

**Construction Management Department
California State University, Chico**

**CMGT 460 – Legal Aspects of Construction
Course Syllabus**

A. Prerequisites:

CMGT 100 –Concepts of Construction
ENGL 130 - Academic Writing (or its equivalent) with a grade of C- or better
BLAW 302 - Managing the Legal Environment

B. Meeting Time & Location:

CMGT 460-1	T/TH	2:00PM – 3:15PM	O’Connell OCNL, Room 131
CMGT 460-2	T/TH	3:30PM – 4:45PM	O’Connell OCNL, Room 131

C. Instructor:

Prof.Schwarz jschwarz@csuchico.edu
Office Hours: TBA
Office Location: O’Connell 326
Office Phone: 530-898-6210

D. Course Outcomes:

Overview of basic construction laws, construction-related acts and orders, rules and regulations affecting construction, mechanic lien laws, and construction contracts. 3 hours discussion. This is an approved Writing Proficiency course; a grade of C- or better certifies writing proficiency for majors.

- a. To familiarize the student with the rights, obligations, and liabilities of parties engaged in construction that flow from the contracts, laws, and business practices common to the construction industry.
- b. Consideration will be given to representative court decisions related to claims emanating from construction projects and the practical significance of these decisions to construction company executives and project managers.
- c. Attention will also be devoted to matters of contract administration to preserve contract rights and remedies, to avoid disputes, and to reduce exposure to monetary loss.

E. Course Learning Outcomes (CLO):

Upon successful completion of this course, the student will:

1. Be able to prepare a written report/analysis of a construction project and/or dispute, addressing contract preparation, contractor performance, owner breach, and the contractor’s damages (**Assess: ACCE SLO #1**).
2. Be able to analyze fact patterns, involving the construction profession, based upon ethical principles (**Assess: ACCE SLO #6**).

3. Be able to recognize, in the construction management field, risks and understand the options available to manage these risks (**Assess: ACCE SLO #13**).
4. Understand the legal implications of contract, common, and regulatory law to manage a construction project (**Reinforce: ACCE SLO #17**).

Student Learning Outcomes (SLO):

The American Council for Construction Education (ACCE) prescribes 20 Student Learning Outcomes (SLO) as Educational Objectives for an undergraduate degree program in Construction Management. For a list of these 20 SLOs visit the Chico State Department of Construction Managements website www.csuchico.edu/cm and the SLO link under ACCE Accreditation drop down menu.

The following SLOs are supported by this course in the form of I=Introduction, R=Reinforced, or DA-Direct Assessment:

- SLO 1 – Create written communications appropriate to the construction industry (DA).
- SLO 6 – Analyze professional decisions based on ethical principles (DA).
- SLO 13 – Understand construction risk management (DA).

ACCE Assessment Mapping:

<u>CLO</u>	<u>SLO</u>	<u>Assessment Type</u>	<u>Target Achievement</u>
1	1	Writing Assignment	70% will earn a “C” or better
2	6	Exam	70% will earn a “C” or better
3	13	Exam	70% will earn a “C” or better
4	17	Exam	70% will earn a “C” or better

F. Course Resource Materials Requirements:

Textbook: Construction Contracting: Business and Legal Principles.

Course Pack: There is no course pack requirement, other materials will be provided via Bbl or class handouts.

G. Course Requirements:

Conduct

I believe that students are adults and you will be treated and respected as such. Simply put, this means that you will be held accountable for your actions, decisions, and the consequences. I expect each of you to conduct yourself in a professional and mature manner, showing courtesy and respect for fellow students and the instructor. Please review the Universities Disruptive Behavior policy under section M of this document.

Advisory Note!

- **During class time any disruptive or annoying behavior, outbursts, unbecoming language, or personal visiting during discussion time will result in you being asked to leave and forfeit that day’s participation points.**
- **Your personal agenda must be set aside during class time for the greater good of all your classmates.**

Honesty in the Classroom

You are expected to be familiar with the University's policy on academic integrity. As such, there will be no tolerance for dishonesty, sharing of work, and especially copied work. Ethical standards as established by the university will be strictly upheld (see THE UNIVERSITY CATALOG).

Tobacco Products

The use of any type of tobacco product (smokeless, chewable or otherwise) is not permitted in any building at California State University, Chico. If you chew tobacco products, please refrain during class time.

Electronic Devices

The use of pagers, phones, MP3 players and other electronic devices (excluding laptops) is not permitted in class. If you must take a call (work or emergency), please EXIT the classroom before answering the call.

Withdrawal from Class

Please refer to the Academic Calendar Deadlines as published in the University Catalog.

Professional Work

As a student looking towards gaining an internship within the construction industry, [*it is expected that your completed work will be professional in presentation.*](#) Consider this course as practice in presenting professional quality industry work to your future employer.

