



# UNIVERSITY OF CENTRAL ARKANSAS

## COLLEGE OF BUSINESS

### VISION, MISSION, AND CORE VALUES STATEMENT

## Vision

Our vision is to be a leading regional public business college in Arkansas, with national recognition in selected fields or areas.

## Statement of Mission and Core Values

Our mission is to provide high quality business education to our undergraduate and graduate students through the delivery of a current and responsive curriculum that promotes intellectual and professional development. We promote excellence through our scholarly endeavors and service to our stakeholders through strong engagement with the regional and global business community.

In carrying out this mission, the College of Business is guided by the following core values:

### **1. Intellectual Excellence.**

- 1.1. Educate students: We promote intellectual and professional development of students by emphasizing communication, critical and analytical thinking, collaboration, information management and a broad exposure to key business disciplines.
- 1.2. Scholarship: We believe that faculty and students should engage in professional development and scholarly endeavors that promote the application and creation of knowledge in business practice and education.
- 1.3. Cultural competence: We maintain and develop current and responsive curriculum that prepares students for the global business environment through broad exposure to key business disciplines.
- 1.4. Physical learning environment: We strive to provide a physical infrastructure with appropriate technology that provides an environment in which our students and faculty can thrive professionally and intellectually.

### **2. Community.**

- 2.1. Collegiality: We encourage transparency in our decision making practice through a process of shared governance based on interactions among faculty, staff, and students.
- 2.2. Service: We pursue collaborative partnerships between our internal and external stakeholders to promote life-long and experiential learning, research, service, and community interaction.

### **3. Diversity.**

- 3.1. We value the opportunity to work, learn, and develop in a community that embraces the diversity of individuals and ideas.

### **4. Integrity.**

- 4.1. Ethics: We are committed to ethical and responsible behavior in our own actions and to developing the same commitment in our students by promoting the awareness of professional ethical responsibilities.

- 4.2. Responsibility: We commit to being responsible and accountable in our operations at all levels, including assessment and continuous improvement of our academic programs and transparency in our fiscal and operational proceedings.

## Learning Goals

*Our graduates shall possess:*

1. Critical Thinking & Analytical Thinking Skills;
2. Awareness of the Global Business Environment;
3. Ethical Reasoning Abilities;
4. Effective Communication Abilities;
5. Effective Collaborative Skills;
6. Effective Information Management Skills;
7. Understanding of a Broad Range of Business Disciplines.

## Course Syllabus

### Course Information

<b>Course Number:</b>	ACCT 2321
<b>Course Name:</b>	Legal Environment of Business I
<b>CRN:</b>	21470, 21472, 25388
<b>Semester:</b>	Spring 2012
<b>Location:</b>	College of Business 307
<b>Class Hours:</b>	21470: Tuesday and Thursday, 10:50 - 12:05 21472: Monday, Wednesday, Friday, 9:00 - 9:50 25388: Tuesday and Thursday, 9:25 - 10:40

### Instructor Information

<b>Name:</b>	Anthony L. McMullen, J.D.
<b>Office Location:</b>	College of Business Building 204G (Accounting Department Suite)
<b>Work Email:</b>	amcmullen@uca.edu
<b>Phone:</b>	(501) 852-0695
<b>Office Hours:</b>	MW 10:00 - 1:30; TTh 12:15 - 1:30, 2:30 - 4:00; F by appointment

### Prerequisites:

Sophomore Standing. Freshmen enrolled in the course should see the instructor immediately.

### Textbook and Instructional Materials Required:

Clarkson, Miller, & Cross, Legal Environment at UCA (12th edition) (ISBN: 978-1-133-06701-6). The textbook is customized for the UCA curriculum. Students may purchase and use the full textbook, but it is neither necessary nor recommended. All other materials will be provided by the professor.

