

Upper Iowa University Independent Study Program

BA 302-09 Business Law I

COURSE DESCRIPTION:

An introduction to the nature and sources of law, and the methods by which laws are made; basic principles of contract law and property law as the foundations for business enterprise; tort law governing business relationships. Three semester credits.

COURSE OBJECTIVES:

1. Compare and contrast the creation, operation, impact, and relationship between state and federal constitutional law, statutes, regulations, ordinances, and common law.
2. Recognize, describe, and explain ethical issues commonly encountered in business for the purpose of avoiding and resolving these ethical issues.
3. Explain the process of dispute resolution in the United States through state and federal court systems and alternative dispute resolution procedures.
4. Distinguish between the substantive and procedural characteristics of torts, crimes, and civil violations.
5. Explain the basic principles of tort/product liability law and the impact that tort/product liability law has on everyday commercial, professional, and personal conduct and practices.
6. Apply tort/product liability law to recognize and analyze risks for the purpose of implementing risk avoidance strategies.
7. Recognize, describe, and explain the requirements for formation of enforceable contracts, standards of performance, and resolution of breaches of contracts under the common law and Articles 2 and 2A of the UCC.
8. Analyze common contractual provisions for the purpose of selecting and/or negotiating advantageous contractual terms and conditions.
9. Apply business, tort, and intellectual property law to analyze and respond to common business and public sector issues and decisions.
10. Identify legal issues and apply basic legal principles to avoid common mistakes involving business, property, insurance, estate planning, and landlord-tenant law, as well as to recognize when further professional advice is warranted and to select appropriate professional services to obtain competent and cost-effective legal advice.
11. Analyze, preliminarily research, resolve, and write clearly about basic legal issues arising in common personal and business transactions.

REQUIRED MATERIALS:

1. Textbook: Business Law Today, Standard Edition, Miller, Roger and Jentz, Gaylord. Thomson/South-Western, Mason, Ohio (8th edition, 2008).
2. Syllabus

Optional: Other: The textbook and the Online Legal Research Guide included with new textbook provides excellent Internet links.

You may purchase your textbook through MBS Direct by calling their toll free number at: 800-325-3252 or through the UIU homepage: www.uiu.edu. Click on the link for current students then select order textbooks from the options in the left hand column. Follow the link and select Independent Study for your location.

LIBRARY RESOURCES:

As a student of Upper Iowa University, library resources (online journal databases, e-books, newspaper access, citation help, etc.) are available. If travel to the campus is not feasible, you can access the library through the University's website. Go to: www.uiu.edu/library. **To request usernames/passwords for remote library access contact the UIU Library either by phone (563)425-5270, (563)425-5356, or [(563)425-5261, library weekend hours] or, email library@uiu.edu** by clicking on the link. Please be sure to include your student ID number to help verify that you are an Upper Iowa University distance learner. (Hint: consider requesting accesses BEFORE you need the service.) Library help sheets can be found on myUIU.

Online Writing Laboratories (OWLs) are provided by several universities to assist students to assess and improve student writing. The Purdue University OWL provides handouts on writing skills and related topics for free download at <http://owl.english.purdue.edu>.

COURSE OVERVIEW:

UNIT ONE: The Legal Environment of Business

Chapter 1	The Legal Environment.....	2
	Appendix A: How to Brief Cases and Analyze Case Problems.....	A-1
Chapter 2	Constitutional Law	34
Chapter 3	Courts and Alternative Dispute Resolution.....	62
Chapter 4	Torts and Cyber Torts.....	102
Chapter 5	Intellectual Property	135
Chapter 6	Criminal Law and Cyber Crimes.....	166
Chapter 7	Ethics and Professional Responsibility	201

UNIT TWO: Contracts

Chapter 8	Nature and Classification.....	230
Chapter 9	Agreement and Consideration.....	250
Chapter 10	Capacity and Legality	278
Chapter 11	Defenses to Contract Enforceability	302
Chapter 12	Third Party Rights and Discharge.....	327
Chapter 13	Breach and Remedies.....	356
Chapter 14	E-Contracts	376

Mid-Term Exam - Covers Unit One and Unit Two

UNIT THREE: Sales and Lease Contracts

Chapter 15	The Formation of Sales and Lease Contracts	400
Chapter 16	Title and Risk of Loss	428
Chapter 17	Performance and Breach of Sales and Lease Contracts	447
Chapter 18	Warranties and Product Liability	473

UNIT FOUR: Property and Its Protection

Chapter 36	Personal Property and Bailments	1018
Chapter 37	Real Property and Landlord-Tenant Law	1043
Chapter 38	Insurance, Wills and Trusts.....	1066

FINAL EXAM – Covers Unit Three and Unit Four

GENERAL INFORMATION:

You may complete your Unit assignments at your own pace, subject to requirements of the External Degree Program. You may use your textbook and Syllabus handouts to answer the questions and case problems.

You will take proctored midterm and final examinations. These will consist of 100 true/false questions, 100 multiple-choice questions, five essay questions, and one hypothetical problem like those found in the Syllabus. You will have three hours to complete the midterm exam and three hours to complete the final exam. You will NOT be permitted to bring your text book or notes into the exam.

You will need to contact the University External Degree Program Office when you wish to take a midterm or final exam. You will NOT be permitted to bring your text book or notes into the exam.

