, the act of state doctrine and sovereign immunity.
- 20) Recognize unique contract elements in the international setting
- 21) Recognize when laws apply extraterritorially
- 22) Identify the required element to form a valid contract.
- 23) Classify a contract according to its type.
- 24) Indicate the requirements/circumstances for an effective offer, acceptance, revocation and rejection.
- 25) Recognize when consideration is legally sufficient.
- 26) Explain, using factual scenarios, why a contract is or is not supported by sufficient consideration.
- 27) Critique a fact pattern to determine if promissory estoppel is appropriate.
- 28) Analyze a contractual situation to determine if the parties had capacity and their contractual liabilities if they did not.
- 29) Explain the enforceability of a covenant not to compete and exculpatory clause.
- 30) Indicate when a mistake may provide a legal excuse to contract performance.
- 31) Identify if fraudulent misrepresentation has occurred.
- 32) Choose when a contract is subject to the statute of frauds.
- 33) State when the parol evidence rule applies.
- 34) Identify when conditions impact contractual obligations.
- 35) Classify the level to which a contract has been performed, including what constitutes a breach of contract.
- 36) Explain the situations when contracts may be discharged.
- 37) Discuss and identify the remedies available for breach of contract.
- 38) Differentiate between an assignment and a delegation.
- 39) Recognize when Article 2 of the Uniform Commercial Code is applicable to a sales transaction.
- 40) Differentiate between the UCC and the Common Law.
- 41) Identify who a merchant is and their responsibilities in sales situations.
- 42) Evaluate and discuss when title, risk of loss effectively passes from seller to buyer.
- 43) Explain the implications of a good faith purchaser and the entrustment rule.
- 44) Recognize when an advertisement is deceptive under the law.
- 45) State consumers responsibilities for charges on credit cards they did not make.

- 46) Recognize the key provisions of the Texas DTPA.
- 47) Identify when an instrument is negotiable.
- 48) Contrast the different types of endorsements.
- 49) Identify the different types of checks.
- 50) Describe the responsibilities for payment and honoring checks in various situations that may arise.

Required Reading and Textbook(s):



Clarkson, Miller, Cross - Business Law: Text and Cases – 14th Edition, 2015, ISBN: 9781305967250

A student of this institution is not under any obligation to purchase a textbook from a university-affiliated bookstore. The same textbook may also be available from an independent retailer, including an online retailer.

COURSE REQUIREMENTS

Course Requirements:

1. MindTap – **200 total points (100 points quizzes and 100 points exercises)** – Each week you will utilize MindTap to complete quizzes and application exercises related to the chapter(s) covered that week. Overall, there are 22 quizzes and 22 exercises, thus usually one of each per chapter. Each quiz or exercise will be worth 5 points, thus you have two “free” ones built in. *These will be due before class on the night the chapters are to be discussed (unless it’s an exam night).*
2. Analyzing a Supreme Court Decision – **80 Points** – Details will be posted in the “Assignments” tab in Canvas. You will submit this via hardcopy in class on **Thursday, February 8.**
3. Getting to Know the Law Assignment – **120 Points** - Details will be posted in the “Assignments” tab in Canvas. You will submit this via hardcopy in class on **Thursday, March 8.**
4. Business Entity Application Assignment - **100 Points** – In your life, it is highly possible that you or a family member may start a business. One of the major decisions facing entrepreneurs is how to organize their business. This assignment will apply what you have learned to a hypothetical business scenario. You will find more detailed instructions in the “Assignments” tab in Canvas. This will be due via hardcopy in class on **Monday, May 7.**
5. Exams – **4 exams – each exam will be worth 125 points (500 points combined)** – Please be there! An exam might be given early on a case by case basis, and only in extreme cases. Even

then, it may be an entirely differently structured exam (all essay). I am the sole judge on these matters and you should bring exam issues to me when they arise. A missed exam may be made up on my terms and only if I feel the circumstances warrant a make-up. Exams may be comprised of multiple choice, T/F, matching, and essay questions at my discretion. For exams you may have one sheet of notes (8.5x11), front and back or two single sided sheets.

