

EL CAMINO COLLEGE

COURSE OUTLINE OF RECORD

I. Course Information

Subject:*

LAW

Course Number:* 5

Descriptive Title:* Business Law

Division: Business

Department:*

Law

Course Disciplines: Law

Catalog Description:*

This course explores the fundamental legal principles pertaining to business transactions with an introduction to the legal process. Topics include sources of law and ethics, contracts, torts, agency, criminal law, negotiable instruments, business organizations, and judicial and administrative processes.

Conditions of Enrollment:

Prerequisite:

Co-requisite:

Recommended Preparation: eligibility for English 1A

Enrollment Limitation:

Course Length: Full Term

Hours Lecture (per week): 3

Hours Laboratory (per week): 0

Outside Study Hours:* 6

Total Hours:* 54

Course Units:* 3

Grading Method: Letter Grade only

Credit Status: Credit, degree applicable

Transfer CSU: Yes

Effective Date: Prior to July 1992

Transfer UC: No

Effective Date:

General Education:
ECC

Term:

Other:

CSU GE:

Term:

Other:

IGETC:

Term:

Other:

II. Outcomes and Objectives

A. Student Learning Outcomes (SLOs) (The course student learning outcomes are listed below.)

Student Learning Outcomes:

SLO #1 Crimes and Torts

Differentiate between crimes and torts and evaluate business entity's exposure to each respective legal area.

SLO #2 The Legal System

Explain the historical development of the law, operation of the court system and sources of commercial law.

SLO #3 Legal Comprehension

Analyze contracts, product liability and commercial paper and apply to personal and professional legal transactions.

B. Course Objectives (The major learning objective for in this course are listed below)

Course Objectives:

1. Articulate between the three branches of government and as a result, comprehend legal matters involving professional and personal matters
2. Evaluate the difference between law and ethics and discuss corporate social responsibility, stakeholder relationships and ethical decision making
3. Differentiate between crimes and torts, and as a result, evaluate your exposure to each respective area.
4. Determine the appropriate legal structure for a business: sole proprietorship, partnership, limited partnership, limited liability company, or corporation; describe the relationship of the various stakeholders.
5. Evaluate when a promise is enforceable, the elements of a contract, performance, and the remedies available in the event of breach.
6. Distinguish between contracts governed by the Uniform Commercial Code and those governed by the common law of contracts.

III. Outline of Subject Matter

(Topics should be detailed enough to enable an instructor to determine the major areas that should be covered to ensure consistency from instructor to instructor and semester to semester.)

Example:

- I. Main Topic (3 hours, lecture)
 - A. Sub topics
 - B. Sub topics
 1. Super sub topic
 2. Super sub topic

Major Topics**Introduction to Law and Legal Reasoning (9 hours, lecture)**

- A. Sources and Foundations of Law
- B. State and Federal Court Systems
 - 1. Jurisdiction
 - 2. Progression of a case through the court system
- 3. Role of Parties
- C. Alternative Dispute Resolution
- D. Law and Ethics
 - 1. Corporate social responsibility
 - 2. Stakeholder relationships
 - 3. Ethical decision making
- E. Application of the U.S. Constitution to business activities

II. Agency (1.5 hours, lecture)

- A. Creation of agency relationship
- B. Duties and liabilities of agents, principals
- C. Termination

III. Torts distinguished from Crimes (6 hours, lecture)

- A. Intentional Torts
- B. Negligence
- C. Business Torts
- D. Strict Liability

IV. Criminal Law (3 hours, lecture)

- A. Basics of criminal law
- B. How crimes affect business

V. Legal Structure of Business Entities (1.5 hours, lecture)

- A. Sole Proprietorships
- B. Partnerships' formation and operation, termination
- C. Limited Partnerships
- D. Limited Liability Companies, operations and management, termination

E. Corporations

1. Formation, structure and governance
2. Roles of Directors and Officers
3. Shareholder's rights and director's obligations
4. Termination

