



COURSE PREFIX BA 357-01W Legal Organizations and Business Transactions

COURSE SYLLABUS: Spring 2019

INSTRUCTOR INFORMATION

Instructor: Leigh Thompson.

Office Location: N/A

Office Hours: N/A

Office Phone: N/A

Office Fax: 903-468-3216

University Email Address: Leigh.Thompson@tamuc.edu

Preferred Form of Communication: email

Communication Response Time: ASAP within 24 hours

COURSE INFORMATION

Materials – Textbooks, Readings, Supplementary Readings

Textbook: Roger Miller, *Business Law Today*, Eleventh Edition, (South-Western, Cengage Learning 2017) Comprehensive Edition MindTap ISBN 9781305645677

We will be using MindTap through Cengage. The book is offered through your online subscription for \$75.00. If you would like a hard copy you can purchase a loose leaf edition for \$32.

COURSE LINK URL: <https://www.cengage.com/dashboard/#/course-confirmation/MTPN3N4NNLSF/initial-course-confirmation>

Course Description

A course in commercial law, including a study of negotiable instruments, agency, partnerships, corporations, real estate, wills, sales and secured transactions. Prerequisite: Junior standing.

The syllabus/schedule are subject to change.

Instructional Methods

This course will use the D2L platform for discussion posts, Cengage's MindTap platform will be utilized for all Exams, Quizzes, and instructional materials. Create an account using login.cengage.com. I've uploaded a PDF explaining how to log into MindTap for the first time.

COURSE MISSION

1. To provide an overview of the basics of the legal system, both nationally and internationally, along with ethical principles that impact law and business.
2. To develop skill in working with legal materials and understanding the language of the law.
3. To provide a general understanding of major legal issues that affect the business environment, both nationally and internationally.
4. To provide knowledge of specific basic laws which affect business structure and finance.

Student Learning Outcomes

EXPECTED STUDENT COMPETENCIES TO BE ACHIEVED IN THIS COURSE:

- a. Demonstrate knowledge and understanding of the various forms of business organizations, their operation and laws governing their activities.
- b. Demonstrate knowledge and understanding of the nature of relationships among the principal, the agent and third parties under agency law.
- c. Demonstrate knowledge and understanding of negotiable instruments and banking laws.
- d. Demonstrate knowledge, understanding and comprehension of Article 2 of the Uniform Commercial Code.
- e. Demonstrate the process of researching and preparing a case brief.

Student understanding of these concepts will be tested throughout the course, viz.:

a. Demonstrate knowledge and understanding of the various forms of business organizations, their operation and laws governing their activities.

1. Compare the personal liability of entrepreneurs in *sole proprietorships*, *partnerships*, and *corporations*.
2. What formalities are required to form a partnership?
3. What is a *limited liability partnership*?
4. List the major characteristics of a corporation.
5. Define an *S corporation*. What are its tax benefits?
6. What are the duties of corporate directors and officers?
7. What laws govern a franchising relationship?
8. What are the two options for managing limited liability companies?
9. What is a joint venture?
10. What is the difference between a corporate merger and a corporate consolidation?

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11. What is insider trading? Why is it prohibited?

b. Demonstrate knowledge and understanding of the nature of relationships among the principal, the agent and third parties under agency law.

1. When can a principal be liable for the negligence of an independent contractor?
2. In what situations does an agent incur personal liability when she signs a contract on behalf of her principal?

c. Demonstrate knowledge and understanding of negotiable instruments and banking laws.

1. What is the difference between *order* and *bearer* paper?
2. What is the difference between the *assignment* and the *negotiation* of an instrument?
3. What is the difference between a *holder* and a *holder in due course*?
4. What are the requirements for *holder in due course* status?
5. When a customer deposits money in a bank, which is the debtor and which the creditor?
6. Explain a bank's midnight deadline for determining when to dishonor a check.

d. Demonstrate knowledge, understanding and comprehension of Article 2 of the Uniform Commercial Code.

1. What is the UCC's *firm offer* rule?
2. What is the *parol evidence* rule?
3. When does title to goods pass in a shipment contract?
4. Define a *good faith purchaser for value*.
5. What is the *perfect tender* rule?
6. What implied warranties arise under the UCC?
7. Describe the implied warranty of merchantability?

e. Student understanding of the process of legal research and preparing a case brief will be assessed by the case brief assignment.

