

UNDERGRADUATE BBA

BE ROBINSON READY

The Legal and Ethical Environment of Business (BUSA 2106): Fall 2015

CRN 85700 TT 2:30 – 3:45 p.m. 206 Aderhold Learning Center
CRN 80983 TT 4:00 – 5:15 p.m. 400 Langdale Hall

INSTRUCTOR: Susan Willey, J.D.

Phone/voice mail: 404-413-7487

Office Hours: Most Tuesdays from 11:00 a.m. to 2:00 pm

E-mail: willey@gsu.edu or via D2L

Office: 1131 RCB

TEXT: Instead of a required textbook to purchase, you will be using a free, on-line textbook that I am creating for BUSA 2106, supplemented by slides (posted on D2L), in-class exercises, and other materials distributed in class. You can link to the e-book through D2L or directly at <http://gsu.speedslate.com/modules/>. From the pull-down Modules tab, go to the appropriate module, where you will find an Overview, Learning Objectives, and Questions to Consider before you begin the module to guide you in identifying readings, videos and websites that discuss what is important to know in that module, as well as additional materials to explore if you wish to understand a topic more deeply. This semester, I will not be assigning particular readings or videos, although you will find some tagged as “featured” and others as “enrich your knowledge.” I want you to explore the e-book, focusing on the topics that you need to understand better to do well on the quizzes, tests, and in-class exercises. Have fun!

The e-book is organized into 12 modules to reflect the topics you will study this semester. Although it has more than 250 links to videos, readings and websites (many maintained by federal administrative agencies like OSHA and the EEOC), it is still under construction. As a result, content may be added during the semester and you will also see some “placeholders” for future content and interactive exercises.

For your convenience, the e-book can be accessed on a desktop or laptop computer, tablet or iPad, or a mobile device. At the end of the semester, you will be asked to assess the format, content and accessibility of the e-book in the Course Assessment. In addition, if you find other material online that you think should be in the e-book, please send me an email with the link for me to review. Thanks!

SUPPLEMENTAL MATERIALS ON D2LBRIGHTSPACE (D2L): All course materials for this section, including quizzes and the gradebook, will be posted on D2L. I will also use D2L to make announcements and to answer course-related questions. Please check D2L **several times** a week to ensure that you don't miss announcements and other course information. Notify me if you have problems taking D2L quizzes or in accessing course materials.

COURSE DESCRIPTION: The legal environment plays a significant role in facilitating and constraining business activity. To be competitive, American business must understand and strategically use the legal environment to minimize risk and enhance productivity. This course provides you with an overview of US statutory and judicial efforts to regulate business activity in several areas: business entities, corporations, agency and employment law, tort law, products liability, and the protection of intellectual property. Strategic responses to competitive pressures may also require managers to make difficult ethical decisions. After an introduction to ethical theory and decision-making models, we will focus on the application of ethics to business decision-making.

COURSE/LEARNING OBJECTIVES: A key rationale for requiring this course is that an understanding of law and ethics is a vital part of an undergraduate business education. By the end of the course, you should be able to

- Recognize, assess and analyze case problems and other legal issues affecting business.
- Apply legal analysis principles to resolve business problems.
- Anticipate legal problems before they occur and participate more effectively in resolving disputes that do arise.
- Communicate effectively about legal and ethical issues using appropriate oral and written conventions.
- Evaluate legal arguments and evidence to apply legal doctrine to solve business problems.
- Explain how law can be used strategically as a tool to reduce or manage business risk.
- Identify and analyze contemporary legal issues to promote an interest in the legal environment and a framework for maintaining that interest beyond the classroom to enhance lifelong learning.
- Appreciate the ways in which law both facilitates and restricts business activities

Finally, after successfully completing BUSA 2106, you should:

- be more aware of the complexity and unpredictability of the law,
- be more sensitive to ethical issues confronting business, and
- have a greater appreciation of the role of law and the courts in balancing legitimate, competing interests of the parties.

