

Syllabus

Legal and Ethical Environment of Business – BUL 3130 – CRN 11031 - Spring 2020

Course Title	Legal and Ethical Environment of Business
Course Number	BUL 3130
CRN	11031
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
Subject	Business Law
Credit Hours	3
Prerequisites	Junior standing required
Meeting Information	Start & End Dates: 1/7/2020 – 4/23/2020 Days: Tuesday & Thursday Time: 3:00 – 4:15 pm Room: Lutgert Hall 1206
Venue	On-Campus

Professor	Daniel P. Fernandez, J.D. Associate Professor of Business Law
E-mail Address	dfernandez@fgcu.edu
Phone Number	239.590.1248
Office Location	Lutgert Hall 3346
Office Hours	Spring 2020 Tuesday: 1:15 – 2:15pm; 4:15 – 5:15pm Wednesday: 2:00 – 3:00pm Thursday: 10:00am – 12:00pm Or by appointment

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. I provide timely feedback to the students to reinforce learning. 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.
Additional Information	Please use my FGCU email address (dfernandez@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.
Required Course Materials	Textbook for BUL 3130: Melvin & Guerra-Pujol, <i>The Legal Environment of Business, A Managerial Approach: Theory to Practice</i> , Third Edition, (McGraw-Hill).
Attendance & 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 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. Exam questions will be based on subjects discussed in class and the assigned reading material. However, the exams are based primarily on the

	<p>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.</p> <p>Test questions and Scantrons are the property of the Professor 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 Gulflin in accordance with the Registrar's deadline.</p> <p>Tests are required to be completed during the designated time allotted. The Professor 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 Professor 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. Exams may be given in class or online at the discretion of the professor.</p> <p>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).</p>
Grade Calculation	<p>Exam 1: 30%</p> <p>Exam 2: 30%</p> <p>Exam 3: 30%</p> <p>Online Essay: 10%</p>
Grading Scale	<p>A 90-100</p> <p>B 80-89</p> <p>C 70-79</p> <p>D 60-69</p> <p>F Below 60</p>
Syllabus Amendments	<p>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.</p>

Course Learning Objectives
At the end of this course students should be able to:
<ol style="list-style-type: none"> 1. Understand the various classifications and sources of law and explain the principle of <i>stare decisis</i>. 2. Discuss and explain the ethical responsibilities of business. 3. Describe the Federal and typical state court systems, and explain the various types of jurisdiction.

4. Compare and contrast litigation and the forms of alternative dispute resolution.
5. Explain the basic principles of constitutional law that related to business.
6. Explain the three basic functions of administrative agencies.
7. Identify and describe intentional torts, negligence, and strict liability.
8. Understand the basic elements of contract law.
9. Understand the law of principal and agent.
10. Identify the various types of business associations and explain the factors relevant to deciding which form to use.
11. Identify and explain the varied interests in real property.
12. Understand the major federal environmental laws and their potential liability for business.

Learning Objective	Assessment Strategy
1. E: Demonstrate knowledge of legal and ethical issues; demonstrate knowledge of global legal factors influencing business; or explain the importance of environmental responsibility.	1. Exams, class participation, or some other type of graded work
2. P: Solve business problems using analytical tools applying legal principles.	2. Exams, class participation, or some other type of graded work
3. C: Deliver effective oral or written presentations on legal problems related to business.	3. Exams, class participation, or some other type of graded work
4. K: Integrate knowledge of legal concepts across the various business disciplines.	4. Exams, class participation, or some other type of graded work
<p>Note: 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.</p>	

Departmental Policies & Resources
<p>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.</p>
<p>2. The schedules for the departmental courses offered (information on semester, day/night, other) are at: ACG, TAX, and BUL (BS) - http://www.fgcu.edu/cob/acg/acg_annual.pdf FIN (including ECO 3101) and REE (BS) - http://www.fgcu.edu/cob/fin/fin_annual.pdf ACG, TAX, and BUL (MS) - http://www.fgcu.edu/cob/msacg/grad_acg_annual.pdf</p>

