GENERAL INFORMATION AND SYLLABUS
BUSINESS LAW - BLW 335.001
Fall 2019
Tuesday, Thursday 8:00 a.m. - 9:15 a.m.
McGee Business Building, Room: 161

Instructor: Dr. Justin R. Blount
Nelson Rusche College of Business/McGee Building 229K
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(936) 468-1785 Office
Email: blountjr@sfasu.edu

Office Hours:

<table>
<thead>
<tr>
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<th>Office Hours</th>
<th>Class Hours</th>
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<tbody>
<tr>
<td>Monday</td>
<td>10:00 a.m. – 11:00 a.m.</td>
<td>1:00 p.m. – 2:15 p.m.</td>
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| Tuesday        | 1:00 p.m. – 3:00 p.m.  
                | Online - 4:00 p.m. – 5:30 p.m. | 8:00 a.m. – 9:15 a.m.  
                |                                  | 9:30 a.m. – 10:45 a.m. |
| Wednesday      | 9:00 a.m. – 11:00 a.m. | 1:00 p.m. – 2:15 p.m. |
| Thursday       | 1:00 p.m. – 3:00 p.m.  
                | Online – 4:00 p.m. – 5:30 p.m. | 8:00 a.m. – 9:15 a.m.  
                |                                  | 9:30 a.m. – 10:45 a.m. |
| Friday         |                    |                      |


Course Description: An examination of various legal relationships which are significant in business, including contracts, torts, personal property, business organizations, agency, suretyship, bailments, cyberlaw/e-commerce, international law and comparative law, and related subjects. Prerequisite: Junior Standing.

Program Learning Outcomes: Program learning outcomes define the knowledge, skills, and abilities students are expected to demonstrate upon completion of an academic program. These learning outcomes are regularly assessed to determine student learning and to evaluate overall program effectiveness. You may access the program learning outcomes for your major and particular courses at http://www.sfasu.edu/cob/ug-plo.asp.

Student Learning Outcomes/Course Goals and Objectives: Upon completion of the course, the student should be able to:

1. Recognize the legal terms introduced in the course and apply or relate these terms to specific situations.
2. Analyze information to recognize legal issues and legal problems in fact situations and to determine what legal principle(s) should be applied.
3. Integrate knowledge of the legal principles that are covered to solve problems that are unfamiliar.
4. Apply problem-solving skills to legal issues, using logic and critical thinking.
5. Appreciate and identify ethical dilemmas in the business/legal context and use ethical reasoning in decision-making.
6. Describe the impact of constant change and lack of certainty, which are inherent aspects of the U.S. legal system.
7. Develop an awareness of the need for a continuing acquisition of new knowledge about changes in the law.

Time Requirements and Credit Hours Awarded:
BLW 335 “Business Law” (3 credits) meets twice each week in 75-minute segments for 15 weeks and meets for a two hour final examination. Students have significant weekly reading assignments, take 3 in class examinations in addition to the final examination, and are required to complete three (3) written case brief assignments. Additionally, students each meet individually with the professor to complete a legal negotiation exercise. These activities average at a minimum 6 hours of work each week to prepare outside of classroom hours.

COURSE REQUIREMENTS:

Examinations: (450 points) 3 class examinations (100 points each) and 1 final examination worth 150 points. Each student is responsible on every exam for all material covered in class and reading assigned outside of class. All examinations are considered to be a major part of the course work upon which a large part of your grade depends. Missed exams will only be excused and allowed to be made up for university-excused absences or for extreme emergencies that justify missing the exam. What constitutes an extreme emergency is within the discretion of the instructor. Any excused exams must be scheduled for make up within two (2) days of the missed exam or the emergency has resolved itself, or students missing the exam will receive a point value of zero (0) for the missed exam. It is entirely the student’s responsibility to make arrangements with me to take the missed exam. If you have a conflict with another university event or a university excused absence, you must contact me well in advance of the examination. In case of an extreme emergency that prevents you from taking an exam, contact me before the scheduled examination if at all possible. If it is not possible to contact me before the exam, contact me as soon as possible after the emergency is resolved. Failure to do so may result in an examination grade of zero. Other than extreme and unexpected emergencies, there are no exemptions for the final examination and no changes in taking the final examination. Check the final exam time. If the final exam time is a problem, you need to drop this course. Possession of a cell phone or other electronic communication device during an exam will result in an examination grade of zero (0). Never take an exam or graded answer sheet out of the classroom. This will result in an automatic zero (0) on the exam. Unless otherwise instructed, you will need a Scantron Form 882 for all exams. All Scantron Forms are available at the respective bookstores on or around the SFA campus.