COURSE REQUIREMENTS

Minimal Technical Skills Needed

Students must be proficient with basic computer skills and with a word processor, presentation software and use of library database for legal research.

Student Responsibilities or Tips for Success in the Course

To succeed in this course, consider the following suggestions:

- Read carefully the entire Syllabus, making sure that all aspects of the course are clear to you and that you have all the materials required for the course.

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- Familiarize yourself with the D2L and Mind Tap learning systems —how to navigate it and what the various course areas contain. If you know what to expect as you navigate the course, you can better pace yourself and complete the work on time.
- If you are not familiar with Web-based learning be sure to review the processes for posting responses online and submitting assignments.
- To stay on track throughout the course, begin each week by consulting the Syllabus. The Syllabus provides an overview of the course and indicates due dates for submitting assignments, posting discussions, and taking quizzes and examinations.
- Check Announcements regularly for new course information.
- Check your grades regularly. If you feel a mistake has been made or you've submitted something that was not graded you have 2 weeks from the date the grade is posted to challenge the grade.

GRADING

Final grades in this course will be based on the following scale:

A = 90%-100%

B = 80%-89%

C = 70%-79%

D = 60%-69%

F = 59% or Below

Assessments

1. Readings as assigned.
2. Chapter quizzes (25% of grade)
3. Three examinations and a final (50% of grade). The final will not be comprehensive. Normally there will be no make-up exams. Exams will be graded on the following scale. 90-100=A; 80-89=B; 70-79=C; 60-69=D; Below 60=F.
3. Case briefs (20% of grade). I will provide instructions on how to write a brief to you via email and on D2L as you will be submitting case briefs via the discussion board. Cases will be found on the second floor of the library, in the Southwestern Reports, the Federal Supplement, and the Federal Reports. They can also be found under the Westlaw or Lexis-Nexis databases for the library. **Cases will be provided by the instructor upon your email request.** Students must report on different cases, but will be required to read an additional assigned case so as to comment on fellow students' briefs. The brief should be neatly typed and grammatically and structurally correct. (20% of grade). This course is designed to train you in the skill of critical legal thinking. As such it is imperative that you do all the reading (particularly the cases) quizzes, and review material.
4. Class participation is required (5% of grade). Each student is required to make two postings in challenge or support of the case brief of another student (**For each case brief**). Comments

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to case briefs are due no later than at the end of each exam week. This is the class participation component of the grade. As a general guideline, your grade on this portion will be a function of the quality, quantity, timeliness and consistency of your posts (including your original posts and your replies to other posts) on the bulletin board. Please note the deadline for bulletin board participation in the daily schedule. Please also note that heavy activity during the last few days cannot compensate for a lack of participation during the term. Plan to participate throughout the course.

5. **Late Assignments** – Late assignments will be considered on a case-by-case basis. Generally, there will be a deduction of 20 points per day the assignment is late. After the fifth day the assignment will receive a zero.

