

1.0 Course Description

1.1 Overview of content and purpose of the course.

BSAD 8010, "Legal, Ethical, and Social Environment" 3 credit hours.

Focus upon law and ethics. Business law, legal processes, and regulation 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.

1.2 For whom course is intended.

BSAD 8010, "Legal, Ethical, and Social Environment," is a Level 1 Critical Business Tools Course (i.e., core) for those pursuing the degree of Master of Business Administration. Students in other graduate degree programs, especially those housed in CBA (e.g., Master of Economics or Master of Public Accounting), but also students in other graduate degree programs (e.g., Public Administration), would benefit from this course.

1.3 Prerequisites of the course.

MBA Foundation courses or equivalent and completion of the Assessment/Skills Course or Assessment Skills Course Concurrently.

1.4 Unusual circumstances of the course.

None.

2.0 Objectives

2.1 List of performance objectives stated in terms of the student.

Students will be encouraged to develop leadership skills related to the "Legal, Ethical, and Social Environment." This course will develop students' capabilities in the following MBA Program theme areas. Students will be encouraged to adopt practices of an influential leader (e.g., listening skills), an innovative leader (e.g., negotiation skills), a problem solving leader (e.g., perceive unintended consequences), and a social responsible leader (e.g., encouraging ethics through organizational design). Students will demonstrate mastery of subject matter, will demonstrate critical thinking via analysis, as well as demonstrate communication of analysis to team members and others.

3.0 Content and Organization

3.1 List of topics to be covered in chronological sequence.

First, the course will open with an introduction to ethical analysis and how it differs from legal analysis. Students will be shown how both law and ethics rely on critical analysis of multiple, and often conflicting, relationships. Principles of negotiation will be introduced at this time, and revisited across the entire semester, both as a means of dispute resolution and as an integrative tool of critical thinking.

Second, introduction and overview of substantive areas of law: i.e., property, torts, contracts, and crime. Emphasis will be placed upon business facets of each substantive area of law (e.g., white collar crime).

Third, constitutional law will be introduced and used to explore the concepts of "person" and the "separation of powers." The rights of the individual, the scope of constitutionally permissible governmental regulation of business, and other limits on governmental action will be gateways to public policy analysis.

Fourth, the social context of organizational action --especially the international dimension-- will be introduced. Specific facets of international law (e.g., choice of law, NAFTA) will be explored to illuminate sovereignty as one of the separation of powers. Students will be exposed to the fact that a business decision may be both legal and ethical in one jurisdiction, and simultaneously both illegal and unethical in a different jurisdiction.

Fifth, traditional "business law" will be introduced and reviewed. Traditional "business law" includes, but is not limited to, the law of sale of goods and services, advertising law, employment law, and product liability law.

Sixth, the multitude of domestic regulatory laws constraining businesses options will be examined. These will include, but not be limited to, corporate law, securities law, and environmental law. Regulatory law is invariably a response to a perceived failure of the substantive law or "business law" to adequately address public policy concerns. Thus, ending with regulatory law provides an integrative focus to the end of the semester and requires the student to engage in critical analysis.

4.0 Teaching Methodology

4.1 Methods to be used.

The class time will be used in lecture, Socratic Method guided discussions, and student project preparation and presentation. The lectures will illuminate and expand upon assigned readings. The Socratic Method guided discussions will demonstrate for students how to critically analyze the assigned readings, and will provide an opportunity for students to develop their listening skills. The Socratic Method guided discussions will prompt students to integrate material across the entire semester and across the curriculum. The student projects will be designed to foster mastery of and integration of the subject matter, to prompt critical analysis, and to demonstrate communication skills.

4.2 Student role in the course.

The student must take an active role beyond mere note taking in lectures. The Socratic Method guided discussions require students to be prepared to contribute to class discussions of assigned readings and to participate in extemporaneous analysis of assigned readings.

Students will produce measurable output both alone and in teams. When students work on projects in teams, then there will be some identifiable individual contributions in addition to any group output. The projects, typically calling for development of negotiation strategies to resolve a business dispute, will require the student demonstrate mastery of and integration of multiple subject matters, and critical analysis. Projects will require students to use all aspects of communication skills.

4.3 Contact hours.

This is a three (3) credit hour course and requires a full semester of contact hours (i.e., 45). This course may be offered in a variety of formats (e.g., MWF, TR, or once a week), but typically it will be offered only as a "night" class.

5.0 Evaluation.

5.1 Types of student projects that will be the basis for evaluating student performance, specifying the distinction between undergraduate and graduate courses if applicable.

Students, typically, will be evaluated via exams, projects (including presentations), and class participation. In total, the evaluation will be designed to detect mastery of the subject matter, integration of subject matter, and critical analysis.

