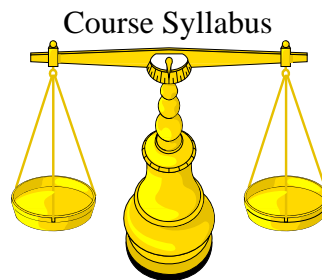


SAM HOUSTON STATE UNIVERSITY
COLLEGE OF BUSINESS ADMINISTRATION
Department of General Business and Finance



Fall 2007

COURSE NUMBER: GBA 281
COURSE TITLE: Legal Environment
PREREQUISITES: None

INSTRUCTOR: Dr. Charles R. B. Stowe

OFFICE: SHB 200B

PHONE: Office: 294-1287
Home: 295-0010

OFFICE HOURS:
After class Monday Night,
Monday and Wednesday 3-5:00 pm or by
Appointment.

PLEASE USE EMAIL: fin_crs@shsu.edu

REQUIRED TEXTS: West's Business Law, TENTH Edition ONLY (previous editions will not be permitted) by Clarkson, Miller, Jentz and Cross. 2007, West Publishing Company.

SUPPLEMENTAL TEXTS: The publisher offers a study guide. This is not required but some students who use it in addition to reading the text find it helpful. Those who use it instead of a textbook generally fail the course.

OTHER MATERIALS: (1) One WHITE BINDER – 3 ring, 2” is wide enough, (2) white three ring paper, (3) either tabs or scotch tape to make tabs for separators, (4) set of colored pens (4 colors recommended).

RECOMMENDED READING: *The Wall Street Journal* or *Forbes*.

COURSE DESCRIPTION: This course covers legal environment. Every single management, business and personal decision has legal implications. The legal implications are the most important environmental factor in strategic management. Few companies have ever gone bankrupt and few people have been jailed for failure to comprehend quantitative methods or academic management theories. However, many businesses have been crushed and many people have ended up in jail out of their failure to practice preventive law or from their failure to comprehend the importance of integrating legal and ethical environment considerations in their decision-making.

COURSE OBJECTIVES:

Students will be expected to:

1. Develop the ability to recognize legal problems.
2. Have an understanding of the processes of determining what are legal versus ethical issues and how the difference impacts decision making.
3. Recognize when federal and state laws impinge on personal and professional decision-making.
4. Develop the analytical thinking process through the application of legal concepts in the resolution of legal disputes.
5. Have the ability to research current law, rules and regulations related to specific disputes
6. Articulate both verbally and in writing public policy implications of passed or proposed legislation in the areas studied in this course.

TOPICS COVERED:

Civil Litigation Processes and Procedures	General Knowledge	3
Alternative Dispute Resolution	“	1
Criminal Law	“	2
Tort law	“	3
Property Rights and Responsibilities	“	3
Bailments	“	2
Real Property Issues	“	3
Probate, Trust, Estate Planning	“	3
Agency law	“	3
Forms of Organizing Business	“	3
Ethics	“	3
International Perspectives	“	2
Securities Law	“	2
Antitrust	“	2
Employment law	“	2
Environmental law	“	2
Insurance law	“	2

COURSE EVALUATION PROCESS:

Class attendance and participation	
Homework and quizzes	10%
Exams	90%

ATTENDANCE POLICY:

Attendance in this class is expected as is stated in the latest Sam Houston State University catalog. This course is designed with the assumption that you will attend class. It is not designed as a correspondence course. If you develop health or other issues that prevent you from attending class, you should seek either counseling from the counseling center or diagnosis of your medical condition by the counseling center which is authorized to request “reasonable accommodation.” But do not just skip classes and later ask for them to be “excused” by the professor. You are either attending class or not. Period. Dr. Stowe does fully cooperate with the Student Counseling Center and the Office of Student Life for those official

university sanctioned activities that may cause absences, but those absences still count. The penalty for excessive absences is as follows:

class meets 1 per week 5 misses = automatic failure

Also, those who miss a substantial number of classes will penalize themselves by missing material that will be discussed in class, that may not appear in the texts, and over which the class will be tested. In this class only, you are encouraged to attend every class even if you are late. Please do not hesitate to come to class. If late attendance becomes a problem, a penalty may be extracted (as explained below). Otherwise, the intent of my policy is to encourage you to come to class. This is only true of this particular course.

In the event that you must or have missed an examination, please call Dr. Stowe as soon as practical. We will try to arrange a make up before the next class period if possible.