COURSE OUTLINE / CALENDAR

Date Open/Close	Subject	Assignment
Jan 14 - Jan 20	Formation of Sales and Lease Contracts	Chapter 20 Quiz
Jan 21 – Jan 27	Title and Risk of Loss	Chapter 21 Quiz
Jan 28 – Feb 3	Performance and Breach of Sales and Lease Contracts	Chapter 22 Quiz
Feb 3	Case Brief No. 1	Discussion Post
Feb 4 – Feb 10	EXAM I (Chapters 20, 21, 22)	
Feb 11 – Feb 17	Negotiable Instruments: Transferability and Liability	Chapter 23 Quiz
	Banking in the Digital Age	Chapter 24 Quiz
Feb 18– Feb 24	Security Interests	Chapter 25 Quiz
	Bankruptcy	Chapter 26 Quiz
Feb 24	Case Brief No. 2	Discussion Post
Feb 25 – Mar 3	EXAM II (Chapters 23, 24, 25, and 26)	
Mar 4 – Mar 10	Agency Relationships in Business	Chapter 27 Quiz
Mar 11 – Mar 17	Employment, Immigration, and Labor Law	Chapter 28 Quiz
	Employment Discrimination	Chapter 29 Quiz
Mar 17	Case Brief No. 3	Discussion Post
Mar 18 – Mar 24	EXAM III (Chapters 27, 28, & 29)	
Mar 25 - Mar 31	Sole Proprietorships and Franchises	Chapter 30 Quiz
	Partnerships	Chapter 31 Quiz
Apr 1 – Apr 7	Limited Liability Companies and Special Business Forms	Chapter 32 Quiz
	Corporate Formation and Financing	Chapter 33 Quiz
Apr. 7	Case Brief No. 4	Discussion Post
Apr 8 – Apr 14	EXAM IV (Chapters 30, 31, 32 & 33)	
Apr 15 – Apr 21	Directors, Officers and Shareholders	Chapter 34 Quiz
Apr 22 – Apr 28	Corporate Acquisitions, Takeovers and Terminations	Chapter 35 Quiz
Apr 29 – May 5	Investor Protection and Corporate Governance	Chapter 36 Quiz
May 5	Final Case Brief	Discussion Post
May 6 – May 10	FINAL EXAMINATION - (Chapters 34, 35 & 36)	

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Case Brief Instructions and Grading Rubric

Please note that, unlike the case you have been assigned, the cases in the text have been stripped down to a fundamental legal issue related to the chapter of study and do not contain much of the procedural aspects you may find in your case.

DECIDE ON A FORMAT AND STICK TO IT: Structure is essential to a good brief. It enables you to arrange systematically the related parts that are scattered throughout most cases, thus making manageable and understandable what might otherwise seem to be an endless and unfathomable sea of information. There are, of course, an unlimited number of formats that can be utilized. However, it is best to find one that suits your needs and stick to it. Consistency breeds both efficiency and the security that when called upon you will know where to look in your brief for the information you are asked to give. Be mindful that the operative word is “brief”; ideally the case brief should be about one page in length and never over two pages.

Nevertheless, it is important that a brief contain the following:

TITLE AND VENUE: Identify the case name and citation in the correct format.

RULE OF LAW: A statement of the general principle of law that the case illustrates in the form of a statement.

Determining the rule of law of a case is a procedure similar to determining the issue of the case. Avoid being fooled by red herrings; there may be a few rules of law mentioned in the case excerpt, but usually only one is the rule with which the judges are most concerned. The techniques used to locate the issue, described below, may also be utilized to find the rule of law.

FACTS: A synopsis of only the essential relevant facts of the case, i.e. those bearing upon or leading up to the issue. The facts entry should be a short statement of the events that led one party to initiate legal proceedings against another in the first place. While some cases conveniently state the salient facts at the beginning of the decision, in other instances they will have to be culled from hiding places throughout the text, even from concurring and dissenting opinions. Some of the "facts" will often be in dispute and should be so noted. Conflicting evidence may be briefly pointed up. It is impossible to tell what is relevant until the entire case is read, as the ultimate determination of the rights and liabilities of the parties may turn on something buried deep in the opinion. The facts entry should seldom be longer than five sentences.

ISSUE: A statement of the general legal question answered by or illustrated in the case (Do not attempt to delve into procedural issues; just focus on the substantive legal issue). For clarity, the issue is best put in the form of a question capable of a yes or no answer. In reality, the issue is simply the Concise Rule of Law put in the form of a question.

The major problem presented in discerning what is the issue in the case is that an opinion usually purports to raise and answer several questions. However, except for rare cases, only one such question is really the issue in the case. Collateral issues not necessary to

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the resolution of the matter in controversy are handled by the court by language known as obiter dictum or merely dictum. While dicta may be included later in the brief, it has no place under the issue heading.

To find the issue, the student again asks who wants what and then goes on to ask why did that party succeed or fail in getting it. Once this is determined, the "why" should be turned into a question.

Since many issues are resolved by a court in coming to a final disposition of a case, you should focus on the portion of the opinion containing the issue or issues most relevant to the area of law under scrutiny. A noted law professor gave this advice: "Look at the case key or head notes". It is also most important to remember to read the key or head notes at the beginning of a case to determine what the editors of the case reporter have gleaned from it.