VI. Introduction to the Law of Contracts (21 hours, lecture)

A. Formation of the Contract

1. Offer and Acceptance
2. Consideration
3. Capacity of the Parties

B. Void and Voidable Contracts based on the Reality of Asset and Illegality

C. Form of the Agreement

1. Written Contracts
2. Rights of Third Party
3. Assignments and Third Party Beneficiary Contracts

D. Performance of the Terms and Conditions of the Contract and Excuses for Non Performance

E. Discharge of Contracts

VII. Introduction to the Uniform Commercial Code (9 hours, lecture)

A. The Sales Contract

B. Title and Risk of Loss in Sales Contracts

C. Rights Remedies and Obligations of Buyers and Sellers in Sales Contracts

D. Warranties and Product Liability

E. Performance and Remedies

VIII. Commercial Paper & Negotiable Instruments (3 hours, lecture)

A. Introduction to Commercial Paper

B. Creation and Transfer of Commercial Paper

C. Concept of Holders in Due Course

D. Liabilities of the Various Parties Involved in Commercial Paper Transactions

Total Lecture Hours: 54

Total Laboratory Hours: 0

Total Hours: 54

IV. Primary Method of Evaluation and Sample Assignments

A. Primary Method of Evaluation (choose one):

Primary Method of Evaluation 1) Substantial writing assignments

B. Typical Assignment Using Primary Method of Evaluation

Typical Assignment Using Primary Method of Evaluation:

On February 1, 2020, Zhang entered into a contract to buy former realtor Frank Sorichetti's Las Vegas home for \$532,500. The contract listed a March closing date and a few household furnishings as part of the sale. On February 3, Sorichetti told Zhang that he was terminating the sale "to stay in the house a little longer" and that Nevada law allows the rescission of real property purchase agreements within three days of contracting. Sorichetti stated that he would sell the home, however, if Zhang paid more money. Zhang agreed. Another contract was drafted reciting a new sales price, \$578,000. This contract added to the included household furnishings drapes that were not listed in the February 1 agreement, and it set an April, rather than March, closing date. The primary issue before the court was whether a real property purchase agreement is enforceable when it is executed by the buyer only because the seller would not perform under an earlier purchase agreement for a lesser price. Should the court enforce the second contract? Discuss why or why not in a two-page written essay. Be sure to incorporate course principles and rules that we have learned to support your conclusion. See *Zhang v. The Eighth Judicial District Court of the State of Nevada*, 103 P.3d 20 (Sup. Ct. Nev. 2004).

C. College-level Critical Thinking Assignments

Critical Thinking Assignment 1:

Irving was a notary public who prepared income tax returns for Maroevich. Irving agreed to draft a will for Maroevich, leaving all of the property to Maroevich's sister, Biakanja. When Maroevich died, the probate court refused to accept the will because Irving had failed to have the signatures properly witnessed. As a result, Biakanja inherited only one-eighth of the estate. She sued Irving. Irving defended by saying that he had no duty of due care to Biakanja because all of his dealings were with Maroevich and none were with her. In a 1-2 page paper, discuss *Biakanja v. Irving*, 49 Cal. 2d 647, 320 P.2d (1958).

Critical Thinking Assignment 2:

Susan Gould was appointed to a three-year probationary position as a teacher at Sewanhaka High School. Normally, after three years, the school board either grants tenure or dismisses the teacher. The Sewanhaka school board notified Gould she would not be rehired. To keep the termination out of her file, Gould agreed to resign. In fact, because Gould had previously taught at a different New York school, state law required that she be given a tenure decision after only two years. If the board failed to do that, the teacher was automatically tenured. When she learned this, Gould sued to rescind her agreement to resign. Is Gould entitled to rescind the contract (i.e., the agreement to resign)? Discuss your response in a 1-2 page paper, based on *Gould v. Board of Education*, 81 N.Y.2d 446, 616 N.E.2d 142, 1993 N.Y.Lexis 1726, (N.Y. Ct. App., 1993).

