

**LEGAL AND REGULATORY ENVIRONMENT
OF BUSINESS—BUS 200
WRITING INTENSIVE CLASS
SPRING 2011**

Instructor: Susanna Monseau

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Class Times: Mondays and Thursdays

Office Hours: Mon/Thurs 1.30 pm-3.00 p.m. and by appointment

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I. Required Texts and Materials:

Miller, Jentz & Cross, Essentials of the Legal Environment (3e)

Benedict, Jeff, Little Pink House

Blake, Gary & Bly, Robert, The Elements of Business Writing

Lipson, Charles, Doing Honest Work in College (2e)

Various articles available on SOCS or handed out in class

This **writing intensive** course focuses on the legal and regulatory environment within which businesses and other enterprises must operate. We will not only learn some important legal concepts; we will see how these concepts apply in today's world. In order to do this, current events will be a major part of this course, as will the development of critical thinking skills. Critical thinking enables us to view the multiple sides that exist on any given issue, analyze the relative weight of different arguments and provide useful information to our colleagues, employers, and of course, professors. As a writing intensive class we will also focus on communicating our research and ideas in writing and honing our writing skills.

II. Learning Outcomes

At the conclusion of this course students should be able to:

Analyze the structure of the U.S. legal system and describe the role each government “player” has in making law

Extract the issue, decision and reasoning from written court opinions

Discuss and write about newsworthy issues affecting business in an analytical manner

Identify the key cultural, economic, global, legal, political, regulatory, social, and technological factors in an organization’s environment and analyze their effects on its performance

Identify corporate stakeholders and describe how corporate conduct affects these stakeholders

Recognize the individual’s and the organization’s ethical responsibilities to stakeholders

Present research and support arguments clearly and cohesively in writing

III. Required Materials:

The primary text for this course is Miller, Jentz & Cross, Essentials of the Legal Environment (3e). It provides material to help you (1) understand the basic concepts underlying law and regulation, (2) identify corporate stakeholders and define their interests, and (3) analyze whether conduct in a given situation is ethical or unethical, legal or illegal.

Jeff Benedict’s Little Pink House is the dramatic true story of a neighborhood’s battle against an eminent domain action by the city to take their land for development by a pharmaceutical company. The story will allow you to enter the world of politics and law and gain an understanding of our regulatory system and the courts.

The additional readings handed out in class or available via SOCS also contain information necessary for your successful completion of the class requirements, providing information for the debates, presentations, exams and even your future careers.

Lipson’s Doing Honest Work in College (2e) and Blake and Bly’s The Elements of Business Writing will help you understand professors’ expectations for your in-class participation, as well as for your written work accomplished either alone or in groups.

IV. Writing, Participation and Your Development as a Writer and Thinker

This is a writing intensive class focused on the legal and regulatory environment. It is intended to help you develop your ability to communicate clearly and effectively in writing. We will spend time in class discussing writing issues, conducting peer reviews and modeling good writing practices. In class this means that we will share and discuss our work with our peers as part of a writing community. You are also welcome to visit me during office hours to discuss your working draft of any assignment. You need to do this **at least five days** before the due date for an assignment so that you can think about and implement any changes we discuss. I will not do your work for you but I will discuss it, review your ideas, suggest amendments and make suggestions to help in your research or your writing.

The class is also designed to provide you with an insight into the legal environment. The law is not a set of written rules to be memorized; it often provides plenty of room for debate and disagreement. We will learn basic legal principles; we will also examine and question the *reasons* for the rules and think critically about the *application* of the law in a variety of business situations. As we explore legal issues I hope you will also develop your ability to assess the relative strengths of different arguments and learn how to advance your own position using research and reasoned, logical argument.

Class discussion will give us the opportunity to practice a variety of important critical thinking skills including learning how to advance our own arguments, analyze those of others and listen and learn from others. In order to benefit from class it is extremely important that you come prepared to participate fully in class discussions. You should read the assigned material and answered any required questions **before** the scheduled class. You are responsible for understanding all the concepts and applications contained in the text, even if we have not discussed them in class. Please **do not** memorize the countless facts contained in the text. Our emphasis will be on the concepts and their applications.