Remember that "real world" legal problems are murky and ill-defined, with neither a clear structure nor a "right" answer. They require analysis, the application of previously learned legal doctrine, and thoughtful judgment to construct and defend a reasonable solution -- all skills you will be working on in this course

ELIGIBILITY FOR RCB COURSES: Keep in mind that students may not register for any 3000/4000-level course taught by the RCB unless they have

- Earned at least 45 semester hours of college-level credit **and**
- Completed RCB Area F courses (Acct 2101-2102, Econ 2105-2106, CIS 2010, and BUSA 2106) with a cumulative **GPA of 2.8** or better. To meet this requirement, Area F courses may be attempted **only** twice.

COURSE SECTION POLICIES

CLASS FORMAT: Given the class size, this class will be conducted in a lecture-discussion format, with frequent in-class team exercises that will be scored and count toward your course grade.

ATTENDANCE does **NOT** count toward your grade in this class, but students with **perfect attendance** (e.g., **NO absences or tardies**) will receive **10 EC** points. Attendance also determines eligibility for additional EC. In the event class is cancelled due to bad weather, I'll post announcements to inform you what you need to do so that we can stay on the schedule in the syllabus. Make sure to check D2L!

A special word to VA students: Due to required University oversight of students receiving VA benefits, you have a special burden of faithful class attendance. Under present guidelines, absence for a ten-consecutive calendar day period necessitates a report to that effect to the VA Office at GSU, with (presumably) a consequent adverse effect on your status vis-a-vis the U.S. Government.

PROFESSIONALISM AND STUDENT ACCOUNTABILITY: Last year, the RCB adopted Professionalism Expectations that it expects students to follow in all RCB classes. I have posted these standards on D2L and would like you to read them carefully. Most students taking BUSA 2106 are business majors who aspire to be successful business professionals in the near future. It is our hope that you will cultivate these behaviors until they become habitual, as we believe that they will help you achieve your career goals.

While one aspect of professionalism is assuming more responsibility over your conduct, another is to accept more responsibility for your performance in this class and greater accountability for your own success (or failure). In real terms, that means coming to class on time and prepared for that day's assignment, so that we can build on your knowledge to discuss course content, problems and hypothetical, and current legal issues in class. In addition, accountability means reading the syllabus and posted items on D2L carefully so you don't have to ask me what will be covered on the test, or if you have to furnish your own scantrons for tests (you do!).

THE CLASSROOM: BOTH A LEARNING COMMUNITY AND PROFESSIONAL TRAINING GROUND

Please show respect for the instructor and your classmates:

- Be **punctual** for class — when you're tardy, you may miss important course announcements and you disrupt the learning process for others. If you do arrive late, enter and take your seat quietly.
- Be **courteous** -- turn off all cell phones and pagers, don't whisper to others in class, or engage in other behaviors that disrupt me or your classmates who wish to learn.
- If you use **any** electronic device (e.g., phone, computer, iPad) in a manner inappropriate to your full attention in class, I will ask you to shut it down.
- Participate in class discussion and group activities, but don't interrupt other students or attempt to dominate the conversation. Stay **focused** on the assigned topic.
- While I don't object to hats and baseball caps in the classroom, I do require you to take them off or turn them backwards during all tests.

RIGOR AND CRITICAL THINKING: This course is deceptively rigorous, as it requires you to critically examine and apply legal rules, not simply memorize them. Don't expect to understand the course content instantly-- this is not an immediate gratification course, which makes it particularly frustrating for some students. Nor is it likely that you will be able to master the material from classroom presentations alone. If I am teaching the class properly, you should encounter questions and problems that you cannot immediately answer. For most students, it takes additional time and effort outside the classroom to attain the level of understanding and mastery I expect. (*The rule of thumb is 2 hours outside of class for every hour spent in class – which would a minimum of 9 hours total each week.*) That means hard work, sustained and focused concentration, and patience to do well. Assess the amount of time you have available for BUSA 2106 -- if it's not enough to do well this term, you might consider taking the course in a later semester.

