

MASTER SYLLABUS LLAW110: LEGAL ENVIRONMENT OF BUSINESS

1. Course Details

Semester:	
Course Code:	LLAW110
Course Name:	Legal Environment of Business
Course Prerequisites:	None
Course Co-requisites:	None
Credits Hours:	Three (3) credit hours
Classroom:	
Class Timing:	(45 contact hours)
Final Exam Period:	

2. Instructor Details

Professor:
Office Location:
Office Hours:
Email:
Course website:
Phone (Office):

3. Catalog Course Description

This course examines the legal and ethical environment of domestic and international business including contracts, agency and intellectual property and analyzes the regulatory environment including employment law, consumer law and antitrust.

4. Course Overview

This course introduces students to the sources of law and provides a framework for an understanding of the nature and ethics of law and its role in business on a domestic and international scale. It provides students with a basic understanding of the role laws play in the day to day operation of a business and prepares them to operate in the business world within the confines of ethical and legal responsibilities.

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5. Course-Level Learning Goals¹

(A) Invariant Learning Goals (In support of the BSBA Programmatic Learning Goal(s)):

Upon the successful completion of this course, the student will be able to:

1. Research and analyze Laws that affect business.
2. Analyze the facts of a case, utilize appropriate technology to research the law and demonstrate effective writing skills in a brief;
3. Recognize and explain laws that impact upon the operation of a business.

Assurance of Learning Validations (Linked to the BSBA Programmatic Learning Goal(s))²:

A1. Written Brief: Each student will be assigned a localized case involving a contractual issue and will be asked to write a brief on behalf of the plaintiff or defendant. (A list of cases will be available to instructors on line). For the purpose of assurance of learning, three scores will be administered, and are based on the: (1) quality of writing (G1O1); (2) quality of research (each student must cite an external source that guided the analysis) (M3O1); and (3) depth of analysis and legal reasoning (M4O1).

A2. Oral Team Project: Each team will consist of four students who will (be assigned to) select a business venture that they would like to engage in and analyze and explain four (4) laws that will impact upon the operation of that business (issues relating to Employment Law, Antitrust Law, Environmental Law, or Consumer Law.) Every member of the team will analyze, research and orally present his/her analysis, research and recommendations with respect to the particular law(issue) identified. For the purpose of assurance of learning, four (4) scores will be administered and will be based on the

¹ A note on School of Management Course-Level Learning Goals: Learning goals are partitioned into those that are in support of the programmatic learning goals (Invariant), specific to the localized region of delivery (Contextualized), and specific to the domain expertise of the instructor (Instructor-Specific). The former two categories are required for all courses. Invariant "Assurance of Learning Validations" are specifically linked to the associated programmatic learning goal and objective, with course-level learning goals representing the programmatic goal as it applies to the context of the course. Learning goals that focus on knowledge acquisition (Bloom's Taxonomy) are not specifically or necessarily included into the course-level learning goals, although it is assumed that knowledge acquisition of all relevant business core fundamentals is addressed within each course. Examinations in class are used to provide feedback concerning knowledge and comprehension for the purpose of ensuring that students who have not mastered these will not advance through the curriculum. Attainment of knowledge within each core area is assessed by way of standalone testing of each student as a required part of the instructional program prior to graduation (e.g. ETS).

² A note on School of Management Assurance of Learning Scoring: Scores form the metric for the degree to which the validation (e.g. learning outcome) satisfies the associated learning goal or objective. Assurance of learning validation descriptions identify the criteria for each score that is to be given. All scores are scaled from 1-5 (1-poor, 2-fair, 3-good, 4-very good, 5-excellent). It must be noted that scores are to be differentiated from grades. Scores form a criterion from which an instructor will ascertain an overall grade for any instrument of assessment, and the overall assessment the student receives for an instrument is a "grade." A score is an extraction that specifically measures the degree of attainment of a learning goal and/or objective.

student's: (1) clarity of the oral communication (G1O2); (2) quality of the research (M3O1); (3) depth of analysis (M4O1) and (4) effectiveness of the team as illustrated by the choice and analysis of the issues (G1O3).

A3. Graded Homework Assignment: Students will be required to discuss the purpose of the Foreign Corrupt Practices Act, identify its main provisions and recommend ways in which American businesses can comply with its ethical standards and compete successfully in foreign countries. For the purpose of assurance of learning, three scores will be administered and will be based on the student's: (1) demonstration of comprehension of the Act and its impact on firms' global competitiveness (G3O2); (2) analysis of the difference in ethical perspectives (G2O1); and (3) the clarity of the writing (G1O1).