### Course Description:

A study of the U.S. Constitution and business, the court system and other means of dispute resolution, business torts, copyrights and cyberlaw, labor and employment law, enforceable contracts, real property, and business and its environment including social responsibility, ethics and protecting the physical and human environment.

### Course Objectives:

By the end of the semester, students should have a basic understanding of the legal environment as it pertains to business organizations and personal decision making. Areas of instruction will include the basic operation of the American legal system, property law, agency law, employment law, and contract law.

## Course Delivery Method:

The course is delivered via traditional lecture. However, students will be expected to discuss issues raised in class. Students should be able to intelligently express their views while remaining sensitive to opposing views.

## Grading:

There will be 1000 points available throughout the semester. Final grades will be accessed as follows:

- A. 895 pts. or more
- B. 795-894 pts.
- C. 695-794 pts.
- D. 595-694 pts.
- F. less than 595 pts.

Points can be earned as follows:

Four exams (70% of the grade): Exams will consist of multiple choice and essay questions. Any material covered in the textbook (including cases in the assigned reading) or covered in the class may be on the exam. All students are expected to take exams on the day they are scheduled during their normal class period.

Two papers (20% of the grade): The two papers are described at the end of the syllabus. Both papers will be on some aspect of the law. All classes will have their papers due at the same time, and students may submit their papers in class or at the professor's office.

Various assignments (10% of the grade): Throughout the semester, the professor will give students a number of assignments. Most assignments will be over material that is to be read before class and will be given at the beginning of class. Students who arrive to class late will not be allowed to submit the assignment for credit (even if other students are still working on the assignment). Students will not be allowed to make up these assignments, but adjustments will be made for those who miss an assignment due to an excused absence.

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In addition to the above, there are the following standing bonus point assignments. These points are above the 1000 points available in the class. Additional opportunities may be offered throughout the semester:

**Community Service:** The professor encourages all students to participate in community service programs. To this end, students may earn ten bonus points for one hour of community service, up to fifty bonus points. Donating a pint of blood will count as one-half hour, but no other donations will satisfy this requirement. To get the points, students must submit a copy of the form included with this syllabus. Proof of community service must be submitted before the last day of classes.

**Exam Questions:** Students may earn bonus points for each exam by submitting exam questions. Every student may submit one multiple-choice question to be used on an upcoming exam. To be

a valid exam question, it must (1) be typed (not handwritten), (2) cover material subject to be on the next exam, (3) contain an explanation of the correct answer, and (4) be accurate. Every valid question will receive five bonus points. If the question is actually used on the exam, it will receive ten points. Exam questions will be due on the dates described below. (By submitting an exam question, students are authorizing the professor to use the question in future exams.)

**Completion of the Class Evaluation:** The class evaluations are very important to the professor, the College of Business, and the University as a whole. All students are encouraged to submit the class evaluations. If at least 80% of the class completes the evaluation, the professor will drop one assignment before calculating that portion of the grade (the portion that makes up 10% of the final grade). If at least 90% of the class completes the evaluation, the professor will drop two assignments.

**Attendance and Participation:** If a student has near perfect attendance and regularly participates in class discussions, the professor reserves the right to give the student up to ten additional bonus points (this right will generally be exercised only if giving those points will result in the student receiving a higher letter grade). "Near perfect attendance" means having no more than one unexcused absence (a tardy will count as one-half unexcused absence).

#### Description of Major Deliverables/Course Requirements:

**Class Schedule:** As with any class, this schedule is tentative and may be changed at the discretion of the professor. Any changes will be announced in class and posted on myUCA. Students should read the chapter to be discussed before class (if a chapter is to be discussed over multiple days, students should read the entire chapter before the first class and review the chapter before the second class). If there is a discrepancy between the chapter number and the chapter name, the chapter name controls.