H. Instructional Methods:

This course is designed around the following methods of presenting material to the student:

1. Assigned materials and readings are to be read prior to attending class. Class discussions will be to refine and understand the content of the assigned readings. Your knowledge base, retention, and understanding of assigned readings will be assessed from submitted material, quizzes, and exams both done in class and online Bbl quizzes.
2. Activities to be started in class (finished outside of class time as necessary), which are designed to reinforce the students learning understanding the functions, process, producing project cost and revenue control systems.
3. Quizzes will be used to expand the student's construction vocabulary.

I. Assignments:

Out of class work will be assigned. [*Completed assignments will be collected at the beginning of class;*](#) please bring your work pre-printed to class for submission.

It is your responsibility for turning in and verifying that the Professor has received the assignment. Assignments turned in late may be accepted as completed, but will not be graded.

You will be allowed ONE "Mulligan" that may only be used on any ONE non-writing activity assignment. This means that for any reason you may turn in this ONE assignment UP TO 24

HOURS AFTER THE ORIGINAL DUE DATE. The ONLY criteria is that you email the Professor PIRO to the original due date to notify me, FOR THE RECORD, that you will be taking your "Mulligan" on a particular assignment.

Advisory Note!

- There will be NO class time available for printing assignments at the beginning of class.
- Assignments will be collected at the beginning of class and any submission during class time will be considered tardy and will be docked 10% of the available points.
- All other submission are considered late and will not be accepted for credit, unless prior arrangements have been made.

Readings

Readings are noted in the course calendar. You are encouraged to have the required reading completed prior to class, as this will facilitate your comprehension of discussion materials.

Activities

There will be weekly activities assigned to reinforce your understanding of the current classroom discussion material. These activities are intended to build your skills in reading building plans and specification, by discipline, and continue your development in using common industry software.

Group Work

You are encourage to study and work in groups, however all submitted work must be your own original work.

Course Work Binder

You will be required to keep all course work in a tabbed binder (provided). This requirement will be grading during exams and is a requirement for successful completion of the course.

J. Assessments:

Quizzes

Quizzes, normally 10 questions or less, will be given based upon the class discussion, assigned readings, and construction terms presented. Quizzes will generally be given every Tuesday.

While they may be open book and open note, DO NOT expect to have time to do original research for the answers during the time allowed for the quiz.

Advisory Note!

- There will be NO make-up quizzes, unless prior arrangements have been made.
- It is your responsibility to remember that a quiz is due. If you forget to take the quiz, do not come to me after the fact.

Exams

There will be a mid-term exam and one 2 hour final exam. The final exam will have overall

coursework objectives and comprehensive questions. Normally there will not be a make-up for anyone missing an exam. [If a student is unable to take an exam due to an emergency or illness, or is entitled to special dispensations, the instructor should be notified in advance via email and in any event as soon as practical.](#) Non-excused absences will yield a score of zero. No makeup exams will be given, except for serious and compelling reasons as outlined by the University Catalog <http://catalog.csuchico.edu/viewer/14/ACAREGS.html>.

Participation, Attitude, and Attendance

A portion of your course grade will be based on participation, attitude, and attendance.

Advisory Note!

- Attendance/Participation is documented at the END of each class, this is a major consideration in determining your participation points.
- It's your responsibly to "sign out" at the end of each class period.
- Please remind me if the roll sheet has not been distributed by the end class.

K. Grading/Evaluation:

All point totals shown are approximate and subject to revision during the course of the semester.

Outstanding work (that achieving over 90% of available points) will receive an "A" grade. Achieving 60% of the course total possible score is the minimum requirement to pass the course;

Work achieving 70% of the possible score is the minimal accepted work, or "C-" level grade.

Evaluation Criteria	Weighting
Attendance/Participation	5%
Assignments	10%
Writing Assignment	10%
Quizzes	20%
Midterm Exam	25%
Final Exam	30%
Total	100%

Grades are generally assigned by the following distribution, although the professor reserves the right to modify the distribution.

A	=	92 -100% (Exceptional)	C+	=	77 – 79% (Above Average)
A-	=	90 – 92% (Excellent)	C	=	73 – 76% (Average)
B+	=	87 – 89% (Very Good)	C-	=	70 – 72% (Below average)
B	=	83 – 86% (Good)	D	=	60 – 69% (Inadequate)
B-	=	80 – 82% (Adequate)	F	=	< 60% (Failing)

CM 460 is the Construction Management Department Writing Proficiency course.

<http://www.csuchico.edu/curriculum/AcademicDepartmentManual/ApprovedWritingProficiency.shtml>

This means that:

1. A **course grade of C- or better** for the course will be required in order to satisfy the University graduation requirement for writing proficiency.
2. A grade of C or better will be required on the Writing Assignment portion of this course in order to receive any grade in the course.

L. Topical Outline

Refer to the course work calendar posted on Blackboard Learn.

