

San José State University
College of Business, School of Management
Bus 80, The Legal and Ethical Environment of Business, Section 1, Spring 2018

Course and Contact Information

Instructor:	Nanette Clinch
Office Location:	Business Tower, 664
Telephone:	408-924-3515
Email:	Nanette.clinch@sjsu.edu
Office Hours:	Office Hours: Mon Wed 8:45-10:30am and by appt
Class Days/Time:	Class Days/Time: MW 10:30-11:45 am
Classroom:	BBC 326

Faculty Web Page and MYSJSU Messaging (Optional)

Course materials such as syllabus, handouts, notes, assignment instructions, etc. can be found on my faculty web page at <http://www.sjsu.edu/people/firstname.lastname> and/or on Canvas Learning Management System course login website at <http://sjsu.instructure.com>. You are responsible for regularly checking with the messaging system through MySJSU at <http://my.sjsu.edu> (or Canvas) to learn of any updates. Some handouts/assignment notes will be provided only in class (hard copy)

Course Description

The purpose of the Legal and Ethical Environment of Business is to provide students with an understanding of the nature, function and application of the U.S. legal system as it applies to the modern business environment. Understanding the basic concepts and structure of the U.S. legal system will incorporate an emphasis on ethics and business decision making and include covering of the following: legal constraints on internal and external organizational operations, contracts, external regulation, legal and ethical accountability through litigation, modes of resolution of legal disputes, contracts, torts, employment, product liability, bankruptcy, and appreciation of the international context.

Course Learning Outcomes

Course Learning Goals for Business 80 are derived from the BSBA Program Learning Goals: specifically, goals 3 (ethics) and 5 (critical thinking) are addressed in this course. All the BSBA Goals are listed below this section on learning outcomes for the course.

Upon successful completion of this course, students will be able to: Upon successful completion of this course, students will be able to:

1. Demonstrate an understanding of the following : sources of the law; the legal process, including federal and state systems; resolution of legal disputes, including alternative dispute resolution; the law of agency, significant laws affecting employment; business organizations and their economic and social roles; torts, contracts; creditors' rights and bankruptcy.
2. Recognize and analyze how the law and ethics affect internal and external business operations and how an understanding of the law assists in predictions of whether certain actions will be legal
3. Demonstrate an ability to engage in critical analysis by comprehending and analyzing legal and ethical issues in the workplace and the marketplace as well as how those problems can be effectively resolved in a legal and ethical manner (COB goal 3, goal 5)

1. (CLO 1, 2, 3, and CLO [COB] 3, 5). Satisfied by Problem/Analysis Assignment: These will usually require evidence of use of the textbook. See additional description below.
2. (CLO 1, 2, 3, and CLO [COB] 3,5). Satisfied by In Class Group Work Individual Record Assignment. This assignment involves Individual Team Member Accountability for in-class group work. These written submissions (same day) must provide evidence of teamwork in class group for problem solving (legal and ethical) and also provide descriptions of how the issues relate to assigned reading with specific description of legal and ethical concepts/principles applied to problems.
3. (CLO 1, 2, 3 and CLO [COB] 5). Satisfied by Midterms (Multiple choice, true false) and Final Examination. You must attend class on the day of any examination to obtain credit.

Lucas College and Graduate School of Business Program Goals

BSBA Goals:

Goal One: Business Knowledge

Understand basic business principles and demonstrate discipline-specific competencies as applied to local and global environments.

Goal Two: Communication

Communicate ideas clearly, logically, and persuasively in oral and written format, using technology appropriately.

Goal Three: Ethical Awareness

Recognize, analyze, and articulate solutions to ethical issues that arise in business.

Goal Four: Leadership, Teams and Diversity

Comprehend the challenges and opportunities of leading and working in diverse teams and environments.

Goal Five: Critical Thinking

Comprehend, analyze, and critically evaluate complex and unstructured qualitative and quantitative business problems, using appropriate tools and technology.