(B) Contextualized (Globalized) Learning Goal(s):

Upon the successful completion of this course, students will be able to:

1. See Invariant Learning Goal 2 above.

Assurance of Learning Validation (In support of the Contextualized (Globalized) Learning Goal(s)):

B1. See Assurance of Learning Validation A3, score 1 above.

(C) Instructor Specific Learning Goal(s) (Optional):

None

Assurance of Learning Validation (In support of the Instructor Specific Learning Goal(s)):

None

6. Teaching and Learning Methodology

The School of Management's teaching and learning strategy is informed by contemporary indicators/sources that derive from its target market, specifically the millennial generation. In particular, behavioral traits for this generation are identified and form the basis of emphasis for the schools' teaching and learning methodologies. These methodologies are reflected in the school's mission statement by way of its TEMPOS campaign³. In addition, teaching and learning strategies are informed by institutional indirect assessment results, periodically collected and reviewed by the Office of Planning and Assessment and the school's faculty⁴. Teaching and learning strategies are also externally referenced systematically (e.g., the Annual Stakeholder's Conference) through continuing consultations with non-board key stakeholder groups, including employers, business and community leaders, accreditation and ministerial agencies, alumni, students, peer institutions, and business and governmental agency representatives.

³ Teaching and Learning Strategies: "TEMPOS and the Millennials," revised September 2008.

⁴ E.g., Student Survey on Teaching Quality – Quantitative Data: School of Management.

A component of all courses, as a part of the teaching and learning strategies, is to maintain academic rigor and to be intellectually challenging. This is validated in institutional survey results. However, School of Management faculty members utilize an overall collective portfolio of strategies/initiatives that obtain from the aforementioned sources in delineating those that are most appropriate or emphasized in the courses they lead.

In this course (LLAW110), four (4) prioritized teaching and learning strategies focus on:

1. integrating principles of ethics/social responsibility;
2. faculty-student interaction;
3. active student engagement into the learning process; and
4. use of the web.

All faculty members that instruct this course should consider how to execute the course to emphasize these key components of the strategies considered. Following a review of learning outcomes, faculty members consider how re-orientation of teaching and learning strategies might result in strengthening these outcomes, and adjustments are made, accordingly. Faculty members also consider how the School of Management Triple Platforms of Excellence (Professional Enrichment, Experiential Education, and Student Advancement) might be leveraged as a part of this strategy, and provide recommendations to the Directors of those platforms. The school also reviews the distribution of identified teaching and learning strategies periodically to ensure comprehension and the integration of each (from the designated list of approximately 20-25 strategies) within the curriculum. Finally, results from student teaching evaluations also provide indications of how various teaching and learning strategies are integrated into the course delivery. The following issues (indicator number is provided) are among those in the evaluations that bear on this review and analysis:

7. The instructor was responsive to student questions.
8. The instructor was available for course related consultation and advice.
9. The instructor graded and returned student work and exams promptly.
10. The instructor incorporated information technology (e.g. computer or the Internet) in the course.
18. The instructor was responsive to student needs and concerns.
21. The instructor assigned challenging course work.
22. The instructor provided helpful, constructive feedback on assignments and course work.
23. The instructor acknowledged cultural differences and diversity among students.
24. The instructor helped me understand the subject matter.

Along with teaching and learning strategies, the notion of student effort/time on task is also considered, although it is not necessarily driven by metrics. It is noted that the notion of student effort, specifically metric driven, is not a universally adopted approach⁵. However, if an instance occurs where student learning outcomes do not meet targeted academic standards, the School of Management utilizes indirect inputs in this area to explore the interdependencies between factors including the amount of work required in the course, the degree of challenge in the coursework, and level of critical analysis, among others⁶.

The teaching approach will also be multi-method. As the subject is highly dynamic in nature, the class will be taught via lectures, real life case studies, student participation and presentation. The key dimension, hence, will be interaction, both among students, and between the instructor and students, utilizing case discussions and presentations of both these and completed projects.

7. Required Resource(s)

Clarkson; Miller; Jentz/Cross (2014). Business Law – Legal, Ethical, Global and E-Commerce Environment. 13th ed. South-Western Cengage Learning. ISBN:-13: 978-1285185248.

8. Reference Resource(s)

www.epa.gov;
www.usdoj.gov;
<http://firstgov.gov>;
www.uspto.gov;
www.copyright.gov; and
www.Eco.gov/index.html.
www.adr.org
www.nysba.org

⁵ See the Victorian TAFE Association Response – Strengthening the AQF: Proposal, June 2009. East Melbourne, Victoria, Australia, retrieved from http://www.vta.vic.edu.au/docs/PositionDiscussion%20Papers/VTA_Response_Strengthening_the_AQF.pdf on February 22, 2010.

