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<http://cba.unomaha.edu/faculty/mohara/web/ohara.htm>

**Office Hours: by private appointment, as well as before class, 5:30 PM Monday and after class Monday**  
 (before and after class office hours in the classroom)  
 fax (402) 554-2680 (not private)

### Legal, Ethical, and Social Environment

Fall 2008

BSAD 8010-001 # 10513 **Monday 6:00 - 8:40 PM RH 404**

#### COURSE DESCRIPTION:

3 credit hours. "Focus upon law and ethics. Business law, legal processes, and regulations will be the subject matter focus. Business ethics will be a recurring focus of analysis. Analysis of the social environment will include public policy. Both subject matter and analysis will be integrated to build the student's critical thinking skills. Prereq.: MBA Foundation courses."

#### GRADED EVENTS:

The course letter grade of "A" is earned with a total course percentage of 90.0%; the "A-" is earned with 87.0%; the "B+" is earned with 83.0%; the "B" is earned with 80.0%; the "C" is earned with 70.0%; the "D" is earned with 60.0%, and the "F" is earned with less than 60.0%. The instructor does **NOT use the course grades** of "B-", "C+", "C-", "D+", or "D-".

<b>40%</b>	<b>Class Participation</b>	daily
<b>20%</b>	<b>Forecasting and Backcasting</b>	due November 17
<b>10%</b>	<b>Ethics Game</b>	due November 22: <b>vote on grading</b>
<b>30%</b>	<b>Business Case Analysis</b>	handout Oct. 27; due Dec. 1; present Dec. 15

#### TEXTS:

##### REQUIRED

- Hayden, F. Gregory. *Policymaking for a Good Society: The Social Fabric Matrix Approach to Policy Analysis and Program Evaluation*. Springer: USA, 2006. ISBN-13: 978-0387-29369-1. ISBN-10: 0-387-29369-8. e-ISBN: 0-387-29370-1
- O'Hara, Michael J. *Introduction to Legal and Economic Analysis*. UNMC: Omaha, 2005. Price is free for enrolled student's download.  
[http://cba.unomaha.edu/faculty/mohara/web/OHara\\_IL&EA\\_Spring\\_2005.pdf](http://cba.unomaha.edu/faculty/mohara/web/OHara_IL&EA_Spring_2005.pdf)
- WorldWatch Institute publications. [www.worldwatch.org](http://www.worldwatch.org). Price varies, but is low.
- Ethics Game. [www.ethicsgame.com](http://www.ethicsgame.com). Price between \$40 and \$80.
- Business case. To be announced. Price under \$30.
- Monday's Midwest print edition of the *Wall Street Journal*. Price between free & \$100.

##### **BRING YOUR COPY OF THE WSJ TO CLASS.**

- Prior to the first day of class**, all students are expected to have read the following three documents, which are hereby incorporated by reference within this syllabus.

**Reasonable Expectations** <http://cba.unomaha.edu/faculty/mohara/web/ReasonableExpectations06a.pdf>;

**Critical Thinking** <http://cba.unomaha.edu/faculty/mohara/web/CriticalThinking06a.pdf>; and

**Memorization** <http://cba.unomaha.edu/faculty/mohara/web/MemorizationTechniques06a.pdf>.

### ASSIGNED READINGS:

All educational research has found that reading the assigned readings prior to class is superior to reading after the lecture. You are enrolled in a graduate level class. Grade school is over. Read prior to the lecture because there will be few traditional lectures to read after. Some lectures will be by guest lecturers who will expect an adequately prepared audience. All Class Participation questions will presume prior student reading of that day's assigned readings.

### GUEST LECTURERS:

There will be multiple guest lecturers, some will be live and some will not be live. The primary difference is the ability of the audience to ask questions of the lecturer versus your professor. Rarely will the guest lecturers be announced ahead of time.

### CLASS PARTICIPATION and *Wall Street Journal*:

Students will be called upon individually to individually answer questions posed by the professor. Other students are to work on their listening skills during these exchanges. This will be discussed at length during the first class meeting.

The professor's questions will focus on that day's assigned readings, especially as that day's assigned readings build upon previously covered assigned readings and classes.

The assigned readings always include the print version of the Midwest Edition of that **Monday's *Wall Street Journal*. All students always shall bring a personal copy to class.**

Class participation is worth 40% of the course grade. Class Participation is graded Pass/Fail with a Pass earned via an objectively good faith effort by a graduate student in a top flight MBA Program. It is very unwise for a student to choose to earn less than all of the Class Participation points because of the implications those losses hold for grades needed on other graded assignments. Very unwise. With respect to your Class Participation grade, no excuse from the student is needed, is expected, or is desired for any student who only misses one or two class meetings (but, see, Make-Up Work for other graded events).

