THE LEGAL ENVIRONMENT OF BUSINESS
GB 202-003 – Spring 2018
Tuesday Evenings 6-8:30pm
Instructor: Tim Kurtz, J.D., MBA.
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E-mail: timkurtz@boisestate.edu
Office Hours: By Appointment; After/Before Class

Course Description
This course is designed to assist undergraduate business students in gaining an understanding of important legal principles and laws which affect business. During this course we will review most areas of business law, while attempting to focus on and discuss topics you will encounter as a business professional.

Course Learning Objectives
The overall goal of the course is to help students: (1) recognize, assess, and analyze important legal issues affecting business; (2) avoid legal problems due to their increased knowledge of legal issues; and (3) participate more effectively in the positive resolution of legal issues which do arise. Specifically, a student who successfully completes The Legal Environment of Business should be able to:

1. Explain the structure, powers, organization and jurisdiction of the federal and state court systems.

2. Identify the key provisions of the U.S. Constitution that impact business, the concepts of federalism and separation of powers, and the role that law plays in American society and business.

3. Describe the powers and functions of the rulemaking and enforcement actions taken by federal and state regulatory agencies.

4. Identify the major ethical theories which impact business; analyze the differences and similarities between law and ethics; and apply the major ethical theories to business issues.

5. Identify four ways in which corporations might have social responsibility toward society and explain the differences between each.

6. Describe and differentiate the distinct legal aspects and strengths of the various forms of business entities such as partnerships, limited partnerships, LLPs, LLCs, and corporations, and the legal rights and duties of the partners, members, shareholders, and directors of those entities.

7. Identify and explain the most common business torts, such as defamation and negligence, as well as product liability theories.
8. Describe the essential features and requirements for making valid and enforceable business contracts, and analyze an ethical dilemma involving contracts.

9. Explain the fundamental legal rights regarding the types of real, personal and intellectual property and the methods of acquiring and transferring ownership.

10. List and explain the most important federal environmental laws which impact business, including air, water and toxic waste pollution regulation, and EPA enforcement.

11. Describe the primary federal laws concerning consumers, debtors and creditors, including secured transactions, the three main types of bankruptcy, and the federal regulations covering false advertising and deceptive practices.

12. Explain the most important legal issues involving employment law, including “employment at will” and its exceptions, termination and discipline, drug and alcohol testing, employment discrimination, and wage and hour laws.

13. Discuss and critique the various issues regarding workplace privacy.

**COBE Core Curriculum Student Learning Goals and Objectives**

<table>
<thead>
<tr>
<th>Students in this class will learn or practice the following COBE Core Curriculum concepts, methods, and skills:</th>
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</thead>
<tbody>
<tr>
<td>1. Understand and apply analytical and disciplinary concepts and methods related to business and economics:</td>
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<tr>
<td>✔️ 1.6. International environment of business</td>
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<tr>
<td>✔️ 1.7. Legal environment of business</td>
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<tr>
<td>✔️ 2.1. Communicate effectively: Write messages and documents that are clear, concise, and compelling</td>
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<tr>
<td>✔️ 2.2. Communicate effectively: Give oral presentations that use effective content, organization, and delivery</td>
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<tr>
<td>✔️ 3. Solve problems, including unstructured problems, related to business and economics</td>
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<td>✔️ 4. Use effective teamwork and collaboration skills</td>
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<td>✔️ 5. Resolve ethical issues related to business and economics</td>
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**Textbook**
The required textbook is THE LEGAL ENVIRONMENT OF BUSINESS, by Bixby, Beck-Dudley, Cihon and Park (6th edition 2014) (ISBN-13: 978-1-269-90445-2). A student Study Guide especially prepared to accompany this text is available for purchase online, or a previous edition is available in the bookstore, although it is not required.
Exams / Grading
Your grade will be based upon two in-class quizzes, a court viewing paper, classroom participation, and two exams, including a mid-term and final. The final is comprehensive.

**Quizzes.** You will have **FOUR** in-class quizzes. They will be multiple choice, closed book, and closed notes. There will be approximately 15-20 questions on each quiz. You must attend class to take the quiz. If there is an emergency, I will accept other arrangements.

**Paper/Court Viewing:** As part of your quizzes and participation grade, you are required to view an oral argument of either the Idaho Court of Appeals or the Idaho Supreme Court, and **type up a one page, single spaced, summary of your experience and short analysis of the case you viewed.** There are limited dates when you can hear these oral arguments, so please plan ahead. The website where you access the dates is: [http://www.isc.idaho.gov/appeals-court/handbook](http://www.isc.idaho.gov/appeals-court/handbook).

