

BUSINESS LAW I

BUS 311

3 Credits

LEARNER GUIDE

SCHOOL OF ACCELERATED AND DISTANCE EDUCATION

UNIVERSITY OF MARY

UNIVERSITY OF MARY
(Semester)

Prefix/Course No.	BUS 311	Credit Hours	
Course Title		UMary Core or Elective	Core
Instructor/s		Building (Onsite Courses)	
Office Hours		Instructors UMary E-Mail	
Phone		Course Meeting Days/Times	00:00 AM 00:00 AM start end

Please note that this class will be taught entirely, or in part, using the Canvas system. There are some tips to getting started in Canvas at the end of this Learner Guide.

Required Texts and Resource Materials:

Business Law, Richard A. Mann and Barry S. Roberts, South-Western Cengage Learning, 16th Edition.
ISBN-13: 9781285428253 / ISBN-10: 1285428250

Course Description:

Business Law deals with the legal implications of business decisions and activities. This course provides background information on the legal system and potential business liabilities and covers the law of contract and commercial paper such as promissory notes.

This is a difficult and challenging course and expectations are high.

Relationship of this Course to the Program of Study:

A business degree should equip students with the insights necessary to evaluate the legal and ethical implications of business decisions and make ethical decisions incorporating the Benedictine values and standards of the profession. Specifically, BUS 311 guides learners through the source of our laws, the format of our legal system, and provides an opportunity to learn and understand the law of sales, contracts, as well as civil and criminal duties and liabilities. With exposure to this content, learners will be prepared to evaluate the legal and ethical implications of business decisions.

Pre-requisites/Co-requisites/Other Relevant Information:

None

Relationship to the University of Mary Servant-Leadership Experience

Concept of Servant-Leadership: Servant-leadership at the University of Mary is a pattern of living marked by competence in one's chosen profession, courage in making ethical decisions based on Benedictine values, and compassion in serving the needs of others.

Core Values

- Community: Caring for and supporting one another and being positive, contributing members of our community.
- Hospitality: Welcoming of others both as individuals and as a community.
- Service: Being of service to others through servant-leadership based upon the model of Jesus Christ.
- Moderation: Believing in development of the whole person and seeking to practice physical, emotional, and spiritual wellness as individuals.

- Respect for Persons: Recognizing and valuing the unique God-given gifts of each individual.
- Prayer: Reflecting upon God's presence in our life and asking God to teach us and guide us in all we do.

The primary Benedictine core value that will be analyzed and discussed in Business 311 is the Community. The law should be a reflection of the values of the community and should foster what is right and prohibit what is wrong. If good laws are enacted and followed they promote the positive interaction between individuals and businesses and facilitate a healthy positive community.

Competence Experience-SADE Undergraduate Competencies:

- Social Environment: The ability to distinguish the social aspects of contemporary life and to analyze the function of individual and personal elements within a social framework.
- Aesthetics: The ability to understand art forms and creative dimensions of human behavior for the personal enrichment and application of the profession.
- Valuing: The ability to clarify and act upon personal and social values.
- Communication: The ability to send and receive information in numerous forms and contexts in a variety of purposes.
- Effective Thinking: The ability to analyze and solve problems and to demonstrate command of rational discourse.
- National Environment: The ability to understand the impact of science and technology on physical systems and to distinguish between sound and unsound environmental policies.
- Information Literacy: The ability to recognize when information is needed and have the ability to locate, evaluate and use effectively the needed information.
- Professional Development: The ability to recognize professional forms of behavior that are consistent with the University mission.