Late arrivals: No one will be admitted to an exam after the first exam has been turned in. If you are not present at that point, you will receive a grade of zero (0) for that exam. No one will be permitted to re-enter the room once they leave for any reason (i.e. no leaving in the middle of the exam to go to the bathroom, etc.).

Case Briefs: (150 Total Points) Three (3) written case briefs will be assigned and each is worth 50 points each. A case brief is basically a synopsis of a legal case wherein you explain the rationale behind the judge’s opinion in the case using the IRAC method of legal reasoning (explained below). The cases you will be briefing will be available on D2L. Students may collaborate on thinking through the case question and conducting an analysis, but final written responses must be individual work (i.e. you cannot copy someone else’s work, and must write your own, independent final analysis). Copying from another student’s work or copying from something you have found online or anywhere else is academic dishonesty and will be punished. Your case brief must be entirely written by you without utilizing any source other than the case itself. You may copy small amounts from the case itself, but any copying must be put in quotes. Any quoting from the case should be very slight, and excessive copying will result in a reduced grade, down to potentially a zero. I take academic dishonesty very seriously, and will not hesitate to fail you from the course if I find you have copied. The written responses are due at the time noted on the course schedule and must be delivered to the instructor through the DROPBOX TOOL in the BLW 335 course in the SFASU Desire2Learn (D2L) web application.
It is the student’s responsibility to know how to use the Dropbox submission process properly. If you fail to properly submit your assignment through Dropbox before the time and date it is due, you will receive a 0 on that assignment. There is no exception to this policy – I do not accept late work. The only way I will accept a paper that was not in the Dropbox folder by the time it is closed is if you provide me with proof (either the Dropbox confirmation email that proves you submitted the paper, or some type of screenshot of your computer screen showing you submitted the file properly and on time) that you did submit the assignment and the only reason I have not received it was a technical problem outside of your control. This means that you should submit your paper sufficiently in advance of the time it is due such that if the Dropbox is not working for some reason, you can send me an email before the time the paper is due with the paper attached to the email letting me know that you tried to submit the paper via the Dropbox but it was not working properly. I will not accept hard copies handed to me or emailed copies – you must submit your assignments electronically via Dropbox.

If you would like me to review/critique your work before you hand in a final copy, I will do so. However, you must email a copy to me before the dates set forth in the course calendar at the end of this syllabus so that I have sufficient time to review your draft before the due date. If you do not email me your draft by this date, I will not review it.

**One Reduced Point Late Assignment:** The only exception to my “no late work” policy is that this semester, I am allowing students one opportunity to submit an assignment late, but with a 25% point reduction, under the following parameters:

1. This opportunity does not work for exams or the oral case problem – if you miss those, you will receive a zero.
2. In order to use this opportunity, you must notify me by email within 24 hours of the due date/time of the assignment that you missed handing in the assignment and would like to use your one “late pass” to hand the assignment in late.
3. Your email notification must have an electronic copy of the written assignment you are turning in attached to the email.

Points for case brief assignments will be determined by (1) the totality of the work, including following the assignment instructions; (2) the substance of the responses (i.e., evidence of thoughtfulness, analysis, and support for the response); and (3) the form of the response (i.e. conciseness, neatness, organization, professionalism, spelling and grammar).

For further instructions on your case brief assignments, reference the instructions and sample case brief on D2L, which are expressly incorporated as a part of this syllabus by reference.

