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**Office Hours: by private appointment, as well as before class, 5:30 PM Wednesday & Thursday and after class Wednesday & Thursday**  
 (before and after class office hours in the classroom)  
 fax (402) 554-2680

**Legal, Ethical, and Social Environment**  
 Spring 2003

BSAD 8010-001 # 00465	<b>Wednesday</b>	<b>6:00 - 8:40 PM</b>	<b>RH 214</b>
BSAD 8010-002 # 00466	<b>Thursday</b>	6:00 - 8:40 PM	RH 214

**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:**

A course letter grade of "A" is earned with a total course percentage of 90.0%; an "A-" is earned with 87.0%; a "B+" is earned with 83.0%; a "B" is earned with 80.0%; a "C+" is earned with 75.0%; a "C" is earned with 70.0%; a "D" is earned with 60.0%, and an "F" is earned with less than 60.0%. For graduate classes,  
**the instructor does not use the course grades of "B-", "C-", "D+", or "D-".**

**40% QUIZZES**

5% per quiz; eight quizzes based on assigned reading for next week

**20% WALL STREET JOURNAL ASSIGNMENTS**

5% per assignment; four sets of four slides based on assigned reading for next week

**20% BUSINESS CASE ANALYSIS**

5% Context page (first draft)

15% Context, Legal, Ethical, and Social pages

**20% COMPREHENSIVE FINAL EXAM**

**EXTRA CREDIT**

**SOLO** maximum range of -2% and +2% extra credit

**R&D Report and Deciles Report**, each worth +1%

**GROUP** maximum range of -10% and +10% extra credit

**Matrix Essays**

Four students, in a group, complete four essays of one-page each using 2x2 matrix.

Each essay focuses on key concept and assigned reading for next week.

**TEXTS:**

1. Bagley, Constance E. and Dauchy, Craig E. *The Entrepreneur's Guide to Business Law. 2nd Edition.* USA: West Ed. Pub. Co., 2003.
2. Personal subscription to **paper copy** of the *Wall Street Journal*.

**LECTURES:**

To generally understand Professor O'Hara's approach to class time management, please read the following three documents, which are hereby incorporated by reference within this syllabus.

Reasonable Expectations

<http://cba.unomaha.edu/faculty/mohara/web/ReasonableExpectations2.pdf>

Critical Thinking

<http://cba.unomaha.edu/faculty/mohara/web/CriticalThinking2.pdf>; and

Memorization

<http://cba.unomaha.edu/faculty/mohara/web/MemorizationTechniques2.pdf>.

Specifically for this course, each class meeting will use the following agenda.

1. **5:30 Office hours** in the classroom. This classroom is locked. Students may ask questions or be otherwise engaged.
2. **6:00 Class starts.**
3. **Administrative tasks:** [A] announcements; and [B] pick up assignments that are due.
4. **Quiz, if any.**
5. **Student questions about:**  
[A] future assignments; [B] previous material; and [C] day's readings.
6. **Lecture.**
7. **Ten minute break about 7:30.**
8. **Additional lecture, time permitting.**
9. **Matrix Essays, if any (10 -15 minutes per group)**
10. **WSJa with Q&A class participation, if any (10 - 15 minutes)**
11. **introduce next two key concepts (10 minutes)**
12. **Class ends at 8:40 and office hours begins**

**EMAIL QUESTIONS:**

Many students will ask questions related to the class via email. Some classes ask as few as 20 questions some classes ask over 100. I suggest you create a folder for storing the professor's email replies because, in the interest of efficiency, the professor will not answer in class a question previously answered via email.

There are several simple netiquette rules you should follow when you draft an email question. Following netiquette rules reflects well on your technical training as a businessperson. Failure to do so creates the opposite impression. **FIRST**, limit an email to a *single question*. Later in the semester, when you are searching over 50 emails for the answer to a specific question, you will really appreciate single topic emails. **SECOND**, give the email a *descriptive subject line* alerting the recipient to the contents of the email. Do not use subject lines like "question in 8010". Worst of all is to use no subject line. Instead, use an email subject line like "mistake, mutual". **THIRD**, *assume all* students enrolled in both sections of BSAD 8010 will *read your question* and my reply. If you are asking a personal question that requires confidentiality, then start the body of you email with an express request for confidentiality. There are many topics that are appropriate for a confidential response (e.g., your grade). In stark contrast, the professor will not provide answers to email questions from free riders. **FOURTH**, do *not include* the contents of *prior emails in a reply* unless those prior contents are used within that reply. **FIFTH**, do *not reply to all* unless you reasonably believe all recipients desire the reply. **SIXTH**, do *not number your emails*. The

professor will number sequentially all of the emails originating from the professor to ease the storage and retrieval efforts of all students.