Undergraduate Outcomes:

Demonstrate written communication skills

Employ problem-solving and decision-making skills

Employ an understanding of the information gathering process and its application

Make ethical decisions incorporating the Benedictine values and standards of the profession

Utilize service as an important dimension of leadership

Use tools to lead and manage in an organizational context

Course Outcomes:

Successful completion of this course will enable students to intelligently accomplish and express either orally or in writing the following:

Outcome	University Competency(ies) Addressed	Assessment
Discuss the sources of law, including the purpose and operation of law	Social Environment, Valuing	Quizzes, Discussion, Exam(s)
Discuss the judicial process, the court system, and the distinction between civil procedure and criminal procedure	Social Environment, Valuing, Effective Thinking	Court Case Briefs, Quizzes, Discussion, Exam(s)
Introduce concepts of tort law-intentional torts, negligence, strict liability, remedies for torts and tort reform	Social Environment, Valuing, Effective Thinking	Court Case Briefs, Quizzes, Discussion, Exam(s)
Introduce contract law and sales, including the requirements of a contract,	Social Environment, Valuing, Effective Thinking	Court Case Briefs, Quizzes, Discussion, Exam(s)

performance, breach, and remedies.		
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Major Assignments:

The assignments for BUS 311 are comprised of Discussion Questions, Quizzes, and Exam(s).

1. Discussion – Each module you will have the opportunity to earn up to 5 points for class discussion/participation.
 - a. Onsite Classes: For onsite classes you will be expected to actively engage in the class discussion. It is vital that your interaction meaningfully advances class discussion. Your interactions should be comprehensive and show evidence of higher-level thinking. It should be evident from your contributions that you have read and understand the assigned chapters and cases. You should be able to form a competent answer to questions presented to you by the instructor about the Session material. You should be able to recite on any Court case contained in the Session's chapters.
 - b. Online Classes: In each module you will be assigned a different business law related topic to discuss based on that module's focus. The discussion can be found on either the course's "Discussion" page or "Assignments" page in Canvas. Your discussion should display an understanding of the specific topic or comment under discussion. You should provide ideas, positions, and reflections that are insightful and substantial and demonstrate an understanding of the complexities of the topic. Consistently using references to support and enhance your analysis and conclusions are necessary. The discussion should be free of grammatical, spelling, or punctuation errors. It should evidence strong reflective thought pertaining to personal perspectives and professional development. Reflective statements should go beyond what takes place in a classroom to include a theoretical rationale underlying the use of specific laws. You will also be required to comment on other students' discussions. This should be an analytical look that is reflective. It should not simply be an "I agree" style response even if you do agree with the other person. It should be an intelligent well-reasoned response based on the law. Your interactions should be comprehensive and show evidence of higher-level of thinking in accordance with Bloom's Taxonomy. Please abide by the [Rules of Netiquette](#) when participating in an online discussion.

2. Court Case Briefs- You will be required to submit two written Court case briefs. The first written case brief will be due by the end of the module 2 week and can be a brief of any case in that module's reading assignment. The second case brief will be due by the end of the module 4 week and can be a brief on any case in that module's reading assignment. Each case brief will be worth 10 points and should be uploaded to your instructor using Canvas. A written case brief should contain the following:
 - Title and Court: The title of the case shows who is opposing whom. The name of the Court shows which Court decided the case and where the ruling applies. (2 pts.)
 - Facts: A good student brief will include a summary of the pertinent facts and legal points raised in the case. It will show the nature of the litigation, what occurred, and what happened in the lower court. (2 pts.)
 - Issue: The issues or questions of law raised by the case and addressed by the Court. (2 pts.)
 - Holding: The holding of the case is the Court's answer to the question presented. (2 pts.)
 - Rationale: The rationale is the legal reason for the Court's decision (2 pts.)

(Sample Court Case Brief)
(pg. 78 of the book)

Brentwood Academy v. Tennessee Secondary School Athletic Association Supreme Court of the United States 2001

Facts: Tennessee Secondary School Athletic Association is a not-for-profit membership organized to regulate interscholastic sport among the public and private high schools in Tennessee. No school is forced to join but almost all of the state's public schools belong. These public schools make up 84% of the Association's membership. A member school's teams generally cannot compete against a nonmember. Member schools pay dues to the Association. Brentwood Academy is a private parochial school that is a member of the Association. In 1997 the Association brought a regulatory enforcement proceeding against Brentwood for writing students and their parents about spring football practice in violation of the Association's rules. The Association imposed a number of sanctions. Brentwood sued the Association and its director in federal court claiming that the Association's actions were state action and violated the First and Fourteenth Amendments. The district court granted summary judgment for Brentwood but the Sixth Circuit Court of Appeals reversed finding that the Association's actions were not state action.

