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Professor **Lester C. Reems**

ORCID ID <https://orcid.org/0000-0002-6883-7072>

Doctor of Public Administration, Juris Doctor,
Mount Saint Mary's University, Los Angeles, California, USA

Email: lreams@msmu.edu

Telephone: +1(562) 522-7604

Humanizing the teaching of Business Law for non-law university students of Business Administration

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The article discusses Role play, Simple Question, Journal writing as techniques for teaching Business Law to Business Administration students. The educator's perspective is believed to have a dramatic effect on the choice of teaching methods and techniques. From a management point of view, the understanding of law underlies a strategy to avoid lawsuits. The introduction of teaching approaches and techniques that respond to the graduates' professional and human needs, such as role play, simple question and journal writing, is described as humanizing the teaching of Business Law, intended to arouse motivation and enhance learning outcomes for Business Administration students.

The article describes a step-by-step methodology of implementing the above teaching techniques in the real-time education process. The methodology has been approbated at Mount Saint Mary's University Los Angeles in the Business Law course during the Spring Semesters since 2017, totaling 15 courses. By completing the Business Profile and Business Journal and actively participating in the role play process, the non-law students were able to practice public speaking, develop their research skills and gain an understanding of the management and legal perspectives' application in the business environment.

The quantitative evaluation of results was performed via program learning outcomes testing, and the qualitative evaluation – through unstructured post-test interviews with the participating students. The preliminary results used have been the comments provided by the End of Course Evaluations and the Peregrine Assessment of Associate of Arts Business degree program. Both quantitative and qualitative measurement showed increase in the program learning outcomes and students' motivation and engagement. The impact on the Bachelor of Arts program will not be available until 2021. The experiences and results in using role play, simple question and journal writing have been used to provide recommendations for enhancing learning experiences and outcomes in teaching Business Law to non-law students.

Key Words: *Humanizing the teaching of Business Law, Role play, Simple Question, Journal writing, Business Administration students, Program Learning Outcomes*

Introduction

Over the years I have had the honor and dread of figuring out what would be the best techniques for teaching Business law. One of the problems that was noticed is an issue of perspective. That is, the faculty members' perspective has a dramatic effect on how the course will be taught. For example, if the faculty member is teaching the course from a legal perspective, the course will resemble a law school course based on case studies and some practical application. This perspective sometimes presumes that the student may be interested in becoming a practicing attorney. However, from a management point of view the focus is in using and understanding the law as a strategy to avoid lawsuits. The challenge for both

perspectives is getting the non-law student interested in this topic which can be overwhelming unless the student takes an active role in the learning process. This article will share, what has been observed when the lower division Business Law students are given the role of a CEO of a company that they have chosen, provided with a simple question (which is what can I do to avoid a lawsuit?), ask to respond to discussion questions/class discussion and are required to keep a weekly journal that identifies the business law topics that will help them to avoid lawsuits for their chosen company. The above teaching techniques that respond to the graduates' professional and human needs – Role play, Simple Question and Journal writing – are discussed as the ways to humanize teaching the Business Law for Business Administration students. This article will also show what has been observed when the upper division students are asked to start a business as sole proprietorship, are told that their business will evolve during the time of the course from a sole proprietorship to a partnership and later to a corporation, ask to respond to discussion questions/class discussion and are required to keep a weekly journal that identifies the business law topics that will help them to avoid lawsuits for their chosen company. This article's focus is to provide another technique that may help teach business law.

Inception of the Role Play Process

The inception of the Role Play process was developed by identifying the: (a) meaning of the management perspective, (b) use of role play, (c) benefit of repetition in learning, (d) Mount Saint Mary's University Los Angeles Mission and (e) brief overview of the business law course.

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Meaning of the Management Perspective and this Perspective's View of the Law

Bianca (n.d.) has indicated that the meaning of a management perspective focuses on making daily decisions and setting business strategy. This perspective also considers the best approach to the delegation of tasks and juggling resources, including money, supplies and personnel. There is also the focus on the best approaches that will improve employee performance.