### **QUIZZES:**

There are eight quizzes, each worth 5% of the course grade. Each quiz will have 10 questions (e.g., true-false; multiple choice). Each quiz will be based on the assigned readings for the next week. For example, the quiz on January 29 would be based on the assigned readings for February 5. The first quiz will be on January 29/30. In total, quizzes will be worth 40% of the course grade. Quizzes will be administered at the beginning of the class.

**There are no make-up quizzes.** The first quiz a student misses will earn the same grade as the lowest quiz grade earned by that student during the semester. Second and subsequent missed quizzes earn a grade of zero. *See also, Group Extra Credit: Matrix Essays.*

### **WALL STREET JOURNAL ASSIGNMENTS:**

There are four *Wall Street Journal* assignments (WSJa), each worth 5% of the course grade. In total, WSJa will be worth 20% of the course grade. The WSJa will be graded using a truncated 4.0 scale of A, C, and F. *It is most likely that the grade of A will be the most numerous grade.*

Each WSJa is to be printed on one page and made up of four PowerPoint slides printed, horizontally, in handout form. The first WSJa is due on **February 19/20**, see the last page of this syllabus for the other three due dates. WSJa are due at the beginning of the class. *See TYPING REQUIREMENTS.*

The WSJ has at least 3 front pages each weekday. The WSJa will be based on a single week's worth of WSJ articles appearing on a front page (i.e., A-1, B-1, and C-1). Each student shall highlight two WSJ articles from the previous week *directly related* to the next week's assigned readings. For example, the February 19/20 WSJa will be based on articles from the week of February 10 that are directly related to the assigned readings from the week of February 24.

Each student shall use two PowerPoint slides for each of the two articles. A story's first slide will include the headline of the story, all bibliographic information, and bullets of the story's key points. A story's second slide will be in prose (i.e., not bullets) and relate the first slide to the assigned readings, especially the key concept (if possible).

**BUSINESS CASE ANALYSIS:**

In total, the Business Case Analysis is worth 20% of the course grade. There are two parts of the Business Case Analysis shall be graded using the 4.0 scale of A, B, C, D, and F. *On the Context and on the CLE&S the grade of B will be the most numerous.*

MBA students whose initial enrollment is after Spring 2001 must author a Business Case prior to graduation. A detailed description<sup>1</sup> of this task is distributed in BSAD 8060, also in that course a student selects<sup>2</sup> the firm to be analyzed. The Business Case must analyze a discrete business decision from, at a minimum, the perspective of each of the MBA core courses.

Two of the three requirements for selecting a firm apply to all LESE students. Post-Spring 2001 students must select a firm that: [1] is registered with the SEC; [2] is not your employer; and [3] no other MBA student is using. Pre-Spring 2001 students need only satisfy requirements [1] and [2].

The Business Case Analysis assignment in BSAD 8010 has two parts with two different due dates: Context and CLE&S. The Context is a draft of a component of the second part (i.e., CLE&S). The Context is a one-page assignment, describing your firm, its business decision, and the legal, ethical, and social facets of that decision. The Context is worth 5% of the course grade. The Context is due **March 12/13**. On March 12/13 you also will review and edit the Context assignment of another student as will another student review and edit your Context assignment. The CLE&S is worth 15% of the course grade and includes a revision of Context plus three additional one-page assignments addressing the legal, ethical, and social facets for your firm's business decision. The CLE&S is due **April 2/3**. See *TYPING REQUIREMENTS*.

The detailed instructions below will confine your analysis. This should help you. Without such focus you will find it quite difficult to accomplish your analysis. Unlike the full Business Case you will author (where you will assume your reader is a generally knowledgeable reader), for these LESE assignments assume your reader is Professor O'Hara. Recall, your task is to prepare the reader to make a decision.<sup>3</sup> Therefore, write using the past tense for items that occur just prior to the decision that reader must make.