Issue: Whether a statewide association that regulates interscholastic athletic competition may be regarded as state action when it enforces a rule against a member private school?

Holding: Yes, the Association's actions can be considered state action.

Rationale: Because 84% of the Association's membership is comprised of public schools the entwinement of public schools with the Association is enough to charge a private organization with public character

3. Quizzes- In each module week you will be required to complete an online quiz that can be found on the either the course's "Quizzes" page or "Assignments" page in Canvas. These quizzes will be multiple-choice and are timed. There will be 15 questions per module. It important to note that these quizzes are formulated for a university student. You will be asked to recall information and to apply your knowledge to specific hypothetical situations. In short, there is not always a "wrong" answer. Instead, you will need to apply your knowledge to select the "best" answer. You will be required to log into the online segment of this course to complete your quizzes. If you have any problems accessing your quizzes, please contact the University of Mary Online Helpdesk at 701-355-8257 and if necessary the appropriate instructor.
4. Exams-At the end of the term there will be a final exam that can be found on the course's "Assignments" page in Canvas. This exam will have 50 questions based on information learned during the entire course. The exam will be multiple choice and will be timed. The questions on the exam may be similar to questions contained in the quizzes but will largely not be the same. Like the quizzes, the exam is formulated for a university student. You will be asked to recall information and to apply your knowledge to specific hypothetical situations. In short, there is not always a "wrong" answer. Instead, you will need to apply your knowledge to select the "best" answer. If you have any problems accessing your exam, please contact the University of Mary Online Helpdesk at 701-355-8257 and if necessary the appropriate instructor.

Methods for Evaluation and Grading

Activities	Points	Percent of Grade
Discussion (5)	25	15%
Case Briefs (2)	20	12%
Quizzes (5)	75	44%
Exam (1)	50	29%
Total	170	100%

Plusses and minuses will be given depending on where the grade falls within the range. The minimum percentages and corresponding points needed to achieve various letter grades are shown below:

Grading Scale	
93-100%	A
90-92%	A-
87-89%	B+
83-86%	B
80-82%	B-
77-79%	C+
73-76%	C
70-72%	C-
67-69%	D+
63-66%	D
60-62%	D-
<60%	F

Note: Unless there are special circumstances discussed ahead of time with the instructor, grades for late work are deducted 10% each day for up to five days. After five days the work will not receive any credit.

The University of Mary invites you to provide your feedback and comments of your course through an online course evaluation process. You will be notified of the availability of the evaluations via University of Mary email, with detailed instruction on how to complete and submit the online evaluations.

Code of Etiquette:

Classroom etiquette, whether on-site or online, must provide a positive and respectful learning environment for students and faculty. Our Benedictine values include respect for others, community and hospitality. Incorporation of these values into the classroom allows facilitators and students to interact in an environment of learning and mutual respect.

Below is listed the University of Mary's minimum expectations for appropriate classroom conduct. Individual facilitators may provide additional guidelines for conduct as they deem appropriate and necessary.

- Each course should be a safe, challenging, respectful and provide a significant opportunity for academic achievement and professional development.
- Students will show respect for everyone in the classroom ... students, faculty/facilitators and advisors.
- Avoid the use of strong, confrontational or offensive language. Provide respectful and meaningful feedback and communications.
- Facilitators determine the expectations and guidelines for course assignments, discussion threads, activities, tests, paper format, etc. Facilitators will differ in expectations, rigor and grading criteria. Students should expect diverse experiences in the online classroom throughout the program.
- Expectations and policies are outlined in each course syllabus. Students are required to read the course syllabus to determine and understand the expectations for each course and communicate any concerns or questions to the facilitator before submitting work.
- Students are expected to read, understand and comply with the University of Mary academic honesty policy, which will be consistently and appropriately enforced. Academic integrity is critical to academic

and professional growth and credibility. Refer to the Student Handbook and course syllabus for further information on academic honesty and plagiarism.