Chapter	M W F Class	T Th Classes
Class Introduction	Fri., Jan. 13	Thurs., Jan. 12
*** Dr. Martin Luther King, Jr. Holiday: Monday, January 16 (No Classes)		
Ch. 1 (Intro to Law and Legal Reasoning)	Wed., Jan. 18	Tues., Jan. 17
Ch. 2 (Courts and Alternative Dispute Resolution)	Fri., Jan. 20	Thurs., Jan. 19
Ch. 3 (Court Procedures)	Mon., Jan. 23 – Wed., Jan. 25	Tues., Jan. 24
Ch. 4 (Constitutional Authority to Regulate Business)	Fri., Jan. 27 – Wed., Feb. 1	Thurs., Jan. 26 – Tues., Jan. 31
Ch. 6 (Intentional Torts and Privacy)	Wed., Feb. 1 – Fri., Feb. 3	Thurs., Feb. 2

Ch. 7 (Negligence and Strict Liability)	Mon., Feb. 6 – Wed., Feb. 8	Tues., Feb. 7
*** First Exam	Fri., Feb. 10	Thurs., Feb. 9
Ch. 5 (Ethics and Business Decision Making)	Mon., Feb. 13	Tues., Feb. 14
Ch. 32 (Agency Formation and Duties)	Wed., Feb. 15 – Fri., Feb. 17	Thurs., Feb. 16
*** First Paper Due: Friday, February 17 at Noon		
Ch. 33 (Agency Liability and Termination)	Fri., Feb. 17 – Mon., Feb. 20	Tues., Feb. 21
Ch. 34 (Employment, Immigration, and Labor Law)	Wed., Feb. 22 – Fri., Feb. 24	Thurs., Feb. 23
Ch. 35 (Employment Discrimination)	Mon., Feb. 27 – Wed., Feb. 29	Tues., Feb. 28
Ch. 44 (Consumer Law)	Fri., March 2	Thurs., March 1
*** Second Exam	Mon., March 5	Tues., March 6
Ch. 49 (Personal Property and Bailments)	Wed., Mar. 7 – Fri., Mar. 9	Thurs., Mar. 8
Ch. 50 (Real Property and Landlord-Tenant Relationships)	Fri., Mar. 9 – Wed., Mar. 14	Tues., Mar. 13
Ch. 8 (Intellectual Property and Internet Law)	Wed., Mar. 14 – Fri., Mar. 16	Thurs., Mar. 15
*** Spring Break: March 19-23 (No Classes)		
Ch. 10 (Nature and Terminology of Contracts)	Mon., Mar. 26	Tues., Mar. 27
Ch. 11 (Agreements in Traditional and E-Contracts)	Wed., Mar. 28 – Fri., Mar. 30	Thurs., Mar. 29
*** Last Day to Drop with a W: Friday, March 30		
Ch. 12 (Consideration)	Fri., Mar. 30 – Mon., Apr. 2	Tues., Apr. 3
*** Third Exam	Wed., Apr. 4	Thurs., Apr. 5

Ch. 13 (Capacity and Legality) Fri., Apr. 6 – Mon., Apr. 9 Thurs., Apr. 10

Ch. 14 (Mistakes, Fraud, and Voluntary Consent) Mon., Apr. 9 – Wed., Apr. 11 Thurs. Apr. 12

Ch. 15 (The Statute of Frauds) Fri., Apr. 13 Tues. Apr. 17

Ch. 16 (Third Party Rights) Mon., Apr. 16

Ch. 17 (Performance and Discharge) Wed., Apr. 18 – Fri., Apr. 20 Thurs., Apr. 19

\*\*\* Last Day to Drop with a WP or WF: Friday, April 20

Ch. 18 (Breach of Contract and Remedies) Fri., Apr. 20 – Mon., Apr. 23 Tues., Apr. 24

OPEN DAY (to allow for snow days or if a class gets behind) Wed., Apr. 25 Thurs., Apr. 26

\*\*\* Final Day of Classes, Final Day to Submit Proof of Community Service: Thursday, April 28

\*\*\* Fourth Exam (Not Cumulative):

MWF 9:00 a.m. class: Wednesday, May 2, 2:00 p.m.

