Syllabus for CRN 10989 – BUL 3130

Legal and Ethical Environment of Business

Spring 2016

General Course Information

CRN 10989

Course Title Legal & Ethical Environment of Business

Description Introduction to the contemporary legal and ethical environment of business. Topics may include the legal system, ethics, constitutional law, criminal and civil law, intellectual property, environmental law, contracts, and agency and employment law. (Junior standing required)

~Waitlist turns on only after CRN fills. Please see Academic Calendar for Waitlist shut down time.~ Instructions: http://www.fgcu.edu/Registrar/waitlistforstudents.html

College Business

Division Business

Subject Area Business Law

Course Number BUL 3130

Credit Hours 3

Meeting Information

Start Date End Date Days Time Room
Jan 7, 2016 Apr 21, 2016 R 6:30pm - 9:15pm LH 2202

Distance Learning/Off Campus Course Information

Is this a DL Course? No, it is an on-campus course.
Instructor Information

Instructor  Alex R. Figares, J.D., M.S.
Adjunct Professor

E-Mail Address  afigares@fgcu.edu

Phone Number  239-302-1300

Office Location  Lutgert Hall 3345

Office Hours  Office Hours - Spring 2016
Wednesday: 5:30 p.m. – 6:30 p.m.
Thursday: 5:30 p.m. – 6:30 p.m.
or by appointment
No office hours during exam week.

Teaching Philosophy  I thoroughly enjoy teaching. I view my role in the classroom as teacher and mentor to my students. One of my strengths is to take complex legal issues and clarify them in terms that are relatable to the non-lawyer. My approach to teaching law courses is to focus on the application of those concepts in the world of business. In other words, I aim for class discussions that put the legal concepts in the framework that students will likely encounter in their future jobs or businesses. I prefer a collaborative learning process where students engage in case analyses and class discussion.

Conversely, the students must accept responsibility for their learning by being prepared for and participating in class. They must develop and use the study skills necessary to be successful. The most effective motivation is internal rather than external.

I am a practicing attorney and bring “real life” cases that I am actually working on to the classroom.

Additional Instructor Info  Email Communication: **Please use my FGCU email address (afigares@fgcu.edu) to contact me.** Please do not email me through any other email system such as Canvas. I do not check email on the Canvas system. Also, I will contact you using your Eagle email address specified on the class list, so please make sure that your email account is active. While some students may use other e-mail addresses
(e.g., Gmail, Yahoo, etc.), I prefer to communicate through Eagle email in order to better protect your privacy. Also, you may stop by during my office hours to meet with me or you may schedule an appointment.

**Not Legal Advice:** No attorney-client relationship is formed by any communications between a student and the professor. Although the professor is an attorney, students should not ask for help, advice, or guidance with a personal legal problem, and should not send their professor confidential or privileged information. All lectures, discussions, conferences, and any other communications with the professor, whether oral, written, electronically transmitted, or otherwise, are for educational and general informational purposes only, and do not constitute legal advice. Any suggestion of, or response to, hypothetical fact situations are necessarily limited in scope, and should not be construed as legal advice. If a student requires legal advice, the student is encouraged to consult with their attorney.

### Course Materials

**Required Course Materials**


**Optional Course Materials**

### Course Policies, Learning Objectives, and Agenda

**Grading, Attendance, and Other Policies**

- **Attendance and Assignments**
  - **Business Law is a difficult subject.** Attendance and completion of assignments are considered minimum requirements for all students. Adequate preparation and regular class attendance and participation are essential to your success in the class. Students are expected to develop their own exam study guides from notes taken in class and the material assigned in the textbook. Course letter grades are assigned based on test/exam scores and compliance with university rules. Regular and punctual attendance and participation are expected.

- **Assigned Readings:** Be prepared to discuss the cases and problems in
each of the assigned chapters.

Exams

Three exams will be given in this course. Each exam will be weighted equally (as noted below) in calculation of the final grade. The exams will consist of objective, multiple-choice questions. Note: The third exam may be cumulative. Pop quizzes may be given for extra credit. The final grade will be calculated in accordance with the following formula:

- **Exam 1** – 1/3
- **Exam 2** – 1/3
- **Final Exam** – 1/3
- **Quiz** – Extra credit that will be added to your exam score.