"The signs of rigor are the signs of struggle — students should have their eyebrows furrowed, and they should be doing hard work. Failure should be seen as part of the day, as a necessary part of learning and taking risks." --- Amanda Ripley, *The Smartest Kids in the World and How They Got That Way*

ACADEMIC HONESTY: "People get hired for their technical training. They get fired for their lack of character." -- Booker T. Washington. "It takes 20 years to build a reputation, and five minutes to ruin it." – Warren Buffet. Academic honesty goes directly to the question of are you an individual of character and integrity. Academic dishonesty not only affects you, it affects the reputation of Georgia State University and will be severely punished.

All university and college regulations concerning academic honesty apply to BUSA 2106. GSU students are expected to recognize and uphold standards of intellectual and academic integrity; at a minimum, students should be honest and that they submit for credit only the products of their own efforts.

The GSU Academic Honesty Policy represents a core value of the University. All members of the University community – including students -- are responsible for knowing and abiding by its tenets. **Lack of knowledge of the contents of the University Policy on Academic Honesty is not an acceptable defense to any charge of academic dishonesty.** You are expected to carefully review the online Policy prior to undertaking any research or other assignments. The following is an excerpt of the policy the GSU *Student Handbook* Student Code of Conduct. I have posted the full "Policy on Academic Honesty" on D2L.

Behavior consistent with College and University policies on academic honesty and treatment of members of the University community is expected of all. **Cheating, plagiarizing, submitting the material for credit in more than one class, and other deceptive conduct with respect to a student's work output will be dealt with according to the University Policy on Academic Honesty.**

Plagiarism and misrepresentation of work are serious offenses, which can lead to expulsion and a grade of "F" for the course. **Plagiarism includes, but is not limited to, taking material from any source written by another and presenting it as your own by failing to indicate full and accurate attribution to the correct author/creator. This includes marginally altering material taken from another source and calling it your own creation. Plagiarism includes materials taken from internet sources.** Proper citation requires quote marks or other distinctive set-off for the material, followed directly by a reference to the source. The source details may be in the footnotes/endnotes/references section, but only listing a reference without proper indication in the text is not proper attribution and can be considered plagiarism. **Misrepresentation of work includes, but is not limited to, presenting material that was prepared for another class or outside work as an original work product that was produced for this class. All**

work turned in for this class is represented by the student(s) to be original material prepared in fulfillment of this course's requirements.

WITHDRAWAL POLICY: Students are allowed only 6 withdrawals during their academic careers at GSU. If you withdraw from this course after drop-add and before the midpoint, you receive a W (unless you already have 6 withdrawals); if you withdraw after the midpoint, you will automatically receive a WF. After 6 withdrawals, a withdrawal at any point in the course results in an automatic F. You can review the full withdrawal policy at http://robinson.gsu.edu/resources/files/ouaa/policy_flyer.pdf

LEGAL DISCLAIMER: Any and all legal opinions or statements as to legal matters made by the Instructor are for class discussion purposes only, and are never to be taken as dispensing legal advice.

DISABILITIES OR SPECIAL NEEDS: Students who wish to request accommodation for a disability may do so by registering with the Office of Disability Services. Students may only be accommodated upon issuance by the Office of Disability Services of a signed Accommodation Plan and are responsible for providing a copy of that plan to instructors of all classes in which accommodations are sought. Please let me know if you have a disability or special need that requires accommodation.

ASSIGNMENTS AND EVALUATION CRITERIA

1. TESTS (probably 325 PTS or 65% of your course grade): There will be **two** unit tests and a **non-cumulative final** exam. Tests will be comprised of true-false, multiple choice and matching items drawn from the course materials, lectures, and problems, with a strong focus on the application of the law to business. Read assigned handouts and pay attention in class!

"Cheat sheet" -- You may bring in one page (8 1/2 by 11, front and back), handwritten, of your **OWN** notes to use in taking a test. **"Cheat sheets" with impermissible content, e.g., chapter outlines posted on D2L that have not been substantially modified to make them your own, as well as those demonstrating unauthorized collaboration, will be confiscated. Test scores will also be penalized.**

MAKE-UP EXAMINATIONS: I schedule make-up tests **only** if (1) you cannot attend an exam because of serious illness, a death in the family, or a business trip required by your employer, (2) you have supporting documentation, and (3) you notify me of these circumstances **before the exam**.

