

NEW JERSEY INSTITUTE OF TECHNOLOGY

Martin Tuchman School of Management

Syllabus: MGMT 290-454

Course Title: Business Law I
Course Number: MGMT 290-454
Professor: Andrew Garcia, J.D.
Office Hrs: by appointment via email

Semester: Spring 2024
Class Timing: Online / Remote
Online: Canvas platform
E-mail: agarcia@njit.edu

Required Textbook

Miller, *Business Law Today The Essentials, Text & Summarized Cases*, 13th Ed., Cengage Learning (2022);
Student Copy ISBN: 978-0357635223

NOTE: STUDENTS MUST ACQUIRE THE 13th Edition

- Since all tests (quizzes and exams) in this course are open textbook and notebook; it is highly recommended that you acquire a hardcopy of the text (purchase or rent).
- All other materials (e-handouts, videos, etc.) will be made available on our Canvas page

Course Description:

The course will introduce legal concepts that will enrich the understanding of business principles and concepts critical to the success of managers in finance, marketing, communications, accounting or pure economics, including principles and concepts critical to success on the CPA Examination, and an appreciation of the importance of ethics in business. Current cases will be used to illustrate helpful legal principles and how the court system decides relevant disputes. The Internet and intellectual property will be emphasized including cybercrimes such as credit card fraud, hacking, and identity theft, as well as the difficulty of prosecuting such criminals, especially when they reside overseas. Employment issues and discrimination law such as immigration status, or constructive discharge, and the many forms of possible discrimination will be addressed, by means of current cases. International law will be discussed as it relates to management and comparisons with USA laws will explore and highlight the basic concepts that guide commerce.

Course Learning Objectives/Outcomes:

Upon completion of this course, students will be able to:

1. Communicate effectively using standard business and legal terminology.
2. Describe how the legal environment affects everyday business transactions.
3. Apply basic legal knowledge to business transactions.
4. Explain the major legal principles in criminal and tort law and their application to business.
5. Differentiate between common law and statutory law as well as the federal and state court systems.
6. Explain the principles of contract formation and the legal requirements for its validity.
7. Apply the elements of contract law to the business environment.
8. Differentiate types of contracts such as common law contracts and sales contracts.
9. Explain product liability and interpret the law under consumer protection.
10. Demonstrate rational thinking involving complex legal issues in the business environment.

Course Requirements:

A) Expectations-

What I expect from you:

This is an online, intensive, 14-week course. It requires you, the student, to be in control of your learning. In a face-to-face course I, the instructor, can play a much bigger role in directing your learning. In an online course I have to do a lot more

work in designing an appropriate learning environment, so that you can learn at your own pace and at your convenience. Since you are in complete control of your learning pace, you need to be disciplined to stay up to date with the course. If you fall behind, it will be extremely difficult, if not impossible to pass this course. Here are some tips to help you succeed in this course:

- 1) **Manage your time:** This course will be completed after 14 weeks of work. Good planning allows you to be prepared for the unexpected: sickness, travel requirements, Internet outages, etc. Allow 3-4 hours to read, study and prepare assignments for the week.
- 2) **Keep track of due dates:** Use the Course Schedule at the end of this syllabus to keep track of due dates, as well as the schedule on our Canvas page. It would be a good idea to print a copy of the course schedule and keep it handy. Just to be clear, in order to keep pace with the course workload, all assignments, quizzes, tests, etc., must be submitted/uploaded/completed on Canvas by 11:59 PM, the day it is due (usually Friday and Sunday evenings). **The latest I will accept an assignment is by the end of each week, Sunday, by 11:59 PM.** It is learning at your pace, so you can spread the work over the duration of the week or tackle it over the weekend.
- 3) **Log on to Canvas and your NJIT email daily:** Get into the habit of going online to Canvas and your email every day to check for special announcements, emails and other materials, and also to find out if it is working properly. If you experience any issues, you can call the **Help Desk at 973-596-2900 for assistance.**
- 4) **Students must do their own work:** Although I encourage collaboration in face-to-face-classes in a classroom setting, I must firmly enforce the policy that each student works on his/her own assignments. You must do your own work in order to grasp the knowledge of each lesson that has been assigned. It is necessary in order to prepare for the final exam, which is worth 30% of your overall grade. Be aware that you must upload all assignments to Canvas, which means they will automatically go through Turnitin.com. **DO NOT PLAGIARIZE! DO YOUR OWN WORK!!**

What to expect from me:

As your instructor, I am committed to providing a quality learning experience through thoughtful planning, implementation and assessment of course activities. I am also committed to being readily available to students throughout the semester by

- 1) replying to questions from your emails within a 24-hour timeframe.
- 2) returning graded course work with feedback within 72 hours from each assignment's due date.
- 3) engaging in one-on-one discussions (arranged by appointment) regarding difficulties with course materials.