**Exams.** The exams will be multiple choice, closed book, and closed notes. The exams may include extra credit questions. If you are unable to take an exam on the assigned day, I will accept other arrangements, but it really needs to be because of an emergency.

The final exam is required and **cumulative.**

**Finally, you must have a passing grade on your exam average (60% average) to pass the class.** For example, a student with a 59% exam average, but a 62% overall due to the “easy” participation points will not pass the class.

Grades will be broken down as follows:

<table>
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<tr>
<th>Component</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Participation</td>
<td>(10%)</td>
</tr>
<tr>
<td>Quizzes (4) &amp; Paper/Court</td>
<td>(20%)</td>
</tr>
<tr>
<td>Mid Term Exam</td>
<td>(30%)</td>
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<tr>
<td>Final Exam</td>
<td>(40%)</td>
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<td><strong>TOTAL</strong></td>
<td><strong>100%</strong></td>
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At the end of the semester the total possible points will be added and the grades will be:

A -- 93% and above              C -- 73-76.9%
A- -- 90-92.9%                  C- -- 70-72.9%
B+ -- 87-89.9%                  D+ -- 67-69.9%
B -- 83-86.9%                   D -- 63-66.9%
B- -- 80-82.9%                  D- -- 60-62.9%
C+ -- 77-79.9%                  F -- below 60%

On rare occasions, students with a borderline grade will earn the higher grade if they meet these criteria: consistent attendance, completion of all assignments, and possibly improvement. This policy does not apply to students who have not completed all assigned work OR to students whose behavior in class indicates a lack of preparation and attendance or is disruptive to others.
I have the ability to give you bonus points, in quizzes, tests, and for participation and attendance. Read the book and be engaged.

Class Preparation

1. Be prepared for class. Students are expected to read the assigned chapters before coming to class. You will learn more if you participate in class discussion.

2. Think about and be prepared to discuss the questions and practice exercises at the end of each chapter, as well as any hypotheticals presented to you in class.

3. "Class preparation" includes being alert and aware (as opposed to asleep and lethargic) in class, arriving on time and giving the discussion your full attention, volunteering answers, ideas, thoughts and constructive suggestions during class, completing assigned work on time, and being prepared when called to present a case or answer questions posed to you in class.

4. Cheating, copying, or plagiarism will result in an "F" for the course, in accordance with BSU policy.

Classroom Behavior Policy

Any student disrupting the classroom for any reason will be asked to leave. Disruptive behavior includes, but is not limited to: talking in class to the people around you, cell phone use of any kind, and inappropriate use of laptops. Food for thought:

I do not have a "no laptop" policy. However, certainly my classroom policy is that laptops will be used in class for classroom purposes only. I expect you to use your laptop for note-taking or the Blackboard coursesite for this course only. Using your laptop for Facebook, YouTube, email, other coursework, etc. is RUDE and DISRUPTIVE to students sitting around or behind you and will absolutely not be tolerated. If necessary, I will ban laptops in the classroom. You don’t want to be the student who causes this inconvenience for everyone else. You could lose participation points for this as well.

Disability Services

Any student who feels s/he may need accommodations based on the impact of a disability should contact me privately to discuss your specific needs. You will also need to contact the Disability Resource Center at 208-426-1583 located in the Administration Building, room 114.

For more information on BSU Disability Resource Center (DRC) see the web site at http://drc.boisestate.edu/.

To schedule an appointment, contact the DRC at (208) 426-1583 or send your e-mail request to ElyseTaylor@boisestate.edu.

Diversity  Because we live in a multicultural world, we seek to educate students to recognize and appreciate the many ways in which each of us is shaped by gender, sexual orientation, class,
race, culture, ability, nationality, religion, and ethnicity. This requires more than just exposure to cultural differences; it requires that we critically examine such differences, being attentive to the special challenges that each of us faces in understanding those whose lives are shaped by cultures other than our own.” The material discussed and analyzed in this course should assist the student in understanding the legal, ethical, and social duties expected in society. This class will also: (1) help students gain an understanding of "issues of culture, nationality, religion or ethnicity as these may be found anywhere in the world;" and (2) require "reflection on the challenges and benefits of dialogue across differences."

**Boise State University Statement of Shared Values**

Boise State University upholds the following values as the foundation for a civil and nurturing environment. Campus community members and all who are part of COBE are expected to adhere to the following values.