TTh 9:25 a.m. class: Tuesday, May 1, 8:00 a.m.

TTh 10:50 a.m. class: Thursday, May 3, 11:00 a.m.

## Policies and Procedures:

### **Attendance and Drop policies:**

1. The professor will keep attendance by passing an attendance sheet around class. Students who show up to class late should indicate their tardiness on the attendance sheet. If there is an error on the sheet (such as a student forgetting to sign it), the student should bring the error to the attention of the professor rather than correcting it himself/herself. Signing the attendance sheet on behalf of another student will constitute academic misconduct and will be punished accordingly.

2. The professor must report non-attendance to the Registrar's Office to comply with the University's financial aid obligations. In addition, the professor may administratively withdraw students if the student misses an exam and has at least five unexcused absences. Before withdrawing a student, the professor will email the student. If the student does not respond within forty-eight hours, the student will be dropped.

3. If a student withdraws within the WP/WF period, the professor will generally assign a grade of WP unless (1) the student has committed an act of academic misconduct or (2) the professor withdraws the student for nonattendance and the student had a failing grade at the time the student stopped attending class.

4. Students who seek an excused absence must contact the professor at the first practicable opportunity. Whenever possible, students should provide documentation for the excused absence. Reasons for an excused absence are generally limited to extreme illness, death in the family (pets do not count), official UCA activity, religious observance, or inclement weather. If a student has an excused absence on the day of an in-class activity, the student's grade will not be affected. However, an excused absence does not extend the deadline for submitting an out-of-class activity or a paper.

5. Inclement weather/absent professor policy: The professor cannot promise that God, the weather, or I-40 traffic will allow him to attend every class. If the professor has not arrived within twenty minutes after the scheduled start of class and has not otherwise contacted the class to state that he will be late, students may assume that class is cancelled. Otherwise, students should presume that class will be held unless the University is closed.

### **Assignment Submission:**

In-class assignments will be due immediately after they are completed. If the professor gives an out-of-class assignment, it will be due at the beginning of class on the date that the assignment is due (students who arrive to class late on the day an assignment is due will be considered to have turned in their assignment late and will receive no credit). Students should not submit any assignment via email unless the professor authorizes it in advance.

As for the papers, they may be submitted during any class period before the due date or at the professor's office. Late papers will only be accepted if good cause is shown and (if accepted at all) will be penalized no less than twenty points. Good cause does not include printer problems, computer malfunctions, or traffic jams.

**Makeup Exams:**

Students are expected to take all exams on the dates and times scheduled. Alternate exams will be given under circumstances that would constitute an excused absence, and the student must provide documentation to the professor to corroborate the reason for the absence. If an alternate exam is sought, the student must take the exam at the first practical opportunity.

**Classroom Policies:**

Students may use portable computing, recording, or other electronic devices in the classroom for educational use only. Students shall not use these devices for non-educational use during class. Examples of non-educational use include, but are not limited to, displaying web pages unrelated to class; sending, reading, or receiving email, texts, or instant messages; making or receiving phone calls; playing video or audio files; and playing games. Students caught violating this policy will be asked to leave class. Multiple violations of this policy will result in the entire class being banned from using any such devices in the classroom.

**Academic Integrity Statement:**

The University of Central Arkansas affirms its commitment to academic integrity and expects all members of the university community to accept shared responsibility for maintaining academic integrity. Students in this course are subject to the provisions of the university's Academic Integrity Policy, approved by the Board of Trustees as Board Policy No. 709 on February 10, 2010, and published in the Student Handbook. Penalties for academic misconduct in this course may include a failing grade on an assignment, a failing grade in the course, or any other course-related sanction the instructor determines to be appropriate. Continued enrollment in this course affirms a student's acceptance of this university policy.

