



Texas A & M University - Commerce
College of Business and Entrepreneurship
Department of Accounting
Accounting 568 - *Business Law for Accountants*
Fall 2023

Instructor: EDGAR J. GARRETT, JR., J.D.

Office Location: BA-225

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Preferred Form of Communication: email

Communication Response Time: ASAP within 24 hours

Course Location: Online (D2L/BrightSpace)

Graduate Comprehensive Exam: The content of this course is included on the comprehensive exam for the MS in Accounting program. The exam is administered during your final semester of the program. You must pass the exam to earn an MS degree in Accounting from Texas A&M University-Commerce.

Course Description

This course

- Business Law for Accountants is the study of professional and legal responsibilities and legal implications of business transactions. The course requires application of this knowledge to common business situations and transactions.
- This course provides knowledge of the general business environment and general business concepts needed to understand the underlying legal reasons applicable to particular situations and transactions.
- The focus of the course is on domestic United States law, as the primary source for the CPA exam.
- Professional responsibility and ethics issues are considered throughout the course.

Course Embedded Assessment Objectives

Your achievement level for each objective will be measured by your ability to demonstrate understanding of the following:

- Rights and liabilities of parties to common business transactions;
- Improving skills in recognizing and managing legal and ethical risks in business decision-making;
- The different forms of businesses and the process;
- Rights and liabilities of stockholders and managers of corporations;
- Government regulations protecting public interests in corporations and markets;

- Basic rights related to intellectual property and understanding the various types;
- Various tort actions commonly associated with businesses;
- Liability of businesses connected to actions of employees

Textbooks and Materials

Required Textbook: The Legal Environment and Business Law: Master of Accountancy Edition (v. 1.0).

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(<http://creativecommons.org/licenses/by-nc-sa/3.0/>) license. Book is downloadable from course LMS.

Course Schedule Overview and Assignments (Specifics of the schedule including quizzes, discussions, and scheduled live sessions will be posted inside D2L/BrightSpace).

1. Introduction to Law (August 28 – September 1)
 - a. Read The U.S. Constitution and Amendments
 - b. Read Chapters 1 and 2, focus on *Harris v. Forklift Systems*, 510 U.S. 17 (1992).
 - c. Find and read *Marbury v. Madison*, 5 US 137 (1803).
2. Tort Law and Agency (August 30 – September 1)
 - a. Read Chapters 3, 25, and 26, focus on *Whitlock v. University of Denver* and *Palsgraf v. Long Island RR*.
 - b. Also find and read, *Pitre v. Louisiana Tech University*, 673 So. 2d 585 (La. 1996).
3. Contracts – Part 1 (September 2 – September 5)
 - a. Read Chapters 4, 5, and 6, focus on *Lucy v. Zehmer*, 84 S.E.2d 516 (Va. 1954).
4. Exam 1 (September 5 – September 7)
5. Contracts – Part 2 (September 7 – September 11)
 - a. Read Chapters 7, 8, and 9, focus on *Board of Control of Eastern Michigan University v. Burgess*, 206 N.W.2d 256 (Mich. 1973).
6. Contracts – Part 3 (September 11 – September 14)
 - a. Read Chapters 10, 11, and 12, focus *Parker v. Arthur Murray, Inc.*, 295 N.E.2d 487 (Ill. Ct. App. 1973).
7. Contracts – Sales, Leases and Risk of Loss (September 14 – September 17)
 - a. Read Chapters 13, 14, and 15, focus *Pittsley v. Houser*, 875 P.2d 232 (Idaho App. 1994).
8. Exam 2 (September 17 – September 19)
9. Creditor-Debtor Issues (September 20 – September 23)
 - a. Read Chapters 20 and 21, focus on *Rodgers v. McCullough*, 296 F.Supp.2d 895 (W.D. Tenn. 2003).
10. Mortgages, Liens, and Bankruptcy; Intellectual Property (September 23 – September 27)
 - a. Read Chapters 22 and 23, focus on *In re Zygaewicz*, 423 B.R. 909 (Bkrtcy.E.D.Cal. 2010).
 - b. Read Chapter 24; The cases in this chapter are interesting, but also find and read *Kirtsaeng v. John Wiley & Sons, Inc.*, 568 U.S. 519 (2013).
11. Exam 3 (September 28 – October 1)
12. Business Forms – Partnerships and Hybrids (October 2 – October 5)
 - a. Read Chapters 27, 28, and 29, focus on *Gilroy v. Conway*, 391 N.W. 2d 419 (Mich. App. 1986).
13. Business Forms – Corporations (October 6 – October 9)