B) General Requirements-

- 1) **Make-up Quizzes/Exams will only be allowed with a physician's note or other Dean of students' approval.** Exceptions may be made if I am notified well in advance of any quiz/exam conflicts.
- 2) **No extra credit work will be accepted, nor will there be any negotiations of final grades.** Do not e-mail requests for additional extra-credit points. **If there is an error in the grading calculations, please notify me as soon as possible.** Grades are not 'given out' by the professor; they are 'earned' by the student. If you want to do well in the class make sure you are putting forth the effort now, during the start of the semester.
- 3) **Academic integrity-**Forms of academic dishonesty include plagiarism, fabrication, cheating, and academic misconduct. Students are responsible for the authenticity of material submitted both for individual and group work. Cheating and plagiarism are serious misconduct issues that result in negative consequences for all involved in the learning environment. Any serious misconduct of this nature will be addressed directly and expeditiously by the School of Management and NJIT. In order to protect and maintain a superior learning environment at the School of Management. **All students must review and adhere to the University's Policy on Academic Integrity** at <https://www5.njit.edu/policies/sites/policies/files/NJIT-University-Policy-on-Academic-Integrity.pdf>
- 4) It is expected that all students will adhere to accepted codes of ethical, personal, and civil conduct when conversing online using email or engaging in any real time online chat sessions. Failure to abide by such codes of conduct and etiquette may result in expulsion from the course with a failing grade. Consult the official university code of student conduct for further information.
- 5) **Note:** any **email** that does not **contain course, class and section number** information (**MGMT 290-454**) in the subject line will more than likely get lost in my ever-filling inbox. To ensure your email is read and not lost in my inbox, please do not forget this important detail.

- 6) **Respect** the professor and classmates: we will be engaging in group discussions throughout the semester. I want to create a debate atmosphere, as close to a face-to-face experience as possible. If you disagree with another student's point of view/argument/opinion, please refrain from language unsuitable for academia. Remember, I am always watching.
- 7) Students with **special needs** requesting accommodations and services at NJIT need to present a current accommodation verification letter to faculty before accommodations can be made. Letters are issued by the Office of Accessibility Resources and Services. For additional information, go to their website at <https://www.njit.edu/accessibility/>

C) Grading

- 1) **Preparing Case Review and Briefs:** In order to excel in this course, students must read all necessary materials from the textbook and other e-handouts from Canvas, if applicable, as well as view and take notes on any posted videos. Also, students should apply the **IRAC** method when analyzing important cases throughout the semester:
 - know the pertinent facts of the case (not a complete summary, only the relevant facts)
 - spot the **I**ssue(s) of the case by reading the fact pattern carefully
 - recognize the **R**ule(s) of law relevant to the issue(s) of the case,
 - **A**pply the law to the facts of the case, and then
 - arrive at a **C**onclusion

Students will be required to “brief” cases during the semester (four briefs), which is taking the analysis of the IRAC method and placing it in a written format. The format for briefing a case will be provided to students on our Canvas page. Make sure you are following the format of the handout exactly as it appears on the sample document. A hard copy of your “brief” must be posted to our Canvas page. **Note:** In order to potentially earn the most points for the case brief assignment, it is required that students post their briefs on our weekly discussion board. Students must then reply to a classmate's brief, detailing why it is related to their own. Remember, all of the briefs are from the same chapter, so there has to be some connection to your own brief. Overall, the order in which students should complete the case brief assignments is as follows: 1) post the Word document (or equivalent) to our Canvas page as an “assignment;” 2) copy the text of the entire brief and paste it as a thread in that week's discussion board; 3) reply to a classmate's brief that is related to yours by detailing the relationship.

2) Discussion Board Questions will be asked throughout the semester (four Discussions, as mentioned above). This will allow us to interact as a class. Students must respect one another while debating issues within the course content. Take note that there are two due dates for every Discussion Board Assignment. Answers are due on a Friday of that particular week, and replies to a classmate's answer are due on a Sunday of the same week. This will allow enough time for students to prepare replies to their classmates' answers. **Note:** In order to earn the maximum possible grade for these assignments, your replies must be to a student's answer in which you disagree.