**Disabilities Act Statement:**

The University of Central Arkansas adheres to the requirements of the Americans with Disabilities Act. If you need an accommodation under this Act due to a disability, please contact the UCA Office of Disability Services, 450-3613.

**Sexual Harassment and Academic Policies:**

All students are required to familiarize themselves with the University of Central Arkansas policy on sexual harassment and on academic policies. These policies are printed in the Student Handbook.

Other Required Materials/Competencies/Resources:

None.

### Accreditation & Assurance of Learning

Learning Goal(s) Assessed in this Class

There is no formal assessment activity scheduled in this class.

There is formal assessment activity scheduled in this class.

Learning Goals:

(3) Our graduates shall possess ethical reasoning abilities.

Learning Objective:

(3b) Students will be aware of legal issues inherent in business decisions.

Measure:

(3b) Students will demonstrate knowledge of government regulation, employment law, property law, and contract law. Students will be assessed by their performance on objective questions embedded in an exam.

Benchmark:

(3b) Mean score of students will be 70% or above.

# Papers

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Students are required to submit two papers in the class. Both papers are designed so that they cannot be done at the last minute. In other words, any student that waits until the night before the assignment is due should expect to have difficulty. Because these assignments are announced at the beginning of the year, students will not receive an extension to complete the assignment. Late submissions, if accepted at all, will be penalized no less than twenty points. Students should not email their papers to the professors. Instead, they should submit them in class or turn them in at the professor's office.

The professor is willing to look over an assignment early, but the students who wish to take advantage of this opportunity should give the professor at least a week to look over the paper. In addition, students who need help with their writing should take advantage of the Writing Center, located on the first floor of Thompson Hall.

**Paper #1: Due Friday, February 17 at noon:** The Supreme Court of the United States is the highest court in our country and a co-equal part of the federal government. Yet, most people cannot name more than five cases handed down by the Court. For this assignment, you will read a recent case from the Supreme Court and draft a case brief. To complete the first assignment, please do the following:

1. Review Chapter 1, Sections 3 and 7 in your textbook. Also read Appendix A (How to Brief a Case). Also review the sample brief attached to this document.
2. Select one of the cases below. All of the cases were decided in 2010 or 2011. The link below the case will take you directly to the Court's majority opinion. You need only read the majority opinion for this assignment (though you might want to read the dissenting and concurring opinions if you want to know what other Justices thought of the case). Supreme Court opinions are often divided into sections. Be sure to read the entire opinion, not just the first two sections.
3. Brief the case. In addition to the four sections listed in your textbook (Facts, Issue, Reason, Decision), please include two additional sections: (1) a section comparing the Court's opinion to your thoughts on the issue before reading the case and (2) a discussion of whether you agree or disagree with the opinion.

The only thing you should read is the actual Supreme Court opinion (and any of the concurring or dissenting opinions if you are interested). There is no need to do any other outside reading or research. However, if you do any outside reading or research and want to rely on it in your paper, you should make sure it is cited properly. There is no formal page length requirement, but the professor is expecting papers to be two or three *double-spaced* pages.

Your brief should be a summary of the decision. In the past, some students have copied paragraphs from the opinion (or someone else's summary of the opinion) and submitted it as their own work. Any students who substantially copies from portions of the decision and turns it in as his/her case brief will receive no credit for the assignment and will not receive a second opportunity to do the work. Brief quotes from the opinion are acceptable as long as they are properly attributed to the opinion. Any student who is unsure whether his/her paper crosses that line should submit his/her brief early and ask the professor to review it.

**Cases:** The following links are to the Legal Information Institute at Cornell University Law School. The links provided are to the majority opinions in each case. You may view the opinion from another source, but be sure to read the majority opinion (not a summary thereof).

