

**UNIVERSITY OF MIAMI HERBERT BUSINESS SCHOOL**  
**BSL 305: LEGAL AND SOCIAL ASPECTS OF BUSINESS REGULATION**  
**March InterSession 2020**

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**Class Hours:** M-F 9 a.m. to 4 p.m. (includes lunch break); Saturday 9-12 p.m.  
**Classroom:** Aresty 430

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### **OVERVIEW AND OBJECTIVES**

Since the business scandals of the turn-of-the-millennium and the financial crises of the last decade, the level of scrutiny of corporate behavior is at a peak. Indeed, there is an increasingly urgent call for future business leaders to understand how firms can operate at once profitably, legally, and in a socially responsible way. This course provides an introduction to the regulatory environment of business and to the applied philosophy needed to analyze the social aspects of business decision making. It brings to life complex situations where business imperatives, legal rules, and social norms collide, blending theory and practical problem-solving for future business managers. Timely and sometimes provocative topics are examined through a combination of multi-disciplinary readings, case study analysis, full-length films, and active class discussion. Students will gain facility with the critical terminology and analytical tools necessary to solve difficult managerial dilemmas.

### **CLASS POLICIES**

**Evaluation Criteria:** The student's grade will be comprised of three components. First, worth 20%, are two quizzes, which will consist of essay problems, short answer, and objective-type questions covering the material from the previous session's reading assignment and class discussion. Second, worth 50%, is attendance and participation and a short analytical paper based on a film of the student's choice. The third component is the final examination, worth 30%. The final exam is cumulative but will be "open book and open notes." All exams and papers *are designed to evaluate the students' analytical abilities as well as their command of both concepts and critical terminology*. A cumulative make up test will be provided in the event of a University-excused absence affecting any examination. A missed test for any other reason, including business travel, undocumented illness, or any other circumstance (whether or not outside the student's control) will count as the student's "dropped" test grade.

**Preparation and Class Participation:** The Business Law Department believes that the presence and participation in class of the student are essential elements of the learning experience. Business Law 305 is a discussion-oriented course drawing upon multi-disciplinary readings and reported court decisions, as well as active viewing of full-length films that are used for case analysis and class discussion. The value of the course lies in preparing for, listening to, and participating in the in-class discourse. It is impossible for a student to make up a missed class by simply analyzing the assigned readings and cases. Therefore, it is expected that students *attend every class, arriving on time* so that we may start promptly. Unexcused absences or the lack of consistent, meaningful class participation may result in the lowering of the student's final grade in the faculty member's sole discretion.

**80% Attendance Rule:** Students are not required to provide an explanation for missed classes. However, the Business Law Department maintains a firm 80% policy regarding attendance. That is, a

student who fails to attend *at least 80%* of class sessions (i.e. absent no more than two half-sessions) does not qualify as having completed the course and will not receive a passing grade.

**Incompletes:** The Incomplete (I) grade will be recorded only when a student is unable to complete the course for a verifiable non-academic reason. An Incomplete (I) is not appropriate when a student is not passing the course and, therefore, will not be granted for that reason. All Incomplete grades must be approved in advance by both the professor and the Department Chair.

**Extra Credit:** The University of Miami has a strict policy on extra credit assignments that states that extra credit may not be offered to individual students. If extra credit assignments are made available to one student, they must be made available to all students and all students so informed. *Accordingly, there will be no extra credit assignments in this course.*

**Academic Dishonesty** Academic dishonesty in any form is not tolerated. This policy is required to encourage consistent ethical behavior among students and to foster a climate of fair competition. Personal integrity is a quality that is expected and respected at the University of Miami. The student must seek an education in a sound manner, with devotion to honesty that will not be violated in search of an easy way to make a grade. The student's academic conduct, thus, must be beyond reproach. Consequently, the Undergraduate Student Honor Code is in force at all times.

