



**Prairie View A&M University - College of Business**

<b>Instructor:</b>	<b>Anton P. Montaña, J.D., Tax LLM</b>					
<b>Section # and CRN:</b>	<b>Sec</b>	<b>CRN</b>	<b>Days</b>	<b>Time</b>	<b>BLG.</b>	<b>Rm</b>
	<b>BLAW 2203</b>	<b>26116 P04</b>	<b>TTh</b>	<b>9:30am- 10:50am</b>	<b>AGBUS</b>	<b>112</b>
<b>Office Location:</b>	<b>Agriculture/Business Multipurpose Building Office #337</b>					
<b>Office Phone:</b>	<b>936- 261-9240</b>					
<b>Email Address:</b>	<a href="mailto:apmontano@pvamu.edu"><u>apmontano@pvamu.edu</u></a>					
<b>Office Hours:</b>	<b>TTh 12:30 pm – 2:30 pm</b>					
<b>Mode of Instruction:</b>	<b>On Ground /Face to Face Classroom</b>					
<b>Catalog Description:</b>	<b>BLAW Legal Environment of Business</b> “A study of the legal aspects of the business environment and the legal rights and potential liabilities of business persons. The presentation of law as an expanding social and political institution in the environment of business.”					
<b>Prerequisites:</b>	<b>Prerequisite:</b> Passing University admissions reading test					

**READING MATERIALS (either book is acceptable):**

**Business Law and the Legal Environment for Business  
[Softcover] Victor D. Lopez, J.D., Esq. (Author) 2017**

<http://www.textbookmedia.com/pr/Business-Law-and-The-Legal-Environment-of-Business/4396/9780996996228>

## Third Edition

**ISBN 13: 978-0-9969962-2-8**

**ISBN 10: 0-9969962-2-2**

**Business Law, Fifth Edition [Softcover] James F. Morgan  
(Author) 2015. BVT Publishing, LLC.  
eBook ISBN 978-1-62751-345-6  
Soft Cover ISBN 978-1-62751-343-2**

**Student Learning Outcomes:**

**Course Goals or Overview:**

Following completion of this course, successful students will be able to generally state basic legal rules, and to appropriately apply those rules to simple fact situations, related to the following topics:

1. The fundamental principles of the Common Law system, including the significance of precedent and the analytical methods used.
2. The principal distinctions between criminal law and civil law.
3. The primary sources of law in the United States and those sources' relative importance.
4. The role of the Commerce Clause of the U.S. Constitution in determining the application of state and federal laws to business activities.
5. The differences in procedures and costs between the traditional, court adjudication process and "alternative dispute resolution" methods.
6. The rules protecting "real property" and "personal property" and their differing application to differing items and interests.
7. The elements of a cause of action for negligence.
8. The distinction between "intentional" and "unintentional" torts.
9. The requirements for creating a contract under (the "elements" of) Common Law contract law.
10. The principal differences between Common Law contract rules and Uniform Commercial Code contract rules.

*Merely demonstrating the ability or knowledge to answer one or a few questions concerning each of the course objectives does not guarantee a passing grade.*

## **Course Evaluation Methods**

This course will utilize the following instruments to determine student grades and proficiency of the learning outcomes for the course.

**Exams** – written tests designed to measure knowledge of presented course material

**Lectures – Including Class discussions**

**In class Exercises –**

**Class Participation** – daily attendance and participation in class discussions

**Team Presentation and Individual Power Point Presentation**

**Take Home Assignments (4 of them)**

[Extra points = 10 points for 3 examples of legal issues in business news for class discussion]

<u>Grading Component</u>	<u>Points</u>
<b>Take Home Assignments (4) 5 points</b>	<b>20</b>
<b>Exam #1</b>	<b>50</b>
<b>Exam #2</b>	<b>50</b>
<b>Exam #3 (Final Exam)</b>	<b>50</b>
<b>Team Power Point Presentation (Administrative Agency)</b>	<b>50</b>
<b>Individual Power Point (Legal Issue Presentation)</b>	<b>50</b>
<b>Class Part.</b>	<b>10</b>
<hr/>	
	<b>280</b>

**252-280 = A**

**224-251 = B**

**196-223= C**

**168-195= D**

**167 AND UNDER = F**

**Grade Determination:**

**A = 90.00 – 100%;**

**B = 80.00 – 89.99%;**  
**C = 70.00 – 79.99%;**  
**D = 60.00 – 69.99%;**  
**F = 50.00 - 59.99%**

## **Course Procedures**

### **Submission of Assignments:**

Each assignment's instructions include its particular submission methods and requirements.