<p>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.</p>
<p>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/)</p>
<p>Departmental Statements</p>
<p>1. 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.</p>
<p>2. When assessing the LOs above, if 90% of the students answer 80% of the question(s) correctly the assessment exceeds expectations; if 80% of the students answer 80% of the question(s) correctly the assessment meets expectations; if 70% of the students answer 80% of the question(s) correctly the assessment is below expectations; and If less than 60% of the students answer 80% of the question(s) correctly, the assessment fails.</p>

<p>University Statements</p>	
<p>Academic Behavior Standards and Academic Dishonesty</p>	<p>All students are expected to demonstrate honesty in their academic pursuits. The university policies regarding issues of honesty can be found in the FGCU Student Guidebook under the Student Code of Conduct and Policies and Procedures sections. All students are expected to study this document which outlines their responsibilities and consequences for violations of the policy. The FGCU Student Guidebook is available online at http://studentservices.fgcu.edu/judicialaffairs/new.html</p>
<p>University Nondiscrimination Statement</p>	<p>Florida Gulf Coast University is committed to ensuring equity and fairness for all University employees, students, visitors, vendors, contractors and other third parties. As such, the University prohibits discrimination on the bases of race, color, national origin, ethnicity, religion, age, disability, sex (including sexual harassment/assault), gender identity/expression, marital status, sexual orientation, veteran status or genetic predisposition with regard to admissions, employment, programs or other activities operated by the University. This prohibition extends to enforcement of Title IX of the Education Amendments of 1972. Questions or complaints should be directed to the Office of Institutional Equity and Compliance (OIEC). The OIEC's phone number is (239)745-4366; the OIEC email address is OIEC@fgcu.edu.</p>
<p>Student Observance of Religious Holidays</p>	<p>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</p>

	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.
Disability Accommodation 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.
Counseling and Psychological Services (CAPS)	Counseling and Psychological Services (CAPS) provides free counseling and therapy services (including psychiatry) to all FGCU students. Please walk in to the second floor Howard Hall office any week day between 8:30 and 4:30 to schedule an initial contact appointment. Visit the CAPS website at www.fgcu.edu/caps for more information. CAPS offers a 24/7 Helpline at (239) 745-3277 (EARS).
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 .
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.
Respondus Monitor – Remote, Online Exam Monitoring	In order to protect the integrity of online assessments that are delivered to students off site in a non- proctored location, this course may employ <i>Respondus Monitor</i> technology that will allow for the web- enabled monitoring of exams and quizzes. Students must own a computer device

	<p>and an associated webcam that meet the minimum requirements of the University's standard remote monitoring system. Additional information:</p> <ul style="list-style-type: none"> ☐ <i>Respondus Monitor</i> overview: http://respondus.com/products/monitor/ ☐ <i>Respondus Monitor</i> Faculty Training and Workshops: TBA
Respondus LockDown Browser – Classroom and/or Remote Online Exams	<p>In order to protect the integrity of classroom <i>or</i> remote online exams, this course may employ <i>Respondus LockDown Browser</i> technology that will allow for the student's temporary restriction to a designated online testing website, disabling the ability to print, copy, access other applications or move to any other URL for the duration of the assessment. This technology may be used on campus in University computer classrooms <i>or</i> for remote delivery of quizzes and exams. [For online classes only: students must own a computer that meets the minimum requirements of the University's standard lock down browser application.] Additional information:</p> <ul style="list-style-type: none"> ☐ <i>Respondus LockDown Browser</i> overview: http://respondus.com/products/lockdown-browser/ ☐ <i>Respondus LockDown Browser</i> Faculty Training and Workshops: TBA
Lecture Capture Technology/FGCU Capture – Classroom Recording	<p>This course may employ technology that will allow for audio and/or video recording of live classroom sessions. This lecture capture technology is utilized for the sole purpose of enhancing student learning. It may provide for supplemental student instruction via secure links to recorded session(s,) the live stream of courses, presentations of off-site guest speakers and/or the delivery of course instruction utilizing "flipped classroom" methodologies. Student questions and/or comments may be included as a part of any session being recorded. See FGCU-CAPTURE for additional details and training http://aets.fgcu.edu/fgcucapture.asp.</p>

LCOB Vision, Mission, Core Values and Guiding Principles	
Vision	The Lutgert College of Business will be known for excellence in applied business education.
Mission	The Lutgert College of Business educates and engages students and businesses in a collaborative community. We offer high quality educational programs that prepare our students to thrive in their professional careers.
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. The second circle model was created by Dr. Richard Pagnetter 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”.
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.