When determining the management perspective's view on law there appeared to be a different stance. Bagley (2007) pointed out that management tends to focus on the constraining aspects and unpredictable application of the law. He concluded that, although, the law is a necessary evil, it results in a net loss for business and does nothing to increase the value of the business. (Bagley, 2007). The author noted that students expressed a similar negative attitude towards the law at the beginning of the author's business law course. This situation prompted the author to decide that the students' negative attitude to law needed to be altered and that the best approach would be the role play process, which the author had used in prior management courses.

Role Play Process

Role play is one of the collaborative learning tools that has developed in education over the years. The focus of role play is for the student to assume the perspective of a character in a scenario designed to create greater understanding of a topic. (Simsarian, 2003). While, this description of role play is the standard approach, the author observed that the students tended to forget the important aspects of the scenario. The author decided that the best step to take was to create a roleplay that would be effective in generating a longer lasting understanding of the management perspective and the influence of the law in

the business environment.

Benefits of Repetition in Learning

In observing earlier classes, the author noticed that when a simple theme or motto was repeated by the students, this theme or motto showed up in some of the written assignments and short essay responses for the midterm and final exam. Bruner (2001) asserted «that repetition matters because it can hasten and deepen the engagement process. If one cares about the quality of learning, one should consciously design repetitive engagement into courses and daily teaching» (Bruner, 2001, p. 1). Hence, the author created a simple repetitive theme that would be given as a reminder to the students as they learned the various business law topics.

Mount Saint Mary's University Los Angeles' Mission

Mount Saint Mary's University Los Angeles (MSMU-LA) offers a dynamic learning experience in the liberal arts and sciences to a diverse student body, consisting of 90% women and 10% men. As a Catholic university primarily for women, MSMU-LA provides a superior education enhanced by an emphasis on building leadership skills and fostering a spirit to serve others. Specifically, the MSMU-LA Business Administration Department is committed to developing leaders who are capable of making complex business decisions and appreciate the significance of their responsibilities to the companies and communities they serve. Hence, the process for teaching business law to non-law students had to help these students to develop their sense of leadership as well.

Brief Overview of the MSMULA Business Law Course

The MSMULA Business Law course is a 15-week semester course that meets on Tuesdays and Thursdays for 1^{1/2} hours. The course introduces the development of legal principles for business activity, as found in common law, statutory laws, and the Uniform Commercial Code. The course is taught using lecture, group discussion on case studies, video presentations, in-class activities, student presentations, quizzes/midterm/final and written assignments. The course covers the topics of business structure, agency, risk management, alternative dispute resolution torts, criminal law, contracts (and their use throughout all business negotiations) employment law, and their effect on the business environment and issues of commercial liability and sales transactions.

Role Play Process Steps

Step 1: Leadership Status

Step 1 occurs at the very first class. During this meeting, the author explains role play, bestows the leadership status of CEO upon the students, and describes the role of a CEO. By taking this approach the students can reflect on their new role as CEO and the importance of this leadership position. This approach also contributes to the University's mission of building leadership by starting with the students' mindset.

Step 2: Completion of Business Profile

In Step 2 students are provided a copy of the Business Profile. The profile is a graded assignment that requires students to identify a business that they work for currently, in the past or interested in work for or developing in the future. This profile consists of the following sections: Name of Company, Type of Company and Size, Length of Time in Business, Number of Employees and Job Title, Net Worth, Goods or

Service Provided, Company's Financial Status, Community Involvement and Other. Each section is given a sentence limit of no more than two

(2) to three (3) sentences. Keeping the sentences short has allowed students to recall information when asked to present information about their chosen company. Upon completion of the Business Profile students must submit this profile for the author's review, approval, and a final point grade.

