



## OM240 – Business Law Syllabus Organizational Management Department

### Course Information:

OM410 – Business Law  
3 Credit Hours

Sterling College Online, Summer 1 – 2021

### Instructor Information:

#### Office Hours

Monday:  
Tuesday:  
Wednesday:  
Thursday:  
Friday:

*Preferred Method of Communication:* The best way to stay in contact with me is via my Sterling College email address above. However, feel free to text me on my cell phone listed above, or call me if it is urgent.

### Textbook Information:

Clarkson, K. W., Miller, R. L., & Cross, F.B. (2012). *Business Law Text and Cases: Legal, Ethical, Global, and Corporate Environment, 12<sup>th</sup> Ed.*, Cengage.

### **COURSE DESCRIPTION**

This course begins with a survey of the basic institutions and general principles of law and then moves on to topics such as agency contracts, sales, and secured transactions as governed by the UCC, litigation, the judicial process, dispute resolution, and preventative law.

### **PERFORMANCE OUTCOMES**

Course Objective	KNW, SKL, or VAL	Activities	Assessments
Students will gain an introductory knowledge of legal principles and concepts and how they impact the world of business.	KNW	Class readings Class discussion Interactive course materials.	Regular quizzes Evaluation of discussion responses.
Students will develop better abilities to read and think critically	SKL, VAL	Class readings Case briefings	Evaluation of case briefings.

			Evaluation of final case analysis project.
Students will develop enhanced ability to write clearly and comprehensively convey their knowledge of legal concepts.	SKL, VAL	Case briefings Final case analysis project.	Evaluation of case briefings. Evaluation of final case analysis project.

## GRADING POLICY

21 Chapter Quizzes (40 pts each)	840 points
3 Case Briefs (50 pts each)	150 points
Weekly Case Discussions (35 pts per week)	245 points
Case Analysis Project	200 points
TOTAL	1435 points

The above listed assignments are representative of the required coursework for the semester. The professor reserves the right to add or remove assignments, and the right to adjust points for assignments, throughout the course.

Letter Grade	Points Earned
A	90%+
B	80-89%
C	70-79%
D	60-69%
F	0-59%

## SPECIFIC EXPECTATIONS

### *Assigned Readings*

<b>Week 1</b>	Chpts. 1, 4, 5
<b>Week 2</b>	Chpts. 6, 7, 8, 10
<b>Week 3</b>	Chpts. 11, 18, 19, 21
<b>Week 4</b>	Chpts. 22, 28, 29, 30
<b>Week 5</b>	Chpts. 32, 34, 35, 36
<b>Week 6</b>	Chpts. 37, 38

**Chapter Quizzes** – After reading each assigned chapter, students are required to complete an online quiz through their Canvas account. Each quiz will consist of 20 questions (multiple choice) worth 2 points each, for a total of 40 points per quiz. Check Canvas for due dates.

**Case Briefs** – As a portion of the requirements of this course, each student will submit three case briefs, according to the following guidelines:

### How to Brief a Case

In order to better understand criminal law and many of the concepts related to business law, students need to be able to read and understand court decisions. To make this task easier, this course utilizes a method of case analysis that is called briefing. There is a fairly standard procedure to follow to “brief” any court case. First, read the case opinion carefully. After gaining a good understanding of the case, prepare a brief of it, addressing each of the items under the headings as listed below.

**1. Citation.** Give the full citation for the case, including the name of the case, the date it was decided, and the court that decided it. The names of the parties should be underlined. [Example from page 23 of the textbook: Singer v. Raemisch, 593 F.3d 529 (2010)]

**2. Facts.** Briefly state the key facts of the case. This should include key information regarding the defendant, the victim, and the circumstances of the crime that was committed.

**3. Procedural History.** Briefly state what happened in the trial court, as well as any courts of appeals (i.e., “After a jury trial in the district court, where the defendant was found to have broken the contract, the defendant appealed to the Kansas Court of Appeals. The Kansas Court of Appeals affirmed the decision of the district court. The defendant then proceeded to petition the Kansas Supreme Court for review. Review was granted.”)