### **Exam Policy**

Exams must be taken as scheduled. No makeup examinations will be allowed except under documented emergencies. (See P.V. Student Handbook).

Each exam will cover the course materials assigned, and lectures and discussions, since the preceding exam.

## **References**

Westlaw, LEXIS/NEXIS – both available through University library website

# **University Rules and Procedures**

### **Disability statement (See Student Handbook):**

Students with disabilities, including learning disabilities, who wish to request accommodations in class should register with the Services for Students with Disabilities (SSD) early in the semester so that appropriate arrangements may be made. In accordance with federal laws, a student requesting special accommodations must provide documentation of their disability to the SSD coordinator.

### **Academic misconduct (See Student Handbook):**

You are expected to practice academic honesty in every aspect of this course and all other courses. Make sure you are familiar with your Student Handbook, especially the section on academic misconduct. Students who engage in academic misconduct are subject to university disciplinary procedures.

### **Forms of academic dishonesty:**

1. Cheating: deception in which a student misrepresents that he/she has mastered information on an academic exercise that he/she has not mastered; giving or receiving aid unauthorized by the instructor on assignments or examinations.
2. Academic misconduct: tampering with grades or taking part in obtaining or distributing any part of a scheduled test.
3. Fabrication: use of invented information or falsified research.
4. Plagiarism: unacknowledged quotation and/or paraphrase of someone else's words, ideas, or data as one's own in work submitted for credit. Failure to identify information or essays from the Internet and submitting them as one's own work also constitutes plagiarism.

### **Nonacademic misconduct (See Student Handbook)**

The university respects the rights of instructors to teach and students to learn. Maintenance of these rights requires campus conditions that do not impede their exercise. Campus behavior that interferes with either (1) the instructor's ability to conduct the class, (2) the inability of other students to profit from the instructional program, or (3) campus behavior that interferes with the rights of others will not be tolerated. An individual engaging in such disruptive behavior may be subject to disciplinary action. Such incidents will be adjudicated by the Dean of Students under nonacademic procedures.

### **Sexual misconduct (See Student Handbook):**

Sexual harassment of students and employers at Prairie View A&M University is unacceptable and will not be tolerated. Any member of the university community violating this policy will be subject to disciplinary action.

### **Attendance Policy:**

Prairie View A&M University requires regular class attendance. Excessive absences will result in lowered grades. Excessive absenteeism, whether excused or unexcused, may result in a student's course grade being reduced or in assignment of a grade of "F". Absences are accumulated beginning with the first day of class.

### **Student Academic Appeals Process**

Authority and responsibility for assigning grades to students rests with the faculty. However, in those instances where students believe that miscommunication, errors, or unfairness of any kind may have adversely affected the instructor's assessment of their academic performance, the student has a right to appeal by the procedure listed in the Undergraduate Catalog and by doing so within thirty days of receiving the grade or experiencing any other problematic academic event that prompted the complaint.

## **Technical Considerations for Online and Web-Assist Courses**

### **Minimum Hardware and Software Requirements:**

-Pentium with Windows XP or PowerMac with OS 9

- 56K modem or network access
- Internet provider with SLIP or PPP
- 8X or greater CD-ROM
- 64MB RAM
- Hard drive with 40MB available space
- 15" monitor, 800x600, color or 16 bit
- Sound card w/speakers
- Microphone and recording software
- Keyboard & mouse
- Netscape Communicator ver. 4.61 or Microsoft Internet Explorer ver. 5.0 /plug-ins
- Participants should have a basic proficiency of the following computer skills:
  - Sending and receiving email
  - A working knowledge of the Internet
  - Proficiency in Microsoft Word
  - Proficiency in the Acrobat PDF Reader
  - Basic knowledge of Windows or Mac O.S.

**Netiquette (online etiquette):** students are expected to participate in all discussions and virtual classroom chats when directed to do so. Students are to be respectful and courteous to others in the discussions. Foul or abusive language will not be tolerated. When referring to information from books, websites or articles, please use APA standards to reference sources.

**Technical Support:** Students should call the Prairie View A&M University Helpdesk at 936-261-2525 for technical issues with accessing your online course. The helpdesk is available 24 hours a day/7 days a week. For other technical questions regarding your online course, call the Office of Distance Learning at 936-261-3290 or 936-261-3282

#### **Communication Expectations and Standards:**

Emails or discussion postings will receive a response from the instructor.

Emails can be sent anytime that is convenient. Responses will be sent within a reasonable time after receipt, weekends included.

#### **Submission of Assignments:**

Assignments, Papers, Exercises, and Projects may be distributed via eCourses or in-class handouts. Assistance with eCourses should be requested from the Office of Distance Learning.

