

**HFT 2600 - HOSPITALITY LAW  
SYLLABUS  
SPRING SEMESTER 2017**

**Mondays, 7:00 - 9:40 PM, TL124 (Sem) 3 credit hours**

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**Office:** Off Campus - Law Office of Timothy C. Schuler  
9075 Seminole Boulevard, Seminole, Florida 33772

**Office Hours:** One-half hour **after** class, upon prior request - Seminole Campus, Room TL 124  
One-half hour **before** class, upon prior request - Seminole Campus, Room TL124  
by appointment at the Law Office, Tuesday, Thursday, 8AM - 5 PM

**Appointments:** Because of the lack of privacy inherent in classroom appointments, and due to my active law practice off-campus, appointments are encouraged. My legal secretaries names are Lori and Nicki, and they will be glad to assist you with scheduling an appointment at my law office or on campus, as applicable. When calling for an appointment, be sure to identify yourself as a Hospitality Law Class Student. Walk-Ins/Walk-Ups are possible, but not preferred.

**Books required:** Hospitality Law Managing Legal Issues in the Hospitality Industry - Fourth Edition, by Stephen Barth

**Books recommended:** A college dictionary.

**Other Reference Materials:** Internet Access; Florida Statutes, Chapters 83, 440, 441, 509, 542, 561-569, 760, 768.125; (<http://www.myflorida.com/dbpr>)

**Course Description:** This course is designed to acquaint students with the legal aspects of the hotel, food and travel industry. We will study the court system and basic legal principles governing the hospitality industry, with specific attention to hospitality business structures, innkeeper-guest relationships and the duty owed to each other; and emerging areas of concern in contracts, torts, civil and property rights law, and insurable risks.

## **Course Learning Objectives:**

1. The student will **learn the historical framework and legal aspects of hotel, food and travel operations** by:

- a. defining the history of common and civil law, and the emergence of hospitality law.
- b. describing civil rights laws relating to hotel and restaurants and how they affect daily operations.
- c. explaining standard statutes, uniform statutes, common law and case study as a part of law.
- d. explaining the origins of the innkeeper-guest relationship.

2. The student will **learn the legal relationship of the innkeeper-guest** by:

- a. defining the innkeeper-guest relationship.
- b. listing the conditions that establish the relationship.
- c. explaining how to limit the innkeeper-guest relationship.
- d. describing how to terminate the innkeeper-guest relationship.

3. The student will **learn the legal obligations of a hotel to a guest** by:

- a. describing the essential elements of a contract.
- b. listing the penalties for failure to perform contract.
- c. describing the statute of fraud as it relates to the innkeeper-guest.
- d. describing the circumstances when a contract is unenforceable.

4. The student will **learn the duties owed guests** by:

- a. listing the duties owed guests in room conditions.
- b. describing what duties the operators have in public areas.
- c. explaining duties owed guests in outside areas, swimming pools, and specific duties to minors.
- d. explaining how security can be a positive condition in hotel "duties".

5. The student will **learn the liabilities and rights of restaurateurs and beverage operators** by:
  - a. describing the liability to patrons and others.
  - b. describing the liability when patrons are injured by other patrons.
  - c. listing existing liability limiting statutes.
  
6. The student will **learn the emerging areas of concern for the hospitality industry** by:
  - a. describing optional business structures.
  - b. listing and describing taxes applicable to the hospitality industry.
  - c. describing equal employment and sexual harassment.
  - d. describing employee and employer rights and obligations.

### **Journals:**

Students are expected to keep up with current issues in Hospitality Law by keeping a *weekly* journal of articles from the newspapers, news magazines, trade magazines, internet sites, etc. that are commentaries on or descriptions of events that are meaningful to the subject matter of this course. We will discuss those journal items in class, and the full journal is to be turned in at the end of the semester, and will count towards the student's grade. There is no requirement that they be typed, only that they be legible, and they do not need student commentary. They may be cut and paste articles from the newspaper or on-line sources, but should be dated weekly. If there is nothing of note for a particular week, that too can be noted in the journal.