**4. Issue.** Concisely phrase, *in the form of a question*, the essential issue(s) before the court.

**4. Holding/Rule.** Indicate here the court’s answer to the question (or questions) in the “Issue” section above.

**5. Reason.** Summarize the reasons provided by the court for its decision (or decisions) and the case or statutory law relied on by the court in arriving at its decision.

Case briefs *must* be submitted via TurnItIn.com, which is a plagiarism detection service and the platform through which the assignments will be graded. In order to submit these assignments, you must register for the course at [www.turnitin.com](http://www.turnitin.com). If you already have a turnitin.com account, you may log in with that account and then enter the new class information. If you do not yet have an account, you may create one at this site: [https://www.turnitin.com/newuser\\_join.asp](https://www.turnitin.com/newuser_join.asp). In either case, you will need the following information to get set up for this course in the system.

**Class ID: 29423897**

**Enrollment Key/Password: OM410SUM121**

You will submit the appropriate assignments by uploading them within the turnitin.com site. Turnitin will allow the following file types: Microsoft Word, PowerPoint, WordPerfect, PostScript, PDF, HTML, RTF, OpenOffice (ODT), Hangul (HWP), Google Docs (submitted via the Google Drive submission option), plain text files. Submissions to turnitin.com become a part of the turnitin.com database, which is used to guard academic integrity. If you have any problems with the turnitin website, visit the “Support >> Help Center” link from the top menu of the site (direct link: [http://www.turnitin.com/en\\_us/support/help-center](http://www.turnitin.com/en_us/support/help-center)).

### Rubric for Evaluating Case Briefs

REQUIREMENT	Needs Work	Adequate	Exemplary
<b>Citation</b>	Case citation contained numerous errors. (0-1 point)	Case citation contained some errors in content or format. (2-3 points)	Case citation was complete and accurate with no more than one minor error (4-5 points)
<b>Facts</b>	Facts of the case were incomplete or contained substantive errors. (0-3 points)	Facts of the case contained some errors, but were not substantively erred. (3-6 points)	Facts of the case were stated fully and accurately. (7-10 points)
<b>Procedural History</b>	The procedural history was not correctly summarized. (0-1 point)	The procedural history was partially summarized correctly (2-3 points)	The procedural history was fully summarized. (4-5 points)
<b>Issue</b>	The issue in the case was not correctly identified. (0-1 point)	The issue in the case was partially identified. (2-3 points)	This issue in the case was fully identified and described. (4-5 points)
<b>Decision/Holding</b>	The decision was listed incorrectly; significant errors in response. (0-1 point)	The decision was listed correctly, but response contained some errors. (2-3 points)	The decision was listed correctly, with no major errors. (4-5 points)
<b>Reason</b>	The reason given reflected little thought or contained significant errors in content. (0-6 points)	The reason given was thoughtful, accurate in content and included some detail, but was limited in depth. (7-12 points)	The reason given was complete, contained sufficient details to reflect the students understanding of the case. (13-20 points)

#### ***Case Discussions***

Once the assigned case has been briefed, students must answer the discussion question presented, as well as post a minimum of 3 substantive responses to posts and responses of other members of the class. Students will receive up to 20 points each week for correctly and comprehensively answering the discussion question, as well as up to 5 points per substantive response, for a maximum total of 35 points per week.

*The initial required post for each weekly discussion question is due by Tuesday 11:59pm CDT (CST) of the assigned week. All responses to other postings are due by Sunday 11:59pm CDT (CST).*

Students are expected to be courteous and respectful to fellow students when differing in opinion. While differing viewpoints are encouraged, be careful that you do not insult others when sharing your thoughts and ideas.

The following rubric will be used to grade the Weekly Discussion Questions.