*Snyder v. Phelps*, No. 09-751 (Right to Protest at a Funeral):

<http://www.law.cornell.edu/supct/html/09-751.ZO.html>

*Turner v. Rogers*, No. 10-10 (Right to an Attorney in a Child Support Case):

<http://www.law.cornell.edu/supct/html/10-10.ZO.html>

*J.D.B. v. North Carolina*, No. 09-11121 (Children and Police Warnings):

<http://www.law.cornell.edu/supct/html/9-11121.ZO.html>

*Thompson v. North American Stainless*, No. 09-291 (Employment Discrimination, Retaliation):

<http://www.law.cornell.edu/supct/html/09-291.ZO.html>

*Brown v. Entertainment Merchants Association*, No. 08-1448 (Violent Video Games):

<http://www.law.cornell.edu/supct/html/08-1448.ZO.html>

*Connick v. Thompson*, No. 09-571 (Civil Liability for Wrongful Prosecution):

<http://www.law.cornell.edu/supct/html/09-571.ZO.html>

**Grading:** This assignment is worth 100 points. While complying with the following will not guarantee you an "A," you definitely will not receive an "A" on this assignment if:

- The brief contains more than one major grammatical or stylistic error per paragraph;
- One or more sections are missing;
- The brief fails to state (or misstates) an issue in a case;
- You substantially copy from the opinion rather than summarize it (depending on the severity, this may be grounds for rejecting the paper in its entirety); or
- You submit your paper in an unprofessional manner (turning it in late, turning in a crumpled copy, using odd/different fonts or margins, etc.) (Note: please only submit the paper stapled in the corner; folders, report covers, or other dressings are unnecessary).

**Paper #2: Due Friday, April 13 at noon:** Most people agree with the majority of the laws in this country. Few people will complain about prohibitions against murder, theft, rape, and other crimes. But no system is perfect. For this assignment, write an essay on a change in the law that you believe should be implemented. At a minimum, your paper should include the current state of the law, reasons why the law currently exists, your proposed change, and reasons why your proposal is preferable to the current law.

You must cite sources (other than your textbook or class lectures) to support your paper. You must have at least one source that outlines the current state of the law and at least one source that explains either why the law currently exists as it does or why your proposal is preferable. Though this is the minimum requirement for the sources, students should cite as many as necessary for the paper to be adequately supported. Footnotes are preferred, but any proper citation format (MLA, APA, etc.) is acceptable. Students are expected to submit essays of approximately 1000-1500 words.

*A Word on Wikipedia:* Many professors, including myself, object to students using Wikipedia in formal papers. The objection to Wikipedia comes from the fact that anyone can edit it. This seriously discounts the credibility of the information on that website. Therefore, any citation to Wikipedia (or any wiki-type cite) will be penalized.

**Topics:** There is no restriction on the topic of your paper. The law in question may be a local ordinance, a state statute, a federal statute, or international law. That being said, please know that certain topics tend to be favorites of students for any number of reasons. Students who select any of the following topics are put on notice that the expectations for their papers will be higher than normal (due to their popularity and the amount of available information on each of these subjects): abortion, seat-belt laws, helmet laws, drinking age, capital punishment, legalization of marijuana, gay marriage, gun rights.

**Grading:** This assignment is worth 100 points. Grades will be based roughly on the College of Business's Written Communication Skills Rubric, with an emphasis on content and purpose. Complying with the minimum requirements listed above will not guarantee an "A" on this paper, but you definitely will not receive an "A" if:

- The paper contains more than one grammatical or stylistic error per paragraph;
- The paper lacks one of the minimum requirements (for example, there is no current statement of the law or no clear proposal);
- You submit your paper in an unprofessional manner (turning it in late, turning in a crumpled copy, using odd/different fonts or margins, etc.) (Note: please only submit the paper stapled in the corner; folders, report covers, or other dressings are unnecessary);
- The paper has an unprofessional tone; or
- You fail to use citations, use citations from sources that lack credibility, fail to properly format your sources, or have some other major issue with your citations.