**Oral Case Problem:** (75 points) You will meet with me individually to answer an oral case problem. You will schedule an individual appointment to meet with me in my office. When you come to the appointment, you will be provided with a short legal case problem. You will be given 5 minutes to read the case problem. Then, you will orally provide me an answer to the case problem, and I will ask you additional questions about the case. You will be graded upon your ability to thoroughly analyze the case problem and provide a correct legal answer, your oral communication skills, the logic that you use to develop your answer and your ability to articulate it, as well as your ability to answer the additional questions I ask you. A sign-up sheet for appointment times will be on my office door. You will be responsible for signing up for an appointment time and then assuring that you show up for that time. Failure to either sign up for a time, or to show up for the time you have signed up for (including showing up late), will result in a zero on this assignment. No exceptions, other than a medical or other emergency that was unavoidable. You will be required to provide me proof of your emergency, and the ultimate decision as to what constitutes a valid emergency will be made by me.
**Class Participation Bonus Points and Attendance Policy:** All students are expected to attend class, arrive on time, and participate in class discussions. It is an important part of the learning process in this course of study for colleagues to share questions, knowledge and insight. The instructor will take attendance every class period. **It is the student’s responsibility to make sure they are marked as present.** If you are present when roll is called but then leave class early, you will be marked absent. Additionally, if you are present when roll is called but are asked to leave the class due to non-participation or being a distraction, you will be marked absent. Students will be awarded up to five (5) bonus points by the instructor based on the instructor’s assessment of each student’s overall participation - class attendance, preparedness, and relevance of questions/comments/responses. Students with zero to one absence will be awarded an additional five (5) bonus points. **Students with excessive class absences (4 or more) will receive a deduction of 10% of their final earned grade points.** Thus, for example, if a student earns a total of 492 points in the class, then the students final grade would be reduced by 49.2 points (10% x 492), and the student’s final point total would be 492 – 49.2 = 442.8. Students with 7 or more unexcused absences will receive a deduction of 25% of their final earned grade points, which will likely lead to you receiving a failing grade. Attendance will be kept by passing around a sign-in sheet. **Do not sign-in for someone who is absent.** I will be checking the signatures on the sign-in sheets for irregularities. If I determine that you have been having someone else sign-in for you, I will consider this to be academic dishonesty and will take appropriate measures under the SFA academic dishonesty policy, up to and including failing you in the course. Make sure that you sign the sign-in sheet in a consistent manner! It is your responsibility to make sure you show up for class on time. If students begin showing up late consistently, I will lock the doors at the start of class time and will not allow you in the room.

**Cell Phone Usage and other distractions – IMPORTANT!** Cell phones, computers, or any other type of electronic communication device are not allowed on in the classroom unless the instructor expressly allows otherwise. All such devices must be turned off and put away during class. If you are using a cell phone, computer, or other electronic device rather than participating in class, you may be instructed to leave the classroom and/or considered to be absent by the instructor.

**Participation Bonus/Deduction Points (10 points):** It is an important part of the learning process in this course of study for colleagues to share questions, knowledge and insight. If you go “above and beyond” to participate well in class, you may be awarded up to 10 bonus points to your final point total. Conversely, if you are disruptive in class (particularly with electronic devices or talking), you may receive a deduction of up to 10 points from your final grade. This is in addition to your potential attendance deduction. I will be keeping track of your participation in class and allotting points based upon my evaluation of your participation. Things I will be considering for these points include, but are not limited to:

- Paying attention in class and not looking at your phone or computer or talking to a friend.
- Answering questions and providing opinions/insights in class.
- Participating in class discussions voluntarily/responding to other students comments.
- Being respectful of others in class while still sharing opinions.
- Exhibiting behaviors/making comments that show that you read the material prior to class.
- On days when we discuss cases, participating in an evaluation/discussion of the case.
- **Bringing your name tent to class and displaying it each class period.**
- We will cover numerous examples and readings throughout the semester. I will be calling on students throughout the semester to ask them questions about the readings. If you have not read such that you are unable to answer questions about the readings, this will be factored into your participation bonus or deduction.
If you miss class excessively, it will not only count for the 10% deduction, but will also be factored in for these participation points.

**Grading:** Grades will be determined on the following scale, based on the percentage ratio of student’s total accumulated points to the total possible (675) points for the course. Decimals are rounded up to the nearest whole number for determining the final grade (e.g., .794 or 79.4%=80% and would be a B letter grade; .788 or 78.8%=79% and would be a C letter grade).

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<thead>
<tr>
<th>Scale</th>
<th>Example</th>
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<tbody>
<tr>
<td>90-100%</td>
<td>A</td>
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<tr>
<td>80-89%</td>
<td>B</td>
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<tr>
<td>70-79%</td>
<td>C</td>
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<tr>
<td>60-69%</td>
<td>D</td>
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<tr>
<td>Below 60%</td>
<td>F</td>
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<table>
<thead>
<tr>
<th>Scale</th>
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<tr>
<td>84 points Exam No. 1</td>
<td>72 points Exam No. 2</td>
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<tr>
<td>74 points Exam No. 3</td>
<td>135 points Final Exam</td>
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<tr>
<td>70 points Oral Question Exercise</td>
<td>92 points Case Briefs</td>
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527 Total Accumulated Points
527/675=.7807 or 78.01%=79%=C Letter Grade
But consider: 547/675=.81037 or 81.037%=82%=B Letter Grade (with up to 20 bonus and extra credit points added)

Also consider: Suppose you earn 582 points on assignments such that you would have a B (582/675 = .86222), but miss class 5 times. The absences cost you a 10% point deduction, resulting in a C (582 x .90 = 523.8; 523.8/675 = 77.6%). **Make sure you attend class and participate!**

**Medical and Other Serious Problems:** Please take time and make the effort to advise me if you have difficulties which require my attention to properly evaluate your classroom participation and activities.