For the upper division course, a business profile will be completed for the sole proprietorship, partnership, and corporation to show how the business has evolved. Each profile had its own set of questions that had to be complete and submitted for your review.

Step 3: Discussion Questions/Class Discussion

In Step 3, students were required to complete discussion questions that included case study related to the weekly topic and a question asking the student to relate the topic to their chosen business. In the classroom students are asked to share how the case impacts their chosen business and the steps they would take to avoid the same lawsuit occurring at their chosen business.

Step 4: Business Journal

In Step 4, once the Business Profile has been approved, students are required to keep a Business Journal, which is also a graded assignment that will be submitted at the end of the semester. The Business Journal's instructions state that at the end of each week the student will write a reflection which shares how the concepts, laws, theories or tools learned during class discussion will benefit or not benefit their chosen organization in avoiding a lawsuit. The reflection is limited to 1-2 paragraphs. For this course, a paragraph is 3-5 sentences.

Step 5: Use of Repetitive Theme, Student CEO Presentations and Business Journal

The repetitive theme that is used takes the form of a question that is repeated in the lectures and in class discussions. «What actions as a CEO are you going to take to avoid being sued?» Each Thursday, the students are required to give a brief status report on their chosen company. This report includes: (a) whether the legal topic for that week has been observed, used or has been beneficial or not beneficial, (b) what steps would the student take to avoid being sued, as illustrated in the discussed cases and (c) for upper division course how the case impacted the chosen business. Once the presentations are completed, the students are reminded to include in their journal what they shared in class/online as one of their reflections.

Step 6: Preliminary Results

The author has taught the MSMU Business Law course during the Spring Semesters since 2017, totaling 15 courses. The preliminary results used have been the comments provided by the End of Course Evaluations and the Peregrine Assessment of Associate of Arts Business degree program. The impact on the Bachelor of Arts program will not be available until 2021.

End of Course Evaluation

Overall, the MSMU Business Administration Department has shared that the End of Course Evaluations have been positive regarding the approach taken with the course. It was noted that the course contributed to improving the students' confidence in business. The Department shared a comment regarding the business profile that stated: «The business profile we (the author) had us do allowed us to do research about business law and understand how rules and laws apply to businesses and professional individuals».

Peregrine Assessment Associates of Art in Business Program

Each year, the MSMU-LA Business Administration Department conducts an inbound exam at the beginning of the students' program and an outbound exam at the end of the program using the Peregrine Assessment exams. The purpose of these exams is to assess student learning and to evaluate the program's learning outcomes associated with the Business program. These exams are important because it enables the MSMU-LA Business Administration Department to maintain its accreditation with the Accreditation Council for Business Schools and Programs (ACBSP).

Per, the Department, the Class of 2020 that earned their AA degree in the MSMU-LA Business Administration program and took the Peregrine Assessment exam had taken the author's Business Law course. The assessment showed that the Classes mean score increased by 22 points (32 points to 51 points). Business Law, which is title Legal Environment of Business in the exam, showed an increase of 16 points (36 points to 52 points).

Post-Test Interviews with Students

To determine the effectiveness of the Role-Play, process a post interview was conducted to determine whether the Role Play process was effective and identify recommendations to improve the process. These responses are the following.

Student 1

There was a number of learning and lessons that were beneficial from both a personal and professional perspective. But the one I appreciated the most was the lesson of taking us through the various stages of a business formation and evolution based on business needs; sole proprietor, partnership and last a corporation. While not all businesses need to start as a sole proprietor, it certainly was the easiest and quickest to form when a business is just getting started and has limited resources. To then transitioning into a partnership as the business starts to grow, allowing for greater access to capital and perhaps different expertise by way of the partner, but being cognizant of the importance of partnership agreement. Last the process of incorporating and taking the company public for even greater access to capital; but understanding that in doing so it is crucial to understand corporate law and social responsibility as well as the duties of the CEO, directors/officers and even shareholders rights.

