BUS 2008 Legal Environment of Business  
Notre Dame de Namur University  
Spring 2014  
James F. Kelley

Course Description: 
Explores how the law is used to resolve potential and actual conflicts of interest in society, including those between and among business, government, individuals, and private institutions. Evaluates the effectiveness of specific laws, including securities, consumer, employment, and environmental.

Instructor Contact Information:  
Office phone 508-3724; office is Cuvilly 16

Office hours:  
Tuesday and Thursday from 3:20 to 4:20 and by appointment.

Instructor Biography:  
I am an attorney practicing in San Jose, CA. as well as a professor at Notre Dame. I hold a B.S. degree from the US Military Academy, an MBA from the Wharton Graduate Division of the University of Pennsylvania, and a JD from Santa Clara. I have concentrated my practice in corporate and business law, although I also spent 5 years in complex commercial litigation.

You may call me Dr., Mr., or Professor Kelley.


Attendance policy: Regular attendance is expected and grades will be affected by attendance as participation is expected. It does not matter whether the absence is excused or unexcused, after missing part or all of eight classes your grade cannot exceed a “C.” Further absences will likely result in failure of the course

PROGRAM LEVEL LEARNING OUTCOMES:  
1. Students will be able to understand, analyze and communicate economic, legal, and ethical aspects of business.  
2. Students will be able to demonstrate written and oral communication competencies that support the effectiveness of strategic planning and operational activities.  
3. Students will develop comprehensive solutions to business problems by synthesizing and evaluating information using qualitative methods of reasoning and analysis.

Course LEARNING OBJECTIVES  
Objectives:  
Be able to explain responses to business problems from a legal perspective.
Analyze the stakeholders and social interests related to a social/legal issue facing a business, and formulate strategies for response.

Communicate clearly and succinctly orally and in writing.

**WORKLOAD:** In addition to class attendance, every class at NDNU includes assignments estimated to take approximately six (or more) hours per week outside of class. The distribution of average weekly hours of instruction/study for this class will follow that norm generally in accordance with the following:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Hours</th>
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<tbody>
<tr>
<td>Class Contact Hours</td>
<td>45</td>
</tr>
<tr>
<td>Text Readings and Note Taking</td>
<td>45</td>
</tr>
<tr>
<td>Research and Writing Assignments</td>
<td>18</td>
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<tr>
<td>Analyzing and briefing cases</td>
<td>25</td>
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<tr>
<td>Studying for quizzes and exams</td>
<td>10</td>
</tr>
<tr>
<td><strong>TOTAL NUMBER OF HOURS PER COURSE</strong></td>
<td>135+</td>
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**WRITTEN ASSIGNMENTS:** The School of Business and Management requires the use of the American Psychology Association (APA) publication guidelines as a standard for all papers. If you need help with your writing or need more information about writing in the APA format, please make an appointment at the NDNU Writing Center. You can also visit the APA Style webpage at [www.apastyle.org/previoustitps.html](http://www.apastyle.org/previoustitps.html).

**LATE HOMEWORK:** Case briefs are to be completed by the start of each class meeting. Assignments not turned in when requested cannot be turned in later. This policy does not apply to Projects.

**PARTICIPATION:** Both lecture and classroom activities (both in-class and online) are organized to maximize student involvement in the learning process. You will be evaluated on your comprehension of the material as well as your ability to discuss the relevancy of what was noteworthy in context of this class.

**COURSE MATERIAL - Published Textbook Information**

In accordance with the federal Higher Education Opportunity Act, to the extent practicable, NDNU makes textbook information available as part its class schedule. NDNU makes every effort to ensure the accuracy of the textbook information provided. Due to issues such as textbook availability, errors, and academic reasons, NDNU may need to change textbook information that has been published. NDNU cannot take financial responsibility when a student purchases a non-refundable textbook and a change occurs to published textbook information. Students wishing to avoid this risk, should purchase textbooks from sources that allow returns for refunds, such as the NDNU Bookstore managed by Follett.