Grading Criteria Rubric and Conversion

*******Grading Scale*****Note the C, D, and F**

895-1000 = A - Excellent

795-895 = B - Good

715-795 = C – Acceptable

645-715 = D – Needs Improvement

645 or less = F – Unacceptable

As I hope this will be an interactive class, I reserve the right to bump someone to the next higher letter grade if I am confident that the higher letter grade better reflects their overall knowledge and effort, as evidenced to me by contributions to class discussions. Grades may also be adjusted at the end of the semester based on class results, meaning an average may qualify for a higher letter grade than the scale normally provides for, to facilitate an appropriate grade distribution.

Posting of Grades

Exam and assignment grades generally will be available by the next class period, and grades will also be posted on the Canvas Grade Book.

*******Late work penalties:**

All late assignments will lose 10% of the points available for the assignment per day late, which counts as any time after 6:00 PM on the due date. Thus, turning in an assignment at 10 PM on the day it is due will cost you 10% of the points. Turning an assignment in at 8:00 PM on the day after it is due will cost you 20%, as each new day starts at 6:00 PM.

COURSE OUTLINE AND CALENDAR

Complete Course Calendar (Subject to Change):

Week 1 – January 18	Course Introduction, Syllabus, & Chapter 1 (Law & Legal Reasoning)
Week 2 – January 25	Chapter 2 (Courts & Alternative Dispute Resolution) & Begin Chapter 3 (Court Procedures) MindTap for Chapters 1-3 Due by 6pm
Week 3 – February 1	Finish Chapter 3 (Court Procedures) & Chapter 4 (Constitutional Issues) –Mindtap for Chapter 4 Due by 6pm

Week 4 – February 8 Chapter 5 (Ethics)
Supreme Court Case Assignment Due in Class and MindTap for Chapter 5 Due by 6pm

Week 5 – February 15 **Exam #1 – Chapters 1-5**

Week 6 – February 22 Chapter 6 (Torts) & Chapter 7 (Strict and Product Liability)
MindTap for Chapters 6-7 Due by 6pm

Week 7 – March 1 Chapter 8 (Intellectual Property Rights) & Chapter 10 (Criminal Law)
MindTap Chapters 8 and 10 Due by 6pm

Week 8 – March 8 Chapter 24 (International Law)
Getting to Know the Law Assignment Due in Class and MindTap Chapter 24 Due by 6pm

No class on March 15 – Spring Break

Week 9 – March 22 **Exam #2 – Chapters 6-8, 10, & 24**

Week 10 – March 29 Chapter 12 (Agreement in Traditional Contracts), Chapter 13 (Consideration), & Chapter 14 (Capacity and Legality)
MindTap Chapters 12-14 Due by 6pm

Week 11 – April 5 Chapter 15 (Mistakes, Fraud & Voluntary Consent), Chapter 16 (Writing Requirements), and Chapter 18 (Performance and Discharge)
MindTap Chapters 15-16, & 18 Due by 6pm

Week 12 – April 12 Chapter 19 (Breach & Remedies) & Chapter 20 (Formation of Sales & Lease Contracts)
MindTap Chapters 19-20 Due by 6pm

Week 13 – April 19 **Exam #3 – Chapters 12-16, & 18-20**

Week 14 – April 26 Chapter 33 (Agency Liability), Chapter 36 (Small Businesses & Franchises), & Chapter 37 (Partnerships)
MindTap Chapters 33, & 36-37 Due by 6pm

Week 15 – May 3 Chapter 38 (LLCs and Special Business Forms), Chapter 39 (Corporate Formation & Financing)
MindTap Chapters 38-39 Due by 6pm

Business Entity Assignment Due on Monday, May 7 on Canvas!

Week 16 – May 10 **Exam #4 - Chapters 33, & 36-39**

Important University Dates:

January 2018

January 2, (Tuesday) Winter Break Ends

January 2, (Tuesday) Priority Deadline for Admissions applications

January 5, (Friday) VA Certification Request Priority Deadline
January 11, (Thursday) Convocation
January 12, (Friday) Tuition and Fee payment deadline (16 week & 1st 8 week)
January 15, (Monday) Martin L. King Jr. Day
January 16, (Tuesday) ADD/DROP/LATE REGISTRATION BEGINS (\$25 fee assessed for late registrants) (16 week & 1st 8 week)
January 16, (Tuesday) Classes Begins
January 18, (Thursday) ADD/DROP/LATE REGISTRATION ENDS (16 week & 1st 8 week)
January 23, (Tuesday) Last day to drop 1st 8-week classes with no record
January 31, (Wednesday) Last day to drop 16 week classes with no record