V. Course Work and Assignments:

You will be graded in each of the following categories:

1. Participation

Participation is a significant percentage of your final grade. Your participation grade is based on participation and not just on attendance (although without regular attendance it is impossible to earn a passing participation grade). I expect you to make significant contributions to classroom discussions on an ongoing basis that show you grasp the key concepts and can apply them to real-world business law issues. I also expect that you

will be prepared when I call on you in class, volunteer answers to questions, and also ask me questions about the material as well. I do not want you to leave at the end of the period confused about the day's material. Since this is a writing intensive class, short written homework assignments will be set before some classes for you to answer as you complete your reading. You should type up and keep the answers to these questions with your class readings. Periodically I will collect these answers to review and grade. You will also be asked to discuss the answers to your homework questions during class. You may also be asked to find relevant articles from news sources which relate to a particular topic. (You can do this research online at the websites of reputable news sources such as The New York Times, Wall Street Journal, Business Week, but you should be careful of using press releases or sites with an agenda beyond the provision of news). You may be picked in class to present your article to the class. Your efforts in completing the written homework, and finding relevant news stories will be taken into consideration as part of your participation grade. Attendance will be taken at the beginning of each class and students must stay until the end of class to earn attendance grade for that day.

Participation makes up 20% of your final grade.

2. Little Pink House Paper

In this essay you will summarize and discuss an issue from the book Little Pink House. This will require research into the case in the book, and its facts and background and thinking about the role of law, policy and the courts. Using your research you will write a paper of approximately 4 pages in length, describing the issue and explaining how it is important using facts, quotes, details from the book, and sound argument. We will spend time in class learning about how to argue persuasively with facts, quotes, analysis and argument. Further information and instructions on this assignment will be provided in class and on SOCs. Your essay will be due on Thursday February 24, 2010. **The essay makes up 15% of your final grade.**

3. Group Presentation Project

You will be divided into small groups (4 students) near the beginning of the semester. Each group will be responsible for choosing a business legal issue, researching it and presenting both sides of their topic to the rest of the class. A list of topical business law/ethics related controversies will be provided. The presentation to the class should include a brief background on the topic, followed by debate and discussion on the current situation and future possibilities, leading to a lively class discussion. You should make your presentation interesting, informative and relevant to the course. You may use handouts, slides, PowerPoint or other audio-visual aids for your presentation. One week before your debate I will meet with your group to discuss your project. Details of what each group member is contributing to the debate are to be brought to this meeting.

The presentation must be done (and will be graded) as a group endeavor.

Students who are part of the audience for a presentation will have a chance to ask questions and will then complete a post-presentation, in-class written assignment evaluating the presentation. Completion of this assignment will be part of your participation grade. Your comments may also be used by me in my assessment of the group presentation. **The group project makes up 15% of your final grade.**

4. Debate Issue Paper

You will write a paper analyzing one of the debate topics (it can be the topic done by your group or one of the other groups) and the issues it raises with a conclusion supported by argument. The paper should be approximately 4 pages in length (not including the works cited list). Further instructions on this assignment are available on SOCS and in class. You may complete this paper with a one other student. If you do this both students will receive the same grade for the paper. The essay will be due on April 7, 2011. **The Debate Issue Paper makes up 10% of your final grade.**

5. Business Law Essay

You will be required to write an independently researched essay (approximately 6-8 pages in length) discussing a current business law issue. The issue can come from the book, A Little Pink House, or one of the debate topics. I will provide guidance on issues that would be suitable for research for this essay. You will be required to develop a thesis on a the current business/law dilemma, and support your argument by describing and discussing the law and policy in question, analyzing the issue and alternative solutions, supporting your view with citation to at least three relevant outside sources. These sources should be peer-reviewed journal articles on law, policy and justice and laws and court cases. The essay will be due on April 28, 2011. **The essay makes up 20% of your final grade.**

6. Midterm and Final Exam

There will be two short multiple choice and short answer exams, one during the semester and one in the period designated for the final. The exams will cover all the material on the course and together make up **20% of your final grade.**

An unexcused failure to take the scheduled exam will result in a student receiving a failing grade for such exam.