Exam questions will be based on subjects discussed in class and the assigned reading material. However, the exams are based primarily on the subjects/topics discussed in class. Coming to class and reading/studying the assigned material are two excellent strategies for doing well in this class. The exam is not the time to discover that you do not understand the subjects covered in this class. If you do not understand the material, you are encouraged to ask questions. Many other students in the class probably have the same question but are too shy to ask questions. By asking questions you will be helping clear up confusion for yourself and other classmates.

Test questions and Scantrons are the property of the instructor/university and are not returned to students. Students may not make copies of test questions. Students are encouraged to review the Scantron and test questions during office hours or by appointment. Test scores may be posted on Canvas. Course letter grades are posted on Gulfline in accordance with the Registrar's deadline.

Tests are required to be completed during the designated time allotted. The instructor keeps the tests and Scantrons. Tests are closed book and closed notes in class but may be open book and open note at the discretion of the instructor if the exam is administered online. Students may be assigned seats for testing purposes. Tests are timed assessments of learning. Students may not talk with anyone (except the instructor) during the tests.
Grading scale:

A 90-100
B 80-89
C 70-79
D 60-69
F Below 60

Exam Make ups – With PRIOR arrangement and notice, exam make ups MAY be given. However, this option is available only for major emergencies (e.g., illness or death in the family).

Exams may be given in class or online at the discretion of the professor.

The Syllabus may be changed at the discretion of the Professor as circumstances warrant, the topics may be taught in a different order, and exam schedules may be changed.

Learning Objective

1. E: Demonstrate knowledge of legal and ethical issues; demonstrate knowledge of global legal factors influencing business; or explain the importance of environmental responsibility.

2. P: Solve business problems using analytical tools applying legal principles.

3. C: Deliver effective oral or written presentations on legal problems related to business.


Assessment Strategy

1. Exams, class participation, or some other type of graded work

2. Exams, class participation, or some other type of graded work

3. Exams, class participation, or some other type of graded work

4. Exams, class participation, or some other type of graded work
I. Departmental Policies and Resources

1. CALCULATOR. Texas Instruments BA II PLUS.
NOTE: The required calculator is the only electronic device allowed to be used during class. UNLESS PERMITTED BY THE INSTRUCTOR, THE USE OF ALL OTHER ELECTRONIC DEVICES (phones, pads, laptop computers, etc.) is PROHIBITED DURING CLASS.

2. The schedules for the departmental courses offered (information on semester, day/night, other), ACG, TAX, and BUL (BS) – are on the ACG BS program link on the LCOB web page. Click on “curriculum map” on left.

3. Planning for pre-registration and graduation is your responsibility: The above schedules and LCOB advisors, along with the course prerequisite sequences described in the FGCU Catalog and degree program sheets, should assist you in ensuring that your plans are successfully implemented. Course substitutions and prerequisite exceptions will be granted only for exceptional circumstances that are clearly beyond the student's control. Poor or lack of planning is not one of those circumstances.

4. Useful FGCU Resources:
Florida Gulf Coast University Catalog (http://www.fgcu.edu/catalog/)
Florida Gulf Coast University Student Guide Book (http://studentservices.fgcu.edu/JudicialAffairs/)
Florida Gulf Coast University Code of Conduct (http://studentservices.fgcu.edu/JudicialAffairs/)

II. Departmental Statements

This course introduces the student to legal and ethical concepts that form the foundations of business conduct in the US. It also supports the content covered in the ETS exam used to assess the BS degree program for the College of Business.

When assessing the LOs above, if 90% of the students answer 80% of the question(s) correctly the assessment is exemplary; if 80% of the students answer 80% of the question(s) correctly the assessment exceeds expectations; if 70% of the student answer 80% of the question(s) correctly the assessment meets expectations; if less than 70% of the students answer 80% of the question(s) correctly, the assessment is below expectations; and if less than
less than 60% of the students answer 80% of the question(s) correctly, the assessment fails.

**ETS statement**

ETS Exam in GEB 4890

The knowledge you are gaining in the business foundation and core courses in principles of accounting, computers, economics, finance, information systems, law, management, marketing, and operations serves to prepare you for the Educational Testing Service (ETS) exam. All business majors are required to take the ETS exam at the end of GEB 4890 in order to graduate with a BS degree.