- Discussion forums are not the appropriate place to discuss course content, course expectations or grading. If you have concerns, contact your facilitator directly.
- Allow facilitators and advisors appropriate time to respond to email communications when you have questions and avoid flooding their inbox.
- Assignments and tests are expected to be completed independently, unless otherwise noted in the syllabus.
- Students are responsible for their own learning. Difficulties with access, computers, emails, etc. should be reported to the appropriate source (tech support or your advisor).

The University of Mary, School of Accelerated and Distance Education, Online Code of Etiquette, has been developed to promote a culture of respect and create an environment that allows students to learn and grow academically and professionally. Students are expected to understand and respect these guidelines as they participate at the University of Mary.

Attendance Policy:

Your instructor will record attendance and report absences and if your class is onsite you are expected to arrive on time. If you need to miss a class for a legitimate University activity, illness, or a family emergency, call prior to the absence or send an email with an explanation of the impending absence to the instructor. It is further expected that the student assumes responsibility to find out what was missed during the absence, acquire handouts and notes, and arrange for make-up work if applicable. Absences exceeding 1 week may be reported to the Director of the College for Professional Studies. Unexcused absences of 2 or more weeks will result in withdrawal from the course with a letter grade of "F" recorded.

Assignment & Exam Policies:

All assignments must be turned in to receive a grade for the course. Homework, discussion board input, examination &/or quizzes due by midnight of the final night of final day of each module. Late assignments will be subject to a 10% deduction per day for up to five days. After five days no credit will be given.

Please submit all of your work by the due date. Be sure to create back up files for work you submit. This will help protect your work from computer glitches.

Make-up Assignments:

Make-up assignments for excused absences will be only if authorized by the instructor. It is the student's responsibility to contact the instructor and request a make-up assignment. The conditions and situation in which a make-up assignment may be allowed are at the instructor's discretion.

Statement on Academic Honesty:

Please also refer to the most current University of Mary Student Handbook, Section on "Selected Academic Policies: Academic Honesty" for additional information.

A student who is found to breach this policy while enrolled in a course will be formally notified by the instructor and the action will be recorded in the student's file.

Minimal Plagiarism

Doing any of the following without attribution:

- Inserting verbatim phrases of 2-3 distinctive words
- Substituting synonyms into the original sentence rather than rewriting the complete sentence
- Reordering the clauses of a sentence
- Imitating the sentence, paragraph, or organizational structure, or writing style of a source
- Using a source's line of logic, thesis or ideas

- Consequence:
- Use situation as an educational opportunity to discuss with the student the nature of plagiarism and the values of a scholarly, Christian community
- At the professor's discretion, assignments may be rewritten and resubmitted, with or without a grade penalty.
- Repeated instance of minimal plagiarism may, at the professor's discretion, be treated as substantial plagiarism. If the professor plans to exercise discretion in cases of minimal plagiarism, procedures and consequences should be clearly described in the course syllabus/learner guide.
- Faculty are encouraged to keep records of all instances (e.g., in the form of a report to the Assistant VP for Academic Affairs)

Substantial Plagiarism

Doing any of the following without attribution:

- Inserting verbatim sentences or longer passages from a source
- Combining paraphrasing with verbatim sentences to create a paragraph or more of text
- Repeatedly and pervasively engaging in minimal plagiarism
- Consequence:
- First Offense: The student receives a failing grade on the assignment that has been plagiarized and a Faculty Report of Student Plagiarism is submitted to the Assistant VP for Academic Affairs.
- Second Offense: The student receives a failing grade in the course and a Faculty Report of Student Plagiarism is submitted to the Assistant VP for Academic Affairs.
- Third Offense: The student is recommended for expulsion from the University. Action is taken at the discretion of the Assistant VP for Academic Affairs.

Complete Plagiarism

Doing any of the following without attribution:

- Submitting or presenting someone's complete published or unpublished work (paper, article, or chapter)
- Submitting another student's work for an assignment, with or without that student's knowledge or consent
- Using information from a campus file or old assignments
- Downloading a term paper from a web site
- Buying a term paper from a mail order company or web site
- Reusing or modifying a previously submitted paper (e.g., from another course) for a present assignment without obtaining prior approval from the instructor/s involved
- Consequence:
- First Offense: The student receives a failing grade in the course and a report is submitted to the Assistant VP for Academic Affairs within 10 school days.
- Second Offense: The student is expelled from the University. Action is taken at the discretion of the Assistant VP for Academic Affairs.

