Subject: Business - Management  Number: EBGN 567

Course Title: Business Law & Ethics

Section: A

Semester/year: Fall 2015

Instructor or Coordinator: Mark B. Mondry, Teaching Associate Professor

Contact information (Office/Phone/Email): Engineering Hall, room 319
                                          303.384.2359
                                          mmondry@mines.edu

Office hours: Mon & Wed: 1:30pm - 12:30pm
              Tue & Thu: 2:00pm – 3:00pm
              Other times available by appointment

Class meeting days/times: Mondays and Wednesdays 12:00pm – 1:15pm

Class meeting location: Engineering Hall, room 211

Web Page/Blackboard link (if applicable): Blackboard

Teaching Assistant (if applicable): TBD

Contact information (Office/Phone/Email): TBD

Instructional activity:  3  hours lecture   ___ hours lab  3  semester hours

Course designation:  ___ Common Core  ___ Distributed Science or Engineering
                      ___ Major requirement  x  Elective  ___ Other (please describe ____________)

Course description from Bulletin:

This course incorporates a broad range of legal topics and ethical issues relevant to technology-based organizations, from start-ups to mature Fortune 100 international corporations. The topics encompass numerous aspects of U.S. business law including: the court system, contracts, e-commerce, managerial ethics, contracts, early stage business formation, property, product liability, governmental regulation and employment law; as well as touching on some of the complexities of intellectual property law and strategy.

The course is discussion based, with some lecture, and moves rapidly. A significant portion of class time will be applied to exploring and discussing assigned topics through relevant abbreviated court case descriptions, ethics reader assignments and current and recent events in business. The overall goal of this course is not to make you an legal expert, but rather to make you a better manager and leader by exposing you to a range of legal topics and thereby making you better equipped to ask the right questions in the process of making better, more informed decisions.
Textbook and/or other requirement materials:

Required texts:


Other required supplemental information: Students are required to access their CSM Blackboard site for our course several times a week to view or download supplemental materials and to post blog assignments.

Student learning outcomes: At the conclusion of the class students will...

1. Describe the sources of U.S. law and explain the differences between law, ethics and the social responsibility of business.
2. Integrate business law considerations into business decision processes, and demonstrate how this integration can identify important questions that must be considered from a risk context.
3. Gain business skills by exercising advocacy of alternative positions in class discussions.
4. Analyze business cases to identify legal and ethical considerations.
5. Demonstrate how ethical issues and considerations can impact personal and managerial decisions in business organizations.
6. Define the structure of the U.S. court system, the general stages of the civil litigation process and forms of alternative dispute resolution available to commercial enterprises.
7. Apply the elements of contract formation, performance and discharge to commercial transaction scenarios to identify potential contractual legal risks and liabilities.
8. Analyze contract breach scenarios and determine damages calculations and possible equitable remedies.
9. Identify business and white-collar crimes, and describe the U.S. criminal legal procedure.
10. Define intentional and unintentional torts that can apply to business conduct, and identify activities that could expose an organization to risks of legal liability under the legal theories of negligence.
11. Describe the different forms of intellectual property protection, including patents, trademarks, copyrights and trade secrets and how they may apply to different forms of technology development.
12. Identify express and implied warranties, and define the sources of product liability.
13. Define the different types of bankruptcy available under federal law, and describe federal bankruptcy procedure.
14. Apply agency law to different employment and agency business situations to identify potential legal risks and obligations.
15. Analyze an entrepreneurial business opportunity and identify the available forms of legal entity creation applicable to those opportunities.
16. Explain the elements of good corporate governance.
17. Define three different forms of business mergers and acquisitions, and how the general antitrust laws can impact potential business combinations.
18. Identify at least three labor and employment practices that can expose businesses to legal liability.
Brief list of topics covered:

1. Business ethics and corporate social responsibility.
2. Aspects of constitutional law that relate to business.
3. The civil litigation process and how criminal procedure differs.
5. White collar crime.
7. Torts law as applied to businesses.
8. Bankruptcy law and procedure.
9. Legal considerations for start-ups.
10. The scope of legal agency and the associated risks that arise in business contexts.
11. Corporate governance.
13. Franchise law.
15. Consumer safety and environmental protection.
16. Labor, worker protection and immigration laws.
17. Personal property, real property and landlord-tenant law.