There may be multiple exams, but any final exam typically will be comprehensive. Many exams typically serve the purpose of merely detecting mastery of the subject matter. Comprehensive final exams also may be designed to detect integration of the subject matter.

The student projects will be designed to require students to demonstrate integration of subject matter and critical analysis. Often, negotiating a solution to a business dispute will be central to a student project. Student projects typically will be completed by students working in teams, but to facilitate evaluation of individual students, each team project will have at least some output which is the identifiable result of individual effort.

BSAD 8010 is solely a graduate course.

5.2 Basis for determining the final grade (e.g., weighting of various student projects), specifying the distinction between undergraduate and graduate-level courses, if applicable.

The exact weighting will vary from semester to semester and from instructor to instructor. However, a typical weighting might be:

40% = various exams

30% = written portion of project

20% = presentation of project

10% = class participation

Each instructor shall provide each student at the beginning of the semester a written explanation of both the graded events and their weightings.

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5.3 Grading scale.

The grades will be reported in a fashion consistent with UNO's standard grading policy: i.e., A = superior; B = above average; C = average; D = below average; and F = failing. Each instructor shall provide each student at the beginning of the semester a written explanation of the grading scale to be used in that course. This written explanation shall list which percentages of total points are associated with which letter grades for the course.

6.0 Resource Material

6.1 Textbook(s) or other required readings used in course.

Cheeseman, Henry R. Business Law, Second Edition, The Legal, Ethical, and International Environment. Englewood Cliffs, NJ: Prentice-Hall, Inc., 1995.

Fisher, Roger, Ury, William, and Patton, Bruce. Getting to YES: Negotiation Agreement Without Giving In. Second Edition. NY, NY: Penguin Books, 1991.

Wall Street Journal.

6.2 Other suggested reading materials, if any.

Karrass, Chester L. The Negotiating Game: How to Get What You Want. Revised edition. NY, NY: HarperCollins Publishers, Inc., 1994.

Tzu, Sun. The Art of War. James Clavell, Editor and with a foreword. NY, NY: Dell Publishing, 1983.

6.3 Other sources for the gathering of information, if any.

The UNO Library deliberately and appropriately has a limited law collection of statutes and cases, and of journals and books. To compensate for this the CBA students have access to the LEXIS/NEXIS computer data base via the CBA ENRON computer lab, and the far less access via the UNO Library. LEXIS/NEXIS provides full text searching and full text retrieval of nearly all law materials published in English as well as full text searching and recovery of many other business publication.

In addition to the LEXIS/NEXIS, students have internet and web access via the ENRON computer lab. Internet access, but particularly web access, allows for searching via search engines that have collected information by subject. For example, YAHOO has indexed extensive material on law and ethics.

Both LEXIS and the web provide the students with contemporaneous access to material in current events.

A computer lab fee is collected for this course to support the LEXIS/NEXIS access and internet access.

6.4 **Current bibliography of resources for student's information.**

- August, Ray. Public International Law: Text, Cases, and Readings. Prentice Hall: Englewood Cliffs, NJ, 1995.
- Beauchamp, Tom L. and Bowie, Norman E. Ethical Theory and Business. Third edition. Prentice Hall: Englewood Cliffs, NJ, 1988.
- Burgunder, Lee B. Legal Aspects of Managing Technology. South-Western Publishing Co.: Cincinnati, Ohio, 1995.
- Cederblom, Jerry B. and Dougherty, Charles J. Ethics at Work. Wadsworth Pub. Co.: Belmont, CA, 1990.
- Freeman, R. Edward and Gilbert, Daniel R. Jr. Corporate Strategy and the Search for Ethics. Prentice Hall: Englewood Cliffs, NJ, 1988.
- Halbert, Terry and Ingulli, Elaine. Law & Ethics in the Business Environment. Second Edition. West Publishing Co.: St. Paul, MN, 1997.
- Jacobstein, J. Myron and Mersky, Roy M. Fundamentals of Legal Research. Third edition. Foundation Press: Mineola, NY, 1985.
- Kohn, Alfie. No Contest: The Case Against Competition; Why we lose in our race to win. Houghton Mifflin Co.: Boston, MA, 1986.
- Meltsner, Arnold J.. Rules for Rulers: The Politics of Advice. Temple University Press: Philadelphia, PA, 1990.
- Restatement of the Law. The American Law Institute: Washington, D.C., 199X.
The Institute produces books on all topics of law with various imprint dates.
- Weinstien, Martin. Summary of American Law. Lawyers Co-operative Publishing Co.: Rochester, NY, 1988.