

**MBA 740**  
**LEGAL AND ETHICAL DECISION MAKING**  
**SUMMER 2006 (Lake Campus)**  
**Group 8**

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186 Lake Campus

Friday: 4:00 – 9:30 pm

SIX CLASS MEETING TIMES
June 16 <sup>th</sup>
June 23 <sup>rd</sup>
July 7 <sup>th</sup>
July 21 <sup>st</sup>
August 4 <sup>th</sup>
August 18 <sup>th</sup>

**COURSE DESCRIPTION**

The title of this course is meant to convey a different emphasis than the traditional legal environment or public policy course. In this course, an interdisciplinary approach is taken to the study of the legal, ethical, political and regulatory environment in which the business community functions in the United States and to a limited extent in global business. The topics include elements of law, ethics, economics, management, marketing, human resources, political economy, and international business. In this course, the term “regulation” includes issues of external regulation through law and market forces and internal regulation through ethical and social responsibility concerns. Specific topics include: ethics, environmental protection, product liability, employment law, consumer protection, government regulations, and regulation of the internet. In addition, we consider the regulatory role of administrative agencies, and some specifics about the legal forms of business organizations. Global business and comparative international topics are integrated within each topic area and in a separate section dealing with international law and ethics.

**LEARNING OBJECTIVES**

To develop an advanced theoretical and interdisciplinary understanding of the context, scope and purpose of government regulation.

To develop a critical, analytical understanding of the role of government in comparative economic systems.

To increase understanding of the domestic and international ethical and legal dimensions of business performance.

To develop an in-depth understanding of the impact of U.S. administrative agencies and the federal regulatory process.

To develop an understanding of legal forms of U.S. business organizations and the regulation of corporate securities.

To develop an in-depth understanding about positive employee relations.

To increase understanding about product liability and public policy.

To develop an understanding of government regulation of the internet.

To develop an understanding of environmental protection.

To demonstrate graduate-level research, communication through team efforts, collaboration skills in preparation of answering questions on public policy issues and team presentation skills.

### **REQUIRED TEXTBOOK:**

McAdams, Tony, (2004) *Law, Business and Society*, 7<sup>th</sup> Edition, Irwin Press, Homewood, Illinois. (required).

Note: We will cover several chapters in this book. However, as shown on the Tentative Schedule, you will be responsible for all chapters assigned, even if not covered in class.

Harr, Jonathan, (1996) *A Civil Action*, New York, Vintage Books, a division of Random House, Inc. (required).

Note: This book will be the subject of both a written paper and a class room presentation. It is recommended you begin reading the book at the start of the class.

### **RECOMMENDED SUPPLEMENTS:**

*The Wall Street Journal*. The *WSJ* contains information about many of the topics covered in this course and many public policy issues not directly addressed in the course. It will be an excellent source of information and concepts for group presentations. It is strongly recommended that you read the *WSJ* daily, but not in class! Students are encouraged to bring stories and articles to class that are pertinent to the daily topic for discussion.

In addition, if you have not completed an undergraduate course in business law, it is strongly recommended you read a business law book. Understanding basic business law will make this course much easier. The College is currently using as a text: Beatty and Samuelson, (2004) *Business Law and the Legal Environment*, 3<sup>rd</sup> Edition (note, the 4<sup>th</sup> Edition is available and we will commence using it Fall Quarter of 2006), Thompson, South-Western, West, Mason, Ohio.

### **ABOUT YOUR INSTRUCTOR:**

I have earned a Bachelor of Arts Degree with majors in psychology, sociology, and history and the Juris Doctor Degree from Ohio Northern University. I have also attended the University of Cincinnati. I have completed postgraduate studies, courses, and certifications, offered by the National Judicial College, the National Counsel of Juvenile and Family Court Judges, both associated with the University of Nevada, and the University of Memphis.

I retired from the Common Pleas Court of Mercer County, Ohio, where I served as Magistrate, after thirty-one years on the bench including having served as a United States Magistrate.