The Context assignment is one-page. The CLE&S assignment is really 4 assignments (i.e., Context, Legal, Ethical, and Social), each of which is individually one-page, each of which is individually graded. The Legal, the Ethical, and the Social assignments each start at the top of a page and each starts the page with a one-sentence paragraph. Each of these four assignments shall use an appropriate header identifying each separate assignment.

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<sup>1</sup> A [out of date?] version of that detailed description is in the Course Materials section of my web site. <http://cba.unomaha.edu/faculty/mohara/web/MBACase.pdf>

<sup>2</sup> Students may make a selection at any time or change a selection at any time using the following web page. <https://cba.unomaha.edu/mba/mbacomp/>

Note that the "Selected Companies" and the "Help" items in the upper left are hyperlinks.

<sup>3</sup> Your graduation requirement includes analysis of a decision that has been made *prior* to the date of your graduation. However, as of the date of your Context or your CLE&S the decision may or may not have been made.

**CONTEXT PAGE** Items [1] through [5] of the Context page may be single-spaced. The Context assignment provides information to place your business decision in context. Starting with the first line of text on the Context page, list on separate, numbered lines of text:

- [1] the name of the company you are analyzing, its ticker symbol, and the largest market in which its securities are traded (e.g., Calgon Carbon Corp., CCC, NYSE)
- [2] the name and *single* title of the human decision maker (e.g., CEO; not Chair & CEO)
- [3] industry<sup>4</sup> of the business decision you are analyzing;
- [4] name of your employer and its industry;
- [5] in four, single-sentence statements (**not questions**) state the
  - [a] decision;
  - [b] legal issue;
  - [c] ethical issue; and
  - [d] social issue.
 (NOTE, in turn, the [b], [c], and [d] sentences shall appear as the first paragraph on the next three pages. ALSO NOTE: [b], [c], and [d] are three facets of *one* decision.)

*and lastly*

[6] in a paragraph or two, place the company and its decision in context.

**LEGAL PAGE:** The first paragraph is the [5][b] sentence above. Focus on a single cause of action and use its legal name (e.g., breach of contract). A single cause of action may surface a host of issues: *intensely* prioritize your treatment. Do not do laundry lists (e.g., contracts have six elements: agreement, consideration, capacity, reality of assent, form, and legal subject matter), instead focus on a component (e.g., capacity) that is critical to the analysis of your decision. Do not use lists of questions: write in the form of declaratory statements.

The ethical and the social issues each *must spring directly from* the same dimension of the legal issue (e.g., capacity) of the decision. Failure to do this is the swiftest path to a grade of F.

**ETHICAL PAGE:** The first paragraph is the [5][c] sentence above. The second paragraph shall unambiguously identify your preferred criteria for measuring "ethical" behavior (e.g., efficiency as ethics) and its prime components. The third paragraph shall unambiguously identify the human decision maker's ethical concern *and* who else is "participating" in making the decision. In subsequent paragraphs, present your ethical analysis from *that* decision maker's point of view. Do not use lists of questions: write in the form of declaratory statements. Focus is especially beneficial for the ethics assignment.

**SOCIAL PAGE:** The first paragraph is the [5][d] sentence above. Expand upon, rather than repeat the Legal treatment or repeat Ethical treatment. The social focus is external to the firm. Social focus is not "management". Social focus constrains the scope of management discretion. If a person would be considered a foolish manager if that person attempted to "manage" the issue, then that issue is a candidate for being a social issue. Social focus actively involves persons other than the decision maker. Do not use lists of questions: write in the form of declaratory statements.

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<sup>4</sup> You are not required to, but I strongly suggest that you would benefit from identifying these industries by their NAICS name and number. <http://www.census.gov/epcd/www/naics.html>

**COMPREHENSIVE FINAL EXAM:**

There is one exam, a comprehensive final essay exam worth 20% of the course grade. The Comprehensive Final Exam is at the Regent's scheduled final exam time of, respectively, **May 7/8**.

The Final Exam will have 52 questions graded as if there are 50 questions. These questions may be true-false and/or multiple choice and will have been created independently of the quizzes. Be sure to consult Professor O'Hara's web site for copies of old exams. To correctly answer these questions will require the student to poses actual knowledge and to use attentive and thoughtful reading.

**SOLO EXTRA CREDIT: R&D Report and Deciles Report:**

Each student may earn between -2% and +2% of the course grade via a pair of Extra Credit assignments, each worth a maximum of +1% of the course grade. Both R&D Reports and Deciles Reports will be graded using grades of Pass and Fail (an earned grade of Fail has the same consequence as a complete failure to perform). A student who commits, but then fails to complete both Extra Credit assignments will earn -2% of the course grade.