Source: Westmont College ~ 955 La Paz Road, Santa Barbara, CA 93108 805.565.6000
<http://www.westmont.edu/academics/pages/provost/curriculum/plagiarism/facinfo.html>

Channel for Communication Relating to This Course:

Instructor > Division Chair or Dean > Assistant VP Academic Affairs (UG) or Director of Graduate Studies (GR) > VP Academic Affairs

Statement Regarding Reasonable Accommodations:

"In compliance with the Americans with Disabilities Act (ADA) and other legal mandates, the University of Mary is committed to working with students with disabilities in determining appropriate and reasonable accommodations for academic and physical needs. It is the responsibility of the student to provide documentation regarding a disability and the need for reasonable accommodation(s)."

For assistance and additional information please contact Mary Jo Wocken, Director, Student Disability Services and Learning Resources, Room 112, Benedictine Center for Servant Leadership (701) 355-8264.: <http://www.umary.edu/UM/STudentSErvices/ServicesStudentsDisabilities>

Helpful Links:

The Welder Library at the University of Mary: <http://it.umary.edu/library/>

The University of Mary Bookstore: call 1-800-408-6279, extension 8282

The University of Mary Online Helpdesk: call 1-701-355-8257 or email onlinehelp@umary.edu

COURSE SCHEDULE

(Please refer to the Course Syllabus for the Specific Dates and Times)

Module 1-Legal Environment of Business

Read the Following Chapters and all Cases

Chapter 1 – Introduction to Law (pg. 2)

Chapter 3 – Civil Dispute Resolution (pg. 42)

Chapter 4 – Constitutional Law (pg. 66)

Chapter 5 – Administrative Law (pg. 88)

Module Activities

Module Objectives

1. Introduce the sources of law
2. Examine the purpose and operation of law
3. Discuss the judicial system and the difference between criminal and civil law
4. Examine constitutional law
5. Explore administrative law

Module Taskflow

1. Complete the reading assignment
2. Read any Power Point slides
3. Read any provided lecture
4. Participate in the Module's Discussion (in class for onsite classes) (online for online classes)
5. Take the Module Quiz

Module 2-Criminal Law, Torts, and Introduction to Contracts

Read the Following Chapters and all Cases

Chapter 7 – Intentional Torts (pg. 124)

Chapter 8 – Negligence and Strict Liability (pg. 146)

Chapter 9 – Introduction to Contracts (pg. 172)

Chapter 10 – Mutual Assent (pg. 189)

Chapter 11 – Conduct Invalidating Assent (pg. 210)

Module Activities

Module Objectives

1. Introduce concepts of tort law including intentional torts, negligence, strict liability, and remedies
2. Introduce contract law
3. Discuss the formation of a contract

ModuleTaskflow

1. Complete the reading assignment
2. Read any Power Point slides.

3. Read any provided lecture.
4. Participate in the Module's Discussion (in class for onsite classes) (online for online classes)
5. Submit the Module's Court Case Brief
6. Take the Module Quiz

Section 3-Contract Formation

Read the Following Chapters and all Cases

- Chapter 12 – Consideration (pg. 230)
 Chapter 13 – Illegal Bargains (pg. 250)
 Chapter 14 – Contractual Capacity (pg. 268)
 Chapter 15 – Contracts in Writing (pg. 283)
 Chapter 16 – Third Parties to Contracts (pg. 309)

Module Activities

Module Objectives

1. Explore the intricacies of contract formation
2. Examine the requirements of a contract

Module Taskflow

1. Complete the reading assignment
2. Read any Power Point slides
3. Read any provided lecture
4. Participate in the Module's Discussion (in class for onsite classes) (online for online classes)
5. Take the Module Quiz