Any student caught cheating will be asked to leave the exam and will be prosecuted under the college's policy on cheating.

VI. Grading:

All grading is done using a percentage scale. The percentage scale is converted to a letter grade at the end of the semester.

A 92-100	B+ 88-89	B- 80-81	C 72-77	D+ 68-69	
A- 90-91	B 82-87	C+ 78-79	C- 70-71	D 60-67	F >59

The following is intended to give general guidance on the standards for each letter grade in written work. Rubrics are available on SOCs for the individual and group assignments:

A Ability to understand, and where appropriate, summarize relevant facts correctly. Complete understanding of law, and legal issues contained in the case or problem. Excellent analysis of issues, evidence of quality outside research (where appropriate), sound reasoning and properly argued conclusions. Paper is extremely well written in standard business prose, few if any mistakes of grammar, spelling or punctuation. Sources are properly documented.

B Ability to understand, and where appropriate, summarize most relevant facts correctly. Good understanding of law, and legal issues contained in the case or problem. Analysis of issues, evidence of some outside research (where appropriate), generally sound reasoning and conclusions. Paper is well written in standard business prose, some mistakes in grammar and spelling. Sources are properly documented.

C Ability to understand, and where appropriate, summarize some relevant facts. Some understanding of law, and legal issues contained in the case or problem. Fairly brief analysis of issues, little evidence of research (where appropriate), basic reasoning and some conclusions. Paper is comprehensible although there are mistakes in grammar and spelling. Sources are not properly documented.

D Facts poorly summarized and understood. Little understanding of law and legal issues. Analysis of issues is minimal. Numerous mistakes in grammar and spelling.

F Work is poorly completed or not completed at all.

In written assignments, content and writing each account for approximately 50% of the total grade.

VII. Help with Your Writing:

We will spend considerable time in class on writing. We will discuss and share papers, conduct peer reviews and examine what makes a paper effective. We will discuss and model developing a thesis and argument, and how questioning and revision improve writing. We will also discuss common errors and weaknesses and how to correct them.

You are welcome to visit me during office hours to discuss your working draft on any assignment. Our discussion will be designed to provide you with some guidance so that *you* can turn those ideas into an improved paper. The ability to communicate clearly is essential to success in both the business and academic world. I encourage you to seek assistance with your writing. For each essay assignment I will designate time to meet with students to discuss drafts before the essay is due. If you want me to look at a draft you must bring it to me **at least 3 days (excluding weekends)** before the essay is due.

VIII. Some Course Ground Rules:

All papers are to be handed in to me in hard copy at the beginning of the class in which they are due. Papers are to be typed in 12-point legible font, double spaced. Papers must include page numbers, and must be thoroughly proofread. Citations must use APA format (See Lipson). Unless it is a group project, all written work is to be your individual effort. Any suspected collaboration will be prosecuted under the College's policy on cheating and will result in an "F" for the assignment.

You are charged with reading and following the rules prohibiting plagiarism. We will discuss the rules in class and you will read about them in Lipson. Plagiarism results in an automatic "F" for the assignment as well.

I will not accept assignments late, via email or other electronic means without prior discussion or a very good reason. If I agree to accept a late assignment, the grade will be lowered by one full letter grade for each day (including Saturday and Sunday) that the assignment is late.

Any student who, without excuse, misses one of the three main writing assignments will fail the whole course.