**Grading criteria and instructor expectations:**
Grades will be provided in accordance with the student handbook. This is a discussion class and 20 points of your grade will depend on your active participation in class discussion (quality and quantity) both in small group and large group; in addition 20 points are for homework Exceptional performance will be considered along with numerical scores in determining the final grade. Please note that no “extra credit” projects are allowed. Case briefs and commentary papers count as class participation, all homework is subject to being collected.

There is a take-home midterm (50 points) and an in-class final (50 points). In addition there are three papers due in the course, each paper is worth 25 points.

>94-100% A
>91-94 A-
>88-91 B+
>84-88 B
>81-84 B-
>78-81 C+ and so on

Assignment Schedule

| Jan9 | Introduction: Review World-Wide Volkswagen (p35) and briefing cases. |
| Jan14 | pp 33-55 West Virginia U (p39) |
| Jan16 | pp 55-65 J.E.B. (p56) |
| Jan21 | pp 99-108 Clinton (p102); Gonzales (p106) |
| Jan23 | pp 108-129 United Haulers (p110); Central Hudson (116); D.A.B.E (126) |
| Jan28 | pp 202-223 no cases |
| Jan30 | Project 1 due; In class exercise—bring 5 copies of your paper |

Feb4  pp 478-494 Massachusetts (p484); Fox TV (p489); Vonage Holdings (493)
Feb6  pp 160-196 US v Park (p172); Gray (p181); Rockwell Int’l (191)
Feb11  pp 309-337 BMW (312); Nemet (p321); Johnston (p325); Schultz (335)
Feb13  pp 343-356 Riegel (p350); Williams (p354)
Feb18  pp 356-367 Welge (p356); Calles (p360)
Feb20  pp413-430 Alberty-Velez, Penthouse Int’l. Gaddy
Feb25  Work on midterm—no class; I’ll be in classroom for any questions during the class period.
Feb27  Midterm due NLT 3:15pm

The remainder of the syllabus will be provided prior to the midterm.

INSTRUCTIONS FOR WRITTEN PROJECTS

All projects must be typed.
**Length:** All projects shall be no shorter than three pages. Recommended length is from 3 to 5 pages.

**Content:**
Choose an article or news story from a recent publication having to do with business regulation or business ethics. Recent should mean within the past three months. Exceptions will be granted only after consultation with the instructor. **Note that this is a business course, your project should be relevant to business.**

Write an essay or analysis of the material in the article to help the reader better understand the textbook discussion or to help crystallize your own opinion about the textbook materials. Your conclusions do not have to reflect the opinions of the reader or the majority of the class; however, your discussion should be clear, be supported by some evidence other than personal opinion, and be consistent. This is not merely a report, but your analysis.

**Your project should have the following:**
- An **introduction** which briefly describes to the reader the material to be discussed and which identifies the position you are taking regarding the material;
- A **middle** in which you discuss, analyze, and comment on the material in the article. You should bring out concepts included in the text, and you are encouraged to provide rational disagreement to any points promoted in the article; and
- A **conclusion** in which you tie together the various points articulated in your discussion.

Include a copy of the article on which you have based your project. Please do not include the original article, but only a photocopy.

***If you are unhappy with your grade you may rewrite the paper within two class sessions of when the papers are returned to the class. Only one rewrite per project is allowed. You cannot get a lower grade on a rewrite, but neither is there a guarantee of an improved grade.***

**Learning and Other Disabilities**
If you have a learning disability or other condition or circumstance that requires accommodations in this class, you must bring it to the instructor’s attention as soon as possible. Appropriate accommodations (evidence of a disability must be in writing) can be written through the office of PASS. Please contact Peggy Koshland-Crane at 508-3670. The student will bring letters to each instructor specifying the accommodations. No accommodations will be allowed without a letter from PASS.

**Written Assignments:** The School of Business and Management requires the use of the American Psychology Association publication guidelines as a standard for all papers.
**Plagiarism**: NDNU takes plagiarism, representing someone else’s work as your own, very seriously. Consult the NDNU Student Handbook regarding the consequences of misrepresenting your work.