- a. Read Chapters 30, 32 and 33, focus on *United States v. Bestfoods*, 113 F.3d 572 (1998) and *Reves v. Ernst & Young*, 494 U.S. 56 (1990).
14. Anti-trust and FTC (October 10 – October 13)
 - a. Read Chapters 35 and 36
 - b. Focus on *National Society of Professional Engineers*, 435 U.S. 679 (1978) and *P. Lorillard Co. v. Federal Trade Commission*, 186 F.2d 52 (4th Cir. 1950).
15. Employment Law (October 14 – October 17)
 - a. Read Chapters 37 and 38, focus on *Duncan v. General Motors Corporation*, 300 F.3d 928 (8th Cir. 2002), especially the dissenting opinion.
16. Exam 4 (Opens October 18 – Closes October 20)

Access to Internet, D2L/BrightSpace and the TAMUC Library's database: Connectivity, hardware and software are your responsibility. Completing the Student Tutorial in D2L is highly recommended.

Student Responsibilities

Learning is every student's responsibility. My role as your professor is to facilitate your learning process. Each student is required to:

- Read assigned material on schedule.
- Complete assignments within the posted time frames.
- Participate in the online discussions.
- Prepare diligently for weekly assignments.
- Respect the learning environment by being prepared and observing online etiquette.
- Attend Class.

Graduate level expectations

- Writing – Graduate students should be able to demonstrate critical thinking skills. Graduate-level writing must demonstrate an ability to evaluate arguments from various perspectives, be able to formulate well-articulated conclusions based on facts and deductive reasoning, and be able to provide a well-reasoned discussion that reflects comprehension beyond an undergraduate level.
- Responsibility – Graduate students should demonstrate self-motivation, organization, time management skills, and discipline. It is your responsibility to know when assignments, exams, quizzes, etc. are due. Due dates are communicated on the syllabus. If changes are made, the changes are provided via email and/or announcement board. I will NOT provide daily or weekly reminders for you. You are responsible for submitting the appropriate files on time and in the required format.
- Learning – Graduate studies are designed for more discipline-specific focused learning. I assume you want to learn. My goal is not to solely teach you information that is covered on my exam, but to teach you accounting concepts and the application of accounting concepts. If you only want to know what is on the exam, you are robbing yourself of the value of learning.
- Late work – Due dates are posted on our syllabus and in our D2L/BrightSpace course. Assignments handed in late but within 72 hours of the due date are eligible for up to 50% credit. After 72 hours, a zero will be assigned, even in the presence of extenuating circumstances (a death in the family and travel associated therewith, hospitalization, medical emergency, or physical injury). Documentation/proof of the extenuating circumstance must be received in a timely manner.

- Exams – The content and format of the exams will vary, but may include any of the following: multiple choice questions, problems, matching, or essays. The exams will be administered on the date outlined in D2L/BrightSpace. You must plan to take the exams on or before their due dates. Make-up exams/quizzes are given ONLY under extenuating conditions.
- Graded work – There are several issues regarding grading/scoring: 1) I do NOT re-grade work. Once an assignment is returned with a grade/score it cannot be resubmitted. 2) If you disagree with the posted grade/score on an assignment, you must email me with the specific discrepancy no more than three (3) days after the grade/score is posted. 3) I do not provide extra credit opportunities to individual students—this is a graduate course. If there is extra credit, it will be built in to the course and available to all.

Assignments

Readings: Each lesson will have a set of readings from the text. Some lessons may require accessing publicly available documents and/or additional court cases that are critical to understanding key concepts. The court cases indicated to focused on are included in the text. Reading the entire case, all of which are easily accessible online, can provide additional learning.

Quizzes: Each lesson will have a graded quiz, except when there is a full exam in the same week. These will be brief to provide you an opportunity to gauge how well you know some of the key concepts of the lesson. Some lessons will also have an ungraded quiz containing sample CPA exam questions, providing us an opportunity to improve test-taking skills for those students planning to take that exam.

Exams: There are four examinations in this course. These exams will test your understanding of the material covered. The final exam is not cumulative, but it may re-cover items from Exam 3. The same principle is applied to exams 2 and 3. Details of the exam coverage are provided during the course.

Discussion Posts: Discussion posts occur throughout the lessons. This may include discussion of court cases and/or an important CPA exam topic. These may also reference some of the questions from the quiz. Credit for this is based holistically on your participation rather than fixed criteria.

