

## Dillard College of Business Administration

### Spring Semester 2020

Syllabus: Legal and Ethical Environment of Business  
LSBA 3233 Sections 201 and 202  
Dillard Building 336

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#### Contact Information

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#### Course Materials

*Business Law* by Clarkson, Miller, and Cross, 14<sup>th</sup> edition, Cengage Learning, ISBN 978-1-305-96725-0.  
Handouts are provided by professor. (Do not use previous editions.)

#### Course Description

An introduction to the procedures of the American legal system and how the law operates in the business environment with international, economic, political, and social influences. Topics include legal process, alternative dispute resolution, legal and ethical decision making, international law, torts, insurance, contracts, and sales law.

#### Course Prerequisites

POLS 1333 and POLS 1433 plus junior standing

#### Learning Goals

Social order is essential to successful commerce. As one of the primary means for maintaining social order, legal principles and processes facilitate the creation and operation of markets by providing necessary assurance to investors, sellers, buyers, employees, and others that their reasonable commercial expectations will be realized. While serving this positive function, however, law simultaneously operates as the most pervasive external constraint on business decision-making.

Students should study the legal and ethical environment of business for the same reasons that they study other core subjects in which they do not intend to specialize. They must be able to identify issues pertaining to the particular discipline; recognize potential problems before they become actualized and costly; know when to consult an expert; understand the language, practices, and methods of reasoning and problem-solving in the discipline so that the expert can be used effectively and efficiently; and have sufficient insight into the discipline so that the service and advice of the expert can be knowledgeably evaluated and incorporated into the firm's decision-making processes.

By the end of the course, students should expect themselves:

- To have acquired an understanding of the unique vocabulary terms in the law.
- To understand the relationship of ethics and law.
- To understand the parallel nature of ethical and moral decision-making and the steps necessary to make objective decisions.
- To understand the processes of business dispute resolution in the American judicial system and in the international arena.
- To be equipped as a business person or manager to recognize legal issues and manage legal risks in business decision-making by having a general understanding of the substantive areas of law that affect business on a daily basis: insurance, torts, and contracts.
- To have improved skills in analyzing problems and arriving at well-reasoned explanations.
- To have improved communication skills.

### Course Policies

**Attendance Policy:** Students are expected to attend all class meetings for this course, following the university attendance policy. See Midwestern State University Undergraduate Catalog 2019-2020. This catalog is electronic only. It may be found on the MSU website using the Registrar button, then the University Catalogs button. University attendance policy is then found under Registrar. Attendance is deemed essential for this class. Each student is allowed nine (9) absences for the entire semester. Notwithstanding anything herein contained to the contrary, any student who has ten (10) or more absences will receive a final grade of F. Excused absences are only allowed for official university activities documented ahead of time by the proper university official. Roll is taken during the first three (3) minutes of class and the classroom doors are locked eight (8) minutes after the time class is scheduled to begin. If you have been counted absent and you notify the instructor at the end of class that you came to class late, your absence will be changed to late. Being late twice is equal to one (1) absence. Additionally, in order to not disturb the class, each student is expected to stay seated throughout the entire class period except in case of an emergency. Notwithstanding anything herein contained to the contrary, any student who misses three (3) consecutive classes will receive a final grade of F. If this happens before March 30, 2020 (the official drop date for a "W"), the student will be dropped by the instructor and receive a grade of F. Many important announcements are made in class. You should always contact one of your classmates when you are absent. If you miss the concert, don't expect the band to give you a private performance.

### Other Related Policies

**Class Participation:** Each student is expected to be able to participate at all times in class. When called upon, students are expected to give lively dialogue with relevant and intelligent discussions. I will not utilize classroom time reiterating basic material that is in the text. You must read the text and brief the assigned cases before class. Classroom time will be spent clarifying and analyzing the basic material and applying material to different fact situations. Knowing rules of law has little value if you cannot apply them to solving problems.

**Assignments:** Will be made at the end of every class. There will be a significant amount of reading. I optimistically expect that all assignments will be read on time by all students. I have ways of determining whether this is actually the case during the class participation portion of our festivities. I cannot emphasize enough how important it is to come to class well-prepared. I strongly recommend that you this apply the standard rule-of-thumb: expect to spend a minimum of two hours out-of-class study hours for each hour of class time.