2) Quizzes and Exams: There will be four quizzes throughout the semester (two prior to the midterm and two after the midterm), a midterm exam to be administered during Week 8 of the semester, and a final exam at the end of the semester. All of these tests (quizzes and exams) are open textbook and open notebook, and will consist of multiple choice, true/false, and fill in the blank questions. The midterm and final exams will contain short answer questions, requiring full sentences (7 to 15 sentences). You may not use any hand held devices or additional computers during the tests. **Respondus and Webcam will be utilized to monitor students for all quizzes and exams. Make sure you have the most recent version of Respondus and the proper equipment.**

3) General Discussion Board forums: during weeks when there are no official discussion board assignments, we will conduct open forum sessions. Students may pose questions, make comments, or provide anecdotes regarding the current chapter being covered or current events that may occur that relate to Business Law.

4) Course Grading:

- **Discussion Board 4@5%** (20%)
- **Case Briefing 4@2.5%** (10%)
- **Quizzes; 4 @ 5%** (20%)
- **Midterm Exam** (20%)
- **Final Exam** (30%)

5) Final Grading Scale

A = 90 – 100 **B+** = 86 – 89 **B** = 80 – 85 **C+** = 76 – 79 **C** = 70 – 75 **D** = 60 – 69 **F** = 0 – 59

COURSE SCHEDULE:

NOTE: This schedule is subject to change at Instructor's discretion. Due to time constraints and other unforeseen occurrences, we may not cover all of the material below. I may also assign additional material. In such cases, students will be notified well in advance.

Date	Reading and Preparation	Assignments, Discussions, Quizzes, Exams, etc.
Week 1 1/15 to 1/21	Introduction -Review Course Syllabus thoroughly -Personal Introductions Via Discussion Board -Important documents and sources on Canvas -Acquire Textbook	by Sunday, 1/21, 11:59 PM* - Post answers to syllabus questions on our Canvas page - Post personal introductions to Discussion Board
Week 2 1/22 – 1/28	Read Chapter 1; view PowerPoint; view Lecture <i>Legal and Constitutional Foundations of Business</i>	*by Friday 1/26, 11:59 PM* - Discussion Board One: Answers regarding the Bakery Case are due by Friday 1/26, 11:59 PM - Replies to a classmate's answer due by Sunday, 1/28, 11:59 PM.
Week 3 1/29 - 2/04	Read Chapter 2; view PowerPoint; view Lecture <i>Courts and Alternative Dispute Resolution</i> - New Jersey Court System Chart	*by Sunday 2/04, 11:59 PM* - Post Case Briefing for Chapter 2; it can be any case that interests you from Chapter 2 EXCEPT the cases that are posted on our Canvas page under this week's module (use brief outline on Canvas as a guide); email me if you are uncertain. - Copy and paste the text of your brief to our discussion board and - Reply to classmate's Brief that relates to your own brief on our Canvas Discussion Board by Sunday 2/04, 11:59 PM
Week 4 2/05 – 2/11	Read Chapter 3; view PowerPoint; view Lecture <i>Ethics in Business</i>	*by Friday 2/09, 11:59 PM* - Discussion Board Two: Answers regarding Critical Thinking and Writing Assignments 3-9 on pg 99 are due by Friday 2/09, 11:59 PM - Replies to classmate's answer due by Sunday 2/11, 11:59 PM
Week 5 2/12 – 2/18	Read Chapter 4; view PowerPoint; view Lecture <i>Tort Law</i> -When do we have a legal duty? What is meant by strict liability? -Review and Study Chapters 1, 2 & 3	*by Sunday 2/18, 11:59 PM* - QUIZ #1 on Chapters 1, 2 and 3 (see our Canvas page for full details) - General Discussion Board forums: post questions, comments, etc.