Podcasts: Some of the modules will have a recorded podcast covering key aspects of the material. Some of the podcasts may also have a separate file of associated slides in PDF format.

Evaluation

Grades are based upon total points received.

• Exam 1	100 points	The levels of mastery are:	
• Exam 2	150 points	90-100%	A
• Exam 3	150 points	80-89%	B
• Exam 4	200 points	70-79%	C
• Quizzes	100 points	60-69%	D
• Discussion	100 points	<60%	F
	800 points		

Email

Emails are typically the best way to contact me. I will try to respond to all emails within 24 hours during the week. Emails received Friday evening or during the weekend may not receive a response until Monday. If you do not receive a response in that timeframe, please re-send the email. Jay.Garrett@tamuc.edu

Course Schedule

The course schedule is outlined in D2L/BrightSpace. Students can view the reading assignments for section of each lesson at the end of the syllabus, to allow students to read ahead. Quizzes, discussion threads, and exams will open as indicated in D2L/Brightspace. The schedule is subject to change based on the unique needs of the semester and this specific course.

Technology Requirements

All course sections offered by Texas A&M University-Commerce have a corresponding course shell in the myLeo Online Learning Management System (LMS). Below are technical requirements

LMS Requirements:

<https://community.brightspace.com/s/article/Brightspace-Platform-Requirements>

LMS Browser Support:

https://documentation.brightspace.com/EN/brightspace/requirements/all/browser_support.htm

YouSeeU Virtual Classroom Requirements:

<https://support.youseeu.com/hc/en-us/articles/115007031107-Basic-System-Requirements>

Access and Navigation

You will need your campus-wide ID (CWID) and password to log into the course. If you do not know your CWID or have forgotten your password, contact the Center for IT Excellence (CITE) at 903.468.6000 or helpdesk@tamuc.edu.

Note: Personal computer and internet connection problems do not excuse the requirement to complete all course work in a timely and satisfactory manner. Each student needs to have a backup method to deal with these inevitable problems. These methods might include the

availability of a backup PC at home or work, the temporary use of a computer at a friend's home, the local library, office service companies, Starbucks, a TAMUC campus open computer lab, etc.

Communication and Support

Texas A&M University – Commerce provides students technical support in the use of the MyLeo Learning Management Software. If you are having technical difficulty with any part of Brightspace, please contact Brightspace Technical Support at 1-877-325-7778. Other support options can be found here:

<https://community.brightspace.com/support/s/contactsupport>

Ethics

Integrity is the hallmark of the accounting profession and will be stressed throughout the course. Any type of student breach of ethics, including, but not limited to: illegal activity, dishonest conduct, cheating, plagiarism, or collusion will result in failure on the assignment and/or further academic sanctions (i.e. failure of the course, dismissal from class and/or referral to the Dean of the College of Business). You will be required to sign the Academic Honesty Policy and submit it within the first week of class. **Failure to submit a signed Academic Honesty Policy will cause a 50-point deduction from your overall score for the class.**

Academic Dishonesty Policy

The College of Business at Texas A & M University-Commerce will strive to be recognized as a community with legal, ethical, and moral principles and to practice professionalism in all that we do. Failure to abide by these principles will result in sanctions up to and including dismissal. Five different types of activities that will bring sanctions are as follows:

- **Illegal activity** – Violation of any local, state, or federal laws that prohibit the offender from performance of his or her duty.
- **Dishonest Conduct:** Seeking or obtaining unfair advantage by stealing or receiving copies of tests or intentionally preventing others from completing their work. In addition, falsifying of records to enter or complete a program will also be considered dishonest conduct.
- **Cheating:** The unauthorized use of another's work and reporting it as your own.
- **Plagiarism:** Using someone else's ideas and not giving proper credit.
- **Collusion:** Acting with others to perpetrate any of the above actions regardless of personal gain.

Student Conduct

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. (See *Code of Student Conduct from Student Guide Handbook*).