### **Class Policies:**

#### **No Food or Drink allowed in the classroom.**

**Reading and Course Assignments:** Assignments will be both in-class and out-of-class. These assignments will include readings from the textbooks and materials that may be supplied in class and/or in the SPC Cyber-Library. It is both expected and required that all assignments be completed in the assigned time so that students are able to participate in lively class discussions. Higher Education is not a spectator sport, and class discussion of topics is a key element in the course.

**Attendance:** Because classroom discussions are an integral part of this course, students are expected to attend class. Please note the following carefully -- No student should expect a passing grade if they have missed more than two classes in this session, without having offered a plausible explanation to the instructor, at the instructor's sole discretion, **and** having demonstrated to the instructor competence in the materials missed. (You will be expected to make up the missed work and pass a special exam). You may also be dropped from the class for excessive absences (4 during a session). It is the student's responsibility to notify the instructor of absences, and if one week or more, also notify the Associate Provost.

**The voluntary withdrawal date** for this session is October 20, 2016. A student withdrawn after the "voluntary withdrawal" date for the session may receive a grade of F. You should note that some institutions interpret Ws, Xs and I's as an F when calculating grade point averages (GPA's). A student may not drop the course or change from credit to audit status after the end of the first week of class. (Friday, August 19<sup>th</sup>).

**Missed Classes and Assignments:** The student, not the instructor, is responsible for any assignment and/or work that is missed or is late due to an absence. Requests for make-up work and/or assignments must be made at the first class meeting after the absence.

**Tardiness:** We begin class at 7:00 pm sharp! Tardiness is unacceptable in the workplace, and in this course. Entering the class after it begins is disrupting. Four times late to class equals one absence. If you leave class early, it may be counted as tardiness, or an absence depending upon the length of time you did attend the class.

**Academic Dishonesty:** Rules are outlined in the SPC brochure entitled "Academic Honesty and Behavior: Expectations of Students at SPC". This represents the college policy. As a student you are expected to know the college rules relating to this matter. You should read this brochure.

**Exams, Quizzes and Course Presentation:** This course contains exams, quizzes and course presentations. These are tools the instructor utilizes to measure learning and understanding of the course material. Such testing may be a mixture of open-book and/or closed book, as determined by the instructor. When a test is "open-book" you may use your textbook and notes. You may not talk to other students during an "open book" quiz. If you finish a quiz or test before the end of the allotted time you may turn in your exam/quiz to the instructor and quietly leave the room until the end of the examination period.

**Extra Credit:** The instructor may offer extra credit via assignments. Any extra credit assignment will carry a point value as assigned by the instructor and added to your points in the course. All extra credit must be submitted in written form (preferably typed) to gain the points. Extra credit pages must be clearly marked at the top "extra credit".

**Grading Policy:** Course letter grades will be determined on the following scale:

<u>Grade</u>	<u>Grade Points</u>	<u>Percentage</u>
A	4	90-100
B	3	80-89
C	2	70-79
D	1	60-69
F	0	Below 60

**Course Grade:** Your course grade is determined on an aggregate of points from the following areas:

<u>Area</u>	<u>Points</u>
Case Studies, Journals & Class Participation	25%
Quizzes	25%
Mid-Term	25%
Final	25%

Extra credit will be factored in to adjust the final grade; generally the extra credit cannot contribute more than 25% of a specific area grade.

**Incomplete Grades and Procedure:** Regulations have been established by the college. Certain conditions do apply. See college catalog for more detail.

**Repeating courses and grade changes:** The State of Florida has established regulations regarding repeating a college course for credit. Students may repeat a college course one time without penalty. At the third attempt, the student must pay the full cost of instruction. The college catalog details the costs you will incur. State of Florida policy also states that a student may not repeat a college credit course for which a grade of "C" or higher has been earned, except by appeal to the campus Academic Appeals committee.