<p>Week 6 2/19 – 2/25</p>	<p>Read Chapter 6; view PowerPoint; view Lecture Internet Law, Social Media, and Privacy</p>	<p>*by Sunday 2/25, 11:59 PM*</p> <ul style="list-style-type: none"> - Post Case Briefing for Chapter 6; it can be any case that interests you from Chapter 6 EXCEPT the cases that are posted on our Canvas page under this week’s module (use brief outline on Canvas as a guide); email me if you are uncertain. - Copy and paste the text of your brief to our discussion board and - Reply to classmate’s Brief that relates to your own brief on our Canvas Discussion Board by Sunday 2/25, 11:59 PM
<p>Week 7 2/26 – 3/03</p>	<p>Read Chapter 7; view PowerPoint; view Lecture <i>Criminal Law and Cyber Crime</i> - Civil and Criminal Law Differences Charts - Review and Study Chapters 4, 6 & 7</p>	<p>*by Sunday 3/03, 11:59 PM*</p> <ul style="list-style-type: none"> - QUIZ #2 on Chapters 4, 6, and 7 (see our Canvas page for full details) - General Discussion Board forums: post questions, comments, etc.
<p>Week 8 3/04 – 3/10</p>	<p>MIDTERM EXAM PREPARATION - Review and Study Chapters 1, 2, 3, 4, 6, and 7</p>	<p>*by Sunday 3/10, 11:59 PM*</p> <ul style="list-style-type: none"> - MIDTERM EXAM - covers Chapters 1, 2, 3, 4, 6, and 7
<p>Spring Recess 3/11 – 3/17</p>	<p>No new material</p>	<p>Enjoy your break, or start preparing for future assignments</p>
<p>Week 9 3/18 – 3/24</p>	<p>Read Chapter 8; view PowerPoint; view Lecture <i>Agreement and Consideration in Contracts</i> - Flowchart of Contract Law</p>	<p>*by Friday 3/22, 11:59 PM*</p> <ul style="list-style-type: none"> - Discussion Board Three: Answers regarding the third Discussion Board Question are due by Friday 3/22, 11:59 PM - Replies to classmate’s answer due by Sunday 3/24, 11:59 PM
<p>Week 10 3/25 – 3/31</p>	<p>Read Chapters 9; view PowerPoint; view Lecture <i>Capacity, Legality, and Enforceability</i></p>	<p>*by Sunday 3/31, 11:59 PM*</p> <ul style="list-style-type: none"> - Post Case Briefing for Chapter 9; it can be any case that interests you from Chapter 9 EXCEPT the cases that are posted on our Canvas page under this week’s module (use brief outline on Canvas as a guide); email me if you are uncertain. - Copy and paste the text of your brief to our discussion board and - Reply to classmate’s Brief that relates to your own brief on our Canvas Discussion Board by Sunday 3/31, 11:59 PM
<p>Week 11 4/01 – 4/07</p>	<p>Read Chapter 10; view PowerPoint; view Lecture <i>Contract Performance, Breach, and Remedies</i> -Review and Study Chaps. 8, 9, & 10</p>	<p>*by Sunday 4/07, 11:59 PM*</p> <ul style="list-style-type: none"> - QUIZ #3 on Chapters 8, 9, & 10 (see our Canvas page for full details) - General Discussion Board forums: post questions, comments, etc.
<p>Week 12 4/8 – 4/14</p>	<p>Read Chapter 25; view PowerPoint; view Lecture <i>International and Space Law</i></p>	<p>*by Friday 4/12, 11:59 PM*</p> <ul style="list-style-type: none"> - Discussion Board Four: Answers regarding the fourth Discussion Board Question are due by Friday 4/12, 11:59 PM - Replies to classmate’s answer due by Sunday 4/14, 11:59 PM
<p>Week 13 4/15 – 4/21</p>	<p>Read Chapter 16; view PowerPoint; view Lecture <i>Agency Relationships in Business</i></p>	<p>*by Sunday 4/21, 11:59 PM*</p> <ul style="list-style-type: none"> - Post Case Briefing for Chapter 16; it can be any case that interests you from Chapter 16 EXCEPT the cases that are posted on our Canvas page under this week’s module (use brief outline on Canvas as a guide); email me if you are uncertain. - Copy and paste the text of your brief to our discussion board and

		- Reply to classmate's Brief that relates to your own brief on our Canvas Discussion Board by Sunday 4/21, 11:59 PM
Week 14 4/22 – 4/28	Read Chapter 17; view PowerPoint; view Lecture <i>Employment Law</i> - Employment-at-will Doctrine and its exceptions -Review and Study Chapters 16, 17, & 25	by Sunday 4/28, 11:59 PM - QUIZ #4 on Chapters 16, 17, and 25 (see our Canvas page for full details) - General Discussion Board forums: post questions, comments, etc.
Reading Days and Finals Period 4/29 – 5/09	READING DAYS: 5/01 – 5/02 (officially for NJIT) 4/29 – 5/02 (for MGMT 290-454) - Preparation for Final Exam	FINAL EXAM Preparation –this Exam is a cumulative exam and thus covers the entire semester – Chapters 1, 2, 3, 4, 6, 7, 8, 9, 10, 16, 17, and 25; however, the majority of the true/false and multiple choice questions will cover the second half of the semester. <u>ALL</u> of the short answer questions will come from chapters covered in the second half of the semester (chapters 8, 9, 10, 16, 17, and 25)
Finals Period 5/03 - 5/09	FINAL EXAMS PERIOD	FINAL EXAM – can be taken any time during this period; this is a cumulative exam and thus covers the entire semester. The Final Exam must be completed by Thursday, May 9th, at 11:59 PM. On that date and time, the Final Exam window will close, and your exam will automatically be submitted. Therefore, do not wait until the last minute to start the exam.

Final Grades will be posted by Saturday, May 11th.