Policy on academic integrity/misconduct: The Colorado School of Mines affirms the principle that all individuals associated with the Mines academic community have a responsibility for establishing, maintaining an fostering an understanding and appreciation for academic integrity. In broad terms, this implies protecting the environment of mutual trust within which scholarly exchange occurs, supporting the ability of the faculty to fairly and effectively evaluate every student’s academic achievements, and giving credence to the university’s educational mission, its scholarly objectives and the substance of the degrees it awards. The protection of academic integrity requires there to be clear and consistent standards, as well as confrontation and sanctions when individuals violate those standards. The Colorado School of Mines desires an environment free of any and all forms of academic misconduct and expects students to act with integrity at all times.

Academic misconduct is the intentional act of fraud, in which an individual seeks to claim credit for the work and efforts of another without authorization, or uses unauthorized materials or fabricated information in any academic exercise. Student Academic Misconduct arises when a student violates the principle of academic integrity. Such behavior erodes mutual trust, distorts the fair evaluation of academic achievements, violates the ethical code of behavior upon which education and scholarship rest, and undermines the credibility of the university. Because of the serious institutional and individual ramifications, student misconduct arising from violations of academic integrity is not tolerated at Mines. If a student is found to have engaged in such misconduct sanctions such as change of a grade, loss of institutional privileges, or academic suspension or dismissal may be imposed.

The complete policy is [online](#).

**Grading Procedures:** Each student’s course grade will be based on the following components (described below):

(a) Quizzes 40%

(b) Deliverables: 10%

(c) In-class Participation: 15%

(d) Blog Posts and Comments: 10%

(e) Final Project (written) 25%

Total: 100%

Description of Each Component:
(a) **Quizzes** – The quizzes will be short answer/essay, multiple choice, T/F or fill in the type questions focusing on the reading from our text *Contemporary Business Law*. Quizzes will be on the dates indicated in the *Class Schedule and Assignments* (attached), usually at the beginning of class, and are designed to determine if you are keeping up with the assigned reading and able to apply the concepts of the content.

(b) **Deliverables** – The assignments in any given week may include written “Deliverables” that are due at the beginning of class. These deliverables may include responses to chapter problems, reflections on cases or essays in the reading, or other assignments. The deliverables are designed to provide experience using important legal and ethical concepts and are an important component of the course grade. The deliverables are due at the beginning of class (hard copy). Late submissions will receive a zero grade unless extraordinary circumstances warrant otherwise (at the discretion of the instructor).

(c) **In-class Participation** – Each class session will have assigned reading to be completed in advance of the class session (see Class Schedule and Assignments attached). The instructor may randomly call on students to participate in the discussion of topics from the assigned reading. Additionally, some classes will have assigned exercises that will be part of our class discussion but do not need to be turned-in. These exercises are listed as “Prep” in the “Assignments Due” column for that class session (note: the exercises to be turned-in are called “Deliverables” as described above). Your participation in class discussions will be graded based on the quality of your participation, i.e., whether you can reflect on the content from the assigned reading in a way that shows you did read the material and are able to apply the concepts.

(d) **Blog Posts and Comments** – Most weeks, students are required to post an original post (≥50 words) responsive the weekly topic/question/exercise posted in the “weekly blogs” section of our Blackboard course site AND one response to another student's post (≥25 words) for that week as provided on the Class Schedule and Assignments. Students should be respectful of each other’s positions and contributions as would be required in a professional workplace. Taking contrary or alternative positions is encouraged to broaden the dialogue.

(e) **Final Project** – The final project is a written project that applies topics that we cover in class and critical thinking skills to a “closed universe” fact situation provided by the instructor. More details on the final project will be provided during the semester and students will have approximately one week to complete the project.

**Coursework Return Policy:** Coursework submitted by a student in this course that is part of the course grade (i.e., subject to graded evaluation by the instructor and considered as a component of the overall course grade) will be graded by the instructor and returned to the student promptly, usually within two (2) class sessions from the date of submission, to allow students to learn from the evaluation and apply that learning to the remaining coursework expectations for the semester. If a submission is at the end of the semester (i.e., part of a final exam, final project or deliverable submitted on or near finals week), a student will receive a grade evaluation only as part of the overall course grade and will not receive a return of the tangible coursework submission (paper, exam, etc.).

