



South Portland, Maine 04106

Business Department

Title: Business Law	Catalog Number: BUSN 260-01/02
Credit Hours: 3	Total Contact Hours: 3
Lecture (or Lab): Lecture/discussion	Class Location: Hague 202
Office Hours: By Appointment	Instructor: Jane M. Abernethy, J.D.
Class Meetings: Tuesday & Thursday	Email: jabernethy@smccme.edu
01 - 8-9:15 am; 02 - 9:30-10:45 am	Tel: 207-522-0955 (mobile)

Course Syllabus

Course Description

This course will provide a foundation for business managers to operate within the legal environment in which all businesses in our society function. It provides an overview of the law and our legal system, covering topics such as Tort Law, contract and sales law, agency and employment law, business organizations and property law. Prerequisite(s): ENGL-100

Corequisite(s): none

Course Objectives

After successfully completing the course, the student will be able to:

1. Describe the sources of American law and the basic framework of the United States judicial system at both the federal and state level.
2. Describe the basic legal requirements for various types of business contracts, including the requirements for enforcement.
3. Describe the advantages and disadvantages of various forms of business ownership such as sole proprietorships, limited liability companies, and corporations.

4. Describe basic legal concepts involving agency, employment law, and employment discrimination.
5. Have a basic appreciation for the legal issues that arise in tort and property law.

Topical Outline of Instruction

The Legal Environment

- Introduction to Law
- Ethics and Corporate Social Responsibility
- Courts, Litigation, and Alternative Dispute Resolution
- Constitutional Law

Torts

- Intentional Torts and Business Torts
- Negligence, Strict Liability, and Product Liability

The Lifecycle of a Business

- Starting a Business, LLCs and Other Options
- Corporations

Agency and Employment Law

- Agency
- Employment Law
- Employment Discrimination

Contracts and the UCC

- Forming a Contract
- Requirements for a Contract
- Performance of a Contract
- Practical Contracts

Property

- Intellectual Property
- Real Property & Landlord Tenant Issues
- Personal Property

Please note that this class will involve reading and digesting as many as 50-120 pages (2 chapters) of text and other assigned materials each week.

Students are required to use the class web portal and **check SMCC email frequently**.

Assignment Schedule

An assignment schedule will be distributed at the first class meeting and updated on the class portal from time to time.

Course Requirements

Students will be required to:

- Prepare for each session, take notes, cooperate in the teaching/learning process, and complete assignments.
- Read assignments as scheduled and prepare answers to assigned review questions in advance of class.
- Complete seven quizzes.

Students must possess the abilities to read and comprehend complicated, sophisticated material, to write clearly and to discuss abstract concepts.

Student Evaluation and Grading

10%: Homework. Students will be required to research and hand in written summaries of current events on relevant topics, as well as research and describe the Maine State court system.

5%: Class participation. Participation will be evaluated based upon the effort a student demonstrates and the contribution a student makes to the classroom atmosphere and discussion: Do the student's questions or comments consistently relate to the topic being considered? Do the student's contributions help others understand the material? Does the student contact the professor with timely questions and/or comments, links to news articles or useful material? Does the student's attention and attitude set a professional tone?

5%: Attendance. A 1% deduction will be made for each absence. Repeated tardiness will result in deductions as well. More than three unexcused absences may earn an AF at the discretion of the instructor.

80%: 7 Quizzes (5%, 7.5%, 10%, 10%, 12.5%, 15% & 20%)

Quizzes will be given on the following dates: February 9, February 28, March 9, March 30, April 18, May 2, and May 11.

Each student may create one 8.5" x 11" piece of paper, double-sided, with notes or outlines to use during each quiz.

There are no make-ups offered. If you are not present to take a quiz you will receive a 0 for that assignment. The instructor will accommodate student conflicts only if arrangements are made in advance.

SMCC Grading:

	A 93-100	A- 90-92
B+ 87-89	B 83-86	B- 80-82
C+ 77-79	C 73-76	C- 70-72
D+ 67-69	D 63-66	
F Below 63		

Text

The text is required and must be brought to every class:

Beatty, Jeffrey F., Samuelson, Susan S., and Abril, Patricia Sánchez. **Introduction to Business Law, 5th Ed.** ISBN: 9781285860398 Cengage Learning, (c) 2016, 2013.