OPINION AND DECISION: This section should succinctly explain the rationale of the court in arriving at its decision. In capsulizing the reasoning of the court, it should always include an application of the general rule or rules of law to the specific facts of the case. Hidden justifications come to light in this entry; the reasons for the state of the law, the public policies, the biases and prejudices, those considerations that influence the justices' thinking and, ultimately, the outcome of the case. At the end, there should be a short indication of the disposition or procedural resolution of the case. You may wish to put this portion of the brief in outline form.

USE OF PRECEDENT: You should relate how the rule of law discernible from this case compares with that derived from earlier and later cases. Where does this case fit in the series of cases which has shaped the relevant portion of the law?

EFFECT ON BUSINESS AND SOCIETY: You should briefly summarize the impact and effect that the ruling in the case will have on business and society.

REMEMBER THAT THE OPERATIVE WORD IS "BRIEF".

For further elucidation, check these links out:

<http://www.lib.jjay.cuny.edu/research/brief.html>

<http://www.ucs.louisiana.edu/~ras2777/civlib/casebrief.html>

<http://www.lawnerds.com/guide/briefing.html>

<http://www.ucs.louisiana.edu/~ras2777/adminlaw/casebrief.html>

Grading Rubric for Case Brief

Written Case Brief	3 (Exceeds Expectations)	2 (Meets Expectations)	1 (Does Not Meet Expectations)
Identification – Heading	Identifies case name and citation in correct format	Identifies case name and citation incorrectly	Incomplete/Not provided; or incorrect
Issue/Legal Question	Issue correctly identified and is stated in the form of a question	Issue is not completely identified	Incomplete/Not provided; or incorrect
Rule/Relevant Law	Rule is correctly identified and is in the form of a statement	Rule is not completely identified	Incomplete/Not provided; or incorrect
Facts	Includes all relevant facts and the reasoning logically connects the facts to the rule in accord with the opinion.	Does not include all key facts and reasoning; or incoherent; or is not in accord with the opinion.	Incomplete/Not provided; or incorrect
Effect on Business and Society	Summation of the effect of the ruling in the case on business and society	Summation incompletely or incorrectly addresses the effect and ruling.	Incomplete/Not provided; or incorrect
Opinion and Decision	Properly identified the vote of the court and official opinion of the court and relevant information in formulation of opinion, and summation of concurring or dissenting opinions.	Identified the official opinion of the court, incomplete mention of concurring or dissenting opinions	Incomplete/Not provided; or incorrect
Use of Precedent	Properly identified the cases used as precedent along with explanation of how case shapes the relevant law.	Identified some of the cases used as precedent, no explanation on shaping relevant law.	Incomplete/Not provided; or incorrect
Grammar/Sentence Structure	Well written, proper grammar and punctuation, clear and well communicated.	Mostly clear, issues with grammar and sentence structure.	Incomplete/Not provided; or incorrect
Properly Formatted			Student follows formatting instructions

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COURSE GRADING RUBRIC

Criteria (Course Objectives)	3 (Exceeds Expectations)	2 (Meets Expectations)	1 (Does Not Meet Expectations)
Demonstrate knowledge of legal environment of business by an understanding of the role, nature and sources of law; courts and alternatives for dispute resolution; international law; and the differentiation of civil and criminal law.	Student demonstrates mastery in knowledge and understanding of all aspects.	Student demonstrates knowledge of and understanding of most aspects.	Student does not demonstrate any knowledge or understanding.
Demonstrate an understanding of federal and state regulatory laws affecting business including administrative law, the commerce clause of the Constitution, intellectual property laws, consumer protection laws, employment laws, environmental laws, business completion laws and discrimination laws.	Student demonstrates mastery in knowledge and understanding of all aspects.	Student demonstrates knowledge of and understanding of most aspects.	Student does not demonstrate any knowledge or understanding.
Demonstrate an understanding of the elements of contracts, breach of performance and remedies and E-Commerce issues.	Student demonstrates mastery in knowledge and understanding of all aspects.	Student demonstrates knowledge of and understanding of most aspects.	Student does not demonstrate any knowledge or understanding.
Demonstrate the ability to define tort law and understand common torts and explain liabilities and remedies.	Student demonstrates mastery in knowledge and understanding of all aspects.	Student demonstrates knowledge of and understanding of most aspects.	Student does not demonstrate any knowledge or understanding.
Demonstrate the process of researching and preparing a case brief	Student demonstrates mastery in knowledge and understanding of all aspects of the process.	Student demonstrates knowledge of and understanding of most aspects of the process.	Student does not demonstrate any knowledge or understanding of the process.