**Absence Policy:** Generally, students are expected to attend every class. Your participation in each class benefits each student in the class as we all learn from each other’s contributions, experiences and ideas. It is this sharing of ideas and differing perspectives communicated by class discussions that separate the in-class experience from one that could be provided from merely reading the assigned materials. Therefore, excused or unexcused absences will reflect negatively on your in-class discussion/participation grade component. In the event that you anticipate not being able to attend a class session due to illness or a work related or personal obligation, you are expected to contact the instructor in advance by email or phone notifying of your expected absence. In the event of an unanticipated absence (i.e., emergency or unavoidable circumstances), please contact the instructor as soon as reasonably possible to communicate the nature of the absence. Absences that are reasonable (determined at the discretion of the instructor) will be deemed excused, all others will be deemed unexcused.

**Homework:** Your homework consists of the items in the “Assignments Due” column in the attached Class Schedule and Assignments table for each class session. This will include assigned reading, deliverables, and blog posts.
• **Assigned Reading:** Each class session will have assigned reading as part of the homework, and you are expected to have completed the reading before the class session in order to constructively participate in the class discussions and activities. You will get far more out of the class sessions if you have read the assigned materials before the class. We will cover a great deal of material over the semester and our class time does not provide adequate time to cover all information in the assigned reading.

• **Deliverables:** All deliverables must be turned in on time – plan ahead. Late submissions will receive a zero grade unless there are extraordinary circumstances as deemed so by the instructor. Deliverables should be uploaded into our Blackboard course site, unless the instructor specifically requests otherwise for a particular deliverable.

• **Quizzes:** If you know you will be absent during a scheduled quiz, you should schedule a make-up time before the scheduled quiz. In the event of an unanticipated absence during a quiz or exam, please contact the instructor as soon as reasonably possible to arrange a make-up time to take the quiz or exam.

**Collaboration on Homework:** Students are strongly encouraged to work in groups to complete homework and/or deliverables. However, students are required to participate in group work activities and not to just copy others work and submit it as their own. If you do work with other students on a deliverable, you are required to list the students you worked with on your deliverable.

**Common Exam Policy** (if applicable): N/A

**Detailed Course Schedule:** See the Attached Class Schedule and Assignments Table. This table is subject to revisions and updates throughout the semester. Changes will be announced as they occur on our blackboard course site.
# Class Schedule and Assignments*

**Version 1.0 (8.24.2015)**

*This table is subject to change during the semester by notice by the instructor.*

**Abbreviations:**
- **BB =** Blackboard EBGN 567 course site weekly folder contents
- **BL =** Cheeseman, Contemporary Business Law, 8th ed.
- **HW =** Ciulla, Honest Work – A Business Ethics Reader