Goal Six: Innovation

Recognize, analyze, and articulate strategies for promoting creativity and innovation.

Upon successful completion of this course, students will be able to:

Required Texts/Readings

Textbook

The Beatty and Samuelson, Business Law and the Legal Environment, Standard Edition, Sixth Edition. Cengage: Southwestern (ISBN 978-1-111-53060-0.) Please note that there is a newer edition, which is considerably more expensive; therefore, the sixth edition is the required edition to save costs. The later edition (7th) will not have the same content, so the 6th edition is needed. Earlier 'custom' editions (ISBN 13: 128589503-1) with limited chapters will be in limited supply at Spartan Bookstore and should offer at least the following chapters: 1, 2,, 3, 4, 6, 7, 10-18, 28-31. A soft cover copy of the standard textbook, containing all chapters, might be available at the Spartan Bookstore for a price that may be less than used editions sold at Spartan Bookstore or on the internet. A reading assignment will be given on the first day of class. No copies will be made available for this course on reserve at the library. You will not have to bring the textbook to class unless group work assignments are scheduled.

Other Readings

Cases as assigned, often using King Library databases, or other material on the internet. Research may require use of SJSU databases. Lexis Nexis is available for finding cases by entering the names of the parties in the relevant search boxes.

Course Requirements and Assignments

- A. Doing well requires at a minimum reading the assigned chapters before class. Much of the material will be new; the classroom is the way to prepare well for all assignments and tests by clarifying your understanding. Powerpoints are available on Canvas so time in class should not be spent copying overheads but listening to lectures and discussion so that you can take notes and ask questions. If you want to ask a question after class, please come up and see me; there is usually time to respond to questions about clarification. However, asking questions in class is beneficial for me and for the class, so you are encouraged to do so as well as to raise any particular issues, perhaps a news story, that may be relevant..
- B. Problem analysis. A legal or ethical and sometimes both legal and ethical analysis in writing based on assigned questions. which might come from the textbook (You will not choose the questions. Check

Canvas modules and assignments for problem analysis questions and due dates.) The goal is to provide you with an opportunity to apply legal and ethical analysis based on the book, lectures, and class discussion so that you can evaluate your understanding. To accomplish this, it is important you attend class for review of the answers and hand in your responses (hard copy) when role is called at the beginning of class. Responses may be written or typed. That way, if a computer fails or a printer is unavailable, you may turn in a handwritten response to avoid a grade of no credit (0). Responses that do not follow instructions, which will provide the means for proving use of the textbook and handouts and requirements for submission (including length), will not receive credit. Instructions will be covered in class for assignments as well as on Canvas for problem analysis assignments.

- C. Group work Individual Record: (Course learning goals 1, 2, 3, 4 [COB] 2,3,5). Some group work in class (not all) will be a Group work Individual Record assignment. You will be responsible for participating in a group assigned/created in that class to solve one or more problems using legal and ethical concepts. The same day, you must submit, in class, the written record of your group's work, your contribution to it, and your reflections on how the problem(s) reflected/used/required use of legal and ethical concepts presented in the textbook (page references) as well as lectures.
- D. Midterms (Essay and Scantron) and Final (scantron) (Course Learning goals 1, 2, 3, [COB 5]) The scantron midterms and the final is always a T&E 200 form. You must attend class on the day your class examinations are given to gain credit. Your student ID is required on the first day of class and for each in-class test (midterms, final, or other type of in-class assignment).

Final Examination or Evaluation

The final examination, as noted above, will be a true/false/multiple choice examination requiring that you bring a T&E 200 test form as well as your student ID (required for all examinations or any type of in-class assignment). You must be available in class on the date/time of your final examination (in class) to receive credit.

Grading Information (Required)

All students must be available to take the final examination in class during the time SJSU has scheduled: see the SJSU final exam schedule and this syllabus.