REQUIREMENT	Needs Work	Adequate	Exemplary
<b>Discussion Question: Posted on Time</b>	Response was not posted on time. (0 points)		Response was posted on time. (5 points)
<b>Discussion Question: Content of Post.</b>	Post reflected little thought or contained errors in content. (0-5 points)	Post was thoughtful and included some details, but was limited in depth. (6-10 points).	Post was thoughtful and detailed. Specific examples may have been provided. (11-15 points)
<b>Response to Other Members of the Class. (up to 3 responses per week).</b>	Response appeared thoughtless, lacked substance, or contained errors in content. (0-1 point)	Response was thoughtful and included some details, but was limited in depth. (2-3 points)	Response was detailed, provided specific examples and/or helpful details, and/or encouragement. (4-5 points)

**Total Points Possible: 35**

### ***Case Analysis Project***

As the final major project for the course, students will write a detailed analysis of a court case, selected by the student and approved by the instructor. Cases can be from any federal or state appellate court.

#### Internet Resources for Selecting Case

- Legal Information Institute ([www.law.cornell.edu](http://www.law.cornell.edu))
- National Federation of Independent Business ([www.nfib.com/legal-center/case-index](http://www.nfib.com/legal-center/case-index))
- United States Supreme Court ([www.supremecourt.gov](http://www.supremecourt.gov))
- FindLaw ([www.findlaw.com/casecode/](http://www.findlaw.com/casecode/))
- Academic and Business Research Institute – Journal of Legal Issues and Cases in Business ([www.aabri.com/jlicb.html](http://www.aabri.com/jlicb.html))
- Feel free to use other resources, just be very diligent to avoid plagiarism.

The analysis will contain a brief of the case, followed by a thorough discussion, to include the following:

- Careful and detailed analysis of the court reasoning for the decision in the case.
- A clear description of the court's holding in the case.
- The potential or realized impact of the case on the world of business.

The case analysis must be a minimum of 1000 words in length.

The following rubric will be used to grade the Case Analysis Project.

<b>REQUIREMENT</b>	<b>Needs Work</b>	<b>Adequate</b>	<b>Exemplary</b>
<b>Submitted on Time</b>	Project was not posted on time. (0 points)		Project was posted on time. (10 points)
<b>Mechanics</b>	Project contained numerous grammar, spelling, and/or punctuation errors; Project failed to contain a brief of the case. (0-6 points)	Project contained minor technical errors, but as a whole, was well-written. Case brief may have had minor errors (7-12 points).	Project was mechanically very sound, with very few errors. Case brief was complete. (13-20 points)
<b>Length</b>	Project was less than 500 words in length. (0 points)	Project contained 500-999 words. (1-19 points)	Project length was 1000 words or more. (20 points)
<b>Analysis of Court's Decision</b>	Analysis reflected little thought or contained errors in content. (0-20 points)	Analysis was thoughtful and included some details, but was limited in depth. (21-45 points).	Analysis was thoughtful and detailed. Specific examples may have been provided. (46-70 points)
<b>Description of Court's Holding</b>	Description reflected little thought or contained errors in content. (0-6 points)	Description was thoughtful and included some details, but was limited in depth. (7-12 points).	Description was thoughtful and detailed. Specific examples may have been provided. (13-20 points)
<b>Impact of Case on World of Business</b>	Discussion reflected little thought or contained errors in content. (0-20 points)	Discussion was thoughtful and included some details, but was limited in depth. (21-40 points).	Discussion was thoughtful and detailed. Specific examples may have been provided. (41-60 points)

The case analysis project will be submitted via TurnItIn.com. (See the **Case Briefs** section above for more detailed information regarding submission.)