While your performance on the ETS exam will not impact your grade in GEB 4890, please take this exam very seriously. It is a primary tool used to assess the BS degree program in the College of Business. It is imperative that you do your best in answering the questions. Otherwise, the results will not be reliable and the assessment will not be robust, a result that may jeopardize our SACS accreditation and the Academic Learning Compact we made with the State of Florida, along with having a negative impact on our AACSB accreditation (more about AACSB at: http://www.fgcu.edu/cob/ and click on the AACSB logo at the top left).

Those students performing above 80% on the ETS exam will receive a letter of commendation from the Chair and/or Dean recognizing this achievement which can be used as a resume item.

**III. University Statements**

1. Academic Dishonesty/Cheating Policy:

All students are expected to demonstrate honesty in their academic pursuits. The university policies regarding issues of honesty can be found under the "Student Code of Conduct" on page 11, and under "Policies and Procedures" on pages 18 - 24 of the Student Guidebook. All students are expected to study this document which outlines their responsibilities and consequences for violations of the policy.

2. Disability Accommodations Services:

Florida Gulf Coast University, in accordance with the Americans with Disabilities Act and the university’s guiding principles, will provide classroom and academic accommodations to students with documented disabilities. If you need to request an accommodation in this class due to a
disability, or you suspect that your academic performance is affected by a disability, please see me or contact the Office of Adaptive Services. The Office of Adaptive Services is located in the Wellness Building. The phone number is 239-590-7956 or Video Phone (VP) 239-243-9453. In addition to classroom and campus accommodations, individuals with disabilities are encouraged to create their personal emergency evacuation plan and FGCU is committed to providing information on emergency notification procedures. You can find information on the emergency exits and Areas of Rescue Assistance for each building, as well as other emergency preparedness materials on the Environmental Health and Safety and University Police Department websites. If you will need assistance in the event of an emergency due to a disability, please contact Adaptive Services for available services and information.

**Video and Audio Taping of Class Lectures**

Students are not allowed to audio tape or video tape class lectures – with the exception of any student that has a documented disability and the OAS determines the best reasonable accommodation for the student is to allow them to audio tape or video tape class lectures. Additional exceptions may be granted in the discretion of the professor. When tape recording is allowed, a Tape Recording Agreement Form must be signed by the student.

3. **Student Observance of Religious Holidays**

All students at Florida Gulf Coast University have a right to expect that the University will reasonably accommodate their religious observances, practices, and beliefs. Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith. Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence. Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances. Where practicable, major examinations, major assignments, and University ceremonies will not be scheduled on a major religious holy day. A student who is to be excused from class for a religious observance is not required to provide a second party certification of the reason for the absence. See: http://www.fgcu.edu/generalcounsel/policies-view.asp

4. **Center for Academic Achievement**

The Center for Academic Achievement (CAA) provides academic support services to all FGCU students. Students can take advantage of our free peer tutoring and Supplemental Instruction sessions for lower-level math and science courses, as well as workshops to facilitate the development of skills
necessary for college success. If you would like to participate in any of our programs, learn about tutoring services, or meet with an Academic Retention Coordinator, please visit the CAA in Library 103 or call us at (239) 590-7906. Our website is www.fgcu.edu/caa.

IV. LCOB Vision, Mission, and Guiding Principles

Vision: The AACSB accredited Lutgert College of Business will be nationally renowned in providing students with the education and capabilities to take leading roles in a diverse and global environment.

Mission: The Lutgert College of Business educates and prepares students to address local and global business challenges. Our faculty are dedicated to student learning, scholarship, and service that enhances our academic and business communities. We build relationships that foster entrepreneurship and economic growth in the Southwest Florida Region and beyond.

Core Values/Guiding Principles:
Diversity: Foster a climate that enhances awareness of and respect for diversity of people and ideas, actively encouraging it among our students, faculty, and staff.
Service to the Community/Connected: Address current regional issues through extensive outreach activities and by building relationships on a local, regional, and global basis to facilitate the economic vitality and growth of Southwest Florida.

Sustainability: Educate and develop future business professionals to recognize the value of and need for social, economic, and environmental sustainability.
Global perspective: Emphasize the ability to perform effectively across cultures in addressing global business challenges building on the “second circle*” model.
Integrity/Accountable: Maintain the highest standards of ethics, honesty, mutual respect, and accountability for our college’s faculty, staff and students.
Knowledge/Innovative: Provide an academic environment emphasizing teaching and scholarship that enhances student learning and the reputation of the college.