Every time a student misses class in excess of two class meetings, that student earns a loss of 3% of the course grade (e.g., 40% becomes 37%). Every time a student comes to class not in possession of a personal copy of the *WSJ*, that student earns a loss of 1% of the course grade.

Each student shall be called upon (approximately) randomly for Class Participation for assigned readings other than the *WSJ*. Class Participation over non-*WSJ* assigned readings is worth 30% of the course grade. Students will have some control over their two assigned dates for leading *WSJ* discussions. *WSJ* discussions are worth 10% of the course grade.

If a student's answers during Class Participation fail to earn a grade of "Pass", then that student shall earn the loss of 2% of the course grade. However, at any time any student may terminate that day's questioning for Class Participation by your professor with the answer "Fail.". An answer of "Fail." earns a loss of 1% of the course grade rather than earns a loss of 2%. All grades of Fail also earn the student a greatly increased probability of being called upon again. Every student who every answers any Class Participation question from the professor with the answer "I don't know." (or any variant of that reply) shall immediately (and, with repetition, shall repeatedly) earn a loss of 3% of the course grade. An answer of "I don't know." does not end the questioning: only an answer of "Fail" or the end of the period of Class Participation ends the questioning. If you are not up to the task of thinking during class, then it is far cheaper and wiser to quickly answer with an acknowledgement of the obvious and volunteer the answer "Fail.".

<b>FORECASTING and BACKCASTING:</b>
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Combined, the Forecasting and the Backcasting assignments are worth 20% of the course grade. Alone, each is worth 10% of the course grade. Forecasting is the art of standing in --a-- present and predicting its future by using past and current data along with analysis and reasoning. All forecasts are lucky or wrong. Backcasting is no easier. Backcasting is the art of standing in --a-- present and identifying origins of that present. In this class, you will forecast from September 2008 and backcast from the month and year of your birth.

Each Forecast and each Backcast shall be limited to a total of four sheets of 8.5x11 inch paper. The first two sheets shall be text in double spaced, 12 font face type, with four margins of one inch each. The third page shall contain either a diagraph or a social fabric matrix supporting, respectively, your forecast or backcast. The fourth page shall be single spaced, 12 font face type, with four margins of one inch each that contains you bibliography, which shall be annotated. Each annotation shall have between 25 and 50 words.

**Forecasting:** As all of your source material for your forecast of a "food" related issue, you shall use three sources:

[1] a pamphlet or book (other than the *State of World*) published by the WorldWatch Institute since January 2003; and

[2] from the *Wall Street Journal* at least one by-lined article from each of the years 2003, 2004, 2005, 2006, 2007, and 2008; and

[3] any one chapter of any issue of the *State of the World* or any one by-lined article from any issue of the *WorldWatch* magazine.

**Backcasting:** As all of your source material for your backcast of a "food" related issue, you shall use two sources:

[1] a single chapter from the *State of the World* (i.e., a WorldWatch Institute published annual series) from the year of your birth (NOTE: If, however, your year of birth pre-dates the start of the *State of World* series, then use all of the *US News & World Report* with cover dates of month and year of your birth.)

; and

[2] from the *Wall Street Journal* at least one by-lined article from each of the following five years: birth, birth-5, birth-10, birth-15, and birth-20; and

[3] any one chapter of any other issue of the *State of the World* or any one by-lined article from any issue of the *WorldWatch* magazine.

<b>ETHICS GAME:</b>
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The Ethics Game is an assignment completed on the web. You will need to pay to access this game; hence, it is part of the assigned readings. If you do not already have a PayPal account, then you might need to set up a PayPal account to make that purchase.

The Ethics Game is worth 20% of the course grade. Your professor will activate the class' access to the game after the November 17 class. Each student must complete the Ethics Game prior to 5:00 PM on Saturday, November 22 (i.e., two days before next class meeting). This will allow your professor time to read your answers prior to the next class meeting.

Internal to the Ethics Game is a scoring methodology. In class, on November 24, by a unanimous vote the class shall determine how to convert that internal scoring methodology into an assignment grade. Your professor shall have one vote. If the class fails to reach a unanimous vote, then all students earn a grade of zero on the entire Ethics Game graded assignment.

**BUSINESS CASE ANALYSIS and Presentation:**

The Business Case Analysis is worth 30% of the course grade. It is a group project. All students in the group receive the same grade.

No later than October 27 your professor will distribute additional information via a handout. The Business Case will be "food" related.

In the Business Case the group shall demonstrate mastery of the legal issues and the ethical issues of that case. The group shall submit a single, unified document. That unified document shall contain the following sections.

SECTION 1: a one page introduction authored by the group.

SECTION 2: a series of two page subsections, each authored by one member of the group and each focused on a single legal issue or a single ethical (there must be at least two legal subsections).

SECTION 3: a one page conclusion authored by the group.

