VICTORIA
UNIVERSITY OF WELLINGTON

School of Information Management

BBIS 302 - Ethical and legal issues

Trimester Two 2011

COURSE OUTLINE

Contact Details	
Paper Coordinator:	**Tony Hooper** Room RH 427, Rutherford House, Lambton Quay, Wellington. Ph:- 463 5015 Email: tony.hooper@vuw.ac.nz **Appointments:- If you would like to meet with me, the simplest approach is to arrange a time and place via email first. Use can also be made of Blackboard for communications with both me as well as other members of the class.**
Programme Administrator:	**Kim Hann** Room RH 521, Rutherford House, Lambton Quay, Wellington Ph:- 463 5457 e-mail :- Kim.Hann@vuw.ac.nz
Dates: **Times:** **Venue:**	**Monday 11 July to Monday 10 October 2011** **Monday – 10.30 to 12.20** **RWW 129**

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before 22 July 2011.

2. The standard last date for withdrawal from this course is 23rd September 2011. After this date, students forced to withdraw by circumstances beyond their control must apply for permission on an '*Application for Associate Dean's Permission to Withdraw Late*' including supporting documentation

The application form is available from either of the Faculty's Student Customer Service

Course Content

Note that this course is not a course in either ethical philosophy or in jurisprudence. It is intended to sensitize students to legal and ethical issues that impact on management and leadership considerations in an information age. Modules will more or less equate to lectures, depending on progress made each week. The planned lecture schedule is shown in the table below:-

Week	Date of lecture	Topic	Session preparation assignment	Class presentations to be agreed
1	11-Jul	An overview of this course. Computer Ethics and professional responsibility.	None	
	16-Jul	How to do your course assignments	Read Course outline and assignment requirements	
2	18-Jul	Knowledge economy. Ethics and Information Management. Lessigs paradigm.	SPA 1 - George Ellis	
	23-Jul	How the law is made and how to find and use legal information.	None	
3	25-Jul	Ethics and society. Definitions. Some ethical approaches and areas of conflict. Corporate social responsibility. Whistle-blowing.	SPA 2 - AACSB document	
4	1-Aug	Where is government in this? Ethics and legislation. Free flow of information. OIA, Privacy, Electronic Transactions Act, Public Records Act, and laws affecting government, etc.	SPA 3 -	
5	8-Aug	"The most dangerous man in the world" – Julian Assange and Wikileaks. Visiting lecturer Dr David Johnstone	SPA 4 -	
6	15-Aug	Case study on ethics - Brave new world of digital intimacy		
	22-Aug	Study Break		
	29-Aug	Study Break		
7	5-Sep	Ethics and the law. Trust and betrayal. Contracts. Identifying the problem.	SPA 5 -	
8	12-Sep	RfPs and invitation to tender. IT contracts, the tendering process, outsourcing and service level agreements. Evaluating responses.	SPA 6 -	
9	19-Sep	When contracts go seriously wrong	SPA 7 -	
10	26-Sep	Information ownership in a digital society. Intellectual property rights, and legislation affecting individuals and businesses.	SPA 8 -	
11	3-Oct	Ethical conflicts – dispute resolution, mediation and arbitration -		
12	10-Oct	Final class case study		
		Concluding remarks		

Course Learning Objectives

This course explores the social and organisational impact of information technology and provides students with the opportunity to develop a wider appreciation of the implications of their involvement in that process. The course addresses current and future concerns regarding the legal and ethical consequences of information technology development. Topics include ethical relationships and the ethical basis of decision-making; how ethical issues relate to legislation; the regulatory environment; service provider liability; telecommunication and Internet issues, contract management; privacy and confidentiality issues; intellectual property; and arbitration, mediation, and dispute resolution.

The course objectives include the Faculty learning objectives which are the development of critical and creative thinking, leadership, effective oral and written academic communication, and a global and multicultural perspective. Selected Faculty learning objectives will be assessed along with the following specific outcomes based on the statutory statement of course learning objectives above.