*The case analysis project is due on the last day of the course, Sunday, July 4, 2021 at 11:59pm CDT.*

### **BONUS POINTS**

Students can earn up to 20 bonus points per case for submitting additional case briefs (three case maximum) from the following selection of cases:

*Anderson v. Bungee International Manufacturing Corp.*, 44 F.Supp.2d 534 (S.D.N.Y. 1999)  
[http://scholar.google.com/scholar\\_case?case=12467708735945779784&q=44+F.Supp.2d+534+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=12467708735945779784&q=44+F.Supp.2d+534+&hl=en&as_sdt=2,5&as_vis=1)

*In the Matter of Wiegert*, 145 Bankr. 621 (D.Neb. 1991)  
[http://scholar.google.com/scholar\\_case?case=6420894319916242495&q=145+Bankr.+621+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=6420894319916242495&q=145+Bankr.+621+&hl=en&as_sdt=2,5&as_vis=1)

*Stanley v. Brooks*, 436 S.E.2d 272 (N.C.App. 1993)  
[http://scholar.google.com/scholar\\_case?case=17889067681163990133&q=436+S.E.2d+272+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=17889067681163990133&q=436+S.E.2d+272+&hl=en&as_sdt=2,5&as_vis=1)

*Wiesner v. BBD Partnership*, 845 P.2d 120 (Mont. 1993)  
[http://scholar.google.com/scholar\\_case?case=2976811417499081684&q=845+P.2d+120+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=2976811417499081684&q=845+P.2d+120+&hl=en&as_sdt=2,5&as_vis=1)

*O'Driscoll v. Hercules, Inc.*, 12 F.3d 176 (10th Cir. 1994)  
[http://scholar.google.com/scholar\\_case?case=16200361142951532692&q=12+F.3d+176+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=16200361142951532692&q=12+F.3d+176+&hl=en&as_sdt=2,5&as_vis=1)

*Tiano v. Dillard Department Stores, Inc.*, 139 F.3d 679 (9th Cir. 1998)  
[http://scholar.google.com/scholar\\_case?case=5524791091185075463&q=139+F.3d+679+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=5524791091185075463&q=139+F.3d+679+&hl=en&as_sdt=2,5&as_vis=1)

*Meads v. Citicorp Credit Services, Inc.*, 686 F.Supp. 330 (S.D.Ga. 1988)  
[http://scholar.google.com/scholar\\_case?case=11765430459135212969&q=686+F.Supp.+330+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=11765430459135212969&q=686+F.Supp.+330+&hl=en&as_sdt=2,5&as_vis=1)

*State v. Ludvigson*, 482 N.W.2d 419 (Ia. 1992)  
[http://scholar.google.com/scholar\\_case?case=1347280140787421805&q=482+N.W.2d+419+&hl=en&as\\_sdt=2,5&as\\_vis=1](http://scholar.google.com/scholar_case?case=1347280140787421805&q=482+N.W.2d+419+&hl=en&as_sdt=2,5&as_vis=1)

Case briefs submitted for extra credit must be submitted to the professor by email at [mtremaine@sterling.edu](mailto:mtremaine@sterling.edu) by the last day of the course (July 4, 2021), by not later than 11:59 p.m.

### **CLASSROOM BEHAVIOR POLICIES:**

The online learning environment includes technology, information, and people. Students should demonstrate professionalism and integrity in regard to all components of the learning environment. Given that students and instructors may be from anywhere in the world, learners should consider differences in time zones if telephone conversation is ever required.

### **Treating Other Students with Respect**

Students should avoid inflammatory or offensive comments—which undermine the objective of a positive learning experience—in communicating with their peers. Most students want to get the most from their online course, which means that they expect their peers' cooperation on collaborative assignments and thoughtful participation in discussion forums.

## **Treating Instructors with Respect**

Students can show respect to instructors by reading all announcements in a timely manner, communicating in a timely fashion about problems (technological or other) that will cause work to be turned in late, and following directions.

## **Respect for All Parties Who Collaborate with the Institution to Create Learning Experiences**

Service, observation, and clinical practice are important components of Sterling College Online programs. The organizations and employers who cooperate with Sterling College to help students succeed do so out of kindness and social responsibility; they are not *required* to participate in Sterling College Online learning experiences. Sterling College values the cooperation of all parties who help students learn and grow by providing observatory and hands-on experience. Students should likewise respect the contributions of such parties.

## **Respecting Laws Regarding Technology and Information**

Students may not use or reproduce any technology or course component for financial purposes or for the purpose of defaming the institution or individuals. Online learners should use technology for the sole purpose of learning and sharing course-related information with others in the learning community.