A student must expressly commit to complete both Solo Extra Credit assignments and must complete both to earn any positive extra credit. A student shall commit in a one-page typed document due **January 22/23**. The Solo Extra Credit commitment document shall contain the student's name and signature as well as the student's top three preferred R&D firms and top five preferred deciles variables. A preferred firm must be a non-USA firm; unless a student's MBA Case firm is listed, in which event the student shall prepare an R&D Report on that student's MBA Case firm.

The R&D Report is a one-page assignment that describes the R&D efforts of a unique firm listed on pages 68-70 of volume 105, number 10 of MIT's *Technology Review* dated December 2002/January 2003. The first "paragraph" of the R&D Report shall repeat that firm's entry in the *Technology Review* table. All R&D Reports are due **April 9/10**.

The Deciles Report is a one-page assignment made up of six PowerPoint slides printed horizontally. The six slides will be in three sets of two slides each. The three sets will be based on the world, the USA, and Nebraska. The first slide in a set will be a graph displaying variables by population deciles for a relevant economic (e.g., income) or social (e.g., size of employer) variable. The professor will maintain a list<sup>5</sup> of approved variables that students may claim on a "first come, first served" basis. The second slide in a set will be bullets comments on the graph. If the requisite information is not available, then all three sets may be in quintiles or quartiles. All Deciles Reports are due **April 16/17**.

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<sup>5</sup> This will become a live link no later than 5:00 PM on January 15.  
<http://cba.unomaha.edu/faculty/mohara/web/LEp2DecilesVariables.pdf>

**GROUP EXTRA CREDIT: Matrix Essays:**

A voluntary group of four students, jointly, may elect to complete a group extra credit project called "Matrix Essays". That election must be made in a one-page typed document due on **January 29/30**. That election must alphabetically list the four group members, include their four signatures, identify their top three preferred key concepts (and hence dates), and which student will author which cell's essay. On January 29/30, the professor will assign key concepts to the groups that have formed. The professor first will strive to cover as many key concepts as possible and second to satisfy group preferences. With prior written authorization from the professor, groups may trade key concepts.

The extra credit value of the Matrix Essays is idiosyncratic to the student, varying by that student's specific situation. The maximum feasible range of extra credit values is between -10% and +10% of the course grade. A student who elects to complete a Matrix Essay and then fails to do so (e.g., fired by unanimous vote of the group *and* the firing is affirmed by the professor), will have that student's *highest* quiz grade reduced to a grade of zero. Typically, however, the value will be extra credit value will positive because successful completion will replace that student's *lowest* quiz grade with a grade of 100%. The essays will be graded using grades of Pass and Fail (an earned grade of Fail has the same consequence as a complete failure to perform).

There are four Matrix Essays. Each essay is one typed page. Each essay will be based on: [a] the 2x2 matrix; [b] the assigned readings for the next week; and [c] the key concept for the next week. For example, the essay on February 5 is based on the assigned readings for February 19 and the 19th's key concept of efficient breach. The first group's Matrix Essays will be due on February 5/6. Essays are due at the beginning of the class. See *TYPING REQUIREMENTS*.

The 2x2 matrix has as its rows E and UE. The 2x2 matrix has as its columns L and IL. The four cells, starting the upper left and reading clockwise are: EL; EIL; UEIL; and UEL. The initials stand for Ethical, UnEthical, Legal, and IILegal.

The student shall start the Matrix Essay with a single sentence paragraph that succinctly identifies the key concept, the cell, and a (fictional?) human whose action satisfies the characteristics of that essay's cell with respect to the key concept. The remainder of the Matrix Essay will examine that action and its context. The essay shall end with a single sentence paragraph that unambiguously identifies the student author's approval or disapproval for the action as well as the student's prime justifications for that appraisal.

**MAKE-UP WORK:**

Make-up work is strongly discouraged. **There are no Make-up quizzes.** There are two **prerequisites** for make-up work.

1. 24 hour **prior notice** of your intended absence,<sup>6</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).*

**TYPING REQUIREMENTS:**

There are two types of typed assignments: text and PowerPoint. If there is any conflict between the instructions here and the instructions in an assignment, then the assignment instructions are controlling.