Prior to assuming the bench, I was in private practice. I have also served as a business and management consultant to numerous corporations. I am certified as a Mediator, have taught numerous courses for the Ohio Judicial College, and have served as Vice-Chair of the Ohio Judicial College. I have been honored with being recognized by the Ohio Supreme Court and the Ohio Association of Magistrates for contributions to the judicial profession and judicial education.

At the request of the Common Pleas Court in Greene County, I am currently serving as a visiting Magistrate hearing special case for the Court.

I have taught business, legal, ethical, and public policy courses for the University for the past three years and in addition to my teaching duties, I am the Assistant Dean for Administration of the Raj Soin College of Business.

I also am a retired firefighter, emergency medical technician, and hazardous material technician.

### **ABOUT OFFICE HOURS:**

I am strongly committed to assisting you in learning. As a result, appointments are available at any time and you may contact me at the Dayton campus. Just ask. As a general rule, I will be at the Lake Campus, in the class room, 1 hour prior to class.

### **ABOUT THE COURSE FORMAT:**

This course is not presented in a traditional lecture format. In the business environment today, considerable team work is required and this class has been designed around that theory. ***This is not a class where I will be doing a majority of the lecture. You, as a team, will be presenting the majority of the lectures and I will be acting as a facilitator.*** I will only cover material I feel has not been covered and give a short presentation on selected subjects.

This will be a class largely of dialogue between the instructor and students and students and students.

**ABOUT THE GRADING SYSTEM, INCLUDING ATTENDANCE:**

My goal is to have 100% of the class obtain an “A”. However, this will not be possible unless you do the work and *participate in class*. This will not be a class where you will receive a passing grade by just attending and barely participating as is done in many graduate classes.

There are only six classes. I strongly believe that **you need to be here for classes**. This is your job for 5 ½ hours every two weeks and therefore I take attendance. Each unexcused absence will result in your losing five (5) points. In addition, if you are more than 15 minutes late for class you will lose 2.5 points. The only excuses which will be accepted are documented illness, death in family, and mandatory University attendance at a University function. Work is not an excused absence. **All requests for excused absences must be in writing with supporting documentation as appropriate. All requests for excused absences must be presented by the last day of class.**

There will be 5 quizzes and each quiz is worth 20 points. This will be over the chapters assigned for each class and my lecture. Unless you have an excused absence as outlined above, missed quizzes may not be made up. Any missed quiz must be made up by the last day of class.

Each team, as further outlined herein, will be required to give a presentation over 2 chapters and a presentation over a question as assigned for *A Civil Action*. The chapter presentations will be worth 50 points and the presentation for *A Civil Action* will be worth 25 points.

In addition, there will be an individual writing assignment and a team writing assignment, each worth 25 points.

There will be a final exam in this course worth 50 points. This final exam will consist of 2 essay questions (each worth 5 points) and 40 multiple-choice questions. This would be an open-book, take-home final and it would be passed out Friday, August 4, 2006, and be turned in by the start of class on Friday, August 18, 2006. In addition, you will have the opportunity in this final exam to evaluate your team and earn up to 10 bonus points.

Each student will receive up to 10 points as awarded by the consensus of the team members in the final exam.

In addition, I will award up to 10 bonus points for outstanding class room participation.

The above totals as follows:

5 chapter quizzes (20 points each)	100 points
1 written team assignment	25 points
Team chapters presentation	50 points
Team <i>Civil Action</i> presentation	25 points

Individual written assignment	25 points
Final	50 points
Team participation points	10 points
Total	285 points

**Grading Scale:**

A	260 - 285 points
B	235 - 259 points
C	210 - 234 points
D	185 - 209 points
F	184 points or below

Please note that quizzes and examinations will mostly be true and false, multiple choice, or matching. I do not believe in creating tricky questions. They all will come directly from the book, the power points, or the lectures. However, if you do not agree with the answer that I use for grading purposes, you may dispute the same **IN WRITING**. You may present a written argument as to why you think the answer is wrong with support documentation. The chances are that even if I think you are wrong, you will receive extra points for exercising critical judgment.