- **Academic Excellence** – engage in our own learning and participate fully in the academic community’s pursuit of knowledge.
- **Caring** – show concern for the welfare of others.
- **Citizenship** – uphold civic virtues and duties that prescribe how we ought to behave in a self-governing community by obeying laws and policies, volunteering in the community, and staying informed on issues.
- **Fairness** – expect equality, impartiality, openness and due process by demonstrating a balanced standard of justice without reference to individual bias.
- **Respect** – treat people with dignity regardless of who they are and what they believe. A respectful person is attentive, listens well, treats others with consideration and doesn’t resort to intimidation, coercion or violence to persuade.
- **Responsibility** – take charge of our choices and actions by showing accountability and not shifting blame or taking improper credit. We will pursue excellence with diligence, perseverance, and continued improvement.
- **Trustworthiness** – demonstrate honesty in our communication and conduct while managing ourselves with integrity and reliability.

**Boise State University Legal Services for Students**

I copied this information straight from [http://osrr.boisestate.edu/asbsu-legal-services/](http://osrr.boisestate.edu/asbsu-legal-services/)

The Associated Students of Boise State University (ASBSU) provides FREE ATTORNEY CONSULTATIONS with a local private lawyer for most legal problems you may have. This service is available to all eligible students of BSU. Topics eligible for discussions include the following:

- Landlord/Tenant problems
- Small claims court
- Divorce/Family Law
- Child Custody/Child Support
- DUI/Criminal
- Collection & Debt Problems
- Wills
- Insurance claims
- Automobile accidents/Personal Injury
- Guardianship
- Probate
An attorney is available every Monday and Thursday through the Fall and Spring semesters from 9:00am to 2:00 p.m. by appointment only. Walk-in appointments are not accepted. If you wish to make an appointment, please call the Office of Student Rights & Responsibilities at 426-1527. The initial appointment will be for thirty minutes. Future, follow-up appointments can be scheduled as needed.

**Modification of the Syllabus and Schedule**

I reserve the right to modify the syllabus and schedule at any time. Revisions will be documented in an announcement on the Blackboard course site and/or in class.

**Tentative Class and Assignment Schedule** (expect some changes):

<table>
<thead>
<tr>
<th>January</th>
<th>Date</th>
<th>Assignment</th>
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<tbody>
<tr>
<td></td>
<td>9</td>
<td>Introduction to Class/Syllabus</td>
</tr>
<tr>
<td></td>
<td>16</td>
<td>Chapters 1 &amp; 2</td>
</tr>
<tr>
<td></td>
<td>23</td>
<td>Chapters 3 &amp; 4</td>
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<tr>
<td></td>
<td>30</td>
<td><strong>Quiz #1 (Chapters 1-4); Chapter 5</strong></td>
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<tr>
<th>February</th>
<th>Date</th>
<th>Assignment</th>
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<tbody>
<tr>
<td></td>
<td>6</td>
<td>Chapters 5 &amp; 6</td>
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<tr>
<td></td>
<td>13</td>
<td>Chapter 7 &amp; 8</td>
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<td></td>
<td>20</td>
<td><strong>Quiz #2 (Chapters 5-8); Chapter 9</strong></td>
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<td></td>
<td>27</td>
<td>Chapter 9**; Chapter 10 (partly covered)</td>
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<tr>
<th>March</th>
<th>Date</th>
<th>Assignment</th>
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<tr>
<td></td>
<td>6</td>
<td>Chapter 11 - TORTS****</td>
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<td></td>
<td>13</td>
<td><strong>Quiz #3 (9-11); Review for Mid-term</strong></td>
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<td>20</td>
<td><strong>MID-TERM EXAM (Chapters 1-11)</strong></td>
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<td>27</td>
<td><strong>SPRING BREAK - NO CLASS</strong></td>
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<th>April</th>
<th>Date</th>
<th>Assignment</th>
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<tr>
<td></td>
<td>3</td>
<td>Chapter 12 - CONTRACTS****</td>
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<td></td>
<td>10</td>
<td>Chapter 13 - Warranties****</td>
</tr>
</tbody>
</table>
17  Quiz #4 (Chapters 12-13); Chapters 14 & 16

24  Court of Appeals/Supreme Court Viewing
    Papers Due Review for Final Exam

May  1  FINAL - CUMULATIVE

Proposed Date and Time of Final is below:
(CHECK AGAIN at http://registrar.boisestate.edu/boise-state-academic-calendars/

    Tuesday, May 1, 2015   5:30 pm - 7:30 pm