**TEXT:** DO NOT USE A COVER SHEET, instead **use a left justified, single line header (e.g., see top of this page)** on each page identifying, from left to right: (1) the student author; (2) the assignment; (3) and the page of page number [e.g., Michael J. O'Hara, CCC, Context, page 1 of 4]. Grammar, punctuation, and spelling do influence your grade. Your papers shall use a #12 font typeface, shall use one-inch margins on all four sides of a page, and shall be typed on 8 1/2" x 11" white paper. Assignments with multiple sheets of paper shall be stapled together. Assignments shall be double-spaced.

**POWERPOINT:** DO NOT USE A COVER SHEET, instead **use a left justified, single line header (e.g., see top of this page)** on each page identifying, from left to right: (1) the student author; (2) the assignment; (3) and the page of page number [e.g., Michael J. O'Hara, WSJa #1, due diligence, page 1 of 1]. In the slides themselves use a footer that identifies you. Grammar, punctuation, and spelling do influence your grade. In the body of your slides use a #24 **bold** font typeface. All slides shall use a white background and dark text.

**EACH FAILURE to comply with the typing requirements (e.g., incorrect header or not using a staple) will cause an AUTOMATIC LOSS OF 5% from your earned assignment grade.**

You have been changed a \$5 *per credit hour* technology fee for the ENRON Computer Lab in RH 403 and the campus computing rooms in EAB 009; MBSC 1st Floor, Elmwood Room; DSC 104; and PKI 158 all of which have word processing and PowerPoint software and provide computer support for you. You also have paid for a UNO Lotus Notes email account.<sup>7</sup> CBA will, *upon your timely request*, give you a print card for use in the ENRON lab and worth \$5. Black and white copies are less than a nickel a page and color copies are a dollar a page.)

**ACADEMIC DISHONESTY:**

Any form of academic dishonesty (e.g., plagiarism; Wednesday students informing Thursday students of quiz contents) will earn a course grade of "F."

<sup>6</sup> Some international students are required to purchase return flight airline tickets with extreme limits on the flight dates. A student must present such a ticket to the professor prior to the end of the second week of class and discuss with the professor any flight restrictions, or such flight restrictions can not be adequate justification for Make Up Work. This footnote does not imply that all such flight restrictions are adequate justification.

<sup>7</sup> See, <http://mail.unomaha.edu> where you use your first and last name as your username and your social security number as your password. UNO sends all official notices to this email account. See also <http://blackboard.unomaha.edu/FAQ.html>.

<b>WEDNESDAY &amp; THURSDAY</b>			
<u>DATE</u>	<u>B&amp;D Chap.</u>	<u>KEY CONCEPT</u>	<u>Due Dates</u>
Jan 15 - 16		introduction, ethics, constitutional law	
Jan 22 - 23	1 & 2	CONFLICT OF INTEREST (NOTE: <i>January 20 is Martin Luther King Day: no classes</i> )	<b>commit Solo ExC</b>
Jan 29 - 30	3 & 4	CONFIDENCE	<b>elect Group ExC</b>
Feb 5 - 6	5 & 6	BUSINESS JUDGMENT RULE <i>Leadership Feb 4 @ 5:30 PM in RH 010A</i>	
Feb 12 - 13		no class	
Feb 19 - 20	8 & 9	EFFICIENT BREACH	<b>WSJa #1</b>
Feb 26 - 27	7 & 13	DUE DILIGENCE	<b>WSJa #2</b>
March 5 - 6	10 & 11	PUNITIVE DAMAGES <i>Leadership March 5 @ 5:30 PM in RH 010A, class starts afterward</i>	
March 12 -13		student editing	<b>Context due</b>
<i>March 19 - 20</i>		<i>Spring Break: no classes</i>	
March 26 - 27	12	SECURED CREDITOR	<b>WSJa #3</b>
April 2 - 3		no class, <b>BUT</b>	<b>CLE&amp;S due</b>
April 9 - 10	14	FAIR USE	<b>WSJa #4</b> <b>R&amp;D Reports due</b>
April 16 - 17	15	THINK GLOBAL, ACT LOCAL	last quiz <b>Deciles Reports due</b>
April 23 - 24	16 & 17	INSIDER	
April 30 - May 1		review whole course	student evaluations
<b>May 7 - 8</b>		6:00 - 6:30 review for exam 6:30 - 8:40 Comprehensive <b>Final Exam</b>	