D. Other Typical Assessment and Evaluation Methods

Other Evaluation Methods: Essay Exams, Multiple Choice, Term or Other Papers, True/False, Written Homework

V. Instructional Methods

Instructional Methods: Group Activities, Lecture

If other:

Note: In compliance with Board Policies 1600 and 3410, Title 5 California Code of Regulations, the Rehabilitation Act of 1973, and Sections 504 and 508 of the Americans with Disabilities Act, instruction delivery shall provide access, full inclusion, and effective communication for students with disabilities.

VI. Work Outside of Class

Work Outside of Class:* Answer questions, Required reading, Study, Written work (such as essay/composition/report/analysis/research)

If Other:

VII. Texts and Materials

A. Up-to-date Representative Textbooks: (Please use the following format: Author, Title, Edition, Publisher, Year. If you wish to list a text that is more than 5 years old, please annotate it as a “discipline standard”.)

Up-To-Date Representative Textbooks: Beatty & Samuelson. Business Law and the Legal Environment. 8th ed. Cengage Learning, 2019.

B. Alternative Textbooks: (Please use the following format: Author, Title, Edition, Publisher, Year. If you wish to list a text that is more than 5 years old, please annotate it as a “discipline standard”.)

Alternative Textbooks:

C. Required Supplementary Readings

Required Supplementary Readings:

D. Other Required Materials

Other Required Materials:

VIII. Conditions of Enrollment

A. Requisites (Course Prerequisites and Corequisites) Skills needed without which a student would be highly unlikely to succeed.

Requisite:

Category:

Requisite course(s):
List both
prerequisites and
corequisites in this
box.

**Requisite and
Matching
skill(s):** Bold the
requisite skill. List
the corresponding
course objective
under each skill(s).

B. Requisite Skills: (Non-Course Prerequisite and Corequisites) Skills needed without which a student would be highly unlikely to succeed.

Requisite: eligibility for English 1A

**Requisite and
Matching Skill(s):**
Bold the requisite
skill(s). If applicable

C. Recommended Preparations (Course) (Skills with which a student's ability to succeed will be strongly enhanced.)

Requisite course:

Requisite and Matching skill(s): Bold the requisite skill. List the corresponding course objective under each skill(s).

It is advised that students be able to read and effectively analyze college level texts, and be able to write a paper that persuasively proves an original thesis.

Demonstrate rules of English grammar, mechanics, and usage. Able to write concise sentences to compose a short college essay. Able to read with comprehension college level textbooks and business case studies. Demonstrate study and test-taking techniques.

ENGL A - Read and apply critical thinking skills to college-level expository prose for the purposes of writing and discussion

.ENGL A - Apply appropriate strategies in the writing process including prewriting, composing, revising, and editing techniques.

ENGL 84 - Select and employ reading strategies to interpret the content of a college-level textbook, with special focus on constructing a thesis statement and providing valid support.

ENGL A - Plan, write, and revise 500-word multi-paragraph expository essays including an introduction and conclusion, exhibiting coherence and unity, avoiding major grammatical and mechanical errors that interfere with meaning, and demonstrating awareness of audience, purpose, and language choice.

ENGL 84 - Compare and contrast college-level texts to evaluate content.

D. Recommended Preparation (Non-Course) (Skills with which a student's ability to succeed will be strongly enhanced.)

Requisite:

Requisite and Matching skill(s): Bold the requisite skill. List the corresponding course objective under each skill(s). If applicable

E. Enrollment Limitations

Enrollment Limitations and Category:

Enrollment Limitations Impact:

STEP 3: Click Save for any changes made.

STEP 4: Launch proposal by clicking  in the top left corner of this page.

STEP 5: Edit fields that will have changes made. (Save after each section you modify.)

STEP 6: Click on the  at the top of the Proposal Toolbox to submit proposal for review.

STEP 7: When the "Your Decision" box appears, click Approve and "Make My Decision" to move the proposal forward in the process.

Course Created by: Stephen B. Fainsbert

Date: 06/01/1973

**Original Board
Approval Date:**

**Last Reviewed
and/or Revised by:** Nicholas McGrue

Date: 03/15/2021

**Last Board Approval
Date:** 05/17/2021

Acalog Course OID:

Law