2. QUIZZES (75 PTS or 15% of your course grade): I anticipate 8 10-point quizzes administered via D2L. Any points you earn above 75 will be added to your quiz total as EC. Quiz questions will emphasize understanding the law (definitions of legal terminology, identification of legal rules, etc.) and application.

3. BUILD-A-BUSINESS IN-CLASS EXERCISES (100 PTS or 20% of your grade): I have created 7 exercises (at 15 pts each with 5 EC built in) to introduce you to many of the primary legal and ethical considerations that go into forming and operating a business. Each exercise consists of several questions that small teams will answer in class. I will collect and score your team answers, based on the thoughtfulness and thoroughness of your answers. Dates are identified in the syllabus – make sure that you are present to participate and earn credit.

4. EXTRA-CREDIT (EC) POLICY AND ASSIGNMENTS

A. ELIGIBILITY: Eligibility for extra-credit is based on attendance. To be eligible for the maximum **25** points, you may have no more than **2** absences (whether excused or unexcused). With **3-4** absences, you are still eligible for up to **15** extra-credit points. Students with more than **4** absences are **not** eligible for extra-credit.

B. EXTRA-CREDIT ASSIGNMENTS (maximum of 25 pts, which does not include perfect attendance EC or EC built into tests, quizzes or homework. Altogether EC can add more than 5% to your grade): All EC must be submitted on the designated date in the syllabus. I will not accept late EC, so do not ask.

- **Assessment** of Module materials (up to **5 pts** per module) and/or **Annotated bibliography** of new materials to post in a Module (up to 5 pts per module). Can be repeated up to the 25 pt EC maximum. Full instructions and due dates are attached to this syllabus.
- **Employee Code of Conduct.** Full instructions will be posted on D2L. If submitted on or before **Oct 13**, eligible for up to **25 points**; if submitted after 10/13 and on or before **Nov 17**, eligible for up to **15 EC pts**.

- **McDonald's coffee** video review (up to **10 pts**). Both the link to the NY Times Retrospective and instructions will be posted on D2L. Due on or before **Nov 19**.
- **Blood donation or volunteer activity (5 pts each, maximum of 10)**. Documentation due by **Dec 3**.

5. COURSE ASSESSMENT: "Your constructive assessment of this course plays an indispensable role in shaping education at Georgia State. Upon completing the course, please take the time to fill out the online course evaluation." In addition to the Course Assessment on GoSolar, please complete the section-specific assessment on D2L that counts as your final quiz score.

6. GRADING: Your grade is based on **PERFORMANCE** -- the total number of points you earn -- **NOT EFFORT** or interest. Telling me how hard you work, how much you study, how busy you are, how many external factors interfere with your ability to perform better, etc. will **not** raise your grade!

I do **not** assign letter grades to tests and papers, nor do I curve grades. At the end of the semester, I total the points you have earned and convert them to a course grade. I anticipate using the following scale to convert your points to a course grades. Note that **only** perfect attendance EC counts toward an A+ grade.

485 - 500 pts, without EC (except for perf. attend)		A+	
465 – 500 pts	A	385 – 399 pts	C+
450 – 464 pts	A-	365 – 384 pts	C
435 – 449 pts	B+	350 – 364 pts	C-
415 – 434 pts	B	300 – 349 pts	D
400 – 414 pts	B-	0 – 299 pts	F

INCOMPLETE GRADES: We do not give incomplete grades in this course, except for cases where a student missed the final examination for an excusable reason. According to GSU policy, the grade will automatically be converted to an F if it is not removed by the end of the second academic term after the "I" is assigned.

7. TIPS FOR SUCCESS: This course requires time and effort to master the terminology; to understand the laws, their underlying logic and their impact upon American business; and to complete the written work properly. To be successful, you will need to do more than memorize statutes and cases, or regurgitate facts and rules. You will need to demonstrate the ability to

- understand specialized legal terminology and explain complex legal concepts in everyday language,
- analyze business problems from a legal perspective and apply legal rules to real-life business situations,
- identify ways in which managers can use the law strategically to reduce risk, and think critically.