Business and industry expect to hire college graduates who are self-reliant, have good communication skills, and display good critical-thinking skills. Being prepared for class teaches you self-reliance. Preparing case briefs and explaining cases help your communication skills. My use of the Socratic Method enhances your critical-thinking skills.

**Testing Policy:** Each student is responsible on every test for material covered in class and for reading assigned outside of class. This includes all test material and all lecture material unless the instructor specifically excludes particular items. Also, any information in this syllabus is considered as part of classroom notes and may be tested.

**Midwestern State University Student Handbook:** Questions not specifically addressed by this syllabus are governed by the most current student handbook and the MSU Catalog. Make sure you know how to access these on the MSU website and are familiar with all the procedures therein. Pay close attention to the Code of Student Conduct section in the handbook and the Student Honor Creed. The MSU catalog is found using the registrar button on the main page of the MSU website. The Student Handbook and the Student Honor Creed are found using the Student Life button on the main page of the MSU website. Do not hesitate to ask if you need help accessing the Student Handbook, Student Honor Creed, or University Catalogs.

**Medical or Other Serious Problems:** Please take time and make the effort to advise your instructor if you have difficulties that require his attention to properly evaluate your classroom participation and activities.

**Senate Bill 11:** Passed by the Texas Legislature allowing licensed handgun holders to carry concealed handguns on campus, effective August 1, 2016. Areas excluded from concealed carry are appropriately marked, in accordance with state law. For more information regarding campus carry, please refer to the University's webpage at <http://mwsu.edu/campus-carry/rules-policies>.

**Food and Drink Policy:** Food and drinks, other than bottled water with a secure lid, are NOT permitted in the classrooms.

**Students with Disabilities:** When notified by a student who has documented a disability with the MSU Counseling and Disability Services Office, I will comply with all federal, state, and university regulations to accommodate the student. See Midwestern State University Undergraduate Catalog 2019-2020.

**Use of Electronic Devices:** Use of cell phones is strictly prohibited with two exceptions. You may review cell phone texts in class if required by your employer or if you are responsible for a minor who is in childcare or elementary school. You must notify your instructor by the second class period if one of these exceptions applies. This exception does not apply when tests are being given or reviewed. Sending texts or emails in the classroom is prohibited. Sending texts or emails in the classroom is prohibited. Sending texts or emails in the classroom is prohibited. See Lower Grade (F) below.

If you need to send a text or make a cell phone call, you may leave the class to do the same. You are also expected not to return to the class for the remainder of the period. "You cannot truly listen to anyone and do anything else at the same time." – M. Scott Peck

**Exams:** Never take an exam or answer sheet out of the classroom. This will result in an automatic F for your final grade. You may NOT electronically or manually record any information when taking a test. When taking a test you must follow the cover sheet instructions.

**Grade Postings:** Exam scores will be posted on D2L within seven days of the exam being taken.

**Exam Policy:** You must take each and every exam at the date and time announced in class. Failure to do so will result in zero (0) credit for that exam. Any deviation from this policy because of illness or emergency must be approved in advance and be properly documented. Additionally, if a student misses an exam and serious emergency circumstances are documented, instead of a grade of zero (0), the student will take the comprehensive final exam to replace the point value of the missed exam. Additionally, it is agreed and understood by you the policy for ALL exams in this class is as follows: (1) you will comply with the MSU Student Honor Creed, and (2) the questions and answers on ALL quizzes and exams are deemed confidential and will NOT be copied, disseminated, spread, circulated, shared, or publicized. Exam policy violations are grounds for being dropped from this class with an F and referral to the Dean of Students for disciplinary action, which may result in expulsion from Midwestern State University.

Lower Grade: In addition to the disciplinary consequences previously stated in this syllabus, I reserve the right to lower any student's final grade two letter grades (i.e., A to C, C to F) for:

- A. Unpreparedness in class when called upon, or,
- B. A negative, rude, unreasonably argumentative or inattentive attitude in class, or,
- C. Repeatedly disrupting the class for any reason, or
- D. Leaving and returning to your class seat during class, or
- E. Not showing respect for fellow classmates' questions, opinions, or class presentations, or
- F. Violation of use of electronic devices or food and drink policies listed above, or,
- G. Repeated tardiness to class (in addition to consequences in the attendance policy), or
- H. Violation of exam rules and procedures.