M. University Policies and Campus Resources

Disruptive Behavior

Students are required to adhere to the behavior standards articulated in the Campus Policies and Code of Student Conduct, and to refrain from disrupting classes and other academic settings. "Disruptive behavior" means conduct that materially and substantially interferes with or obstructs the teaching or learning process in the context of a classroom or educational setting. Disruptive behavior includes conduct that distracts or intimidates others in a manner that interferes with instructional activities, fails to adhere to an instructor's appropriate classroom rules or instructions, or interferes with the normal operations of the University. Disruption in the classroom may include:

- Persistent speaking without permission.
- Side conversations.
- Excessive talking.
- Engaging in activities not related to the class, or other overt inattentiveness including but not limited to sleeping, talking to others, doing work for another class, checking e-mail, and exploring the Internet.
- Ringing cell phones or using a cell phone.
- Using mobile devices or laptop computers in the classroom for non-course related purposes.
- Eating/drinking in class without permission.
- Monopolizing class discussion and refusing to defer to instructor, or listen to others; persisting when the instructor has indicated that the student's remarks are off topic and it is time to move on.
- Chronically entering late/leaving early, moving about the classroom when not appropriate for the classroom activity.
- Filming, photographing, or taping the class without the instructor's prior permission.
- Disputing authority or arguing with faculty and other students.
- Yelling, arguing, swearing, bullying, or other harassing or intimidating behavior.
- Inappropriate, disrespectful, or uncivil responses to the comments, opinions, presentations, etc. of others in the classroom.
- Physically or verbally abusive conduct.
- Failure to adhere to the instructor's rules or instructions.
- Vulgar or obscene language, slurs or other forms of intimidation.
- Threats of any kind.
- Improper use of equipment, materials or resources.
- Destruction of property.
- Coming to class under the influence of alcohol or another controlled substance.
- Bringing individuals to class who are not enrolled, including infants/children.

- Any behavior that puts the health or safety of the instructor or other students in the classroom in jeopardy.

Academic integrity

Students are expected to be familiar with the University's Academic Integrity Policy and the University's policy on academic honesty. I take this issue very seriously, and will not tolerate any form of dishonesty such as plagiarism or cheating. Your own commitment to learning, as evidenced by your enrollment at California State University, Chico, and the University's Academic Integrity Policy requires you to be honest in all your academic course work. Faculty members are required to report all infractions to the Office of Student Judicial Affairs. The policy on academic integrity and other resources related to student conduct can be found at: <http://www.csuchico.edu/prs/EMs/2004/04-036.shtml>

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Students with disabilities requesting accommodations must register with the ARC Office (Accessibility Resource Center) <http://www.csuchico.edu/prs/EMs/2005/05-019.shtml> to establish a record of their disability.

Special accommodations for exams require ample notice to the testing office and must be submitted to the instructor well in advance of the exam date.

Student Computing

Computer labs for student use are available <http://www.csuchico.edu/prs/EMs/2007/07-001.shtml> located on the 1st floor of the Merriam Library Rm 116 and 450, Tehama Hall Rm.131 and the BMU Rm 301.

Student Services

Student services are designed to assist students in the development of their full academic potential and to motivate them to become self-directed learners. Students can find support for services such as skills assessment, individual or group tutorials, subject advising, learning assistance, summer academic preparation and basic skills development. Student services information can be found at: <http://rce.csuchico.edu/alci/student-services>

Disability Services

Any student who feels s/he may need an accommodation based on the impact of a disability should contact me privately to discuss your specific needs. Please also contact the Accessibility Resource Center office to coordinate reasonable accommodations for students with documented disabilities. Accessibility Resource Center online: <http://www.csuchico.edu/arc/instructors/support-services.shtml>.

Student Learning Center

The mission of the Student Learning Center (SLC) is to provide services that will assist CSU, Chico students to become independent learners. The SLC prepares and supports students in their college course work by offering a variety of programs and resources to meet student

needs. The SLC facilitates the academic transition and retention of students from high schools and community colleges by providing study strategy information, content subject tutoring, and supplemental instruction. The SLC is online at <http://www.csuchico.edu/slc/>. The University Writing Center has been combined with the Student Learning Center.

N. Other

Title IX: Confidentiality and Mandatory Reporting

As a Chico State instructor, one of my responsibilities is to help create a safe learning environment for Chico State students. It is my goal that you feel able to share information related to your life experiences in classroom discussions, in your written work, and in our one-on-one meetings. I will seek to keep information you share private to the greatest extent possible. **However, I am required to share information regarding sexual misconduct with the University.**

Students may speak to someone confidentially by contacting the Counseling and Wellness Center (898-6345) or Safe Place (898-3030). Information about campus reporting obligations and other Title IX related resources are available here: <http://www.csuchico.edu/title-ix>.