#### TEXT (REQUIRED)

Halbert & Ingulli, *Law & Ethics in the Business Environment* (9<sup>th</sup> ed. 2018)  
ISBN 9781337744508

#### COURSE WEBSITE

All students are automatically enrolled in this course on Blackboard at [www.courses.miami.edu](http://www.courses.miami.edu) prior to the first day of class. You will find a copy of this syllabus at this course's website using the Syllabus button. Supplemental reading is filed at the Bibliography button. Lecture outlines, and course handouts can be found at the Course Documents button. Students should check the course website each day prior to class for announcements and other important information.

#### SAMPLE SCHEDULE OF ASSIGNMENTS (SUBJECT TO CHANGE)

Class	Lecture Topic(s)*
Monday, March 9	Ch. 1: Law, Ethics, Business: An Introduction Ch. 2: The New Economy: Revisioning Work Ch. 3: Whistleblowing: Conflicting Loyalties  Film: <i>The Laundromat</i>
Tuesday, March 10	<b>Quiz 1</b> Ch. 4: Privacy and Technology: Surveillance and Freedom Ch. 5: Diversity and Equity: Justice for All Ch. 6: Health and Safety: Workers Rights as Human Rights  Film: <i>Snowden</i>
Wednesday,	Ch. 7: Environmental Sustainability: Law and

March 11	Fairness Ch. 8: Marketing Technology, Choice & Manipulation  Film: <i>Erin Brockovich</i>
Thursday, March 12	<b>Quiz 2</b> Ch. 9: Product Liability: Allocating Risk and Responsibility Ch. 10: Intellectual Property: Ownership, Creativity, and Innovation  Film: <i>Flash of Genius</i>
Friday, March 13	Final exam review
Saturday, March 14	Final exam

### THE SHORT ANALYTICAL PAPER

Please view the assigned film with its legal and ethical aspects in mind. Look for legal terms or doctrines, situations, or applications. Look for individual and corporate ethical dilemmas and any social/moral issues you can identify. After you have watched the film critically, prepare a paper discussing both the legal and social/moral aspects of the film. What follows are some basic instructions and the broad sketch of an outline for the paper.

#### Instructions

**Honor Code:** The paper is an individual effort and must be your own original work, prepared for this course. You are to submit your paper via Safe Assignment at the Blackboard site for this course. Instructions for uploading your paper are set out on the course website.

**Length:** The paper should be approximately 1500-2000 words in length; please do not write significantly more or less than this. You should use a Word Count tool in your word processing software to verify the length of your paper and should include a word count at the bottom of your last page.

**Sources:** It is anticipated that you will analyze the film from your own knowledge gained in the course and your own experience, rather than drawing on the opinions of others. Thus, no outside sources besides the film and course text/lecture notes should be used. If any outside sources are used for any reason, despite the fact they are not desired or required, please provide appropriate citations.

**Due Date:** The paper is due to be turned in to Blackboard on Sunday, March 17 no later than 11:59pm. Late papers will be penalized. No paper will be accepted (i.e. it will receive a zero grade) if Blackboard reflects that it was turned in after 11:59pm on Monday, March 18 (Monday after course concludes).

**Format:** Please do not create a cover page. Instead, your name should appear in a header at the top of each page. Please use 12 point font, 1"-1.25" margins, and single spacing. Please be sure to keep a hard copy and a digital copy of your paper after you have submitted it to Safe

Assignment. You may, but are not required to, turn in a hard copy.

**Suggested Paper Outline**

- I. **Introduction:** This section should include a *very brief* summary of the events depicted in the documentary film (no more than 250 words).
- II. **Legal Issues:** Any and all legal issues you spotted in the film should be discussed here, using concepts and terminology learned in the course. Be specific, using enough facts from the film and your text to explain the legal issue(s) and, where possible, to predict the outcome in court of any civil suits or criminal prosecutions.
- III. **Social-moral issues:** Any and all public policy or social concerns raised by the film should be articulated here. Also in this section, you should analyze any questionable, or conversely excellent, moral conduct on the part of the film's characters. *Explain your moral judgment using theories we learned.*
- IV. **Conclusion and Recommendation:** Provide your opinion of the film. Did you like it? Specifically why or why not? What did you learn from it?