TECHNOLOGY REQUIREMENTS

Browser support

D2L is committed to performing key application testing when new browser versions are released. New and updated functionality is also tested against the latest version of supported browsers. However, due to the frequency of some browser releases, D2L cannot guarantee that each browser version will perform as expected. If you encounter any issues with any of the browser versions listed in the tables below, contact D2L Support, who will determine the best course of action for resolution. Reported issues are prioritized by supported browsers and then maintenance browsers.

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Supported browsers are the latest or most recent browser versions that are tested against new versions of D2L products. Customers can report problems and receive support for issues. For an optimal experience, D2L recommends using supported browsers with D2L products.

Maintenance browsers are older browser versions that are not tested extensively against new versions of D2L products. Customers can still report problems and receive support for critical issues; however, D2L does not guarantee all issues will be addressed. A maintenance browser becomes officially unsupported after one year.

Note the following:

- Ensure that your browser has JavaScript and Cookies enabled.
- For desktop systems, you must have Adobe Flash Player 10.1 or greater.
- The Brightspace Support features are now optimized for production environments when using the Google Chrome browser, Apple Safari browser, Microsoft Edge browser, Microsoft Internet Explorer browser, and Mozilla Firefox browsers.

Desktop Support

Browser	Supported Browser Version(s)	Maintenance Browser Version(s)
Microsoft® Edge	Latest	N/A
Microsoft® Internet Explorer®	N/A	11
Mozilla® Firefox®	Latest, ESR	N/A
Google® Chrome™	Latest	N/A
Apple® Safari®	Latest	N/A

Tablet and Mobile Support

Device	Operating System	Browser	Supported Browser Version(s)
Android™	Android 4.4+	Chrome	Latest
Apple	iOS®	Safari, Chrome	The current major version of iOS (the latest minor or point release of that major version) and the previous major version of iOS (the latest minor or point release of that major version). For example, as of June 7, 2017, D2L supports iOS 10.3.2 and iOS 9.3.5, but not iOS

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Device	Operating System	Browser	Supported Browser Version(s)
			10.2.1, 9.0.2, or any other version. Chrome: Latest version for the iOS browser.
Windows	Windows 10	Edge, Chrome, Firefox	Latest of all browsers, and Firefox ESR.

- You will need regular access to a computer with a broadband Internet connection. The minimum computer requirements are:
 - 512 MB of RAM, 1 GB or more preferred
 - Broadband connection required courses are heavily video intensive
 - Video display capable of high-color 16-bit display 1024 x 768 or higher resolution
- You must have a:
 - Sound card, which is usually integrated into your desktop or laptop computer
 - Speakers or headphones.
 - *For courses utilizing video-conferencing tools and/or an online proctoring solution, a webcam and microphone are required.
- Both versions of Java (32 bit and 64 bit) must be installed and up to date on your machine. At a minimum Java 7, update 51, is required to support the learning management system. The most current version of Java can be downloaded at: [JAVA web site](http://www.java.com/en/download/manual.jsp)
- Current anti-virus software must be installed and kept up to date.

Running the browser check will ensure your internet browser is supported.

Pop-ups are allowed.

JavaScript is enabled.

Cookies are enabled.

- You will need some additional free software (plug-ins) for enhanced web browsing. Ensure that you download the free versions of the following software:
 - [Adobe Reader](https://get.adobe.com/reader/)
 - [Adobe Flash Player](https://get.adobe.com/flashplayer/) (version 17 or later)
 - [Adobe Shockwave Player](https://get.adobe.com/shockwave/)
 - [Apple Quick Time](http://www.apple.com/quicktime/download/)

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- At a minimum, you must have Microsoft Office 2013, 2010, 2007 or Open Office. Microsoft Office is the standard office productivity software utilized by faculty, students, and staff. Microsoft Word is the standard word processing software, Microsoft Excel is the standard spreadsheet software, and Microsoft PowerPoint is the standard presentation software. Copying and pasting, along with attaching/uploading documents for assignment submission, will also be required. If you do not have Microsoft Office, you can check with the bookstore to see if they have any student copies.