Learning: A number of variables influence learning. One of the key factors is to be engaged with the material. Note taking during class keeps you both listening and engaged. To help you organize the material, I will post very limited outlines for each chapter before we cover it in class. Print them out (double or triple-spaced) and fill in the definitions and legal rules, examples, and problems that will help you better understand and retain the material.

Another powerful determinant of how much students learn (and how well they'll perform) is the amount they study. To make maximum use of your time and effort studying,

- Try to relate course content to ideas you're already familiar with to make the course mean more and to gain "ownership" over the content. Meaningful material is easier to learn.
- Include concrete examples and hypotheticals in your class notes to make connections to abstract ideas easier to recall and understand. This will also help you in preparing for the tests.
- Use outlines, lists, or concept maps to organize your class notes and course material.
- Process information actively. Go beyond "shallow" learning and memorization to process course content more deeply: apply rules to new situations to test your understanding of legal theory and how it operates.
- Distribute your study efforts. Don't cram -- engaging in repeated study over time maximizes learning.
- Consult the "**Study Smart, Not Hard: Tips for Success in BUSA 2106**" on D2L.

TENTATIVE COURSE OUTLINE

For each topic, I have “assigned” the module in the e-book. I may post announcements on D2L recommending some of the readings, videos, and websites that I think may be more helpful to your understanding of that module, and which are designed to deepen and enrich your understanding of those concepts. The Build-a-Business Exercises will be completed in class, collected and graded, so if you are absent on a B-a-B day, you’ll receive a 0 for that exercise. After the introductory materials, I am trying to organize the topics as an entrepreneur who forms a business might encounter them – from selecting the appropriate entity, to trademarking a name and protecting intellectual property to entering into contracts required to open and maintain the business to a variety of employment related issues, and ultimately to potential tort and product liability.

Quiz due dates will be posted on D2L, so check it regularly to make sure that you don’t miss any! Remember – quizzes and build-a-business exercises count 35% toward your course grade. Announcements, significant departures from and corrections to the syllabus (e.g., changing the date an assignment is due), will also be announced in class and posted on D2L.

Tentative Schedule

DATE	SUBJECT AREA	ON-LINE MODULE
Aug 25	Introduction: What is Law?	Intro to Law
Aug 27	Definitions, Functions & Sources of Law Critical Legal Thinking	Intro to Law
Sept 1	Law and Ethics; Ethical Theory	Ethics <i>Ranking Ethical Principles (D2L)</i>
Sept 3	Ethical Decision-Making & CSR <i>B-a-B EX 1: Risks and Ethical Concerns</i>	Ethics
Sept 8	State and Federal Courts	Courts & Jurisdiction
Sept 10	Subject Matter and Personal Jurisdiction	Courts & Jurisdiction
Sept 15	Pretrial Process; Jury Selection	Dispute Resolution <i>Should You Sue? (D2L)</i>
Sept 17	Trial and Appeal; ADR	Dispute Resolution
Sept 22	Comparing Civil and Criminal Procedure Review for Test 1	Criminal Law Sample Test Questions (D2L)
Sept 24	TEST 1: Introduction to Law, Ethics, Courts & Jurisdiction, Dispute Resolution and ADR, Criminal Law (100 points?)	
Sept 29	Non-Corporate Entities: Sole Proprietorships, Partnership, and Limited Partnerships	Business Entities
Oct 1	LLCs, LLPs and Franchising	Business Entities
Oct 6	Corporations and Corporate Governance <i>B-a-B EX 2: Entity Selection</i>	Business Entities
Oct 8	Intellectual Property: Trade Secrets and Patents	Intellectual Property