**Other notes:**

**Emergency Evacuation Procedure:** If you need assistance during an emergency classroom or building evacuation, please speak with your instructor immediately regarding arrangements for your safety.

**Students With Disabilities:** To obtain special accommodations, students with disabilities must arrange accommodations via the counseling center in the Office of Services for Students with Disabilities.

**Use of Photo ID's:** A current SPC ID is required to use computer labs, the Seminole Campus Commons, and in the libraries to use instructors' required materials, technology equipment, and to check out materials.

**Internet and the WWW:** Students should understand that they might be required to use the Internet related to their classes. The college cannot protect security related to the use of the Internet. Be aware that other Internet users may be able to access materials and sites if access is secured or unsecured. Please read the college catalog, which discusses the Internet and its use by SPC students in detail.

**Children on Campus:** Other than in an emergency when specifically approved by the provost, employees and students will not bring children to work or class other than for an occasional quick visit, to drop off a paper, pick up material or other similar activities. In no case is a child to be left unattended on the college premises.

**Tutoring and Student Resources:** Students who visit our Learning Centers more than four times in a term have ***better than an 80% chance at success***. St. Petersburg College offers **FREE** tutoring to all degree-seeking students to help review core concepts, tackle tough homework assignments or prepare for tests. From one-on-one tutoring to online resources, SPC offers tools to help you succeed. Visit <http://www.spcollege.edu/Tutoring> or <http://www.spcollege.edu/Resources>.

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*Success is not a destination, it is a journey!*

*Attending college is similar to being employed.*

*Success on the job is achieved only with hard work and effort.*

*This is also true of college, and this course in particular!*

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## WEEKLY ASSIGNMENTS

Subject to Change - Changes will be announced in class and posted to My Courses

### **WEEK ONE: (January 9, 2017)**

#### **Course Introduction**

Overview of the Legal System

Sources for Hospitality Law

Chapter 1 Prevention Philosophy

### **WEEK TWO: (January 16, 2017)**

**No Class - *Martin Luther King, Jr. Holiday***

### **WEEK THREE: (January 23, 2017)**

Chapter 2 Government Agencies that Impact the Hospitality Industry

Chapter 3 Hospitality Business Structures

Understanding Franchising

### **WEEK FOUR: (January 30, 2017)**

**Quiz** Chapters 1, 2, 3 and Course Materials Weeks 1 and 3

The Hotelkeeper and the Law of Contracts

Chapter 4 Business Contracts

Chapter 5 Significant Hospitality Contracts

### **WEEK FIVE: (February 6, 2017)**

The Hotelkeeper and the Laws of Torts and Negligence

The Hotel's Duty to Protect Guests

Chapter 9 Your Responsibilities as a Hospitality Operator

CASE NOTES - Negligence

### **WEEK SIX: (February 13, 2017)**

**Quiz** Chapters 4,5,9 and Course Materials Weeks 4 and 5

The Hotel's Right to Evict a Guest, Tenant, Restaurant Patron, or Others

Chapter 10 Your Responsibilities as a Hospitality Operator to Guests

The Guest's Right to Privacy

Chapter 11 The Hotel's Liability Regarding Guests Property

Safekeeping Facilities

CASE NOTES - Safekeeping Property

**WEEK SEVEN: (February 20, 2017)**

Chapter 12 Your Responsibilities When Serving Food and Beverages  
Americans with Disabilities Act - Public Accommodations  
CASE NOTES - Food & Beverage  
Mid Course Review

**WEEK EIGHT: (February 27, 2017)**

**Mid - Term Exam**

**WEEK NINE: (March 6, 2017)**

**No Class - Spring Break**

**WEEK TEN: (March 13, 2017)**

First Half & Mid-Term Review  
Chapter 6 Legally Managing Property

**WEEK ELEVEN: (March 20, 2017)**

Chapter 7 Legally Selecting Employees  
Use of Lie Detector Tests by Hotel Management  
Immigration Reform and Control Act  
Laws Against Discrimination in Employment