In addition, as part of the final, you will have the opportunity to assess the performance of your team mates. You will assume you have the authority to award each member of your team up to 10 points based on their contribution to the team. You shall do this through an essay question which will be part of the final. I will take your assessment into consideration in awarding up to 10 team points to each member of the class. Your comments in this essay shall be confidential.

**ABOUT EXAMINATION SECURITY:**

Examinations and quizzes in this course are the property of the University and **NOT** the student. Corrected exams will be made available for review in a controlled environment, either the classroom or another area designated by the instructor. Students are not permitted to leave the area with the exam or quiz or copy the same. A violation of this rule will be considered a breach of academic honesty leading to appropriate action consistent with College and University policy.

**ABOUT CLASS CANCELLATION:**

If class is canceled due to inclement weather or for any other reason, the materials scheduled for the day class is canceled will be covered at the next class meeting, in addition to the new materials. This procedure includes any scheduled examinations, written or oral assignments and presentations, which will be due.

### **ABOUT COURSE TEAMS:**

The class will be divided into 4 teams of 4 to 5 students each. During the first class, the teams will be picked. Each team will choose a leader and a name. The team leader shall e-mail the instructor with the name of the team and the members after the first class. One of the lessons of self-managed work teams is that such teams are empowered to maintain themselves. For that reason, you will build your own team, rather than arbitrarily being assigned to one. Also, any team has the authority to discharge a member for nonperformance by a unanimous vote (other than the dischargee, of course). This is not to be done lightly as it may mean a failing grade for the person discharged. Prior to such a discharge, the team shall meet with the member and try to resolve the problem. If that fails, the instructor shall be notified and he will meet with the team and the member to attempt to resolve the issue. If that too is ineffective, the team can then discharge the member, in writing, stating the reason, signed by all team members, with a copy provided to the discharged member and the instructor.

### **TEAM PRESENTATION ASSIGNMENTS:**

Each team will be required to make 2 presentations and prepare a paper as further outlined herein.

#### **Team Presentation No. 1.**

Each team, as assigned in the tentative course schedule, shall lead the discussion over 2 chapters. **This presentation shall last no less than 3 hours** and shall include the material in the chapters and any outside information regarding the chapters the team feels will be beneficial in studying the chapters. Points will be subtracted for failing to bring in outside material and information. Points will be subtracted for just reading the chapters to the class. Points will be added for innovative thinking in preparing this presentation. I will reserve giving bonus points for outstanding instruction. Points will be added or subtracted, as appropriate for involving or not involving the class in the presentation. In addition, during this presentation you will be expected to tie in with other chapters.

#### **Team Presentation No. 2.**

Reference is made to the *A Civil Action* section for detailed instructions. Each team will be required on August 18, 2006, to give a 30 minute presentation on their assigned question and discuss their team paper.

### **TEAM PAPER ASSIGNMENTS:**

Each team will (1) prepare a 5 to 6 page paper on the question as assigned in the section on A

*Civil Action*. These papers will be (2) computer generated and (3) double-spaced. Papers shall include (4) a separate cover page which identifies (5) the assignment number and (6) topic, (7) the names of each team member and (8) the role each team member played in creating the paper. Note, there are 8 instructions here and you will lose 3 points for each instruction not followed. Papers will be graded for content and mechanics.

### **INDIVIDUAL WRITTEN ASSIGNMENT:**

Each class member will be required to complete a paper on a topic chosen by the student with the approval of the instructor. The topic must be one covered in the text. Students are required by the 2nd class, June 23, 2006, to have chosen their topic and have e-mailed the same to the instructor. The paper will be due on or before the start of class on August 4, 2006, and will be (1) computer generated, (2) double spaced, (3) not less than 6 nor more than 8 pages (plus footnotes), (4) stapled once in the upper left hand corner with (5) the student's name and (6) page number on each page. You shall have a minimum of 10 different sources or cases cited with appropriate footnotes in your paper. Note: there are seven (7) separate instructions here. You will lose three (3) points for each instruction not followed. **Late papers will not be graded.** This paper will be worth 25 points. **YOU ARE REQUIRED TO USE AT LEAST 10 OUTSIDE RESOURCES FOR THIS PAPER BUT YOU MAY NOT CITE THE TEXT, LAW, BUSINESS AND SOCIETY.**