<table>
<thead>
<tr>
<th>Week #</th>
<th>Class #</th>
<th>Date</th>
<th>Topics:</th>
<th>Assignments Due:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Week 1</td>
<td>#1</td>
<td>Wed. 8/26</td>
<td>- Course introduction, student introductions.</td>
<td><strong>None.</strong> Bring any questions about the class that you may have.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>- Course structure and expectations.</td>
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<td></td>
<td></td>
<td></td>
<td>- Law vs. Ethics.</td>
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<tr>
<td>Week 2</td>
<td>#2</td>
<td>Mon. 8/31</td>
<td><strong>Legal Heritage and the Digital Age</strong></td>
<td><strong>Read:</strong> BL chap. 1; HW Introduction (p. xxiii) and “On the Job” (pp.1-3); BB for week 2. <strong>Prepare:</strong> None. <strong>Deliverable:</strong> None. <strong>Blog:</strong> Post your week 2 blog entry by the beginning of class.</td>
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<tr>
<td></td>
<td>#3</td>
<td>Wed. 9/2</td>
<td><strong>Ethics and Social Responsibility of Business</strong></td>
<td><strong>Read:</strong> BL chap. 8; HW “Introduction: Getting to Work” (p. xxiii), text box on pp. 6-7, “Exploring the Managed Heart” (pp.7-11); Case 1.3 “Does Home Life Matter at Work?” (p. 34); BB for week 2. <strong>Prepare:</strong> None. <strong>Deliverable:</strong> None. <strong>Blog:</strong> Review week 2 entries, post a comment to another student’s entry by the beginning of class.</td>
</tr>
<tr>
<td>Week 3</td>
<td>#4</td>
<td>Mon. 9/7</td>
<td><strong>Constitutional Law for Business and E-Commerce; Courts and Jurisdiction</strong></td>
<td><strong>Read:</strong> BL chaps. 2 &amp; 3; HW case 1.1 “The Job Interview” (p. 30), case 1.2 “A ‘State of the Art’ Termination” (p. 32), “Is Business Bluffing Ethical?” (p. 43); BB for week 3. <strong>Prepare:</strong> Questions 1-3 on HW p. 47. <strong>Deliverable:</strong> None. <strong>Blog:</strong> Post your week 3 blog entry by the beginning of class.</td>
</tr>
<tr>
<td></td>
<td>#5</td>
<td>Wed. 9/9</td>
<td><strong>Judicial, Alternative, Administrative and E-Dispute Resolution</strong></td>
<td><strong>Read:</strong> BL chap. 4; HW chap. 2 introduction “The Check is in the Mail” (p. 39-41), BB for week 3 <strong>Prepare:</strong> None. <strong>Deliverable:</strong> None. <strong>Blog:</strong> Review week 3 entries, post a comment to another student’s entry by the beginning of class.</td>
</tr>
<tr>
<td></td>
<td>#6</td>
<td>Mon. 9/14</td>
<td><strong>Intentional Torts and Negligence</strong></td>
<td><strong>QUIZ 1</strong> (covering content of Weeks 2-3) at start of class</td>
</tr>
<tr>
<td>Week #</td>
<td>Class #</td>
<td>Date:</td>
<td>Topics:</td>
<td>Assignments Due:</td>
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</table>
| #7     | Wed. 9/16 | Criminal Law and Cyber Crimes | Read: BL chap. 6; BB for week 4  
Prepare: None.  
Deliverable: None.  
Blog: Review week 4 entries, post a comment to another student’s entry by the beginning of class. |
| #8     | Mon. 9/21 | Intellectual Property and Cyber Privacy; Ethics and Technology | Read: BL chap. 7; HW pp. 290-300; BB for week 5  
Prepare: None.  
Deliverable: None.  
Blog: Post your week 5 blog entry by the beginning of class. |
| #9     | Wed. 9/23 | Nature of Traditional and E-Contracts | Read: BL chap. 9; BB for week 5  
Prepare: None.  
Deliverable: None.  
Blog: Review week 5 entries, post a comment to another student’s entry by the beginning of class. |
| #10    | Mon. 9/28 | Contracts: Agreement and Consideration; Capacity and Legality | Quiz 2 (covering weeks 4-5) at start of class  
Read: BL chaps. 10 & 11; 1; BB for week 6  
Prepare: None.  
Deliverable: None.  
Blog: Post your week 6 blog entry by the beginning of class. |
| #11    | Wed 9/30 | Contracts: Genuineness of Assent and the Statute of Frauds | Read: BL chaps. 12 &13; BB for week 6  
Prepare: None.  
Deliverable: None.  
Blog: Review week 6 entries, post a comment to another student’s entry by the beginning of class. |
| #12    | Mon 10/5 | Breach of Contract and Remedies; Digital Law and E-Commerce | Read: BL chap. 14 & 15; BB for week 7  
Prepare: None.  
Deliverable: None.  
Blog: Post your week 7 blog entry by the beginning of class. |
| #13    | Wed. 10/7 | Formation of Sales and Lease Contracts; Remedies for Breach of Sales and Lease Contracts | Read: BL chaps 16 & 18; BB for week 7  
Prepare: None.  
Deliverable: None.  
Blog: Review week 7 entries, post a comment to another student’s entry by the beginning of class. |
| #14    | Mon. 10/12 | Title to Goods and Risk of Loss; Warranties and Product Liability | Quiz 3 (covering weeks 6-7) at start of class  
Read: BL chap. 17 &19; BB for week 8  
Prepare: None.  
Deliverable: None.  
Blog: Post your week 8 blog entry by the beginning of class. |
| #15    | Wed. 10/14 | Bankruptcy and Reorganization; | Read: BL chap 24 & 29. BB for week 8  
Prepare: None. |
## Corporate Acquisitions and Multinational Corps