Attendance Policy

Attendance is required. Students must notify the instructor in advance of any absence. The instructor will accommodate student conflicts only if arrangements are made in advance. Makeup quizzes are not given and late work will not be accepted.

In the event that a student misses three (3) consecutive classes an AF grade will be awarded. In addition, any student who misses more than three (3) classes, in the aggregate, may be awarded an AF grade at the instructor's discretion.

Policy on Using Electronic Devices

Unauthorized use of cell phones or other electronic devices in class may result in a student being asked to leave the classroom and result in a recorded absence for the period. During quizzes phones must be placed on student's desks screenside down.

End-of-Course Evaluation

Students complete evaluations for each course attended at SMCC. Evaluations are submitted online and can be accessed through the student portal. Students can access the course evaluations beginning one week before the end of classes. The deadline for submission of evaluations occurs Monday at 5 p.m. following the last day of the class. You will receive an e-mail to your student e-mail account when course evaluations are available.

ADA Syllabus Statement

Southern Maine Community College is an equal opportunity/affirmative action institution and employer. For more information, please call (207) 741-5798. If you have a disabling condition and wish to request accommodations in order to have reasonable access to the programs and services offered by SMCC, you must register with the Disability Services Coordinator, Sandra Lynham, who can be reached at 741-5923. Further information about services for students with disabilities and the accommodation process is available upon request at this number. Course policies about online testing are modified to suit each individual's accommodations.

SMCC Pay-for-Print Policy

Each semester students receive a \$20 printing credit. The balance resets at the end of the semester and any remaining credits are removed. The College's pay-for-print system monitors printing on all printers (including those in general access labs, library printers, Tutoring Services, Campus Center Lounge and technology labs). Be sure to log OUT of the system when you've finished your printing, to prevent unauthorized access to your account. Students can check the number of pages they have printed by using the Printing Balance tool available on SMCC computers (located in the lower right corner of the screen, near the clock). Departments with work study students who need to print documents for the department should contact the Help Desk at 741-5696 to have a special account set up. To find ways to reduce your printing charges, please go to the IT Help tab on My SMCC. If you have questions about the pay-for-printing policy or your printing charges, please contact the Help Desk at 741-5696 or send an e-mail to helpdesk@smccme.edu.

Refunds

Print jobs are eligible for a refund in the event of mechanical or electronic error on the part of the printer, print server, or software used to submit the job. Jobs are not eligible for a refund in cases where the job was not set up correctly, was submitted multiple times, or the student is not satisfied with the result. To request a refund, please bring the offending print to the IT Department in the basement of the Ross Technology Center. Refunds will be granted in the form of a credit to the student's account.

Add-Drop Policy

Students who drop a course during the one-week “add/drop” period in the fall and spring semesters and the first three days of summer sessions receive a 100% refund of the tuition and associated fees for that course. Please note any course that meets for less than the traditional semester length, i.e., 15 weeks, has a pro-rated add/drop period. There is no refund for non-attendance.

Withdrawal Policy

A student may withdraw from a course only during the semester in which s/he is registered for that course. The withdrawal period is the second through twelfth week of the Fall and Spring semesters and the second through ninth week of twelve-week Summer courses. This period is pro-rated for shorter-length courses (usually 75 percent of course meeting times; please check with the Registration Office. To withdraw from a course, a student must complete and submit the appropriate course withdrawal form, available at the Registration Office. This process must be completed either in person or by using SMCC e-mail accounts.

Plagiarism Statement

If an instructor suspects that a student has knowingly committed a violation defined in the Maine Community College System Policy on Student Grade Appeals and Academic Misconduct, the instructor has the authority to review the alleged misconduct and determine the grade that the student should receive for the assignment and the course. The instructor may assign a failing grade for the assignment or course and may require the student to complete additional work for the course. The instructor may consult with the department chair and/or the College’s chief academic officer prior to making such decisions. If a student seeks to challenge an instructor’s determination, the student should submit a grade appeal. Grade appeal forms are available in the Advising Office on the South Portland Campus or in the administrative offices in the Learning Commons on the Midcoast Campus. An instructor may also refer the matter to the College’s disciplinary officer for review under the procedures of the MCCS Student Code of Conduct

