THE LEGAL ENVIRONMENT OF BUSINESS  
GB 202-1070-12455  Spring 2018  
Monday 6:00 – 8:45 p.m.  
Micron Business Building 1301  

Instructor:  Nate Peterson, J.D., J.A.  
Office:  355 W. Myrtle, Suite 100  Boise, ID  83702  
Phone: (208) 345-1388 / (208) 424-5132  
E-mail:  nathanielpeterson@boisestate.edu  

Office Hours:  Mondays through Fridays (by appointment only)  

Course Description  

This course is designed to provide undergraduate business students an opportunity to study important legal principles and laws affecting business – that is, the “legal environment” in which a business operates. This legal environment includes the rules of the game, incentives and disincentives, and altogether the general parameters by which an individual or entity conducts business and pursues profit in America’s democratic, market-based economy. During the course we will examine a wide and diverse range of legal topics involving business. Increased knowledge of this legal environment will help students become better business decision-makers and more effective leaders. For reference and illustration we will focus on Idaho’s legal environment.  

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.  

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4. Identify the major ethical theories regarding 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. List the major tenets of the two most important federal securities laws, the Securities Act of 1933 and the Securities Exchange Act of 1934, and explain the primary rules regarding insider trading.

8. Identify and explain the most common business torts, such as defamation and negligence, as well as product liability theories.

9. Describe the essential features and requirements for making valid and enforceable business contracts, and analyze an ethical dilemma involving contracts.

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

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

12. 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.

13. 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.

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

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

Students in this class will learn or practice the following COBE Core Curriculum concepts, methods, and skills:

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The required textbook is THE LEGAL ENVIRONMENT OF BUSINESS, by Bixby, Beck-Dudley, Cihon and Park (6th edition 2014). A student Study Guide especially prepared to accompany this text is available for purchase, although not required. Additional readings regarding current events and other relevant subject matter may be assigned throughout the semester.

Exams / Grading

Your grade will be based upon classroom participation, classroom attendance, a research project, and three exams. However, I reserve the right to implement pop quizzes in the event that it appears students are not sufficiently reviewing assigned reading material. I also reserve the right to provide extra credit opportunities.

Participation and Attendance: You will be expected to attend class and participate. You may be absent once without penalty, however, each subsequent absence will result in a 1% reduction in your grade. Your lack of attendance may otherwise affect your grade as it relates to your failure to take an exam or quiz, or failure to answer questions highlighted in class. Participation will be measured both by your verbal participation in the class and by intermittent writing exercises that I may assign at my discretion. Please be advised that I do take attendance and that this policy has resulted in students receiving a substantial reduction in their grade, including failure of the course.

Research Project: You will receive a multiple choice research project in which you will have three to four weeks to complete.

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Research Project: You will receive a multiple choice research project in which you will have three to four weeks to complete.
**Discretionary Pop Quizzes.** The quizzes will be multiple choice and/or true false questions, open book and open notes, which may be created by you and/or in conjunction with others but must be written or typed and not electronic. You may take up to five quizzes. There will be no makeups.

**Exams.** The exams will be multiple choice and/or true false, open book and open notes, which may be created by you and/or in conjunction with others but must be written or typed and not electronic. Each exam will be contain multiple choice and/or true and false questions with available points dependent upon the number of questions with each question worth 1 point and questions determined by the number of chapters covered for that particular exam.

**Extra Credit.** I reserve the right to provide extra credit opportunities through further assessment and/or participation opportunities which will add points to a student’s total points earned without adding to the total points available (example: 10 extra points takes a student from 180 of 200 points to 190 of 200 points).

There will be absolutely NO make-up exams in this class absent a medical emergency.