Attendance will be taken by means of written sign up sheets. Signing for another student who is not present is a violation of this course and will result in aggressive disciplinary action. If you are late to a class, you may sign in after class, so **DON'T** skip class just because you are a few minutes late. This policy applies to Dr. Stowe's courses... each professor has their own policies on this issue. Please note that **leaving a class before it is over for any reason other than immediate illness without advance approval may result in that class being counted as an absence**. You should **not** schedule interviews, appointments, etc during class time. Frequent tardiness may also result tardiness being counted as absences thus potentially causing either failure or grade reduction depending on the severity.

Attendance will be taken by means of written sign up sheets. Signing for another student who is not present is a violation of this course and will result in aggressive disciplinary action. If you are late to a class, you may sign in after class, so **DON'T** skip class just because you are a few minutes late. Repeated tardiness may result in penalties as described above so please don't abuse the lateness rule.

The system is automatic. **NO "PERMISSION"** is given to miss a class - this system permits a reasonable number of absences for sickness, etc. So, it is **NOT** necessary to inform me that you will not attend class on a particular day.

CLASSROOM POLICIES:

In order to facilitate a positive classroom environment, please observe the following:

1. In accordance with university regulations, there will be no smoking, permitted in the classroom. You are invited to bring snacks but any liquids must be in a container that can be closed (to reduce accidental spillage).
2. Class will start promptly at the assigned time.
3. "Twenty minute" rule: If for any reason the professor is late for class, the class will be expected to wait quietly for 20 minutes before leaving. One student should report to Dr. James' secretary to inquire as to the status of class for that day 15 minutes after the class is scheduled to begin.
4. To ask a question or to indicate a desire to participate, please raise your hand. Merely speaking up is not appreciated in large classes.
5. You are required to have a textbook. You will need to have the text in class. **No text, automatic failure.**
6. No headphones or earphones shall be worn during class.
7. No sleeping is permitted.
8. **No hats** shall be worn in class with the exception of religious garments.

9. Cell phone must be **turned off** in class.

OFFICE POLICY:

1. You are most welcome to come by for coursework assistance, academic advisement, legal advice, a willing ear for personal problems, etc.
2. My office is located in COBA 200B located on the second floor at the end of the faculty hall closest to LSC.
3. Since I work best with my office door closed, do not walk away if you find it closed! In accordance with a British Navy tradition, KNOCK then enter as opposed to merely waiting for me to yell out or open the door. Thank you!
4. Concerning phone calls. Please do not be offended if the answering machine takes your phone call. If I am with a student, I try to not interrupt our session with calls. Please leave a message and I will return your call. Your call is important to me so please leave your name, phone number and purpose of your call and when you will be available. If you have a dire emergency call 294-1278 and talk to Ms. Janice Walding, Department Secretary.

RELIGIOUS HOLY DAYS POLICY:

Section 51.911(b) of the Texas Education Code requires that an institution of higher education excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. Section 51.911 (a) (2) defines a religious holy day as: “a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20....” A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence.

University policy 861001 provides the procedures to be followed by the student and instructor. A student desiring to absent himself/herself from a scheduled class in order to observe (a) religious holy day(s) shall present to each instructor involved a written statement concerning the religious holy day(s). The instructor will complete a form notifying the student of a reasonable timeframe in which the missed assignments and/or examinations are to be completed. For a complete listing of the university policy, see: http://www.shsu.edu/~vaf_www/aps/documents/861001.pdf

STUDENT ABSENCES ON RELIGIOUS HOLY DAYS POLICY:

Section 51.911(b) of the Texas Education Code requires that an institution of higher education excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. Section 51.911 (a) (2) defines a religious holy day as: “a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20....” A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence.

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assignments and/or examinations are to be completed. For a complete listing of the university policy, see: http://www.shsu.edu/~vaf_www/aps/documents/861001.pdf

STUDENTS WITH DISABILITIES POLICY:

It is the policy of Sam Houston State University that individuals otherwise qualified shall not be excluded, solely by reason of their disability, from participation in any academic program of the university. Further, they shall not be denied the benefits of these programs nor shall they be subjected to discrimination. Students with disabilities that might affect their academic performance are expected to visit with the Office of Services for Students with Disabilities located in the Counseling Center . They should then make arrangements with their individual instructors so that appropriate strategies can be considered and helpful procedures can be developed to ensure that participation and achievement opportunities are not impaired.