**WEEK TWELVE: (March 27, 2017)**

**Quiz** Chapters 6, 7 and Course Materials Weeks 10 & 11  
Chapter 8 Legally Managing Employees  
Wage and Hour Laws Applicable to Hotel Employees  
The Family and Medical Leave Act

**WEEK THIRTEEN: (April 3, 2017)**

Federal Social Security Unemployment Insurance and Workers' Comp.  
Federal Income Tax: Withholding and Reporting Requirements  
Other Taxes  
Team Project Assignments

**WEEK FOURTEEN: (April 10, 2017)**

**Quiz** Chapter 8 and Course Materials Weeks 12 & 13  
2<sup>nd</sup> Half Review  
Team Collaboration

**WEEK FIFTEEN: (April 17, 2017)**

Team Projects

**WEEK SIXTEEN:** (April 24, 2017)  
Team vs. Team Projects

**WEEK SEVENTEEN:** (May 1, 2017)  
**Final Exam**

# Syllabus Addendum

*In the event that topics listed in this addendum also appear in your syllabus, please note that you should rely on the addendum information as this information is the most current.*

## **IMPORTANT COLLEGE POLICY REGARDING COURSE DROP/ ADD PERIOD AND AUDIT INFORMATION**

Students **CANNOT** add a course following the 1st day the class meets prior to the second class meeting. Students **CAN** drop a course through Friday of the first week of classes and be eligible for a refund. Except by appeal to an associate provost, students may not change from credit to audit status after the end of the first week of classes. Online classes may be added through the standard drop/add period for that course.

## **GRADING AND REPEAT COURSE POLICIES**

State policy specifies that students may not repeat courses for which a grade of “C” or higher has been earned except by appeal to an associate provost. Students may repeat a course one time without penalty. On the third attempt, students will pay the full cost of instruction. In addition to any required lab or special fees, the full cost of instruction rate for 2014-2015 is \$109.75 (FL resident) and \$384.90 (out of state residents) per credit hour. In addition, on the third attempt students may NOT receive a grade of “I,” “W,” or “X,” but must receive the letter grade earned. The grade on the final last attempt with the exception of a “W” grade will be the grade that will be calculated into the overall grade point average. (Developmental courses do not average into the grade point average).

## **ATTENDANCE / ACTIVE PARTICIPATION / WITHDRAWAL POLICIES**

Faculty will publish their own participation/attendance policies in their syllabi. Instructors will verify that students are in attendance during the first two weeks of class. Students classified as “No Show” for both of the first two weeks will be administratively withdrawn from any class which they are not attending. The student’s financial aid will be adjusted based on their updated enrollment status. If a student is administratively withdrawn from a class because they were a “No-Show” during the first two weeks of class, financial aid will not pay for the class and the student will be responsible for paying for that class.

Students who are not actively participating in class as defined in an instructor's syllabus will be reported to the Administration during the week following the last date to withdraw with a “W” (as posted in the academic calendar on the college’s web site). A grade of “WF” will be assigned to students who are not actively participating during the week following the last day to withdraw with a W grade.

Students will be able to withdraw themselves at any time during the term. However, requests submitted after the last date to withdraw with a “W” (see academic calendar) will result in a “WF.” Students and instructors will automatically receive an email notification through their SPC email address whenever a withdrawal occurs.

Withdrawing after the “Last Date to Withdraw with a Grade of ‘W’” can have serious consequences. If the student withdraws from a class after the deadline posted in the academic calendar, the student will receive a final grade of ‘WF,’ which has the same impact on the student's GPA as a final grade of “F.” A “WF” grade also could impact the student's financial aid, requiring repayment of financial assistance. Students should

consult with an academic advisor or financial assistance counselor prior to withdrawing from a class.

## **FEDERAL GUIDELINES RELATED TO FINANCIAL AID AND TOTAL WITHDRAWAL FROM THE COLLEGE**

The U.S. Department of Education requires students who completely withdraw prior to the 60% point of the term and who receive Federal financial aid i.e., Federal Pell Grant, Federal Academic Competitiveness Grant (ACG), Federal Stafford Loan, and/or Federal Supplemental Educational Opportunity Grant SEOG--to repay a portion of their financial aid.