*The second circle model was created by Dr. Richard Pegnetter as a process that expands the traditional college/university to international university partnership model to include the regional business community of Southwest Florida with the regional business community of our international partner thus expanding the interaction to a “second circle”.
V. ACG BS Program Vision, Mission, Guiding Principles, and Goals

Vision: Be the program of choice that prepares students to master the accounting subject matter and to become successful in their careers.

Mission: Prepare students for entry level careers in public accounting, service organizations, government, and industry and/or post-baccalaureate education by ensuring that:

1. graduates are technically competent and possess the full range of business and professional skills; and
2. faculty members employ cutting edge instructional methods and technologies, anchored by a balanced mix of applied/educational/basic research outcomes and institutional/professional/academic/community service.

Guiding Principles:

1. Support the preservation of the AACSB accreditation.

2. Continue to add value to our stakeholders (students, employers, parents, and the community).

Goals to Implement the Principles:

Goal 1. Perform continuous review and evolutionary improvements in curriculum design based on the assessment of program learning outcomes and analysis of external input.

Goal 2. Faculty members will on average exceed the scholarship standards for continued employment.

Goal 3. Faculty and students will be involved in professional and academic organizations and produce industry specific experience outcomes.
| Week 1 | Jan 7 | Quiz - Online on Canvas  
Ch. 1 – Business and Its Legal Environment  
Ch. 2 – The Court System |
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| Week 2 | Jan 14 | Ch. 3 – Alternative and Online Dispute Resolution  
Ch. 4 – Ethics and Business Decision Making |
| Week 3 | Jan 21 | Ch. 5 – Constitutional Law  
Ch. 6 – Administrative Law |
| Week 4 | Jan 28 | Ch. 7 – Criminal Law and Cyber Crime |
| Week 5 | Feb 4 | **Exam 1 – Tuesday, February 9, 2016**  
Chapters 1, 2, 3, 4, 5, 6, & 7  
Ch. 12 – Torts and Cyber Torts  
Ch. 13 – Strict Liability and Product Liability |
| Week 6 | Feb 11 | Ch. 9, Sec. 1 – Overview of Contract Law  
Ch. 9, Sec. 2 – Types of Contracts  
Ch. 9, Sec. 3 – Agreement |
| Week 7 | Feb 18 | Ch. 9, Sec. 4 – Consideration  
Ch. 9, Sec. 5 – Contractual Capacity |
| Week 8 | Feb 25 | Ch. 9, Sec. 6 – Legality  
Ch. 9, Sec. 7 – Voluntary Consent |
| Week 9 | March 3 | Ch. 9, Sec. 8 – Form: The Statute of Frauds  
Ch. 9, Sec. 9 – Third Party Rights  
Ch. 10, Sec. 1 – Discharge By Performance |
| Week 10 | **SPRING BREAK – NO CLASSES THIS WEEK** |
| Week 11 | March 17 | Ch. 10, Sec. 2 – Discharge By Agreement  
Ch. 10, Sec. 3 – Discharge By Operation of Law  
Ch. 10, Sec. 4 – Remedies For Breach of Contract |
| Week 12 | March 24 | **Exam 2 – Tuesday, March 22, 2016**  
Chapters 9, 10, 12 & 13  
Ch. 14 – Intellectual Property and Internet Law |
| Week 13 | March 31 | Ch. 20 – Agency  
Ch. 17 – Sole Proprietorships, Franchises, and Partnerships |
| Week 14 | April 7 | Ch. 18 – Limited Liability Companies and Limited Partnerships  
Ch. 19 - Corporations |
| Week 15 | April 14 | Ch. 21 – Employment Relationships  
Ch. 22 – Employment Discrimination |
| Week 16 | April 21 | Ch. 26 – Real Property and Land-Use Control  
Ch. 25 – Environmental Law |
| **Exam Week** | | **Final Exam – Thursday, April 28, 2016; 5:45 pm – 8:00 pm**  
Chapters 14, 17, 18, 19, 20, 21, 22, 25 & 26  
(May include all chapters previously covered.) |

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schedules may be changed. **Exams** may be given in class or online at the discretion of the professor