

DE ANZA COLLEGE  
BUSINESS/COMPUTER SYSTEMS  
SPRING QUARTER 2015

I. BUSINESS LAW      BUSINESS 18      DR. RONALD GOULARTE  
5 Units

Prerequisite/ Advisory: English Writing 1A or English as a Second Language 5, Business 10 Intro to Business.

An introduction to the American legal system and laws applicable to business. Study emphasis on contract law, sales, agency, and the impact of the law and the legal system upon the legal environment. Ethical concerns within legal/business processes. See college catalog/schedule for further description.

II. Course Objectives

This course offers the student an opportunity to learn and understand basic law and the legal system. The student learning objectives for the course are for the student to be able to:

1. Demonstrate a knowledge of basic legal terminology and basic tort, constitutional, criminal, administrative and contract law.
2. Identify ethical issues in a business law context and evaluate business contractual issues using appropriate common law or UCC rules.

III. Text and References

Text:

1. Essentials of Business Law, Fourth or Fifth Editions, Beatty & Samuelson OR Concise Essentials of Business Law, DeAnza College Edition.
2. Student Study Guides/References.
3. Law Dictionary (paperback): Gilbert's or Black's Law Dictionaries.

References:

1. Witkin  
Summary of California Law, Current edition, Vol. 1 & 2, Contracts and Agency Law, Bancroft Whitney.
2. West's Annotated California Codes, West Publishing Company.
3. W. Michael Gough  
Guide to Business Law  
Kendall-Hunt Publishing Company, 2000.

Further references and resources available through instructor.

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**IV. Course Requirements**

- Read assigned chapters before class sessions
- Complete all exams and assignments on time
- Attend all classes on time
- Participate in class discussions
- Bring text to class

**V. Student Materials/Resources**

Lecture Notebook, "Green" Scantrons, Learning Center Access

Textbook Website:

<http://www.swlearning.com/blaw/beatty/essentials5e/essentials5e.html>

Tutorial and Academic Skills Center: <http://www.deanza.edu/tutorial/>

Student Success Center: [www.deanza.edu/studentsuccess](http://www.deanza.edu/studentsuccess)

**VI. Expanded Description of Content and Materials**

- A. Introduction to Law
  - 1. Origins and Sources of Law
  - 2. Classifications of Law
  - 3. Jurisprudence
- B. Business Ethics and Social Responsibility
  - 1. Ethical Behavior
  - 2. Legal Implications
- C. Dispute Resolution
  - 1. Alternative Dispute Resolution
  - 2. Court Systems
  - 3. Litigation
  - 4. Trial and Appeals
- D. Common Law, Statutory Law, and Administrative Law
- E. Constitutional Law
  - 1. Protected Rights
  - 2. Due Process
- F. Torts
  - 1. Intentional Torts
  - 2. Damages
  - 3. Business Torts
  - 4. Negligence
  - 5. Strict Liability

Business 18 (continued)

- G. Crime
  - 1. Basic Criminal Law
  - 2. Business Implications
  
- H. Introduction to Contracts
  - 1. Types of Contracts
  - 2. Remedies
  - 3. Sources of Contract Law
  
- I. Agreement
  - 1. Offer
  - 2. Acceptance
  - 3. Promissory Estoppel
  
- J. Consideration
  - 1. Bargain and Exchange
  - 2. Mutuality of Obligation
  - 3. Settlement of Debts
  
- K. Legality
  - 1. Contracts That Violate Statutes
  - 2. Contracts That Violate Public Policy
  
- L. Capacity and Consent
  
- M. Written Contracts
  - 1. Contracts in Writing
  - 2. Sale of Goods
  - 3. Parole Evidence
  
- N. Third Parties
  - 1. Assignment and Delegation
  - 2. Third Party Beneficiary
  
- O. Performance and Discharge
  - 1. Conditions
  - 2. Performance
  - 3. Breach
  - 4. Impossibility
  
- P. Remedies
  - 1. Expectation Interest
  - 2. Reliance Interest
  - 3. Restitution Interest
  - 4. Special Issues of Damages

## Business 18 (continued)

- Q. Introduction to Sales
  - 1. Basic UCC
  
- R. Agency Law
  - 1. Creating Agency
  - 2. Duties of Principal to Agent
  - 3. Duties of Agents to Principal
  - 4. Terminating Agency
  - 5. Liability

See attached Class Schedule for specific chapters and assignments.

### **VII. Method of Evaluation**

Your grade for the course will be determined from several examinations and projects as follows:

- a. Three (3) essay examinations (50 points each)
- b. Three (3) objective examinations (multiple choice, T/F, 50 points each)
- c. Several legal analysis problems as assigned by the instructor (totaling 100 points)
- d. Vocabulary lists will provide added points as determined by instructor.

Total points for course: **400**

In-class participation and discussion is expected from each student.

### **VIII. Attendance/Student Responsibilities**

On time attendance at all classes is required and excessive absence may result in student being dropped. Each student will be responsible for materials and assignments given in class. It is a responsibility of each student to be present when classes and tests are scheduled. In addition, students are responsible for their own registration, withdrawals, or other registration matters pursuant to the registrars rules and policies.