**Students considering a withdrawal from all classes before the published withdrawal date** should consult a financial assistance counselor to understand their options and the consequences of the total withdrawal.

For further information regarding this policy and other financial assistance policies we encourage you to visit our website at: [www.spcollege.edu/getfunds](http://www.spcollege.edu/getfunds)

## **COLLEGE LEVEL ACADEMIC SKILLS (CLAS) GRADUATION REQUIREMENTS**

### [College Level Academic Skills](#)

## **DUAL ENROLLMENT, EARLY ADMISSIONS, & EARLY COLLEGE STUDENTS**

A Dual Enrollment, Early Admissions, or Early College student may not withdraw from any college course without permission from the Early College/Dual Enrollment office. Withdrawal from a course may jeopardize the student's graduation from high school. The Dual Enrollment office can be reached at 727 712-5281 (TS), 727 791-5970 (CL) or 727 394-6000 (SE). [www.spcollege.edu/central/de/index.htm](http://www.spcollege.edu/central/de/index.htm)

## **ACADEMIC HONESTY**

It is your responsibility to be familiar with St. Petersburg College's Academic Honesty policies and the consequences of violations. There is no tolerance for any form of academic dishonesty. Discipline can range from a zero on a specific assignment to expulsion from the class with a grade of "F" and the possibility of expulsion from the college. Note that copying/pasting published information without citing your sources, whether the information is from your textbook or the Internet is plagiarism and violates this policy. Even if you slightly change the words from an outside source, the ideas are someone else's so you still have to cite your sources. Cheating, plagiarism, bribery, misrepresentation, conspiracy, and fabrication are defined in Board Rule 6Hx23-4.461. Student Affairs: Academic Honesty Guidelines, Classroom Behavior. <http://www.spcollege.edu/academichonesty/>

Copyrighted material within this course, or posted on this course website, is used in compliance with United States Copyright Law. Under that law you may use the material for educational purposes related to the learning outcomes of this course. You may not further download, copy, alter, or distribute the material unless in accordance with copyright law or with permission of the copyright holder. For more information on copyright visit <http://www.copyright.gov>.

## **STUDENT EXPECTATIONS**

All electronic devices including computers, cell phones, beepers, pagers, and related devices are to be silenced and/or turned off unless they are required for academic purposes. Any use of these devices (including texting) for non-academic purposes is a violation of College Policy and subject to disciplinary

action.

Students may be required to have discussions of class assignments and share papers and other class materials with instructors and classmates via chat rooms and other mechanisms. Due to the potential piracy of students' materials, the College is not responsible for student work posted on the Internet (outside of the college's Learning Management System, currently ANGEL).

Each student's behavior in the classroom or online is expected to contribute to a positive learning/teaching environment, respecting the rights of others and their opportunity to learn. No student has the right to interfere with the teaching/learning process, including the posting of inappropriate materials on chatroom or Web page sites.

The instructor has the authority to ask a disruptive student to leave a classroom or lab. The instructor may also delete posts or materials from an online or blended class and/or take disciplinary action if disruptive behavior continues.

## **ONLINE STUDENT PARTICIPATION AND CONDUCT GUIDELINES**

The practices of courtesy and respect that apply in the on-campus classroom also apply online. Any discriminatory, derogatory, or inappropriate comments are unacceptable and subject to the same disciplinary action applied in courses offered on campus.

## **EMERGENCY PREPAREDNESS**

The college website at [www.spcollege.edu](http://www.spcollege.edu) is the official source of college information regarding the status of the institution. Other important information will be communicated via SPC Alert, local media outlets, and the college toll free number 866-822-3978. All decisions concerning the discontinuation of college functions, cancellation of classes, or cessation of operations rest with the President or his/her designee.