If you are a good writer you may be able to self-edit or have a friend proofread your work and discuss your draft with me. If you are not an “A” writing student then speak to me or go to The Writer’s Place in Forcina Hall for help. If I read your written work and decide that you need help with the mechanics of your writing and not just the substance, I will require you to go to The Writer’s Place. You will need to make an appointment to see a Writer’s Place tutor and include your copy of the tutor’s meeting notes with your assignment when you hand it in. Failure to follow up with The Writer’s Place will result in a grade of zero on all future writing assignments.

There are no make up exams. A student missing an exam for any reason will receive a ‘0’ for that exam.

Class begins on time and does not end until the instructor so indicates. Absent an emergency, cell phones and pagers are to be turned off before class begins.

Electronic gadgets like cell phones, iPods etc. are a disruption. If you use them during class you face a loss of five points from your final grade.

I utilize campus email to send articles and announcements and to contact you if I need to do so. You are responsible for checking your TCNJ email on a regular basis.

VIII. Schedule of Classes and Readings:

This is a working outline of the course. For example, we may spend more time on certain topics than others and some of the readings may be supplemented by other material assigned in class. It is your responsibility to make note of any changes to assignments, readings or due dates announced in class.

Week of	Topic and Assignment Due Dates (Items in bold type are to be prepared to hand in)	Pre-Class Readings (WSJ Articles can be found on TCNJ Library’s ABI/Inform Global database)
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1/20/11	The role of the law in business	WSJ Lawblog “Is Cyberbullying a Crime?” (SOCS)
1/24/11	Business and Its Legal Environment Writing issues discussion <u>Little Pink House</u>	Miller Ch. 1 WSJ Article “Why The New American Dream is Renting” Thomas Sugrue, 8/15/09 Lipson Ch. 1, Bly Ch. 1, 55-90 Benedict pp 1-83
1/31/11	Constitutional Authority to Regulate Business Answers to Constitutional Law Questions (SOCS) <u>Little Pink House</u>	Miller Ch. 4 Benedict pp 83-171
2/7/11	The Courts and ADR Answers to River of Law Exercise (SOCS) <u>Little Pink House</u>	Miller Ch. 2 WSJ Article “Signing Away Your Right to Sue” Jane Spencer 10/1/03 NYT Article on Supreme Court Campaign Finance Law (SOCS) Benedict pp 172-309
2/14/11	<u>Little Pink House</u> Case Brief Kelo v. New London Writing issues/Research issues/ Essay drafts review	Benedict pp 310-377 Lipson
2/21/11	Ethics and Business Decision Making	Miller Ch. 3

	Answers to J&J Questions (SOCS) Little Pink House paper due 2/24/11	Why Johnson and Johnson's Headache Won't Go Away (SOCS)
2/28/11	Administrative Law Answers to Questions on Water Pollution and EPA (SOCS) Midterm Exam 3/3/11	Miller Ch. 5 NY Times Article "Water Pollution and EPA" (SOCS)
SPRING BREAK	ENJOY! 3/7/11-3/11/11	
3/14/11	Torts and Product Liability Tort Jeopardy Questions (SOCS)	Miller Ch. 6 Article on Stella Liebeck Coffee Case (SOCS)
3/21/11	Business Organizations Contract Formation Contract Performance and Remedies Describe a contract (instructions in class)	Miller Chs. 10, 11 & 12
3/28/11	Intellectual Property and Internet Law Watch film on Copyright and Fair Use (SOCS) DEBATE PRESENTATIONS	Miller Ch. 8 "In Defense of Piracy" by Larry Lessig (SOCS) NYT Article "Charlie Nesson's Copyright Case" (SOCS)
4/4/11	Investor Protection and Corporate Governance International Law in a Global Economy Debate Issues Papers due	Miller Ch. 19 Miller Ch.9

	4/7/11	
4/11/11	Employment, Immigration and Labor Law Business Law essay thesis due 4/14/11	Miller Ch. 15
4/18/11	Employment Discrimination Answers to Lily Ledbetter podcast (SOCS)	Miller Ch. 16
4/25/11	Revision Business Law essay due 4/28/11	
5/2/11 – 5/6/11	Final Exam date TBA	