Each typed page shall be on 8.5x11 inch paper, use four margins of one inch each, use 12 font type face. Each subsection of Section 2 shall include a diagraph or a Social Fabric Matrix. Every page shall have a footer that identifies the author of that page. All group members shall sign the unified document using their printed name as their signature.

All students shall form *voluntary* groups of three or four students no later than the start of class on October 13. No one is obligated for any reason to join any group. No group is obligated for any reason to accept any individual student. If any student is not in a *voluntary* group, then all students are not in a *voluntary* group. If, at the start of class on October 13 any student is not in a *voluntary* group, then all students shall be INVOLUNTARILY assigned groups by your professor.

After your professor has graded the Business Case Analysis assignments for quality of content, analysis, and execution, the top three groups will be identified. During the Regent's scheduled Final Exam time those top three groups shall give the class a presentation of their Business Case Analysis. The total presentation time shall be 30 minutes, equally divided between a formal presentation and a following Q&A period with the class. A presentation that is objectively a good faith effort by graduate students in a top flight MBA program earns each group member extra credit of 3% of the course grade.

Any student who fails to attend these presentations during the Regent's scheduled Final Exam time earns a student the loss of 6% of the course grade.

**MAKE-UP WORK:**

Make-up work is strongly discouraged. There are three **prerequisites** for make-up work.

**1.** 24 hour **prior notice** of your intended absence,<sup>1</sup> unless for sufficient reason  
(*e.g., death of an immediate family member*);

**AND**

**2.** timely, **written verification** by an impartial third party  
(*e.g., from the mortician, on letterhead*)

**AND**

**3.** **consent**<sup>2</sup> of Professor O'Hara.

*There is no Make Up Work class participation.*

**DISABILITIES:**

Pursuant to federal law, neither the student nor the faculty member is empowered to decide:

[1] that a student is "disabled"; nor

[2] that a reasonable accommodation is warranted; nor

[3] the specific accommodation that is the legally required as the reasonable accommodation.

To obtain these three decisions initiate contact with the Disabilities Services in EAB 117 or 554-2872, TTY 554-3799.

**ACADEMIC DISHONESTY:**

Any form of academic dishonesty (*e.g., plagiarism*) may, solely in the discretion of the instructor, cause the student to earn a course grade of "F" or a grade of "F" on the academically dishonest assignment.

Since ignorance of the law is no excuse, if any student does not have actual knowledge of all that is included with academic dishonesty, then that student has the burden of removing that ignorance.

<sup>1</sup> Some international students, as a condition for entry into the USA, are required to purchase return flight airline tickets with extreme limits on the return flight dates. A student must present such a ticket to the professor prior to the end of the second class meeting (*i.e., September 8*) an airline ticket with a purchase date prior to the first class, and discuss with the professor any flight restrictions, or such flight restrictions can not be sufficient reason for Make-Up Work. In no way does this footnote create that implication that any such flight restriction is a sufficient reason.

<sup>2</sup> A student requesting Make-Up Work is requesting the instructor's waiver of the student's material breach of contract. However, the academic enterprise is predicated upon a degree of flexibility for reasonably accommodating external, unexpected events beyond the reasonable control of the student. Accordingly, consent will be granted for good cause shown by the student.

Ordinarily, in addition to the student's notice of the student's anticipatory breach, the student seeking waiver of the student's material breach must obtain the instructor's consent prior to the graded event.

PGS = *Policymaking for a Good Society*  
 IL&EA = *Introduction to Legal and Economic Analysis.*

<u>DATE</u>	<u>TASKS</u>	
Aug 25	introduction	
Sep 1	<i>no classes: Labor Day</i>	
Sep 8	PGS 1 as well as IL&EA 1	first day of assigned <i>WSJ</i> readings
Sep 15	IL&EA 2 - 4	
Sep 22	IL&EA 5 & 6	
Sep 29	PGS 2 & 3 as well as IL&EA 7	
Oct 6	PGS 4 & 5 as well as IL&EA 8	<i>Tuesday, Oct. 5 MBA Leadership week of UNO's 100 anniversary</i>
Oct 13	PGS 6 as well as IL&EA 9	<b>form Bus. Case groups</b>
Oct 20	<i>no classes: Fall Break</i>	
Oct 27	PGS 7	Business Case materials distributed
Nov 3	PGS 8	<i>Tuesday, Nov. 4 is election day Wednesday, Nov. 5 MBA Leadership</i>
Nov 10	PGS 9	
Nov 17	PGS 10 as well as IL&EA 10	Forecasting and Backcasting due Ethics Game activated and must be completed by <b>5PM Sat., Nov. 22</b>
Nov 24	discuss Ethics Game & <b>vote on grading</b>	<i>week of Thanksgiving Break</i>
Dec 1	discuss Business Cases	Business Cases due
Dec 8	review whole class	last day of assigned <i>WSJ</i> readings
<b>Dec 15</b>	<b>Business Case Presentations by top three groups</b>	