**Late Instructor:** Every effort is made by me to be in the classroom when the class is scheduled to begin. Students will be advised ahead of time if class is delayed or is not going to be held (and this would be extremely rare). Students are expected to wait 15 minutes for the instructor before leaving the class for failure to appear at the beginning of the scheduled time for class.

**Unannounced Tests (Pop Quizzes):** I reserve the right to give unannounced tests (pop quizzes). Missed tests for university-excused absences will be made up within two (2) calendar days, or students missing the test will receive a point value of zero (0). It is the student’s total responsibility to make arrangements to take the missed test. Unannounced test points are added to the total possible point accumulation for the course.

**Student Conduct (University Policy 10.4):**

*Classroom behavior should not interfere with the instructor’s ability to conduct the class or the ability of other students to learn from the instructional program (see the full Student Conduct Code at [http://www.sfasu.edu/policies/student-conduct-code.pdf](http://www.sfasu.edu/policies/student-conduct-code.pdf]).* Unacceptable or disruptive behavior will not be tolerated. Students who disrupt the learning environment may be asked to leave class and may be subject to judicial, academic, or other penalties. This prohibition applies to all instructional forums, including electronic, classroom, labs, discussion groups, field trips, etc. The instructor shall have full discretion over what behavior is appropriate/ inappropriate in the classroom. Students who do not attend class regularly or who perform poorly on class projects/exams may be referred to the iCare Early Alert Program. This program provides students with recommendations for resources or other assistance that is available to help SFA students succeed.

**Food, drink, and tobacco products are prohibited in the classroom. Cell phones, computers, or any other type of electronic communication device are not allowed on in the classroom unless the instructor
expressly allows otherwise. If the instructor so directs, all such devices must be turned off and put away during class.

Student Academic Dishonesty (4.1):

Abiding by university policy on academic integrity is a responsibility of all university faculty and students.

**Definition of Academic Dishonesty**

Academic dishonesty includes both cheating and plagiarism. Cheating includes, but is not limited to (1) using or attempting to use unauthorized materials on any assignment or exam; (2) falsifying or inventing of any information, including citations, on an assigned exercise; and/or (3) helping or attempting to help another in an act of cheating or plagiarism. Plagiarism is presenting the words or ideas of another person as if they were one’s own. Examples of plagiarism include, but are not limited to (1) submitting an assignment as if it were one's own work when is at least partly the work of another person; (2) submitting a work that has been purchased or otherwise obtained from the Internet or another source; and/or (3) incorporating the words or ideas of an author into one's paper without giving the author credit. **Penalties may include, but are not limited to reprimand, no credit for the assignment or exam, re-submission of the work, make-up exam, failure of the course, or expulsion from the university.** Please read the complete policy at [http://www.sfasu.edu/policies/student_academic_dishonesty.pdf](http://www.sfasu.edu/policies/student_academic_dishonesty.pdf)

Course Grades (University Policy 5.5):

At the discretion of the instructor of record and with the approval of the academic unit head, a grade of WH will be assigned only if the student cannot complete the course work because of unavoidable circumstances. Students must complete the work within one calendar year from the end of the semester in which they receive a WH, or the grade automatically becomes an F, except as allowed through policy related to active military service. If students register for the same course in future semesters, the WH will automatically become an F and will be counted as a repeated course for the purpose of computing the grade point average. Please refer to the complete policy at [http://www.sfasu.edu/policies/course-grades.pdf](http://www.sfasu.edu/policies/course-grades.pdf).

Students with Disabilities:

To obtain disability related accommodations, alternate formats and/or auxiliary aids, students with disabilities must contact the Office of Disability Services (ODS), Room 325 in the Human Services Building, 468-3004/468-1004 (TDD) as early as possible in the semester. Once verified, ODS will notify the course instructor and outline the accommodation and/or auxiliary aids to be provided. Failure to request services in a timely manner may delay your accommodations. For additional information, go to [http://www.sfasu.edu/disabilityservices/](http://www.sfasu.edu/disabilityservices/).