Most assignments must be submitted by hard copy in class. If there are any exceptions, these would be announced in the assignment instructions on Canvas or granted by me in an email only after there has been a timely request (See missed assignments under Determination of Grades.. Any Canvas uploaded submissions must be in doc, docx. or pdf forms unless entering a text is required. Other files will not be given credit, so please see me when assignment instructions appear on Canvas if you have any questions about submissions..

All assignments and examinations described above should reflect appreciation and comprehension of material covered in lectures as well as assigned reading in the textbook or in other sources announced in class. The ability to analyze problems from a legal and ethical perspective while articulating relevant principles will be measured in assignments and examinations. By making a note of your scores, as they are recorded on Canvas, you will be able to track your progress. The final examination may be cumulative, but the final examination will emphasize material covered after the last midterm. Each assignment above is followed by each one of the 'learning objectives' listed that the requirement meets. Instructions for Assignments posted on Canvas must be followed for credit and specific criteria for grading presented in instructions noted and met. Meeting specific

criteria for achieving assignment goals will be considered in grading. Organization, development and clarity are important for assignments requiring written work. Take time to write drafts, edit, and communicate to show what you are learning and appreciate. See below for the percentage scale for letter grades and the weight given particular assignments.

Task	% of Course Grade
Problem analysis	30%
Group Work Individual Record (These in class assignments begin in March)	20%
Midterms (two) –scantron	30%
Final Exam Scantron	20%
Total	100%

Determination of Grades

- Please review the description of grading criteria above as well as specific criteria set out for assignments on Canvas. The tables provide information to help you determine your progress. Please see me if you have any questions at any time. Grades will be posted on Canvas. Feedback is provided with grades when assignments are reviewed in class. Please see me whenever you are interested in discussing material we are covering or any assignment.
- Late/missed assignments. During the course, all assignments, quizzes, and midterms must be taken/submitted on time to avoid a grade of no credit. If there is a particularly compelling circumstance that justifies a late/missed assignment, I should be contacted by email as soon as possible (usually the same day) and I will consider evidence/documentation to support the reason (doctor’s note, etc.) when determining whether a makeup is in order or a timely submission by email attachment (by 8:30 am for any problem analysis assignment).. In some circumstances, points may be taken off, even if a make up is allowed, in fairness to other students. In other circumstances, a makeup will not be in order. Note that timely communication of the circumstances is very important for consideration. Note also that any makeup may differ from the original assignment in terms of the instrument/method (an essay exam may be substituted for a scantron test.) See notes below on possible additional points for one Problem Analysis Assignment, but only if requested as soon as the ‘grade’ is received.
- There is no extra credit. If an unsatisfactory grade is received on one Problem Analysis assignment, there may be an opportunity to raise the grade by attending class four days (back to back) and vocally participating in class in a manner that evidences your preparation and readiness to contribute to further class discussion on relevant topics. (Volunteering commentary on legal and ethical issues, answering questions, and so forth, showing you have prepared: read the relevant chapters, reflected on the issues). You must contact me as soon as you receive the ‘grade’ you want to raise if you are interested in this opportunity, which is only available once. This would ultimately require submitting a paper (after day four participation) documenting your participation each day. Any change in a grade would depend on

the quality and quantity of the participation. Some dates are not available for participation (midterm review, group work assignment days) so check Canvas module on “Additional points for problem analysis assignment) for instructions including available dates. The point of this opportunity would be to improve preparation and engagement. See the Canvas module for specific instructions, which must be followed for any credit.

Percentage	Grade
94% and above	A
93% - 90%	A-
89% - 87%	B+
86% - 84%	B
83% - 80%	B-
79% - 77%	C+
76% - 73%	C
72% - 70%	C-
69% - 67%	D+
66% - 63%	D
62% - 60%	D-
below 60%	F

Classroom Protocol

There may be no photographing or videotaping or recording during the class without my permission. (See Consent for Recording section below.)

Examination materials may not be removed from the classroom. Any exception will be announced in class.