Oct 13	Intellectual Property: Copyrights and Trademarks Cybersquatting on Trademarked Names	Intellectual Property
Oct 15	Elements of Common Law Contracts; Exculpatory Clauses Contracts: Assent Defenses Introduction to UCC Goods Contracts B-a-B EX 3: IP and Contracts	Contracts
Oct 20	Contracts: Discharge, Breach & Damages E-Mail Contracts; E-Signatures Primary Business Contracts	Contracts
Oct 22	TEST 2: Business Entities, IP and Contracts (100 points?)	
Oct 27	Agency: Formation, Duties & Termination	Agency
Oct 29	Liability of Principals, Agents, and Independent Contractor B-a-B EX 4: Agency and Employment	Agency
Nov 3	Worker Protection Laws WARN; Immigration Law and Employment	Employment Law
Nov 5	Title VII: Theories, Remedies and Defenses Protection Against Retaliation	EEO
Nov 10	Title VII: Protected Classes Equal Pay Act	EEO
Nov 12	ADEA (Age), ADA (Disabilities) and Protections for Veterans B-a-B EX 5: EEO	EEO
Nov 17	Intentional Torts	Torts
Nov 19	Negligent Torts & Special Negligence Doctrines B-a-B EX 6: Torts	Torts
Nov 23 - 27	No Class. Happy Thanksgiving!	
Dec 1	Warranties and Strict Product Liability B-a-B EX 7: Warranties and Product Liability	Product Liability
Dec 3	Strict Product Liability	Product Liability
THURS. DEC 10	FINAL EXAM: Agency, Worker Protection, and EEO law; Torts, Warranties and Product Liability (125 points) 2:30 – 3:45 class: 1:30 – 4:00 p.m. in 206 Aderhold LC 4:00 – 5:15 class: 4:15 – 6:45 in 500 Langdale Hall	

PERSONAL GRADE RECORD

I will post a password-protected grade book on D2L. While I strive for accuracy, I may enter a grade incorrectly. Contact me if you detect a discrepancy between your grade record and the grade book.

TESTS: 325 probable points

TEST 1 _____ pts out of 100

TEST 2 _____ pts out of 100

FINAL _____ pts out of 125

_____ 10 pts EC for perfect attendance

QUIZZES: 75 points (8 @ 10 pts)

Quiz 1 _____ pts Quiz 2 _____ pts Quiz 3 _____ pts Quiz 4 _____ pts

Quiz 5 _____ pts Quiz 6 _____ pts Quiz 7 _____ pts Quiz 8 _____ pts

Buid-a-Business In-Class Exercises (7 at 15 pts)

EX 1 _____ pts EX 2 _____ pts EX 3 _____ pts EX 4 _____ pts

EX 5 _____ pts EX 6 _____ pts EX 7 _____ pts

EXTRA-CREDIT (maximum of 25 if eligible for EC)

Code of Conduct _____ out of 25

McDonald's Coffee _____ pts out of 10

Module Assessment _____ out of 25

Annotated Bibliography _____ pts out of 25

Volunteer/Blood _____ pts out of 5/10

Misc EC _____ pts

GRADE SUMMARY:

Test Total (325 possible) _____

Quiz Total (75 possible) _____

B-a-B Total (100 possible) _____

Allowable Extra-Credit (max of 25) _____

TOTAL POINTS: _____ out of 500 pts _____%

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Module Review Extra Credit

You may earn up to **10 EC points** for reviewing **at least 5** videos, readings or websites (but NOT the Overview, Questions to Consider or Learning Objectives) for one of the modules in the e-book, listed below with dates each review is due.

After you have watched or read the posted materials you selected, write a 1-2 paragraph thoughtful “review” for **each** item that identifies the specific item for review by name and also addresses the following questions:

- Was the video, reading or website helpful in teaching you content? Why or why not?
- How helpful was it in supplementing the slides?
- Was it interesting and engaging?
- Should it remain as a link in the e-book or should it be deleted and replaced with something else?
- If you were to rate this item with 1 to 5 stars (with 5 being the highest positive rating, like an Amazon or Yelp rating), what rating would you give it?

You may repeat this EC for up to 10 more points by reviewing a second module from the list below.

Post your Module Review EC in Dropbox and bring a print copy to class. Due on the following due dates:

- | | |
|-------------------------|-------------|
| • Business Entities | October 8 |
| • Intellectual Property | October 15 |
| • Contracts | October 27 |
| • Agency | November 3 |
| • Employment Law | November 5 |
| • EEO | November 17 |
| • Torts | December 1 |
| • Product Liability | December 3 |