SHSU adheres to all applicable federal, state, and local laws, regulations, and guidelines with respect to providing reasonable accommodations for students with disabilities. If you have a disability that may affect adversely your work in this class, then I encourage you to register with the SHSU Counseling Center and to talk with me about how I can best help you. All disclosures of disabilities will be kept strictly confidential. NOTE: No accommodation can be made until you register with the Counseling Center. For a complete listing of the university policy see:

http://www.shsu.edu/~vaf_www/aps/811006.pdf

VISITORS IN THE CLASSROOM:

Only registered students may attend class. Your professor may grant permission for adult visitors on a limited basis.

COURSE DIFFICULTY:

1. This is a college level course in an area where few students have much formal background. It is your professor's ambition that everyone do well in the course.
2. In addition, you will be encouraged to meet the members of your class so that if you miss a class you will have someone to consult with for notes.
3. It is extremely important that you read assignments and attend class.
4. The textbook is a serious reference book. It is valuable for future business and management courses. Early in the semester, there will be presentations on effective reading and study skills.
5. This course requires consistent effort and attention.
6. The final exam is comprehensive but examination topics are provided prior to the exam.

EXAMINATION AND HONOR POLICY:

1. EXAMINATIONS AND QUIZZES are the SOLE property of the professor. Retaining any copies is prohibited.
2. Students who have knowledge that others are cheating are accessories to the act.
3. If you become aware that a student might be taking unfair advantage by cheating you are invited to report any such information to me. Any information you provide will be kept CONFIDENTIAL and your identity will be protected. The purpose of this policy is to encourage an environment in which EVERYONE has a fair opportunity to do well in the course by insuring that no one might have an unfair

advantage. Looking at another person's scan tron or paper, writing after you have been instructed to stop, retaining a quiz or exam, using notes while taking exams, or getting help from a friend during an exam are examples of cheating that simply **WILL NOT BE TOLERATED**.

4. A significant portion of this course evaluation is based on YOUR ability to find answers...on these types of research assignments it is critical that you demonstrate that you can use credible sources and provide proper attribution (credit). On these assignments, the more you consult with real-world, credible sources, the better your grade so long as you give proper attribution. However, using another student's written answers is not permissible and constitutes prosecutable fraud.

5. In the event that the professor witnesses cheating, appropriate action will be taken as circumstances require.

COURSE OBJECTIVES:

GBA 281 & GBA 362 - To develop a sensitivity toward the legal consequences of everyday transactions, an appreciation of judicial and non-judicial methods of conflict resolution, and basic business law vocabulary and an introduction to Socratic and analytic reasoning.

GBA 366 Global Entrepreneurship and Innovation. This course covers the theory of entrepreneurship, wealth creation, global environment and innovation. You will learn which industries interest you and how to determine if a firm is entrepreneurial or not. This course is a readings/research course but with a twist... no long term papers. Instead, you will conduct interviews throughout the semester. Course material is on historical role of entrepreneurs, the concept of intellectual capital and role of innovation in promoting economic growth and well being. Useful for those wanting to really understand how people become rich by creating wealth.

GBA 464 - Entrepreneurship... This course is a practical, no-nonsense course on how to make money. The objective is to give each student a **PERSONALIZED PLAN** that is **REALISTIC** given particular talents, financial limitations, experience and life style choices. If you have ever even thought about owning your own business, then this is **THE** course for you. Ample use of videotapes of entrepreneurs are used and class lectures are derived from commercial programs offering the material at thousands of dollars!

GBA 362 Business Law: This is a critically important course for future business managers because it focuses on the enforceability of typical business transactions: contracts, agreements for payment of debts, etc.

GBA 465 International Business Law - This is a must course for international business majors. The course is focused on business transactions though some case law is presented to illustrate how transactions are conducted. The course is designed to prepare those who may be involved in international business transactions from investing, to assessing risk, to developing or implementing marketing strategies, to sales, to financial issues and product distribution and transportation.

A FINAL WORD:

YOUR PROFESSOR'S GOAL IS TO MAKE THIS THE BEST, MOST VALUABLE COURSE YOU HAVE EVER TAKEN.

If you have concerns about a lecture, a class policy or procedure, a test, please give me the courtesy of coming by to talk with me first. It is easy to make an appointment by stopping me after class and we will

find a mutually convenient time if my office hours are not convenient. If you are not satisfied with our discussion, then I will gladly take you to the next level of administration. Your professionalism in this matter is greatly appreciated.

CAVEAT:

1. The above policies are subject to modification. Any changes will be announced in class.
2. The professor reserves the right to modify the schedule to insure maximum benefit from the course.