Grading Scale: Grades will be determined on the following percentage scale, with no rounding up or down:

- 87-100 = A
- 80-86 = B
- 70-79 = C
- 60-69 = D
- 59-Below = F

Academic Integrity: With regard to academic honesty, students are referred to the Student Honor Creed of the Midwestern State University Undergraduate Catalog 2019-2020. This catalog is electronic only. It may be found on the MSU website using the Registrar button, then the University Catalogs button, then Student Life button. Violation of any of the guidelines in the MSU Student Honor Creed is an academic integrity violation. In short, cheating, collusion, and plagiarism will not be tolerated. The term "cheating" generally means representing someone else's work as your own and includes, but is not limited to:

1. Failing to report to your professor any suspicion of cheating.
2. Acting with intent to promote or assist cheating, including soliciting, encouraging, directing, or aiding attempts of fellow students to cheat before, during, or after an exam.
3. Soliciting information about exam questions from students who have taken a test in another section.
4. Intentionally or negligently aiding someone taking an exam or quiz.
5. Looking or glancing at another student's paper or answer sheet during an exam or quiz.
6. Soliciting answers from a fellow student during an exam or quiz.
7. Removing a page or pages from an exam or quiz at any time.
8. Using a cell phone or any electronic device (including eyeglasses, watches and calculators) during an exam.
9. Acquiring an exam or quiz or other academic testing material without the express permission of the professor who authored the exam.
10. Copying, disseminating, spreading, circulating, sharing, or publicizing, any questions on an exam given for credit.
11. Violation of exam rules and procedures.

Academic integrity violations are grounds for being dropped from this class with an F and referral to the Dean of Students for disciplinary action, which may result in expulsion from the University.

Syllabus Change Policy: This syllabus is a guide for the course and subject to change.

Additional Assignments:

Law Case Presentation: Each student will be assigned one law case to brief and present during the semester. A total of one-hundred (100) points may be earned for this assignment. If you are unprepared, absent, or do a poor presentation, you will not receive any points. If you make an excellent presentation, you will earn up to one-hundred (100) points. This presentation of your brief must follow exactly the format in the handouts titled "How To Do A Written Law Case Brief." To receive all 100 points, your case brief presentation must be an

excellent delivery that communicates the case information clearly. This involves doing more than reading your brief to the class. It should be obvious that there was a significant amount of time spent on practice and preparation. This will be evidenced by very limited use of notes while making the presentation. A grading rubric for this presentation is provided with this syllabus.

**COURSE OUTLINE:** This is a general outline of material expected to be covered. Material covered, dates of tests, and percent of total grade will vary as necessitated by the pace at which material is covered. Additionally, lesson plans for this class are provided with this syllabus.

**THE FOUNDATIONS - Exam 1**

Chapter 1 Law and Legal Reasoning

Chapter 5 Business Ethics

**COURT PROCESSES AND INTERNATIONAL LAW – Exam 2**

Chapter 2 Courts and ADR

Chapter 3 Court Procedures

Chapter 24 International and Space Law

**INSURANCE AND TORTS - Exam 3**

Chapter 50 Insurance

Chapter 6 Torts

Chapter 7 Strict Liability and Products Liability

**ELEMENTS OF CONTRACTS – Exams 4**

Chapter 11 Nature and Terminology

Chapter 12 Agreement

Chapter 13 Consideration

**CONTRACTS CONTINUED - Exam 5**

Chapter 14 Capacity and Legality

Chapter 15 Mistakes, Fraud, and Voluntary Consent

Chapter 16 The Writing Requirement and Electronic Records

**OPTIONAL COMPREHENSIVE FINAL EXAM - Exam 6**

This class will have an optional comprehensive final exam worth approximately 37% of your total grade. The comprehensive final exam will only be used to calculate your final grade if you improve your grade.

**8:00 a.m. TR class final exam is scheduled at 8:00 a.m. Thursday, May 14, 2020.**

**9:30 a.m. TR class final exam is scheduled at 8:00 a.m. Tuesday, May 12, 2020.**

[All students graduating with probability of honors who elect to take exam 6 must do so at 8:00 a.m. Tuesday, May 12]