### **LATE WORK:**

All work must be turned in when it is due. Late work will NOT be accepted unless prior arrangements have been made with the professor.

### **SPECIFIC EXPECTATIONS:**

Be prepared and submit assignments on time.

### **ELECTRONIC COMMUNICATION:**

The Sterling College e-mail system will be the official means of communication for this course. However, *no assignments will be accepted via email unless specifically permitted by the professor*. All assignments must be submitted via Canvas.

## **COURSE OUTLINE/DAILY SCHEDULE**

The following subjects related to this study will be explored in this course:

1. Introduction to Law and Legal Reasoning
2. Constitutional Authority to Regulate Business
3. Ethics and Business Decision Making
4. Intentional Torts and Privacy
5. Negligence and Strict Liability
6. Intellectual Property and Internet Law
7. The Nature and Terminology of Contracts
8. Agreement in Traditional and E-Contracts
9. Breach of Contract and Remedies
10. The Formation of Sales and Lease Contracts
11. Performance and Breach of Sales and Lease Contracts
12. Warranties and Product Liability



13. Creditors' Rights and Remedies
14. Secured Transactions
15. Bankruptcy Law
16. Agency Formation and Duties
17. Employment, Immigration, and Labor Law
18. Employment Discrimination
19. Sole Proprietorships and Franchises
20. Partnerships and Limited Liability Partnerships
21. Limited Liability Companies and Special Business Forms

More detailed information regarding the weekly class schedule and specific due dates can be found on Canvas.

### **ACADEMIC INTEGRITY**

Sterling College faculty and students form an academic community committed to the Biblical principles of justice and honesty, and to the core values of faith, calling, learning, integrity, service, and community. Our commitment to academic integrity requires that each student and faculty member be responsible for creating an environment of trust and respect in which the search for knowledge, truth, and wisdom can be successfully accomplished. Students are expected to:

- perform and represent honestly their own academic work,
- properly acknowledge others' ideas, words, and creations when appropriate,
- respect the learning environment and the expression of others' ideas and opinions,
- demonstrate good stewardship in the use of academic resources.

Any violation of these expectations will result in disciplinary actions. A record of these violations will become a part of the student's permanent academic record at Sterling College. Violations of the Sterling College Academic Integrity Policy include, but are not limited to:

**Plagiarism:** The presentation of someone else's words or ideas as the student's own.

**Cheating:** Obtaining unauthorized help on a course activity. Assistance of any kind on course activities will be considered cheating unless the instructor has explicitly expressed consent for such assistance to take place.

**False Information:** Creation or manipulation of false information (including lying) in or with regard to any course related activity.

**Recycling:** Use of work submitted in another course to meet course requirements without explicitly expressed consent of both instructors. Students repeating a course must create new, original work unless otherwise directed by their instructor.

**Supporting Academic Integrity Violations:** Assisting a student in committing any of the violations listed above (plagiarism, cheating, false information, or recycling) where such assistance has not been approved by the instructor through explicitly expressed consent.

**Disrupting the Learning Process and/or Experience:** Willful and repeated violation of classroom behavior policies as outlined and/or described in the course syllabus or disruption of course activities.

**Process:**

Once a faculty member judges that an offense has occurred, the instructor must normally notify the student in writing of the charge of an academic integrity violation and the reasons for the charge within two days of the alleged violation being discovered. This notification can occur via the student's college email address. If the student disputes the faculty member's finding, then the student has two working days to submit to the faculty member a written appeal of the charge. If, based on the student appeal, the faculty member determines that no violation has occurred, then the charge is dropped and the process ends. If the faculty member upholds the determination that a violation has occurred or if the student does not appeal, the faculty member then notifies the student and the Office of Academic Affairs via email, and forwards all documentation to Academic Affairs. If the student appealed to the faculty member and the faculty member upheld the determination that a violation has occurred, the student can then appeal the decision to the Vice President of Academic Affairs (or his/her designee) in writing within five working days. If the student does not appeal to the faculty member within two working days, the student may NOT appeal to the Vice-President of Academic Affairs. The decision of the Vice President for Academic Affairs is final. No appeal will be entertained regarding the punitive consequences of an academic integrity violation, only whether the violation occurred. A record of offenses is maintained in the Office of Academic Affairs and the student's file.