I also appreciated the recommendation of the services that we must employ for the benefit of the business and our personal and business liability; Accountant, Attorney, Financial Advisor, and Insurance agent, each playing a critical role in the success of the business. Being in the financial services industry I am very familiar with each stage of a business, but not being a business owner, I was not as proximate to the level of details that was shared in the class. It was a simplistic approach but added great value. Additionally, if I ever decide to leave the highly regulated industry that I am part of and start my own business, I now better understand crucial steps and requirements to get started.

Student 2

I want to first say I really enjoyed this class and engagement, I learned way more than expected from this course. Throughout the course overall I can say I learned personally was how to be an ethical manager/CEO. I learned the importance of how to conduct business, who to conduct business with, how it should be done legally, and also how to personally strive for goals within a business. Looking how my business grew from a sole proprietorship to an international business was like wow, this is amazing! This

class was very beneficial to my personal goal of owning my own business one day, it helped me see that it's all connected to dedication and morals when running a business. Professionally I learned how to legally build a business, how to have social responsibility and its benefits, how to avoid any criminal activity, and the importance of product liability. With all the topics I learned and discussed I can say all were beneficial and I can't wait to put it to use in the future. Thank you all for all your openness and constant encouragement in the course.

Student 3

All the information provided in this class is very valuable. The material about sole proprietorship, partnership and corporation was very interesting. Learn about how to open one, how it operates, its advantages and disadvantages is necessary for every business student, even if they are not planning to open a company. It was particularly helpful to learn about the different precautions one can assume to make the successful of a partnership more likely. Also, it was very instructive to learn about social responsibility and the different models of operating a company. I was pleased to find that there are approaches to conducting business that still took their time to pay attention to the impact they cause in the community. This serves to reinforce my belief that one can earn money, but still contribute to the development of others.

Student 4

I really appreciated the assignments in which we were asked to create our own business and transform it from a sole proprietorship --> partnership --> corporation. This allowed me to apply the characteristics and concepts that I read about and learned into an actual business situation. I was able to understand the different requirements and legal qualifications that it takes in order to operate as each of these different types of businesses. I was able to understand the different in liability for each business; for example, sole proprietorships have unlimited liability for the owner and if they leave the business, it is done for good. A partnership includes different forms- general, limited, limited liability, or LLC. As for a corporation, it can have numerous shareholders / stakeholders that have a strong influence on operations, and the owners are not personally liable. I truly enjoyed learning all the concepts in this class and has made me even more passionate about business! As I am considering law school, this information I have learned has peaked my interest even further! I am grateful that I have learned so much and can use this information in my professional career and engage in insightful business conversations. I have been able to utilize this information in other projects and classes through my management emphasis as well!

Student 5

I really enjoyed and learned so much during this class. I liked how we learned about Sole proprietorships , which is how most small business start to evolve into a partnership LLC and finally a corporation and during the process learn about the advantages and disadvantages of each type of business. We also learned about torts, social responsibility, sales, commercial papers, criminal and civil liability, insurance etc. I do believe all this knowledge will help me during my career at the Mount and if I decide to open a candle business which has always been a dream of mine, I know what steps to take and the risks that it implies. My favorite part besides learning about the multiple types of business was learning about liability and how to protect my business in the future while also earning a profit and be successful and how important it is to be informed and train your employees to make sure we do the right thing for customers but also for the company, to stay open and continue in business. Let us not forget how important insurance

is! before starting this course I honestly had no idea of how many different types of insurance there are, but I am glad I have the knowledge now. Thank you, classmates, for your great comments every single time to my posts and wish you success and health. Finally thank you professor for an excellent class and I hope to apply my knowledge in my future business.