Any student dropping this course must submit the drop and process through Office of Admissions & Records. Failure to do so will result in a failing grade for the course.

All students attending this class, or any part of it, must be registered through the Office of Admissions and Records. No audio, video or other recording of classes. No "auditing" or visitors allowed.

The instructor will reasonably accommodate any special needs of students. Please discuss with instructor accordingly.

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**IX. Optional Study and Readings**

Check with the instructor regarding optional research, reading assignments, and reference sources; such optional study and assignments do not affect grade.

**X. Other Information**

No personal legal advice is given by instructor in this course. Mr. Goularte is available for personal legal counsel on campus through the Student Activities Office by appointment. For legal counseling appointment, call (408) 864-8756. For class matters, Mr. Goularte may be reached at [ronaldgoularte@FHDA.edu](mailto:ronaldgoularte@FHDA.edu) or through the De Anza message center at (408) 864-8999, x3238.

**PLAGIARISM AND CHEATING**

ACADEMIC DISHONESTY AND CHEATING IN ANY WAY WILL NOT BE TOLERATED.

- Cheating is the act of obtaining or attempting to obtain credit for academic work through the use of dishonest, deceptive or fraudulent means.
- Plagiarism is representing the work of someone else as your own and submitting it for any purpose.

Academic consequences may include receiving a failing grade on the test, paper or exam, or receiving a grade of F in the course at instructor's discretion.

Administrative consequences may include disciplinary probation, suspension or expulsion from the college. The college maintains records of all incidents.

Students should be prepared to show identification including photo I.D. to instructor before each examination.

(Check student handbook and/or Student Affairs Office for further information.)

**BUSINESS LAW 1  
CLASS SCHEDULE**

**SPRING 2015**

			<u>Assignments</u>
Week 1.	4/6	Class Introduction/Course Overview	
	4/8	Introduction to Law	Chapter 1
2.	4/13	Business Ethics/Social Responsibility	Chapters 2 & 3
	4/15	Dispute Resolution	Analysis Paper #1
3.	4/20	Dispute Resolution	Chapter 4
	4/22	Common, Statutory & Administrative Law	Essay Exam #1
4.	4/27	Constitutional Law	Chapters 5 & 6
	4/29	Torts	Vocabulary List
5.	5/4	Torts	Chapter 7
	5/6	Crime	M/C Exam #1
6.	5/11	Introduction to Contracts	Chapters 9 & 10
	5/13	Agreement	Analysis Paper #2
7.	5/18	Consideration	Chapters 11 & 12
	5/20	Legality	Essay Exam #2
8.	5/25	Capacity and Consent [Holiday]	Chapters 13 & 14
	5/27	Written Contracts	M/C Exam #2
9.	6/1	Third Parties	Chapter 15
	6/3	Third Parties	Vocabulary List
10.	6/8	Performance and Discharge	Chapters 16 & 17
	6/10	Remedies [end of Contracts]	Essay Exam #3
11.	6/15	Sales	Chapter 18
	6/17	Agency	Chapter 25
12.	6/22	Review	
	6/25	Final Exam (Thurs. 4:00 pm)	

\* Schedule Subject to Change \*

**ADDENDUM TO GREEN SHEET  
BUSINESS LAW 1  
SPRING QUARTER, 2015**

Business Law 1 Students are hereby advised of the dates below for purposes of add/drop/withdraw requirements.

These dates are not flexible and will be strictly adhered to by DeAnza College.

The following dates are not negotiable  
(<http://www.deanza.edu/calendar/spring2015.html>):

Last day to add quarter-length classes ( <i>Add date is enforced</i> )	Sat. April 18
Last day to drop for a full REFUND or credit (quarter-length classes)	Sun. April 19
Last day to drop a class with no record of grade – ( <i>drop date is enforced</i> )	Sun. April 19
Last day to request pass/no pass grade	Fri. May 1
Last day to drop with a “W” ( <i>withdraw date is enforced</i> )	Fri. May 29
Holiday – Memorial Day	Mon. May 25
Last Day of Spring Quarter 2015	Fri. June 26
First Day of Summer Quarter 2015	Mon. June 29

See De Anza Spring 2015 Academic Calendar for further information.

Note: Different dates may apply for out of state or foreign students. Check with Admissions and Records for further information.

## **Know Your Professor**



**Mr. Goularte** has been a Civil Litigation Attorney for over 30 years. He currently is an arbitrator for the Santa Clara County Superior Court. Mr. Goularte has served for over 30 years as a professor on the Faculty at De Anza College, teaching Business Law and Law related courses. He has provided legal counsel to students and staff for over 20 years.

Mr. Goularte was in one of the first graduating classes of Foothill College (1961) and earned an Associates of Arts degree in Accounting. He has a Bachelor of Science degree from San Jose State University in Industrial Relations and a Doctorate of Jurisprudence from Golden Gate University School of Law. He also holds a Certificate in Mediation from the University of California and a Lifetime Community College Teaching Certificate from the State of California. He is a member of the California State and Federal Bars.