**Simultaneous Offenses:** Multiple offenses by one student reported to the Office of Academic Affairs before the student has had the benefit of a first offense warning will be treated as one offense.

**Consequences:** The consequences of an academic integrity violation are as follows. Please note that charges to a student's account are not altered when as a result of an academic integrity violation the student is issued a grade of W, is suspended, or is dismissed.

**First Offense:** The faculty member decides on the penalty for a violation in that course, up to a failing grade for the course. The recommended penalty is a failing grade on the assignment and a one letter grade reduction in the final grade for the course. Academic Affairs will notify the student in writing that he/she has been found guilty of an academic integrity violation and, when possible, the student will meet personally with the Vice President for Academic Affairs or his/her designee to discuss the penalties for any subsequent violation and how to correct the behavior in the future.

**Second Offense:** Upon confirmation of the second offense the student will be suspended from the College and receive a grade of F for the class in which the academic integrity violation occurred and a W in all other classes. "Academic Integrity Violation" will be recorded on the student's transcript as the reason for suspension. The student may apply for readmission to Sterling College the following semester.

**Third Offense:** Upon confirmation of the third offense, the student will receive an F for the class in which the academic misconduct occurred and a W in all other classes. The offense will be recorded on the student's transcript and the student will be immediately and permanently dismissed from Sterling College.

**ACADEMIC SUPPORT OFFICE**

The Academic Support Office strives to challenge students who come from all types of academic journeys through academic mentoring with directors and SC peers. Mentoring topics include time management, study skills, testing anxiety, and more. Students struggling with certain

subjects may find aid through the on-campus tutoring program (scheduled by appointment only) and 24/7 professional help via the online Tutor.com platform accessible through Canvas. The office facilitates CLEP, Accuplacer, and other SC exam proctoring. Students may contact the Academic Support Office at [academicsupport@sterling.edu](mailto:academicsupport@sterling.edu), or call 620-278-4463, to schedule an appointment.

### **STATEMENT OF NONDISCRIMINATION**

Sterling College does not discriminate on the basis of race, color, national origin, sex, disability or age. The policy in the current Academic Catalog will be followed for this class.

### **DISABILITY ACCOMMODATIONS**

Any student with a disability who may need classroom accommodations in this course should contact the Academic Support Office, located in Mabee Library. Students may email [academicsupport@sterling.edu](mailto:academicsupport@sterling.edu), call 620-278-4463, or stop by the office. The office serves students with a wide range of documented physical and learning disabilities.

### **TITLE IX STATEMENT**

Sterling College is committed to providing a learning, working and living environment that promotes personal integrity, civility, and mutual respect in an environment free of sexual misconduct and discrimination. Title IX makes it clear that violence and harassment based on sex and gender are Civil Rights offenses subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. Harassment is not acceptable. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here:

- *Sterling College, Title IX Coordinator Richard Webb, Kelsey Hall #304, or call 620 204-0025 or email [titleIX@sterling.edu](mailto:titleIX@sterling.edu) <https://www.sterling.edu/title-ix>*
- *Sterling College, Counseling Services, Lydia Butner, (620) 278-4297*
- *Sterling College, Chaplain, Paul Brandes, (620) 278-4341*
- *City of Sterling, Police Department (620) 278-2100*
- *24-hour Crisis Hotline (800) 701-3630*
- *Sexual Assault Victim Advocate, Heather Oden (620) 278-4232*
- *Rice County Hospital (620) 257-5173*
- *Title IX Education Brochure [https://www.sterling.edu/sites/default/files/Updated%20Brochure\\_July%2017%2C%202020.pdf](https://www.sterling.edu/sites/default/files/Updated%20Brochure_July%2017%2C%202020.pdf)*