Week	Date	Topic/Unit	To read & do before class	In class activity / Material to be handed in
1	Jan. 17	Introduction to Business Law 260-01 or -02.		Review Syllabus and assignments. Look at textbook. Introductions.
	Jan. 19	Introduction to Law	Read Text Chapter 1. Read & analyze Ethics Hypo excerpt. Prepare written analysis.	Discussion of sources of law; US government; civil & criminal law.
2	Jan. 24	Ethics	C. Manny’s “Introduction to Business Ethics” pp. 1-8. Apply the 7 questions to last week’s hypo and hand in.	Hand in your written answers to the 7 questions applied to the hypothetical. Review C. Manny, pp. 8-14 together.
	Jan. 26	Ethics & Corporate Social Responsibility	Chapter 2. Research, find, and summarize in approximately 250 words an article dated within the past 3 weeks from a reputable media source describing ethical issues in business and/or government.	Hand in summary and article.
3	Jan. 31	Constitutional, Statutory, Administrative, and Common Law.	Chapter 4. Read handout: Selected portions of the Maine & US Constitutions. Constitutions will be posted on class portal.	
	Feb. 2	Structure of the Federal Courts/ Litigation Process/ ADR	Chapter 5. Pay particular attention to <u>International Shoe Co. v. State of Washington</u> Research and write/draw/design a brief summary/explanation of the Maine State Court System.	Hand in summary of Maine State Court System. Discuss court system and <u>International Shoe Case</u> .
4	Feb. 7		Research Use of Arbitration in Consumer Cases. Find and summarize in 500 words or less an article dated within the past 12 months from a reputable media source describing ethical issues in business and/or government.	Hand in summary and article.
	Feb. 9		Quiz Preparation	Quiz on prior material

Week	Date	Topic/Unit	To read & do before class	In class activity / Material to be handed in
5	Feb. 14	Torts & Product Liability	Chapter 7. Find and summarize in 500 words or less an article about a product liability lawsuit or product liability issue in the U.S. dated within the past six months.	Hand in summary and article.
	Feb. 16			Introduce IRAC method
6	Feb. 21	Negligence, Strict Liability & Product Liability	Chapter 8. Watch NYTimes Retro Report on McDonalds Coffee Case. Complete worksheet about the case — posted on the portal.	Hand in McDonalds' case worksheet.
	Feb. 23		Practice IRAC	
7	Feb. 28		Quiz Preparation	Quiz on prior material
	Mar. 2	Business Organizations	Chapters 21 & 22	
8	Mar. 7			
	Mar. 9		Quiz Preparation	Quiz on prior material
	Mar. 13—17 SPRING BREAK. NO CLASSES			
9	Mar. 21	Employment Law: Agency, Employer-Employee Relations & Discrimination	Chapter 17. Read <u>Ludington v. LaFreniere</u> and be prepared to discuss.	
	Mar. 23		Chapter 18. Read handout <i>Maine Employee Rights Guide</i> .	
10	Mar. 28		Chapter 19. Find and summarize in 500 words or less an article about an employment discrimination lawsuit in the U.S. dated within the past six months.	Hand in summary and article.
	Mar. 30		Quiz Preparation	Quiz on prior material
11	Apr. 4	Contracts	Chapter 10. Read handout MCLG Ch. 2, <i>Consumer Contracts in Maine</i>	
	Apr. 6		Chapter 11. Review handout <i>Sample Independent Contractor Agreement</i>	

Week	Date	Topic/Unit	To read & do before class	In class activity / Material to be handed in
12	Apr. 11		Chapter 12. Read handout <i>Brignull v. Albert</i>	
	Apr. 13		Chapter 13	
13	Apr. 18		Quiz Preparation	Quiz on prior material
	Apr. 20	Intellectual Property	Ch 28	
14	Apr. 25	Real Property & Landlord Tenant Law	Ch 29	
	Apr. 27	Personal Property	Ch 30	
15	May 2		Quiz Preparation	Quiz on prior material
	May 4	Bankruptcy	Ch 23	
16	May 9	Review	Review of past quizzes	Review of material
	May 11			Final Quiz