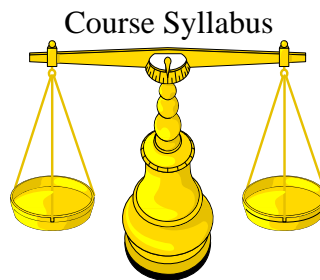


SAM HOUSTON STATE UNIVERSITY
COLLEGE OF BUSINESS ADMINISTRATION
Department of General Business and Finance



Spring 2008

COURSE NUMBER: GBA 362
COURSE TITLE: Business Law
PREREQUISITES: None

INSTRUCTOR: Dr. Charles R. B. Stowe

OFFICE: SHB 200B

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

* Please - only for dire emergencies

OFFICE HOURS:
Monday and Wednesday after class 3:30 - 4:30 pm
By Appointment.

PLEASE USE EMAIL: fin_crs@shsu.edu

THIS SYLLABUS AND ALL CLASS POLICIES ARE SUBJECT TO REVISION AS THE PROFESSOR DETERMINES IS NECESSARY FOR THE FAIR AND EFFICIENT ADMINISTRATION OF THE COURSE!

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 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:

General Common Law Contracts	General Knowledge	3
Negotiation Strategy	“	1
Uniform Commercial Code overview	“	2
UCC Sales Law v. Common Law Contracts	“	3
Banking Law	“	3
Commercial storage and transportation law	“	2
Secured Transactions	“	3
Bankruptcy Law	“	3

ATTENDANCE POLICY:

Attendance in this class is expected as is stated in the latest Sam Houston State University catalog. The penalty for excessive absences is as follows:

class meets 2 per week 6 absences is 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. 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. To discourage repetitive tardiness, three late sign ups will equal one absence. This policy applies to Dr. Stowe's courses... each professor has their own policies on this issue.

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. Again, special medical conditions under federal law may result in accommodation

policies, but you must go to Counseling Center and they will forward appropriate instructions to your instructor.

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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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.

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, food or drink permitted in the classroom.
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. Ashorn's 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.
6. There will be NO SLEEPING in this class.
7. Do NOT LEAVE EARLY unless you are extremely ill. Making appointments for any reason that require you to leave early should NOT be made. Leaving early is NOT tolerated unless you are ill.
8. No surfing on the internet, listening to music or tv shows on I-Pods or other devices during class. You may type your notes on your laptop, but surfing the net is a rude distraction and would not be tolerated in a corporate environment and is totally inappropriate for this course.
9. Men should remove hats in the class room.
10. Only CLOSED CONTAINERS (bottled water per the Dean) are allowed. I recommend you purchase a container for liquids. Spilling sodas on the floor stains the new carpet and DEGRADES the environment for all of us.
11. CELL phone must be turned OFF in class.
12. This is a MANDATORY TEXT-ATTENDANCE class. Failure to have access to a textbook will equate to failure in the course.

GRADING POLICY:

Grades will be based on the following:

3 - 4 Exams	80%
Average of all other grades.	20%

In the event that we decide to have more than four exams, each exam will count equally with the other grades from quizzes, homework and class participation will count as one exam grade.

1. There will be NO make up class quizzes!!! Note that if you miss a class and a quiz, the absence has a DOUBLE impact. If there are more than six quizzes given during a semester, then the lowest quiz grade will be dropped. A deduction of points will be made for turning in homework in late.

2. STRICT POLICY on exams. If you miss an exam, for any reason, you will be required to take a comprehensive final examination. You will take the standard 50 question final plus an additional 50 questions taken from the early part of the course. If you miss more than one exam, you will receive an F for the course. Failure to take a comprehensive if you missed an exam will result in an F for the course.

SPECIAL EIGHT HOUR RULE: If you contact the professor and you had an excused reason for missing the exam and there is substantial evidence that you have not been in contact with class members, the professor has the option of permitting you to take the same exam as your classmates. This option will only be exercised if exam security is maintained. If this option is not permitted by the professor, then it will be necessary to take the comprehensive final. This option will be exercised only under the strictest of conditions.

3. The four examinations will cover material as announced. The standard final is NOT comprehensive except as otherwise noted above.

4. IT IS YOUR RESPONSIBILITY TO NOTIFY the professor for permission to the comprehensive make up examination. Permission will only be granted in cases of serious illness or death in the immediate family. Simply missing an examination for personal convenience will result in a LETTER GRADE PENALTY for the course.

5. HOMEWORK. All homework assignments will be typed. Late submissions will receive a late penalty. The quicker you turn in homework, the lower the penalty.

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. To promote your success, you will be assigned some homework assignments throughout the semester.

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. Your Reader also includes information on how to make study time worthwhile.

5. The amount of reading increases as the course progresses. The chapters at the end of the text are a little shorter than the earlier chapters, however, it is very important to plan study time to account for a slightly heavier reading load as the course progresses.

6. This course requires consistent effort and attention.

6. Note that the examinations are NOT comprehensive unless you miss a regularly-scheduled exam and are unable to take advantage of the 8 hour rule.

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.
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 936-294-1278 and talk to either Ms. Janice Walding or Ms. Wanda McComb.

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.

OTHER COURSES 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.