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

Brightspace Support

Need Help?

Student Support

If you have any questions or are having difficulties with the course material, please contact your Instructor.

Technical Support

If you are having technical difficulty with any part of Brightspace, please contact Brightspace Technical Support at 1-877-325-7778 or click on the **Live Chat** or click on the words “[click here](#)” to submit an issue via email.



System Maintenance

D2L runs monthly updates during the last week of the month, usually on Wednesday. The system should remain up during this time unless otherwise specified in an announcement. You may experience minimal impacts to performance and/or look and feel of the environment.

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COURSE AND UNIVERSITY PROCEDURES/POLICIES

Syllabus Change Policy

The syllabus is a guide. Circumstances and events, such as student progress, may make it necessary for the instructor to modify the syllabus during the semester. Any changes made to the syllabus will be announced in advance.

University Specific Procedures

Student Conduct

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. The Code of Student Conduct is described in detail in the [Student Guidebook](#).

<http://www.tamuc.edu/Admissions/oneStopShop/undergraduateAdmissions/studentGuidebook.aspx>

Students should also consult the Rules of Netiquette for more information regarding how to interact with students in an online forum: [Netiquette](#)

<http://www.albion.com/netiquette/corerules.html>

TAMUC Attendance

For more information about the attendance policy please visit the [Attendance](#) webpage and [Procedure 13.99.99.R0.01](#).

<http://www.tamuc.edu/admissions/registrar/generalInformation/attendance.aspx>

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/academic/13.99.99.R0.01.pdf>

Academic Integrity

Students at Texas A&M University-Commerce are expected to maintain high standards of integrity and honesty in all of their scholastic work. For more details and the definition of academic dishonesty see the following procedures:

[Undergraduate Academic Dishonesty 13.99.99.R0.03](#)

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/undergraduates/13.99.99.R0.03UndergraduateAcademicDishonesty.pdf>

[Graduate Student Academic Dishonesty 13.99.99.R0.10](#)

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/13students/graduate/13.99.99.R0.10GraduateStudentAcademicDishonesty.pdf>

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ADA Statement

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 162
Phone (903) 886-5150 or (903) 886-5835
Fax (903) 468-8148
Email: studentdisabilityservices@tamuc.edu

Website: [Office of Student Disability Resources and Services](http://www.tamuc.edu/campusLife/campusServices/studentDisabilityResourcesAndServices/)
<http://www.tamuc.edu/campusLife/campusServices/studentDisabilityResourcesAndServices/>

Nondiscrimination Notice

Texas A&M University-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.

Campus Concealed Carry Statement

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 the [Carrying Concealed Handguns On Campus](#) document and/or consult your event organizer.

Web url:
<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/34SafetyOfEmployeesAndStudents/34.06.02.R1.pdf>

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.

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Texas A&M University-Commerce
College of Business
Academic Dishonesty Policy

Statement of Ethical and Professional Conduct:

The College of Business at Texas A&M University-Commerce faculty, staff and students will follow the highest level of ethical and professional behavior. We will strive to be recognized as a community with legal, ethical and moral principles and to teach and practice professionalism in all that we do.

In an academic environment we will endeavor to not only teach these values but also to live them in our daily lives and work. Faculty and staff will be held to the same standards and expectations as our students.

The Academic Dishonesty Policy of the Accounting Department is governed by the following university procedures: 13.99.99.R0.03 Undergraduate Academic Dishonesty and 13.99.99.R0.10 Graduate Student Academic Dishonesty. You may read the procedure in its entirety from the University's website.

Failure to abide by these principles will result in sanctions up to and including dismissal.

Actionable Conduct:

CHEATING: Intentionally using or attempting to use unauthorized materials, information, notes, study aids or other devices or materials in any academic exercise. Unauthorized materials may include anything or anyone that gives a student assistance, and has not been specifically approved in advance by the instructor.