***** Syllabus Agenda on Next Page *****

SYLLABUS AGENDA – BUL 3130 – CRN 11031 - Spring 2020 – TR 3:00pm	
<p>Week 1</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p><u>Mandatory Verification of Attendance Quiz: Online on Canvas due Saturday, January 11, 2020</u></p> <p>Ch. 1 – Legal Foundations Ch. 3 – The American Judicial System, Jurisdiction, and Venue</p>
<p>Week 2</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p>Ch. 4 – Resolving Disputes: Litigation & Alternative Dispute Resolution Ch. 5 – Business, Societal, & Ethical Contexts of Law</p>
<p>Week 3</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p>Ch. 2 – Business & the Constitution Ch. 17 – Administrative Law</p>
<p>Week 4</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p>Ch. 22 – Criminal Law & Procedure in Business</p>
<p>Week 5</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p><u>Exam 1 – Chapters 1, 2, 3, 4, 5, 17, & 22 Tuesday; February 4, 2020; 3:00pm</u></p> <p>Ch. 9 – Torts & Products Liability</p>
<p>Week 6</p> <p><u>Homework Assignments:</u></p>	<p>Ch. 9 – Torts & Products Liability, <i>continued</i></p>

<ul style="list-style-type: none"> Read assigned chapters and be prepared to discuss in class 	Ch. 6 – Overview & Formation of Contracts
<p>Week 7</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> Read assigned chapters and be prepared to discuss in class 	Ch. 6 – Overview & Formation of Contracts, <i>continued</i>
<p>Week 8</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> Read assigned chapters and be prepared to discuss in class 	Ch. 7 – Contract Enforceability & Performance
Week of March 2, 2020	Spring Break – No Classes
<p>Week 9</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> Read assigned chapters and be prepared to discuss in class 	Ch. 8 – Contracts for the Sale of Goods
<p>Week 10</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> Read assigned chapters and be prepared to discuss in class 	<p><u>Exam 2 – Chapters 6, 7, 8, & 9</u> Tuesday; March 17, 2020; 3:00pm</p>
	<p>Ch. 24 – Intellectual Property</p> <p>Ch. 10 – Agency</p>
<p>Week 11</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> Read assigned chapters and be prepared to discuss in class 	Ch. 13 – Choice of Business Entity, Sole Proprietorships, & Partnerships
Week 12	

<p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p>Ch. 14 – Limited Liability Companies & Limited Liability Partnerships Ch. 15 - Corporations</p>
<p>Week 13</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p>Ch. 11 – Employment Relationships & Labor Law Ch. 12 – Employment Discrimination</p>
<p>Week 14</p> <p><u>Homework Assignments:</u></p> <ul style="list-style-type: none"> • Read assigned chapters and be prepared to discuss in class 	<p>Ch. 23 – Personal Property, Real Property & Land Use Law Ch. 18 – Environmental Law</p>
<p>Week 15</p> <ul style="list-style-type: none"> • Chapter Review • Exam 3 	<p>Q & A Review - Chapters 10, 11, 12, 13, 14, 15, 18, 23, & 24</p>
	<p><u>Exam 3 – Chapters 10, 11, 12, 13, 14, 15, 18, 23, & 24</u> Thursday; April 23, 2020; 3:00pm</p>
<p>Final Exam Week</p> <ul style="list-style-type: none"> • Online 	<p><u>ONLINE - Short Answer Exam on Canvas.</u></p> <p>Deadline to complete: Thursday, April 30, 2020; 12:30 - 2:45pm.</p>

Note: 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. **Exams** may be given in class or online at the discretion of the Professor.

Textbook for BUL 3130: Melvin & Guerra-Pujol, *The Legal Environment of Business, A Managerial Approach: Theory to Practice*, **Third** Edition, (McGraw-Hill).

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