February 2018

February 2, (Friday) Priority Deadline to Submit Graduation Application
February 9, (Friday) Last day to drop a 1st 8-week class with a Q or withdraw with a W
February 15, (Thursday) Last day to apply for Clinical Teaching
February 23, (Friday) Student End of Course Survey Opens (1st 8-Week Classes)

March 2018

March 1, (Thursday) Deadline to submit application to Teacher Education Program
March 2, (Thursday) Deadline to Submit Graduation Application for Ceremony Participation
March 9, (Friday) 1st 8 week classes end
March 9, (Friday) Deadline for Admissions applications
March 11, (Sunday) Student End of Course Survey Closes (1st 8-Week Classes)
March 12, (Monday) Spring Break Begins
March 12, (Monday) 1st 8-week grades from faculty due by 3pm
March 15, (Thursday) Tuition and Fee Payment Deadline (2nd 8-week classes)
March 16, (Friday) Spring Break Ends
March 19, (Monday) 2nd 8 week begins
March 19, (Monday) Summer Advising Starts
March 19, (Monday) Class Schedule Published
March 19, (Monday) ADD/DROP/LATE REGISTRATION BEGINS (\$25 fee assessed for late registrants) (2nd 8-week classes)
March 21, (Wednesday) ADD/DROP/LATE REGISTRATION ENDS (2nd 8-week classes)
March 27, (Tuesday) Last day to drop 2nd 8-week classes with no record
March 30, (Friday) Last day to drop a 16-week course with a Q or withdraw with a W

April 2018

April 1, (Sunday) GRE/GMAT scores due to Office of Graduate Studies
April 2, (Monday) Scholarship Deadline
April 2, (Monday) Registration begins
April 5, (Thursday) Priority Deadline for International Student Admission Applications
April 13, (Friday) Last day to drop a 2nd 8-week class with a Q or withdraw with a W*
April 13, (Friday) Deadline for submission of final committee-edited theses with committee approval signatures to Office of Graduate Studies
April 27, (Friday) Student End of Course Survey Opens (16 Week and 2nd 8-Week Classes)

May 2018

May 7-11, Finals Week
May 11, (Friday) Last day to file for Degree Conferral (Registrar's Office)(\$20 Late Application Fee applies)
May 11, (Friday) Spring Term Ends
May 11, (Friday) Last day to withdraw from the university (16 week and 2nd 8 week classes)
May 11, (Friday) Last day to apply for \$1000 Tuition Rebate for Spring graduation (5pm)
May 12, (Saturday) Commencement Ceremony Bell County Expo Center 7:00 p.m.
May 13, (Sunday) Student End of Course Survey Closes (16 Week and 2nd 8-Week Classes)
May 14, (Monday) Minimester begins
May 15, (Tuesday) Last Day to clear Thesis Office
May 5, (Tuesday) Final grades due from faculty by 3pm (16 week & 2nd 8 week)
May 21, (Monday) Priority Deadline for Admissions applications
May 25, (Friday) VA Certification Request Priority Deadline
May 28, (Monday) Memorial Day

TECHNOLOGY REQUIREMENTS AND SUPPORT

This course will use Canvas for class content distribution and assignments. Therefore, for this course, you will need frequent and reliable access to a computer and to the internet. If you do not have access to a computer with Internet connection, please consider dropping this course or contact me (your email and phone number) to discuss your situation.

Technology Requirements

This course will use the A&M-Central Texas Instructure Canvas learning management system. Logon to A&M-Central Texas Canvas [<https://tamuct.instructure.com>].

Username: Your MyCT username (xx123 or everything before the "@" in your MyCT e-mail address)
Password: Your MyCT password

Canvas Support

Use the Canvas Help link, located at the bottom of the left-hand menu, for issues with Canvas. You can select "Chat with Canvas Support," submit a support request through "Report a Problem," or call the Canvas support line: 1-844-757-0953.

For issues related to course content and requirements, contact your instructor.