In both unit exams and the midterm and final examinations, select the BEST answer from the four given.

NOTE: In order to pass this course, you must get a passing grade (“D” or better), on at least one of the exams and have enough cumulative points to earn a passing grade.

GRADING POLICY:

You will be completing four (4) units during this course. You will also have a midterm and a final examination. Each unit should increase your knowledge of the assigned reading area. The four Units will be comprised of a reading assignment, true/false questions and multiple-choice questions. If you have any questions about the Unit Assignments, do not hesitate to contact your instructor.

You will have three (3) hours to complete the Mid-Term Exam and the Final Exam. Do not be nervous about the amount of time allowed or finishing early. The amount of time is designed to make the exams less stressful.

There are a total of 1,450 points for this course. The Unit Assignments are each worth 250 points. The Mid-Term and Final Exams are each worth 225 points. No points are weighted.

Grading Scale:

Undergraduate Courses:

90 – 100%	A
80-<90%	B
70-<80%	C
60-<70%	D
Below 60%	F

UPPER IOWA UNIVERSITY USES A STANDARD GRADING SYSTEM:

- A** = All work is excellent, shows exceptional understanding of materials; logical, clear, and insightful written and oral work, incorporates knowledge from other sources and moves easily to the next level of understanding, works well beyond minimum requirements.
- B** = Understanding material is good to very good, demonstrates good grasp of material, good oral and written skills, produces more than the minimum requirements, quality of all work is high.
- C** = Satisfactory understanding of the material, submits only the minimum requirements, communicates adequately in oral and written formats, displays an adequate understanding of all basic concepts.
- D** = Quality and quantity written and oral work is below average and barely acceptable.
- F** = Quality and quantity written and oral work is unacceptable.

CHEATING, ACADEMIC DISHONESTY AND PLAGIARISM:

Because cheating, academic dishonesty and plagiarism are affronts to the University community as a whole and a denial of the offender's own integrity, they will not be tolerated. Cheating includes but is not limited to:

- the use of unauthorized books, notes or other sources in the giving or securing of help in an examination or other course assignments,
- the copying of other students' work or allowing others to copy your work,
- the submission of work that is not your own or allowing others to submit your work as theirs,
- the submission of the same work for two or more classes without the approval of any instructors involved.

Academic dishonesty includes, but is not limited to:

- sharing academic materials knowing they will be used inappropriately,
- having access to another person's work without permission,
- providing false or incomplete information on an academic document,
- changing student records without approval.

- obtaining and using texts intended for instructor use only.

Plagiarism includes, but is not limited to:

- the presentation of another's published or unpublished work as one's own,
- taking words or ideas of another and either copying them or paraphrasing them without proper citation of the source,
- using charts, graphs, statistics or tables without proper citation.

Detected cheating, academic dishonesty, or plagiarism will result in consequences that may, at the instructor's discretion, include course failure. In addition, an offender may be reported to the Senior Vice President for the Academic Extension, the Dean of the Extended University, or designee for possible disciplinary action, which may include suspension or dismissal from the University. Upper Iowa University may make use of various plagiarism detection services. Individuals, by enrolling in courses offered by the University, consent to submission by the University of course-related assignments to such services and the retention of a copy of such assignments by the service.

Cheating, academic dishonesty and plagiarism infractions are tracked by the Dean of the Extended University, and cumulative evidence collected from multiple incidents will be considered when making suspension or dismissal decisions.

Academic Extension Catalog 2009/10 page 96.

http://uiu.edu/catalogs/eu/2009_catalog_pdf_files/2009uiu_ExtCatalog.pdf

WRITING PROFICIENCY:

It is recommended that all papers and research are done in the APA style. We expect appropriate writing skills of proper grammar, punctuation, sentence structure, paragraph development, and logical sequence of thought in all written work, and exams.

It is recommended that all students purchase the APA guide/manual listed on the UIU website. *Publication Manual of the American Psychological Association*. \$27.00 new.

CITATION:

Encyclopedias of any kind, including the very popular Wikipedia, are not primary sources and should not be cited or used in constructing academic papers at the graduate or undergraduate level. They can, however, be useful to help gather some background information and to point the way to more reliable sources.

COPYRIGHT PROTECTION:

In recognition of the Copyright Law of the United States (Title 17, United States Code), Upper Iowa University reminds both faculty members and learners that a willful infringement of the law may result in disciplinary action. The University library has available materials discussing the "fair use" concept, along with criteria and guidelines for reproduction and use of copyrighted materials

ATTENDANCE:

Even though a student does not attend a regular classroom in the traditional sense and keep up with a set schedule of assignments, it should be pointed out how important it is to keep yourself on a regular timely schedule if possible to complete and send in units. It is too easy to set work aside and decide to do it later. Suddenly, the need to complete assignments and get them in by deadlines can become stressful and, at times, impossible. The key would be to set time aside on a regular basis and submit work in a timely manner.

WITHDRAWAL:

If you wish to withdraw prior to the last day of the enrollment period you must contact the Independent Study office by phone or in writing. After your original six month enrollment period you no longer have the option to withdraw from the course. You must finish the course or have a final grade assigned based on the coursework submitted.

SPECIAL NEEDS:

If you require accommodation for special needs, please provide documentation to: Academic Advising Coordinator.

This syllabus is tentative and subject to change.