⁶ Sample data regularly collected through the New York Institute of Technology Student Rating of Courses/Teaching Form.

9. Assessment Methodology and Grading Guidelines

Instrument	Points (i.e. weights)	Time on Task ⁷
Written Brief (See A1)	20 points	20 hours
Team Oral Presentation (See A2)	30 points	35 hours
Graded Homework (See A3)	10 points	10 hours
Midterm	20 points	20 hours
Final	20 points	20 hours
Formative Assessment (see a)	0 points	10 hours
Total	100 points	115 hours

- (a) Students must submit a draft of their proposed analysis of the issues to be determined in the venture selected and how these may impact their business plan, ---The instructor will return the drafts with suggestions and corrections to assist them in preparing their team presentation. This assessment is implemented to improve BSBA programmatic learning goal M4O1.

10. Grading Guidelines:

11. Attendance Policy: Students are expected to attend every class session. Instructors will inform students of the exact number of absences and late-arrivals permitted during the semester. Students who exceed these limits may be subject to failure. If a student misses any class or test, the instructor has the right to either grant or deny an opportunity to make up the work that was missed. In such cases, the instructor shall be the sole judge of the validity of a student's explanation for having missed the class or test.
12. Deductions for Late Arrival, Early Departure, and Unexcused Absences:

⁷ An estimate of the period of time during which a student is actively engaged in a learning activity, excluding classroom contact hours.

13. Policy for Make-Up Assignments or Quizzes:

14. Classroom Behavior: Behavior that disrupts, impairs, interferes with, or obstructs the orderly conduct, processes, and functions within an academic classroom or laboratory violates the student code of conduct and may result in disciplinary action. This includes interfering with the academic mission of NYIT or individual classroom or interfering with a faculty member's or instructor's role to carry out the normal academic or educational functions of his classroom or laboratory, including teaching and research.

15. Students with Physical or Educational Challenges:

- It is the policy of New York Institute of Technology to provide reasonable accommodations for students who are otherwise qualified but have disabilities, including learning disabilities, health impairments, and other disabling conditions. Possible accommodations include, but are not limited to, test schedule modifications, class relocation, and possible assistance in acquisition of necessary equipment.
- The college has an interest in helping students with disabilities to be competitive in this academic environment. Therefore, reasonable accommodations will be made upon proof both of disability and need for the accommodations. It must be understood that accommodations are meant to facilitate educational opportunities. Admission to NYIT and accommodations do not guarantee success. Therefore, in addition to accommodations, the college encourages utilization of auxiliary services available to all students to maximize opportunities for success. Students whose disabilities may require some type of accommodation must complete a request for accommodations form and an intake interview with their campus services coordinator prior to the academic semester. Accommodations may be requested at any time during the semester; however, accommodations cannot be applied to past failures, only to future academic endeavors. Appropriate modifications of accommodations will be worked out on a case-by-case basis and will not necessarily incorporate all requested changes.
- Students for whom auxiliary services—such as readers, interpreters, note takers, etc.—have been approved should arrange these with their campus services coordinator. In addition to discussing appropriate educational modifications, the campus services coordinator will serve as a liaison with other college faculty and administration on behalf of students with disabilities.

16. Academic Integrity:

- Each student enrolled in a course at NYIT agrees that, by taking such course, he or she consents to the submission of all required papers for textual similarity review to any commercial service engaged by NYIT to detect plagiarism. Each student also agrees that all papers submitted to any such service may be included as source documents in the service's database, solely for the purpose of detecting plagiarism of such papers.
- Plagiarism is the appropriation of all or part of someone else's works (such as but not limited to writing, coding, programs, images, etc.) and offering it as one's own. Cheating is using false pretenses,

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tricks, devices, artifices or deception to obtain credit on an examination or in a college course. If a faculty member determines that a student has committed academic dishonesty by plagiarism, cheating or in any other manner, the faculty has the academic right to 1) fail the student for the paper, assignment, project and/or exam, and/or 2) fail the student for the course and/or 3) bring the student up on disciplinary charges, pursuant to Article VI, Academic Conduct Proceedings, of the Student Code of Conduct. The complete Academic Integrity Policy may be found on various NYIT Webpages, including: <http://www.nyit.edu/images/uploads/academics/AcademicIntegrityPolicy.pdf>.