Other Technology Support

For log-in problems, students should contact Help Desk Central.

24 hours a day, 7 days a week:

Email: helpdesk@tamu.edu

Phone: (254) 519-5466

[Web Chat](http://hdc.tamu.edu): [<http://hdc.tamu.edu>]

Please let the support technician know you are an A&M-Central Texas student.

UNIVERSITY RESOURCES, PROCEDURES, AND GUIDELINES

Drop Policy.

If you discover that you need to drop this class, you must complete a [Drop Request Form](https://www.tamuct.edu/registrar/docs/Drop_Request_Form.pdf) [https://www.tamuct.edu/registrar/docs/Drop_Request_Form.pdf].

Professors cannot drop students; this is always the responsibility of the student. The Registrar's Office will provide a deadline on the Academic Calendar for which the form must be completed, signed and returned. Once you return the signed form to the Registrar's Office, you must go into Warrior Web and confirm that you are no longer enrolled. If you still show as enrolled, FOLLOW-UP with the Registrar's Office immediately. You are to attend class until the procedure is complete to avoid penalty for absence. Should you miss the drop deadline or fail to follow the procedure, you will receive an F in the course, which may affect your financial aid and/or VA educational benefits.

Academic Integrity.

Texas A&M University -Central Texas values the integrity of the academic enterprise and strives for the highest standards of academic conduct. A&M-Central Texas expects its students, faculty, and staff to support the adherence to high standards of personal and scholarly conduct to preserve the honor and integrity of the creative community. Academic integrity is defined as a commitment to honesty, trust, fairness, respect, and responsibility. Any deviation by students from this expectation may result in a failing grade for the assignment and potentially a failing grade for the course. Academic misconduct is any act that improperly affects a true and honest evaluation of a student's academic performance and includes, but is not limited to, cheating on an examination or other academic work, plagiarism and improper citation of sources, using another student's work, collusion, and the abuse of resource materials. All academic misconduct concerns will be reported to the university's Office of Student Conduct. Ignorance of the university's standards and expectations is never an excuse to act with a lack of integrity. When in doubt on collaboration, citation, or any issue, please contact your instructor before taking a course of action.

Academic Accommodations.

At Texas A&M University-Central Texas, we value an inclusive learning environment where every student has an equal chance to succeed and has the right to a barrier free education. The Department of Access and Inclusion is responsible for ensuring that students with a disability receive equal access to the University's programs, services and activities. If you believe you have a disability requiring reasonable accommodations please contact the Department of Access and Inclusion at (254) 501-5831. Any information you provide is private and confidential and will be treated as such.

For more information please visit our [Access & Inclusion](https://www.tamuct.edu/student-affairs/access-inclusion.html) webpage [https://www.tamuct.edu/student-affairs/access-inclusion.html].

Texas A&M University-Central Texas supports students who are pregnant and/or parenting. In accordance with requirements of Title IX and guidance from US Department of Education's Office of Civil Rights, the Dean of Student Affairs' Office can assist students who are pregnant and/or parenting in seeking accommodations related to pregnancy and/or parenting. For more information, please visit <https://www.tamuct.departments/index.php>. Students may also contact the institution's Title IX Coordinator. If you would like to read more about these [requirements and guidelines online](#), please visit the website [<http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>].

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex and gender – including pregnancy, parenting, and all related conditions. A&M-Central Texas is able to provide flexible and individualized reasonable accommodation to pregnant and parenting students. All pregnant and parenting students should contact the Division of Student Affairs at 254-501-5909 to seek out assistance. Students may also contact the University's Title IX Coordinator.

Tutoring.

Tutoring is available to all A&M-Central Texas students, both on-campus and online. On-campus subjects tutored include Accounting, Advanced Math, Biology, Finance, Statistics, Mathematics, and Study Skills. Tutors are available at the Tutoring Center in Warrior Hall, Suite 111. If you have a question regarding tutor schedules, need to schedule a tutoring session, are interested in becoming a tutor, or any other question, contact Academic Support Programs at 254-519-5796, or by emailing Dr. DeEadra Albert-Green at deeadra.albertgreen@tamuct.edu.