### **General Description of Discussions Subject Matter**

Course Introduction, Requirements, etc.  
Law, Language, Logic,  
History & Development of U.S. Law  
Sources of U.S. Law  
Statutory, Administrative Law  
Courts, Jurisdiction & Precedent  
Litigation Process  
Non-judicial Dispute Resolution  
The U.S. Constitution & State - Federal conflicts  
Analyzing Constitutional Issues  
Personal Rights & Business  
Criminal Law - Facts & "Intent"  
Criminal Law - Constitutional Issues  
Property Law Basics, Real Property  
Personal Property and Bailment  
Intentional Torts – Trespass & its progeny  
Intentional Torts in Business Activities  
Unintentional Torts (Negligence)  
C.L. Contracts – Creating  
C.L. Contracts – Minimum Requirements  
C.L. Contracts -- Remedies  
UCC Sales Contracts

***This Syllabus, and its parts, is/are subject to adjustment during the course of the term. Students are responsible for obtaining and complying with current class schedules, requirements, etc., throughout the term. Inclusion of some portions of this document are required by University or legislative policy but may not be relevant to the course and/or its deliverance.***

***irse Weekly Tentative Outline***

<b>DATE</b>	<b>Chapt *</b>	<b>Topic</b>	<b>Due Dates, etc.</b>
<b>Week</b>		<b>Course Intro, requirements, etc.</b>	
<b>W1</b>	<b>Chapter 1-3 Assembly</b>	<b>What is Law Precedents, Stare Decisis, Courts of Equity</b>	
<b>W1</b>	<b>Chapter 1-3</b>	<b>What is Law/Legal System Courts &amp; Jurisdiction Sources of our Law- Handout</b>	
<b>W2</b>	<b>Chapter 1-3</b>	<b>Litigation Process</b>	
<b>W2</b>	<b>Chapter 1-3</b>	<b>Alternative Dispute Resolution</b>	
<b>W3</b>	<b>Chapter 37, 38</b>	<b>Employment Law/basic (Race, National Origin, Age) Religion, EEOC, Pregnancy, Disabilities Act, etc.</b>	
<b>W3</b>	<b>Chapter 37, 38</b>	<b>Employment Law/basic (Race, National Origin, Age) Religion, EEOC,</b>	
<b>W3</b>	<b>Chapter 37, 38</b>	<b>Bonified Occupational Qualification/Non-compete Agreement</b>	
<b>W4</b>	<b>Chapter 37, 38</b>	<b>Employment Law/ Pregnancy, Disabilities Act, etc. Equal Pay Act</b>	



<b>W4</b>		<b>Review for exam on Legal Process and Employment Law</b>	
<b>W4</b>		<b>Exam #1- All the above information</b>	
<b>W5</b>	Chapter 7, 8	Introduction to Torts Law (basic Tort theories/assault/battery) Intentional Torts – Elements of Negligence Intentional torts in business activities/ Defenses	
<b>W6</b>	Chapter 2	Constitutional Law The U.S. Constitution & business activities State - Federal conflicts Interstate/Intrastate Commerce Clause	
<b>W6</b>	Chapter 2	Analyzing constitutional issues through scrutiny test by the Courts Equal Protection of the law, Due Process, 1st Amendment	
<b>W7</b>	Chapter 6	Criminal law – Elements of crimes Criminal –Sixth Amendment Criminal Liability	
<b>W8</b>	Chapter 6	Degrees in Crimes (Petty, misdemeanor, felony) Embezzlement/ Arson/ Conspiracy/Accomplice/Murder/	
<b>W9</b>		<b>SPRING BREAK (MARCH 12-17)</b>	
<b>W10</b>		<b>Review for Exam #2 Torts/Con Law/Crim Law</b>	
<b>W10</b>		<b>Exam #2 Torts/Con Law/ Crim Law</b>	
<b>W11/ W12</b>	Chapter 9 Chapter 10	Contracts – Basics & Formation/Concepts of Offer and Acceptance	
<b>W13</b>	Chapter 9 Chapter 10	Contracts – Basics & Formation/Concepts of Offer and Acceptance	
<b>W14</b>	Chapter 11, 12	Consideration/Capacity & Legality Minor /Alcoholics/Insane/Duress	
<b>W15</b>	Chapter 11, 12	Consideration/Capacity & Legality Minor /Alcoholics/Insane/Duress	

<b>W16</b>	<b>Chapter 9, 10, 11, 12, 28, 30, 33</b>	<b>Review of Contract and Property Law/final</b>  <b>Last day of class</b>	
<b>W16/1 7 Exam #3</b>	<b>Final Exam</b>		