Section 4-Contract Fulfillment, and Agency

Read the Following Chapters and all Cases

- Chapter 17 – Performance, Breach, and Discharge (pg. 328)
 Chapter 18 – Contract Remedies (pg. 346)
 Chapter 19 – Relationship of Principal of Agent (pg. 366)
 Chapter 20 – Relationship with Third Parties (pg. 389)

Module Activities

Module Objectives

1. Discuss contract performance, breach, and discharge
2. Introduce agency law
3. Discuss the requirements of an agency relationship
4. Examine the relationship between agents and third parties

Module Taskflow

1. Complete the reading assignment
2. Read any Power Point slides.
3. Read any provided lecture.
4. Participate in the Module's Discussion (in class for onsite classes) (online for online classes)
5. Submit the Module's Court Case Brief
6. Take the Module Quiz

Section 5-Sales and Leases

Read the Following Chapters and all Cases

- Chapter 21 – Introduction to sales and leases (pg. 416)

Chapter 22 – Performance (pg. 439)

Chapter 23 – Transfer of Title and Risk of Loss (pg. 460)

Chapter 24 – Products, Liability: Warranties, and Strict Liability in Tort (pg. 478)

Chapter 25 – Sales Remedies (pg. 505)

Module Activities

Module Objectives

1. Introduce the law of sales
2. Discuss the performance of a sales agreement
3. Examine the risk of loss and liability
4. Explore sales remedies

Module Taskflow

1. Complete the reading assignment
2. Read any Power Point slides
3. Read any provided lecture
4. Participate in the Module's Discussion (in class for onsite classes) (online for online classes)
5. Take the Module Quiz
6. Take the Final Exam

Final Exam

At the end of the term there will be a final exam. This exam will have 50 questions based on information learned during the entire course. The exam will be multiple choice and will be timed.



A Quick Reference to Get Started in Canvas

LOG IN TO CANVAS

1. Go to <https://umary.instructure.com>
2. Enter your university email address and password, (example: jjlofgren@umary.edu)
3. Click the Log In button

ACCESS YOUR COURSES

1. Go to Courses on top navigation.
2. Click the Course Name.

SET YOUR NOTIFICATIONS

You decide what, how, and when you want to be notified about your courses.

1. Click on Settings on the TOP right corner.
2. Optional: click Add Email Address to add a **personal email address** or your cell phone number for text messages. Click Register Email or SMS Button.
3. Click on Notifications in the left navigation.
4. Hover over options on left to see details.
5. Hover on right to select when to be notified.
6. Click the corresponding icon (Right Away, Daily, Weekly, or Never).

REPLY TO A DISCUSSION

1. Click the Discussion link to post to.
2. Click Reply in the box below the discussion **post**.
3. Enter your comment.
4. Click Post Reply button.
5. A Quick Reference to Get Started in Canvas

VIEW INSTRUCTOR COMMENTS

1. Click Grades in the left navigation.
2. Click the Assignment link you want to see.
3. Instructor comments are on the right.
4. If your instructor used a Rubric, click Show Rubric on the upper right.
5. If your instructor wrote comments on your paper itself, click the view icon in the center-right.

SUBMIT ASSIGNMENT




1. Click the Assignment link to be turned in.
2. Click Submit Assignment link on upper right (if you don't see the link, contact instructor)
3. You may have up to four options to submit. Select the tab of choice:
 - a. File upload: Click Choose File button
 - b. Text Entry: Type or Paste text into box.
 - c. URL: Insert URL in box
 - d. Media Recording: Record or Upload
4. Click Submit Assignment.

5. A confirmation of your submission will appear on the upper right.

TAKE A QUIZ

1. Click link to the quiz you want to take.
2. Click Take a Quiz button
3. Answer the Questions
4. If needed, click the Tab next to the question to mark it. Click tabbed questions on upper right to review those questions.
5. Submit the quiz.

VIEW YOUR GRADES

1. Click Grades in left course navigation (or Grades on center-top of page, then click course link.
2. Click Check Mark icon  to see assignment scoring details.
3. Click Speech Bubble icon  to see any instructor comments.
4. Click Rubric icon  to see any rubric results