A&M-Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex, national origin, disability, age, genetic information or veteran status. Further, an environment free from discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

Students with Disabilities

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring an accommodation, please contact:

Office of Student Disability Resources and Services
Texas A&M University – Commerce
Gee Library
Room 132
Phone (903) 886-5150 or (903) 886-5835
Fax (903) 468-8148
StudentDisabilityServices@tamuc.edu

Other

University policy will be followed in regards to withdrawals during the semester. *It is the student's responsibility to conform with the university rules relating to dropping or withdrawing from the course.*

Student Conduct: Gun Carry

Texas Senate Bill - 11 (Government Code 411.2031, et al.) authorizes the carrying of a concealed handgun in Texas A&M University-Commerce buildings only by persons who have been issued and are in possession of a Texas License to Carry a Handgun. Qualified law enforcement officers or those who are otherwise authorized to carry a concealed handgun in the State of Texas are also permitted to do so. Pursuant to Penal Code (PC) 46.035 and A&M-Commerce Rule 34.06.02.R1, license holders may not carry a concealed handgun in restricted locations. For a list of locations, please refer to (<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/34SafetyOfEmployeesAndStudents/34.06.02.R1.pdf>) and/or consult your event organizer). Pursuant to PC 46.035, the open carrying of handguns is prohibited on all A&M-Commerce campuses. Report violations to the University Police Department at 903-886-5868 or 9-1-1.

CPA Exam Candidates - State of Texas

Candidates who desire to sit for the CPA in Texas must meet the following educational criteria:

- 1) Have a bachelor's degree;
- 2) Completed 150 semester hours of courses;
- 3) Included in the 150 semester hours, 30 of upper level accounting courses.

You must have a minimum of 15-semester credit hours of accounting courses in the traditional format (face-to-face); 24 hours of upper level business courses; 3-semester credit hours of approved ethics; 2-semester credit hours of approved communication and 2-semester credit hours of approved accounting research. For more information visit Exam/Qualification on the State Board's website:
<http://www.tsbpa.state.tx.us/>

NOTE: This syllabus is subject to change as needed to meet the objectives or administration of the course at the discretion of the professor. It is not anticipated that there will be any substantive changes.

Protocol and Grading Rubric for Discussion Posts.

Discussion postings must demonstrate an observable understanding of the cases being discussed. The understanding will be at the critical legal thinking level. Discussion postings should be a minimum of one short paragraph and a maximum of two paragraphs. Postings should be evenly made during the discussion period (not concentrated all on one day or at the beginning and/or end of the period) with 4 postings being the target. Avoid postings that are limited to “I agree” or “great idea” or “Judges were spot on in the mule skinning case”, etc. If you agree (or disagree) with the case or a posting of another student please expound as to why you agree or disagree supporting your assertion with concepts from the case or chapter or by bringing in a related example or experience. Try to use quotes from the cases or the chapter to support your posting using page numbers to cite your quotes. Build on the postings of others to create threads. Bring in related prior knowledge (work experience, readings, family experiences, etc.) Use proper etiquette (language, typing, etc.)

Grading Rubric for Discussion Posts

Criteria	3 (Exceeds Expectations)	2 (Meets Expectations)	1 (Does Not Meet Expectations)
Initial Posting	Posting is well developed that fully addresses and develops all aspects and concepts of the case	Posting is adequately developed and addresses most aspects of the case; lacks full development of concepts of the case	No posting; or copies the post of another; or does not demonstrate an understanding of the case
Frequency	Participates 4 or more times throughout the week	Participates 2-3 times throughout the week	Participates not at all; or copies the post of another
Follow-Up Posting	Demonstrates analysis of other's postings; extends meaningful discussion by building on previous postings	Elaborates on an existing posting without further comment or observation or does not enrich discussion	Posts no follow-up responses to others; or copies the post of another; or merely agrees or disagrees
Content Contribution	Posts factually correct, reflective and substantive contribution; invites and advances discussion	Repeats facts of case; lacks full development of concept or thought; or does not add substantive information to discussion	No post or posts information that is off-topic, incorrect, or irrelevant to discussion; or copies the post of another
Clarity & Mechanics	Contributes to discussion with clear, concise comments formatted in an easy to read style that is free of grammatical or spelling errors	Contributes information to discussion with minor clarity or mechanics errors	No post or posts long, unorganized or rude content that may contain multiple errors or may be inappropriate; or copies the post of another

COVID-19 - Language Regarding the University's Pandemic Response

“A&M-Commerce requires the use of face-coverings in all instructional and research classrooms/laboratories. Exceptions may be made by faculty where warranted. Faculty have management over their classrooms. Students not using face-coverings can be required to leave class. Repetitive refusal to comply can be reported to the Office of Students' Rights and Responsibilities as a violation of the student Code of Conduct. “

“Students should not attend class when ill or after exposure to anyone with a communicable illness. Communicate such instances directly with your instructor. Faculty will work to support the student getting access to missed content or completing missed assignments.”