**Course Calendar:** This is a general outline of material expected to be covered. Material covered, dates of tests, and material covered on each exam may vary slightly as necessitated by the pace in which material is covered. Any material deviations from this schedule will be announced and delivered to students either during class or by email.

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<tr>
<th>Date</th>
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<tr>
<td>Aug. 27</td>
<td>Tues.</td>
<td>Introduction – Instructor and Course/Syllabus; Introduction to Legal Environment and Legal Reasoning/Reading and Briefing Legal Cases</td>
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<tr>
<td>Aug. 29</td>
<td>Thur.</td>
<td>Intro. Continued/Introduction to Legal Environment and Legal Reasoning/Reading and Briefing Legal Cases</td>
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<tr>
<td>Sep. 3</td>
<td>Tues.</td>
<td>Introduction to Legal Environment and Legal Reasoning Cont.</td>
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Sep. 5 Thur. Chapter 6
Torts

Sep. 10 Tues. Chapter 6
Torts
If you want a draft of your Case Brief 1 reviewed, must email to me by 5:00 p.m.

Sep. 12 Thur. Chapter 6
Torts

Sep. 17 Tues. Chapter 7
Strict Liability & Products Liability

Sep. 19 Thur. Chapter 23
Warranties

Sep. 24 Tues. Exam No. 1 [Legal Environment/Legal Reasoning Chs. 6, 7, 23] – Exam No. 1
Case Brief 1 (Hustler Magazine v Fallwell) due via D2L Dropbox by 8:00 a.m.

Sep. 26 Thur. Chapter 11
Contracts – Nature and Terminology

Oct. 1 Tues. Chapter 11
Contracts – Nature and Terminology

Oct. 3 Thur. Chapter 12
Contracts - Agreement in Traditional and E-Contracts

Oct. 8 Tues. Chapter 13
Consideration

Oct. 10 Thur. Chapter 13, Chapter 14
Consideration
Capacity and Legality

Oct. 15 Tues. Chapter 14
Capacity and Legality

Oct. 17 Thur. Exam No. 2 [Chs. 11-14]
If you want a draft of your Case Brief 2 reviewed, must email to me by 5:00 p.m.

Oct. 22 Tues. Chapter 15
Contracts – Mistakes, Fraud, & Voluntary Consent

Oct. 24 Thur. Chapter 15, Chapter 18
Contracts – Mistakes, Fraud, and Voluntary Consent

Oct. 29 Tues. Chapter 18
Contracts – Performance and Discharge
Case Brief 2 (Jensen v. IBM case) due via D2L Dropbox by 8:00 a.m.

Oct. 31    Thur.    Chapter 18, Chapter 16
Contracts – Performance and Discharge
Contracts – Statute of Frauds

Nov. 5    Tues.    NO CLASS – Oral Case Problem Times
Exam No. 3 – Online Exam; Exam will open Thursday, Oct. 31 @ 5:00 p.m. and be due Tuesday, Nov. 5, @ 11:59 p.m.

Nov. 7    Thur.    Chapter 25
Agency – Formation and Duties

Nov. 12    Tues.    Chapter 25, Chapter 26
Agency – Formation and Duties
Agency Liability to Third Parties and Termination

Nov. 14    Thur.    Chapter 26, Chapter 27
Agency Liability to Third Parties and Termination
Employment Law (Parts)

Nov. 19    Tues.    Chapter 28
Employment Discrimination

Nov. 21    Thur.    Chapter 8
Intellectual Property
Case Brief # 3 (Motorsport Marketing, Inc. v. Weidmaier, Inc.) due via D2L Dropbox by 8:00 a.m. I will not review drafts of this case question – I will only answer brief questions about the case.

Nov. 26    Tues.    NO CLASS – THANKSGIVING HOLIDAY

Nov. 28    Thur.    NO CLASS – THANKSGIVING HOLIDAY

Dec. 3    Tues.    Chapter 8
Intellectual Property

Dec. 5    Thur.    Chapter 29, 30, 31, & 32
Business Entities
Chapter 5
Business Ethics

Dec. 9    Mon.    Finals Week Starts

Dec. 12    Tues.    FINAL EXAM [Chs 25, 26, 27, 28, 8, 29-32, 5, 24] – 8:00 a.m. – 10:00 a.m.