COMPLICITY: Intentionally or knowingly helping, or attempting to help, another to commit an act of academic dishonesty.

ABUSE AND MISUSE OF ACCESS AND UNAUTHORIZED ACCESS: Students may not abuse or misuse computer access or gain unauthorized access to information in any academic exercise.

FABRICATION: Making up data or results, and recording or reporting them; submitting fabricated documents.

FALSIFICATION: Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

FORGERY: Making a fictitious document, or altering an existing document, with the intent to deceive or gain advantage.

MULTIPLE SUBMISSIONS: Submitting substantial portions of the same work (including oral reports) for credit more than once without authorization from the instructor of the class for which the student submits the work.

PLAGIARISM: The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

SPECIAL NOTE REGARDING GROUP PROJECTS: If someone in a group commits academic misconduct, the entire group could be held responsible for it as well. It is important to document

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clearly who contributes what parts to the joint project, to know what group members are doing, and how they are acquiring the material they provide.

VIOLATION OF DEPARTMENTAL OR COLLEGE RULES: Students may not violate any departmental or college rule relating to academic matters.

Sanctions:

If a student is accused of academic dishonesty, the faculty or staff member making the allegation will use Texas A&M University-Commerce and/or Texas A&M University System Policy and Procedures as appropriate to guide sanctions.

First Offenses:

- The most common penalty imposed by a faculty member for a first violation is an “*F*” in the course. Less severe penalties may be imposed if the circumstances warrant. Examples of lesser penalties include:
- A grade reduction for the course;
- A zero on the assignment;
- A requirement to participate in extra requirements or training;
- Some combination of these.

A second offense may result in separation (suspension or expulsion) from the University.

Procedures:

Once a charge of academic dishonesty has been made, the student may not drop the class until the academic dishonesty process has been completed. If a student withdraws from the University while a charge of academic dishonesty is pending, he/she will be blocked from re-enrolling until the matter is resolved using this procedure.

If the Dean of Graduate Studies or Provost Office informs the faculty or staff member that the incident is a first offense, and the student accepts responsibility for the charge, and the student and faculty or staff member agree on the penalty, assessment of the penalty concludes the disciplinary action.

If the student disagrees with the charge or any of the above penalties for a first offense, he/she is entitled to appeal in writing to the Department Head/Director, and then to the Academic Dean/Director of School. The decision of the Academic Dean/Director of School regarding the student’s appeal of a first offense is final.

The syllabus/schedule are subject to change.

Texas A&M University-Commerce
College of Business
Academic Dishonesty Policy
Statement of Ethical and Professional Conduct:

The College of Business at Texas A&M University-Commerce faculty, staff and students will follow the highest level of ethical and professional behavior. We will strive to be recognized as a community with legal, ethical and moral principles and to teach and practice professionalism in all that we do.

In an academic environment we will endeavor to not only teach these values but also to live them in our daily lives and work. Faculty and staff will be held to the same standards and expectations as our students.

The Academic Dishonesty Policy of the Accounting Department is governed by the following university procedures: 13.99.99.R0.03 Undergraduate Academic Dishonesty and 13.99.99.R0.10 Graduate Student Academic Dishonesty. You may read the procedure in its entirety from the University's website.

Failure to abide by these principles will result in sanctions up to and including dismissal.

Actionable Conduct:

CHEATING: Intentionally using or attempting to use unauthorized materials, information, notes, study aids or other devices or materials in any academic exercise. Unauthorized materials may include anything or anyone that gives a student assistance, and has not been specifically approved in advance by the instructor.

COMPLICITY: Intentionally or knowingly helping, or attempting to help, another to commit an act of academic dishonesty.

ABUSE AND MISUSE OF ACCESS AND UNAUTHORIZED ACCESS: Students may not abuse or misuse computer access or gain unauthorized access to information in any academic exercise.

FABRICATION: Making up data or results, and recording or reporting them; submitting fabricated documents.

FALSIFICATION: Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

FORGERY: Making a fictitious document, or altering an existing document, with the intent to deceive or gain advantage.

MULTIPLE SUBMISSIONS: Submitting substantial portions of the same work (including oral reports) for credit more than once without authorization from the instructor of the class for which the student submits the work.