Electronic devices such as laptops etc. may only be used for taking notes or looking at overheads (posted on Canvas) addressing Business 80 classwork issues (accessing the textbook if it is an ebook and so forth) during class. It is easy to be tempted to accomplish other tasks with such devices, but it is important to ensure that all students are focusing on the work at hand for mutual benefit. Unrelated uses will result in withdrawal of permission to use the device during the semester and could lead to a request to leave the class unless the policy is followed thereafter. If you have any questions, just let me know. I appreciate your understanding.

Announcements concerning assignments and scheduling will be made in class, including any modifications to the syllabus. In special circumstances, I might contact the class. Each student is expected to have an email account so that I may contact the class as needed, usually through Canvas, sometimes through MYSJSU. You do not need to provide me with your email account as long as the College of Business or University has this account on file.

No one is to leave the classroom during an examination or quiz without permission, and no examination materials may be removed from the class without permission, even when examinations are returned.

No one may leave the classroom without permission while any returned examination is being reviewed.

Academic honesty is vital.

Please turn off cell phones, avoid texting and so forth.

No headphones may be worn in class.

No electronic products may be used or worn in class during any examination.

No dictionaries may be used during examinations.

Anyone leaving the room during an examination before handing in paperwork must first (1) request permission from me and (2) deliver all examination materials to me or I reserve the discretion to mark the examination as a 'zero' grade.

Participation is greatly encouraged and essential for developing an understanding of ethical and legal discourse

Consent for Recording of Class and Public Sharing of Instructor Material

[University Policy S12-7](http://www.sjsu.edu/senate/docs/S12-7.pdf), <http://www.sjsu.edu/senate/docs/S12-7.pdf>, requires students to obtain instructor's permission to record the course and the following items to be included in the syllabus:

- “Common courtesy and professional behavior dictate that you notify someone when you are recording him/her. You must obtain the instructor's permission to make audio or video recordings in this class. Such permission allows the recordings to be used for your private, study purposes only. The recordings are the intellectual property of the instructor; you have not been given any rights to reproduce or distribute the material.”
- “Course material developed by the instructor is the intellectual property of the instructor and cannot be shared publicly without his/her approval. You may not publicly share or upload instructor generated material for this course such as exam questions, lecture notes, or homework solutions without instructor consent.”

See also the Lucas College and Graduate School of Business: Program Goals and Class room policy

<http://www.sjsu.edu/cob/Students/policies/index.html>

To ensure that every student, current and future, who takes courses in the Boccardo Business Center has the opportunity to experience an environment that is safe, attractive, and otherwise conducive to learning, the Lucas College and Graduate School of Business at San José State has established the following policies:

Eating:

Eating and drinking (except water) are prohibited in the Boccardo Business Center. Students with food will be asked to leave the building. Students who disrupt the course by eating and do not leave the building will be referred to the Judicial Affairs Officer of the University.

Cell Phones:

Students will turn their cell phones off or put them on vibrate mode while in class and put the phones away.. Students will not answer their phones or text or use other phone features in class. Students whose phones disrupt the course or students who do not follow these guidelines will be referred to the Judicial Affairs Officer

of the University to avoid disruption and to ensure that all students are provided with an environment that facilitates learning without undue distraction.

Computer Use:

In the classroom, faculty allow students to use computers only for class-related activities. These include activities such as taking notes on the lecture underway, following the lecture on Web-based PowerPoint slides that the instructor has posted, and finding Web sites to which the instructor directs students at the time of the lecture. Students who use their computers for other activities or who abuse the equipment in any way, at a minimum, will be asked to leave the class and will lose participation points for the day, and, at a maximum, will be referred to the Judicial Affairs Officer of the University for disrupting the course. (Such referral can lead to suspension from the University.) Students are urged to report to their instructors computer use that they regard as inappropriate (i.e., used for activities that are not class related).