Chat live with a tutor 24/7 for almost any subject on your computer! Tutor.com is an online tutoring platform that enables A&M-Central Texas students to log-in and receive FREE online tutoring and writing support. This tool provides tutoring in over forty subject areas. Access Tutor.com through Canvas.

University Writing Center: Located in 416 Warrior Hall, the University Writing Center (UWC) at Texas A&M University-Central Texas is a free workspace open to all TAMUCT students from 10am-5pm Monday-Thursday with satellite hours in the University Library Monday-Thursday from 6:00-9:00pm. Students may arrange a one-on-one session with a trained and experienced writing tutor by visiting the UWC during normal operating hours (both half-hour and hour sessions are available) or by making an appointment via [WOnline](#) at [<https://tamuct.mywconline.com/>]. In addition, you can email Dr. Bruce Bowles Jr. at bruce.bowles@tamuct.edu to schedule an online tutoring session. Tutors are prepared to help writers of all levels and abilities at any stage of the writing process.

While tutors will not write, edit, or grade papers, they will assist students in developing more effective composing practices. By providing a practice audience for students' ideas and writing, our tutors highlight the ways in which they read and interpret students' texts, offering guidance and support throughout the various stages of the writing process. In addition, students may

work independently in the UWC by checking out a laptop that runs the Microsoft Office suite and connects to WIFI, or by consulting our resources on writing, including all of the relevant style guides. Whether you need help brainstorming ideas, organizing an essay, proofreading, understanding proper citation practices, or just want a quiet place to work, the University Writing Center is here to help!

If you have any questions about the University Writing Center, please do not hesitate to contact Dr. Bruce Bowles Jr. at bruce.bowles@tamuct.edu.

University Library.

The University Library provides many services in support of research across campus and at a distance. We offer over 200 electronic databases containing approximately 250,000 eBooks and 82,000 journals, in addition to the 72,000 items in our print collection, which can be mailed to students who live more than 50 miles from campus. Research guides for each subject taught at A&M-Central Texas are available through our website to help students navigate these resources. On-campus, the library offers technology including cameras, laptops, microphones, webcams, and digital sound recorders.

Research assistance from a librarian is also available twenty-four hours a day through our online chat service, and at the reference desk when the library is open. Research sessions can be scheduled for more comprehensive assistance, and may take place on Skype or in-person at the library. Assistance may cover many topics, including how to find articles in peer-reviewed journals, how to cite resources, and how to piece together research for written assignments.

Our 27,000-square-foot facility on the A&M-Central Texas main campus includes student lounges, private study rooms, group work spaces, computer labs, family areas suitable for all ages, and many other features. Services such as interlibrary loan, TexShare, binding, and laminating are available. The library frequently offers workshops, tours, readings, and other events. For more information, please visit our [Library website](https://tamuct.libguides.com/) [https://tamuct.libguides.com/].

OPTIONAL POLICY STATEMENTS:

A Note about Sexual Violence at A&M-Central Texas

Sexual violence is a serious safety, social justice, and public health issue. The university offers support for anyone struggling with these issues. University faculty are mandated reporters, so if someone discloses that they were sexually assaulted (or a victim of Domestic/Dating Violence or Stalking) while a student at TAMUCT, faculty members are required to inform the Title IX Office. If you want to discuss any of these issues confidentially, you can do so through Student Counseling (254-501-5955) located on the second floor of Warrior Hall (207L).

Sexual violence can occur on our campus because predators often feel emboldened, and victims often feel silenced or shamed. It is incumbent on ALL of us to find ways to actively create environments that tell predators we don't agree with their behaviors and tell survivors we will support them. Your actions matter. Don't be a bystander; be an agent of change. For

additional information on campus policy and resources visit the [Title IX webpage](https://www.tamuct.edu/departments/compliance/titleix.php) [https://www.tamuct.edu/departments/compliance/titleix.php].

INSTRUCTOR POLICIES.

1. Respect the thoughts and opinions of your classmates. We may not agree on everything, but everyone, generally, has the right to be heard in my classroom. I want everyone to feel comfortable to share their thoughts on a subject, even if others may disagree.
2. **I reserve the right to make reasonable alterations to the course calendar and syllabus as provided here. It is a guide, not a hard and fast rule. Changes will only be made that benefit the class as a whole.**