17. 15 Week Topical Class Schedule

Week	Topics	Resources
Wk 1	<u>Introduction to Law and Legal Reasoning</u> Business Activities and the Legal Environment Sources of American Laws Classifications of Law <u>Courts and Alternative Dispute Resolution</u> Alternative Dispute Resolution Ethics International Law International Dispute Resolution Class Discussion – FCPA*	Chapters 1,2, 5* and 24
Wk 2	<u>Criminal Law</u> <u>Tort Law</u> Negligence Intentional Tort <u>Intellectual Property and Internet Law</u> Trademarks Cybermarks Patents Copyrights Trade Secrets International Protection for Intellectual Property <u>Social Media and Privacy</u>	Chapters 6, 8, 9 and 10
Wk 3	<u>Contracts and E-Contracts</u> An Overview of Contract Law Elements of a Contract Types of Contracts	Chapters 11, 12 and 13

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	Quasi Contracts Interpretation of Contracts <u>Agreement in Traditional and E-Contract</u> Agreement Agreement in E-Contracts Uniform Electronic Transactions Act International Treaties Affecting E-Contracts <u>Consideration</u> Elements of Consideration Adequacy of Consideration Agreements that lack Consideration	
Wk 4	<u>Capacity and Legality</u> Contractual Capacity Legality Mistakes, Fraud and Voluntary Consent Fraudulent Misrepresentation Undue influence Duress Adhesion Contracts and Unconscionability	Chapters 14 and 15
Wk 5	<u>Statute of Frauds-Writing Requirement and Electronic Records</u> The Origins of the Statute of Frauds Contracts that Fall Within the Statute of Frauds Sufficiency of the Writing The Parol Evidence Rule The Statute of Frauds in the International Context <u>Third Party Rights</u> Assignments and Delegations Third Party Beneficiaries	Chapters 16 and 17
Wk 6	<u>Performance and Discharge in Traditional and E-Contracts</u> Conditions Discharge by Performance Discharge by Agreement Discharge by Operation of Law <u>Breach of Contract and Remedies</u>	Chapters 18 and 19

	Damages Equitable Remedies Recovery Based on Quasi Contract Election of Remedies Waiver of Breach Contract Provisions Limiting Remedies	
Wk 7	Review for First Examination & First Examination	
Wk 8	<u>Agency Formation and Duties</u> Agency Relationships Formation of the Agency Relationship Duties of Agents and Principals Rights and Remedies of Agents and Principals <u>Agency Liability and Termination</u> Scope of Agent's Authority Liability for Contracts Liability for Torts and Crimes Termination of an Agency	Chapters 32 and 33
Wk 9	<u>Employment, Immigration and Labor Law</u> Employment at Will Wage and Hour Laws Layoffs Family and Medical Leave Worker Health and Safety Income Security Employee Privacy Rights Immigration Law Labor Unions <u>Employment Discrimination</u> Title VII of the Civil Rights act of 1964 Discrimination Based on Age Discrimination Based on Disability Defenses to Employment Discrimination Affirmative Action	Chapters 34 and 35
Wk 10	Team Oral Presentations	
Wk 11	<u>Administrative Law</u> The Practical Significance of Administrative Law	Chapter 43

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	Agency Creation and Powers The Administrative Procedure Act Judicial Deference to Agency Decisions Enforcement and Adjudication Public Accountability	
Wk 12	<u>Consumer Law</u> Deceptive Advertising Labeling and Packaging Laws Sales Credit Protection	Chapter 44
Wk 13	<u>Environmental Law</u> Common Law Actions Federal, State and Local Regulations Air Pollution Water Pollution Toxic Chemicals Hazardous Wastes	Chapter 45
Wk 14	<u>Antitrust Law</u> Sherman Anti Trust Act Section 1 of the Sherman Act Clayton Act Enforcement and Exemptions U.S. Antitrust Laws in the Global Context	Chapter 46
Wk 15	Final Examination	

*The class discussion of the Foreign Corrupt Practices Act and the reading of Ch. 5 are added to improve student attainment of G3O2.

18. Using the NYIT Library

All students can access the NYIT virtual library from both on and off campus at www.nyit.edu/library. The same login you use to access NYIT e-mail and NYITConnect will also give you access to the library's resources from off campus.

On the left side of the library's home page, you will find the "Library Catalog" and the "Find Journals" sections. In the middle of the home page you will find "Research Guides;" select "Video Tutorials" to find information on using the library's resources and doing research.

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Should you have any questions, please look under “Library Services” to submit a web-based “Ask-A-Librarian” form.

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