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 based upon a total of 225 or more points (potentially 50 more points through additional quizzes), broken down as follows:

<table>
<thead>
<tr>
<th>Component</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation/Attendance</td>
<td>25 points</td>
</tr>
<tr>
<td>Potential Online Quizzes (5)</td>
<td>0 – 50 points</td>
</tr>
<tr>
<td>Exams (3/3)</td>
<td>150 points</td>
</tr>
<tr>
<td>Research Project</td>
<td>50 points</td>
</tr>
<tr>
<td>Extra credit Assessment</td>
<td>Variable</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>225 or more points</strong></td>
</tr>
</tbody>
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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
A- -- 90-92.9%
B+ -- 87-89.9%
B -- 83-86.9%
B- -- 80-82.9%
C+ -- 77-79.9%
C -- 73-76.9%
C- -- 70-72.9%
D+ -- 67-69.9%
D -- 63-66.9%
D- -- 60-62.9%
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.

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 and you will be better prepared if you outline the chapters or otherwise take notes on that reading prior to class. If you are expected to familiarize yourself with a chapter, then you are simply expected to have a general understanding of that chapter’s subject matter. In these instances, then you can basically skim the chapter and come to class expecting me to provide you with the overview of that chapter that is relevant and testable.

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. You will also learn more if you actively and critically read the text by asking yourself why a topic is important or relevant to business decision-makers.

"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.

3. Cheating, copying, or plagiarism will result in an "F" for the course, in accordance with BSU policy. I’m aware that students have learned to cheat on my exams which were given on Blackboard and available to students for up to five days. I have not finalized my testing procedure but it will be designed to eliminate cheating while still enabling students to take the exams on Blackboard.

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, and cell phone use of any kind.

Recording Policy

You may not record the lecturers or me on any electronic device or in any manner other than handwritten notes or typing when your laptop is permitted.
Laptop Policy

Laptops are only allowed for taking tests and otherwise Laptops are not allowed in my classroom unless otherwise noted. Consider the following:

“[T]he detriments of having laptops in the classroom are substantial. Students who spend longer periods of time engaged in extraneous activities on their laptops will perform more poorly on examinations, and among those students, the ones who have access to the Internet are most at risk.” Nancy G. Maxwell, From Facebook to Folsom Prison Blues: How Banning Laptops in the Classroom Made Me a Better Law School Teacher.

My classroom policy is that laptops will be used only when necessary for the taking of exams, accessing the Blackboard coursesite for this course only, and when otherwise permitted by me. Besides learning more, I believe this policy will enhance your listening and note taking skills which are both critical to serving business clients and customers, and other business stakeholders.

Disability Services

Any student who feels he/she 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 see BSU Disability Resource Center (DRC) web site. To schedule an appointment, contact the DRC at (208) 426-1583 or send your e-mail request to Elyse Taylor.

Diversity

As stated in the 2010-2011 BSU catalog: “Boise State University values cultural diversity in its faculty, its students and its curriculum. 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 am here to teach, not provide legal advice, legal consultation, or other legal services, and class time is never an appropriate time to ask me legal questions unrelated to the class subject matter. Although I am under a professional ethical obligation to assist non-attorneys in accessing and obtaining legal services, you should first seek advice and counsel from attorney provided by ASBSU. I copied this information straight from ASBSU:

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

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• Adoptions/Name change
• Workman’s Compensation Claims

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.

If you contact the ASBSU attorney and still feel you need to speak to an attorney, then you may contact me outside of class time in order to discuss your issue and whether obtaining an attorney is in your best interest. However, other than potentially discussing your issue and directing you to appropriate legal services, I will not discuss or examine your circumstances, or otherwise engage in activity that would constitute initiation of an attorney-client relationship. Do know that any such communication is confidential.

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.

Tentative Class and Assignment Schedule (expect additions and some other changes):

<table>
<thead>
<tr>
<th>January</th>
<th>8</th>
<th>Syllabus, General Discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>22</td>
<td>Read 1, 2 &amp; 5, Serial Podcast Season 1 Episode 1</td>
</tr>
<tr>
<td></td>
<td>29</td>
<td>Read 3 &amp; 4; Read Sackett v. EPA, Serial Episode 2</td>
</tr>
</tbody>
</table>

February – To Be Determined