PLAGIARISM: The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

SPECIAL NOTE REGARDING GROUP PROJECTS: If someone in a group commits academic misconduct, the entire group could be held responsible for it as well. It is important to document clearly who contributes what parts to the joint project, to know what group members are doing, and how they are acquiring the material they provide.

VIOLATION OF DEPARTMENTAL OR COLLEGE RULES: Students may not violate any departmental or college rule relating to academic matters.

Sanctions:

If a student is accused of academic dishonesty, the faculty or staff member making the allegation will use Texas A&M University-Commerce and/or Texas A&M University System Policy and Procedures as appropriate to guide sanctions.

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First Offenses:

The most common penalty imposed by a faculty member for a first violation is an “F” in the course. Less severe penalties may be imposed if the circumstances warrant. Examples of lesser penalties include:

- A grade reduction for the course;
- A zero on the assignment;
- A requirement to participate in extra requirements or training;
- Some combination of these.

A second offense may result in separation (suspension or expulsion) from the University.

Procedures:

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If the student disagrees with the charge or any of the above penalties for a first offense, he/she is entitled to appeal in writing to the Department Head/Director, and then to the Academic Dean/Director of School. The decision of the Academic Dean/Director of School regarding the student’s appeal of a first offense is final.

I have read and understand the Academic Dishonesty Policy.

Print Name _____ Signed _____ Date _____

Texas A&M University-Commerce

College of Business & Technology

Student Appeal of Course Grade

(Refer to TAMU-C Procedure: 13.99.99.R0.05)

TEXAS A&M UNIVERSITY-COMMERCE PROCEDURE

13.99.99. R0.05 Student's Appeal of Instructor's Evaluation Effective September 1, 1996
Revised December 15, 1999 Revised February 8, 2007 Supplements System Policy 13.02

1. The final grades awarded by faculty members are their expert judgment concerning student performance. Students challenging a final grade must show that the instructor's judgment was unfair based on: a) some basis other than performance, or b) standards different from those applied to other students in the same course section, or c) a substantial, unreasonable, and unannounced departure from previously articulated standards or the syllabus.
2. Students who believe their grade to be unfair ***must first discuss the matter with the instructor.***
3. ***If no satisfactory resolution is reached with the instructor, or if the instructor is unavailable, the student shall appeal to the Department Head.*** A grade appeal must be initiated in writing with the Department Head (or Dean if the Department Head is the instructor) within six (6) months of the last day of the semester in which the grade was awarded. The Department Head will examine the student's appeal to determine whether the student has established an apparent case of unfair academic evaluation as described in section 1. If the student has not established a case that appears to have merit, the Department Head will so inform the student and the instructor without delay.
4. If the case has merit, the Department Head will secure, from all parties, written statements and other such information as he or she deems helpful and will issue his or her findings and remedies, if any. In so doing, the Department Head will be guided by the principle ***the burden of proof lies with the student.***
5. The instructor or the student may appeal the Department Head's decision (with respect to findings and remedies) to the Dean of the College in which the course is offered within 30 days of the date on which the Department Head offered his or her judgment.
6. Upon receipt of an appeal, the Dean will appoint a three-person advisory committee of faculty to hear the case. The chair of the committee will be from a department other than the one offering the course in question. The two remaining committee members will be from the department offering the course. One of these faculty members may be suggested by the author of the appeal. The instructor and the student may file additional statements. The committee will review all written materials and may seek other information, as they deem appropriate. After reviewing all information, the committee will communicate their findings and suggested remedies, if any, to the Dean.
7. The Dean is the final authority on issues of fairness in course evaluation. He or she will consider the recommendations of the committee but has wide latitude in resolving the matter.

The syllabus/schedule are subject to change.

The Dean too will be guided by the principle that the student must show the evaluation to have been unfair as identified in Section 1.

8. The Dean is responsible for notifying the Office of the Registrar of any decision requiring a change in records.

References: Prior ETSU Policies V C 1.1 and B-32 approved October 7, 1977; revised September 1, 1979, January 19, 1990, July 30, 1998, and December 15, 1999; Procedure A13.06

CONTACT FOR INTERPRETATION: Provost and Vice President for Academic Affairs

The syllabus/schedule are subject to change.