### Deliverable:
None.

### Blog:
Review week 8 entries, post a comment to another student’s entry by the beginning of class.

<table>
<thead>
<tr>
<th>Week 9</th>
<th>Mon. 10/19</th>
<th>FALL BREAK – No Classes</th>
</tr>
</thead>
<tbody>
<tr>
<td>#16</td>
<td>Wed. 10/21</td>
<td>Agency Law; Small Business, Entrepreneurship &amp; Partnerships</td>
</tr>
<tr>
<td>#17</td>
<td>Mon 10/26</td>
<td>Corporate Formation &amp; Financing; Corporate Governance &amp; Sarbanes Oxley Act.</td>
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</table>

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<tr>
<th>Week 10</th>
<th>Mon 10/26</th>
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<tbody>
<tr>
<td>Read:</td>
<td>BL chaps. 25 &amp; 26; 1; BB for week 9</td>
</tr>
<tr>
<td>Prepare:</td>
<td>None.</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>None.</td>
</tr>
<tr>
<td>Blog:</td>
<td>None.</td>
</tr>
</tbody>
</table>

| Quiz 4 (covering weeks 8-9) at start of class |
| Read: BL chaps. 27 & 28; HW “Who Rules the Corporation” (p. 582); BB for week 10 |
| Prepare: HW case 14.2 “The Good Old Boys at Worldcom” (p. 625). |
| Deliverable: None. |
| Blog: Post your week 10 blog entry by the beginning of class. |

<table>
<thead>
<tr>
<th>Week 11</th>
<th>Mon. 11/2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read:</td>
<td>BL chaps. 33 &amp; 34; 1; BB for week 11</td>
</tr>
<tr>
<td>Prepare:</td>
<td>None.</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>None.</td>
</tr>
<tr>
<td>Blog:</td>
<td>Post your week 11 blog entry by the beginning of class.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Week 12</th>
<th>Mon. 11/9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read:</td>
<td>BL chap. 37; BB for week 12</td>
</tr>
<tr>
<td>Prepare:</td>
<td>None.</td>
</tr>
<tr>
<td>Deliverable:</td>
<td>None.</td>
</tr>
<tr>
<td>Blog:</td>
<td>Post your week 12 blog entry by the beginning of class.</td>
</tr>
</tbody>
</table>

| #21 | Mon. 11/9 |
| #19 | Mon. 11/2 |
| #23 | Mon. 11/6 |
| #25 | Mon. 11/23 |

| Read: | BL chap. 41; HW box “Interns at Foxcomm” (p. 496); BB for week 13 |
| Prepare: | HW case 11.5 (p. 493). |
| Deliverable: | None. |
| Blog: | Review week 13 entries, post a comment to another student’s entry by the beginning of class. |

| Quiz 5 (covering weeks 10-11) at start of class |
| Read: BL chap. 37; BB for week 12 |
| Prepare: None. |
| Deliverable: None. |
| Blog: Post your week 12 blog entry by the beginning of class. |

<p>| Quiz 6 (covering weeks 12-13) at start of class |
| Read: BL chap. 38; BB for week 13 |
| Prepare: None. |
| Deliverable: None. |
| Blog: Post your week 13 blog entry by the beginning of class. |</p>
<table>
<thead>
<tr>
<th>Week 14</th>
<th></th>
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</thead>
</table>
| **Read:** Siemens case materials in BB for week 14  
**Prepare:** None.  
**Deliverable:** None.  
**Blog:** Post your week 14 blog entry by the beginning of class.  
**#26** Wed. 11/25 **THANKSGIVING BREAK**  
No Classes  
**Enjoy!** |  |
| **Week 15** |  |
| **#27** Mon. 11/30 **Topical - TBD**  
**Read:** BB for week 15  
**Prepare:** None.  
**Deliverable:** None.  
**Blog:** Post your week 15 blog entry by the beginning of class. |  |
| **#28** Wed. 12/2 **Topical - TBD**  
**Read:** BB for week 15  
**Prepare:** None.  
**Deliverable:** None.  
**Blog:** Review week 16 entries, post a comment to another student’s entry by the beginning of class. |  |
| **Week 16** |  |
| **#29** Mon. 12/7 **Final project Due** |  |
| **#30** Mon. 12/9 **Looking back**  
**Course take-away and applications**  
**Discussion on Final Project** |  |
| **Week 17** |  |
| **FINALS WEEK**  
**There is NO final for this class.** |  |