Student 6

There was a lot to be learned throughout the 7 weeks of modules we learned. I learned a lot on what it takes to run a business and the guidelines and procedure it takes to run smoothly. It is no walk in the park I can say that for a fact. It is a long process but it will help benefit your company in the long run. I learned the most important thing is structure because if it's not structured right in any way there can be more room for cons than pros. Personally it has helped me see what it takes to open a business and what it would look like. As a business major this is helpful in case, I want to open up a business and this course taught and gave me a glimpse on what it would be like to start a business.

Recommendations

Based on the interview results, the recommendation are as follows:

1. **Clear Instructions:** The role play process requires that instruction are clear so that the students understand the expectations that the role play is to achieve. This allows the students to learn the specific concepts and evaluate their understanding of the concepts.
2. **Continuous Encouragement:** The students require continuous encouragement because the student will be uncomfortable with the role-play at first but as the course progresses the students will become comfortable.
3. **Timely Feedback:** Students must be provided with timely feedback within 24-48 hours so that the students can make adjustment during the class that will lead to improvements in their understanding of the legal and business topics.
4. **Open-Ended Discussion:** Open-Ended Discussion must be used so that students can be creative in their responses.
5. **Review:** At the end of class, it is important for students to share what they have learned and how it will be applied to the business that they have chosen.

Conclusion

While these findings are still preliminary, it does provide a good sign that the use of the Business Profile and Business Journal is contributed to the teaching of Business Law. By completing the Business Profile and Business Journal and actively participating in the role play process, the non-law students were able to practice public speaking, develop their research skills and gain an understanding of the management and legal perspectives' application in the business environment.

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Гуманізація викладання підприємницького права для студентів неюридичних вузів спеціальності «Бізнес адміністрування»

Professor Lester C. Reems

Doctor of Public Administration, Juris Doctor, Mount Saint Mary's University, Los Angeles, California, USA

У статті розглядаються: рольова гра, прийом «просте запитання», ведення журналу як методи навчання підприємницького права студентам спеціальності «Бізнес-адміністрування». Вважається, що думка викладача має вирішальний вплив на вибір методів і прийомів навчання. В менеджменті право розглядається як стратегія уникнення судових позовів. Запровадження підходів і методів навчання, які відповідають професійним і людським потребам випускників, таких як рольові ігри, прийом «прості запитання» та написання журналів, описується як гуманізація викладання господарського права, що має метою сформуванню мотивацію та покращити результати навчання здобувачів спеціальності «Бізнес-адміністрування».

У статті описано покрокову методику впровадження вищевказаних методів в освітній процес. Методологія була апробована в Університеті Маунт-Сент-Мері в Лос-Анджелесі при викладанні курсу «Підприємницьке право» протягом весняних семестрів з 2017 року, всього 15 курсів. Заповнивши форму «Профіль бізнесу» та «Бізнес-журнал» та завдяки активній участі у рольовій грі, студенти, які не є юристами, змогли попрактикуватись у публічних виступах, розвинути свої дослідницькі навички та отримати розуміння застосування управлінських та правових перспектив у бізнес-середовищі.

Кількісне оцінювання результатів проводилося шляхом тестування результатів навчання за програмою, а якісне – шляхом неструктурованих післятестових інтерв'ю зі студентами-учасниками. Попередніми результатами були коментарі, отримані з оцінювальних анкет по завершенні курсу та за результатами іспиту Peregrine за ступенева програма "Associate of Arts Business". Як кількісне, так і якісне вимірювання показало покращення результатів навчання за програмою та мотивації та залучення студентів. Вплив даних методів на Вплив даних методів на Вплив програму the Bachelor of Arts не буде доступний до 2021 року. Досвід і результати використання рольових ігор, прийому «прості запитання» і написання журналів були використані для надання рекомендацій щодо покращення досвіду навчання та результатів у викладанні підприємницького права для студентів, які не є юристами.

Ключові слова: гуманізація викладання підприємницького права, рольова гра, просте запитання, написання журналу, студенти з бізнес-адміністрування, результати навчання за програмою