### **IMPORTANT NOTICE REGARDING ALL PAPERS:**

**YOU SHALL NOT USE THE TEXT FOR ANY REFERENCE OR RESOURCE IN ALL PAPERS FOR THIS COURSE. ALL REFERENCES SHALL BE FROM CITED CASES, REFEREED JOURNALS, RECOGNIZED LEGAL JOURNALS, OR RECOGNIZED LEGAL RESOURCES. JUST CITING A WEB CITE WILL NOT GIVE YOU CREDIT FOR A REFERENCE.**

### **ABOUT A CIVIL ACTION:**

You will be reading and reacting to *A Civil Action* by Jonathan Harr, an important regulatory law book which has achieved national prominence as a best seller and movie. It is unique that a book dealing with regulation of the natural environment has reached such a mass audience.

On August 18, 2006, each team will comply with the writing assignment as outlined above and Presentation Assignment No. 2 by answering the assigned question. The format chosen for complying with this requirement is up to each team and points will be based on originality, presentation, class participation, etc.

TEAM #A: The premise of the author and how it relates to the study of government regulation

as it relates to the protection of the natural environment.

TEAM #B: The lessons you learned about the legal issues involved in the protection of the natural environment.

TEAM #C: The lessons you learned about the management mistakes made by the companies involved in the dispute.

TEAM #D: Your analysis of why Schlichtmann did not win his law suit against the defendant corporations.

### **ABOUT ACADEMIC INTEGRITY:**

It is the policy of Wright State University to uphold and support standards of personal honesty and integrity for all students consistent with the goals of a community of scholars and students seeking knowledge and truth. Furthermore, it is the policy of the University to enforce these standards through fair and objective procedures governing instances of alleged dishonesty, cheating, and other academic misconduct.

The following recommendations are made for all students:

1. Be honest at all times.
2. Act fairly toward others. For example, do not disrupt or seek an unfair advantage over others by cheating, by talking, or by looking at other individuals work during exams.
3. Take group as well as individual responsibility for honorable behavior. Collectively, as well as individually, make every effort to prevent and avoid academic misconduct, and report acts of misconduct that you witness.
4. Do not turn in the same work in more than once class unless permission is received in advance from the professor.
5. Unless permitted by the instructor, do not collaborate with others on graded course work, including in class and take home tests, papers, or homework assignments.
6. Know what plagiarism is and take steps to avoid it. When using the words or ideas of another, even if paraphrased in your own words, cite the source.
7. Know the policy – ignorance is not a defense. If you have any questions regarding academic misconduct, contact the instructor. Those who violate campus rules are subject to disciplinary action.



For a complete statement of the University's Academic Integrity Policy, access:

[http://www.wright.edu/students/judicial/stu\\_integrity.html](http://www.wright.edu/students/judicial/stu_integrity.html)

**TENTATIVE SCHEDULE:**

DATE	ASSIGNMENT	PRESENTER
1. 6/16/06	Introduction; Review of Syllabus; Choosing Teams; Video on Valid Internet Research; Chapters 2 and 6. Quiz over Chapters 2 & 6 & Lecture Team time	Dr. B.
2. 6/23/06	Chapters 1 & 3. A Review of the American Legal System. Briefing a Case Quiz over Chapters 1 & 3 & Lecture	Team A. Dr. B.
3. 7/7/06	Chapters 8 & 9. A review of the Federal and State Power to Regulate Business Quiz over Chapters 8 & 9 & Lecture	Team B. Dr. B.
4. 7/21/06	Chapters 14 & 16. A Review of Employment Discrimination Quiz over Chapters 14 & 16 & Lecture	Team C. Dr. B.
5. 8/4/06	Chapters 17 & 18. The Legal Forms of Business Quiz over Chapters 17 & 18 & Lecture Individual Research Paper Due. Team Time	Team D. Dr. B.
6. 8/18/06	<i>A Civil Action</i>	All Teams