Academic Honesty:

Faculty will make every reasonable effort to foster honest academic conduct in their courses. They will secure examinations and their answers so that students cannot have prior access to them and proctor examinations to prevent students from copying or exchanging information. They will be on the alert for plagiarism. Faculty will provide additional information, ideally on the green sheet, about other unacceptable procedures in class work and examinations. Students who are caught cheating will be reported to the Judicial Affairs Officer of the University, as prescribed by Academic Senate Policy S04-12.

University Policies (Required)

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs' [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at <http://www.sjsu.edu/gup/syllabusinfo/>"

Lucas College and Graduate School of Business: Program Goals and Class room policy
<http://www.sjsu.edu/cob/Students/policies/index.html>

Lucas College and Graduate School of Business:

Mission: We are the institution of opportunity in Silicon Valley, educating future leaders through experiential learning and character development in a global business community and by conducting research that contributes to business theory, practice and education.

Bus 80 / Legal and Ethical Environment of Business/Spring 2018 Semester, Tentative Course Schedule

. This schedule of assigned reading, exams, and so forth is tentative. Assigned chapters will be covered in class the day they appear in this schedule. Reading the material before class is essential for developing understanding of the subjects.

Changes to this schedule will be given fair notice in class, on Canvas course calendar assignments or through Canvas email notifications. Review due dates for assignments in instructions on Canvas Reminder: the schedule is tentative as noted above.

Week	Date	Topics, Readings, Assignments, Deadlines
1	Jan 24	Wed: Introduction to Class. Review syllabus Sources of law and ethics. Ethical and Legal Analysis. Fundamental frameworks and theories for analytical approaches. For Monday read in Canvas module ‘lawe and ethics’ the ‘ethics notes’ document (Critical for Problem analysis assignment due Feb 12). Ethical Analysis. For next week, also review the Constitution (in your Appendix or find online). Read Article 1 Sections 1 and 8, Amendments 1,4, 5, 6, 14.
2	Jan 29, 31	Wed. Chapters 1 and 2 .How to undertake an ethical analysis.
3	Feb 5, 7	Problem Analysis One available Feb 7 on Canvas (go to assignments, problem analysis one, at 7 pm) and due Monday Feb 12. Chapters 1 and 3. Sources of the law. Feb 7 : Begin chapter 3. Legal analysis. Civil procedure.
4	12, 14	Problem Analysis Two due in class Monday Review problem analysis one (collected at beginning of class—not later—so come on time for credit). Complete legal system. chapter 4 How laws are made and administrative agencies Begin discussion of agency (chapter 28)
5	19, 21	Feb 19 Complete Agency. Midterm one review on Wed Feb 21
6	Feb 26	Midterm One Monday. Feb 26. T& E 200 Scantron required; Student ID required For Wed, read chapter 29 , employment.
7	March 5	Group work assignment Monday March 5 Wed.Complete employment. begin Chapter 6 Intentional Torts Assignment three due Monday March 20 at the beginning of class See Canvas assignments for the question
8	12, 14	Problem solving assignment two available on Canvas Wed March 14 at 7pm on Cnavas due Monday, March 19 in class.
9	March 19, 21	Problem Analysis 2 due hard copy at beginning of class. Monday begin Chapter 7 negligence. Review problem analysis 3. Chapter 7 negligence.
10	April 2, 4	Monday. Complete Torts. Begin Midterm Review. Wed Midterm Review
11	April 9 , 11	Midterm Two Monday. Wed. Contracts Chapters 10, 11

Week	Date	Topics, Readings, Assignments, Deadlines
12	16, 18	. Group work assignment 2 Monday April 16/Contracts chapters 10 and 11. Wed. chapter 12. Problem analysis three available Wed at 7pm
13	April 23, 25	Problem analysis three due in class Monday. Contracts chapters 13, 14 Wed. Chapter 15
14	April 30, May 2	Monday April contracts chapters 16 Wed. chapter 17 and begin Business Organizations chapter 31
15	May 7,9	.Monday begin final exam review. Wed. Final exam review.
16	May 14	Last day of class.
Final Exam	Final Exam	Monday May 21 at 9:45 am