In the event that a hurricane or other natural disaster causes significant damage to St. Petersburg College facilities, you may be provided the opportunity to complete your course work online. Following the event, please visit the college Web site for an announcement of the College's plan to resume operations.

Students should familiarize themselves with the emergency procedures and evacuation routes located in the buildings they use frequently.

Located in each classroom is an Emergency Response Guide (flip-chart) that contains information for proper actions in response to emergencies. Students should be prepared to assess situations quickly and use good judgment in determining a course of action. Students should evacuate to assembly areas in an orderly manner when an alarm sounds or when directed to do so by college faculty or staff or emergency services personnel. Students may access additional emergency information by going to [www.spcollege.edu/safety/](http://www.spcollege.edu/safety/). In face to face courses your instructor will review the specific campus plans for emergency events.

## **CAMPUS SAFETY AND SECURITY**

For information on campus safety and security policies please contact **727-791-2560**. If there are questions or concerns regarding personal safety, please contact the Provost, Associate Provost, Campus Security Officer, or Site Administrator on your campus. [www.spcollege.edu/CampusSafety/](http://www.spcollege.edu/CampusSafety/)

## **SEXUAL PREDATOR INFORMATION**

Federal and State law requires a person designated as a “sexual predator or offender” to register with the Florida Department of Law Enforcement (FDLE). The FDLE is then required to notify the local law enforcement agency where the registrant resides, attends, or is employed by an institution of higher learning. Information regarding sexual predators or offenders attending or employed by an institution of higher learning may be obtained from the local law enforcement agency with jurisdiction for the particular campus by calling the FDLE hotline (1-888-FL-PREDATOR) or (1-888-357-7332), or by visiting the FDLE website at <http://offender.fdle.state.fl.us/offender/homepage.do>

## **DISABILITY RESOURCES**

Disability Resources at SPC wants to help you succeed. If you have a documented disability or think that you may have learning or other disability and would like to request accommodations, please make an appointment with the Learning Specialist on your campus. If you will need assistance during an emergency classroom evacuation, please contact your campus learning specialist immediately about arrangements for your safety. Disability Resources staff can be reached at 791-2628 or 791-2710 (CL and EPI), 341-4316 (SP/G), 394-6289 (SE), 712-5789 (TS), 341-3721 (HEC), 341-4532 (AC), or 341-7965 (DT).

If you would like more information, you can learn more about Disability Resources on our website: [www.spcollege.edu/dr](http://www.spcollege.edu/dr)

## **COMPLAINTS**

St. Petersburg College is committed to providing prompt and fair resolution of all student concerns. SPC offers a simple process to submit your complaint. Complaints can range from an experience with, or treatment by, a college employee to a matter relating to college facilities. Your complaint may be academic, relating to Classroom, Library or Learning Support issues; or non-academic, involving Student Services (issues with Financial Aid, Advising or other departments), Auxiliary Services (bookstores, food services) or Issues with SPC services (buildings, parking lots, etc.)

To learn more about the complaint process, visit our complaints page at [www.spcollege.edu/complaint/](http://www.spcollege.edu/complaint/)

## **OTHER SUPPORT SERVICES:**

**COLLEGE CALENDAR** - [www.spcollege.edu/calendar/](http://www.spcollege.edu/calendar/)

**M.M. BENNETT LIBRARIES** - [www.spcollege.edu/central/libonline/](http://www.spcollege.edu/central/libonline/)

**CAREER SERVICES** - [www.spcollege.edu/careerservices/](http://www.spcollege.edu/careerservices/)

**INTERNATIONAL STUDENT SERVICES** - [www.spcollege.edu/internationalstudents/](http://www.spcollege.edu/internationalstudents/)

**LEARNING SUPPORT COMMONS (Tutorial Services)** - [www.spcollege.edu/tutoring/](http://www.spcollege.edu/tutoring/)

**SPC VETERAN AFFAIRS** - [www.spcollege.edu/veterans/](http://www.spcollege.edu/veterans/)