By the end of this course students should be able to:

1. Understand the reciprocal impact of Business Information Systems on legal and ethical issues in organisations and society.
2. Discuss some of the important ethical principles that regulate our relationships and how those influence society's legislative response to information and communications technological developments.
3. Understand a range of legal issues in information management, why they are important, what Information Managers should be doing about them, and what the consequences are for managers in business and government.
4. Evaluate the opportunities and limitations that this legislation places upon managers both within New Zealand and elsewhere.

Course Delivery

The course will be delivered in the form of ten lecture/seminars and two tutorials. There will be class discussions during the lectures according to the planned lecture schedule above. Most of the sixth and twelfth classes will be allocated to in-class case study tests.

Note that there will be a tutorial on Saturday 16ᵗʰ July on how to do your assignments. In previous years I discovered that students were often confused about what was required in each assignment. Accordingly, I have developed a tutorial to explain exactly what I require in each of the assignments, how to do them, how they relate to one another and to the learning outcomes, how they will be marked, and what is important about them. This tutorial will help you to optimise your work plans and assignment submissions. Although neither is mandatory you are strongly advised not to miss either of the two tutorials offered in this course.

The second tutorial on Saturday 23ʳᵈ July will be in the Law Library, Old Government Buildings from 9am to about 12 noon so that all students are equipped to find and use legal information – a fundamental requirement for success in this course. Students who miss either of these tutorials could have serious problems in preparing and delivering

their course assignments according to specifications, with the obvious consequences for their final grades.

Instead of a final course examination, there are two Case Studies – one on the ethical component of the course to be held in the 6th class on Monday 15th August 2011. The second Case Study will deal with legal issues and will be dealt with in the final class on 10th October 2011. In both cases students will be given a case to read in preparation for the exercise and will be allowed to bring into the class their lecture notes and any other materials they consider they might need. These are open book assessments of student understanding of the material covered in class.

Research has shown that students learn more from their peers than they do from the lecturers. To optimise that process, each student will be given a topic on which they and another student will make a presentation in class. These class presentations, and student class participation, will count for 10% of the total course grade.

Expected Workload

This is a 15 point course. One point should equate to 10 hours of work, which means a total of 150 hours for a 15-point course. With 12 two-hour classes and two three hour tutorials a total of 30 hours class time will be required. The remaining 120 hours will be spread over the 12 teaching weeks and the mid-trimester break, averaging out at between 8 and 9 hours per week outside of class attendance for an average student. Preparation time for assessment items is expected to be as given in the table below, although allowance should be made for individual variations:-

Assessment item	Date Due	For detailed instructions see	%age of total grade	Expected time allocation
Session Preparation Assignments - SPAs	According to schedule	Appendix 1 – p. 8	10	15 hours
Annotated bibliography	25 July 2011	Appendix 2 – p. 8	10	10 hours
Literature review	15 August 2011	Appendix 3 – p. 12	10	10 hours
Class presentation	According to schedule	Appendix 5 – p. 15	30	30 hours
Final written research assignment	26 Sept 2011	Appendix 4 – p. 14	10	15 hours
First Case study	15 August 2011		15	10 hours
Final Case study	10 Oct 2011		15	10 hours
Total			100	100 hours

This leaves a "fudge factor" of an additional 20 hours for reading, study and class preparation.

Group Work

Besides the shared class presentations, any group work will occur in class and will not contribute to course grades.

Readings

There is no set textbook for this course. Readings will be obtained from Internet and academic sources. Some may be handed out in class.

Materials and Equipment

Networked mobile devices in any form may not be used in class or in class tests.

Assessment Requirements

You will note that there are several assessments scheduled over the whole duration of the course. The purpose is to break up major assessments into smaller component parts making them comparatively short and easy to do. This also ensures that students get regular and frequent feedback on how they are doing and what needs attention in order to ensure a quality final assignment deliverable. The two open-book class tests at the end of each six-week period are designed specifically to assess how students have assimilated material dealt with in class and in other assignments and what they make of that material. Rather than assessing memory, these tests are intended to assess student thinking and understanding. The ability to communicate that understanding therefore becomes a critical success factor.

Note too that your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning objectives as required for Faculty accreditation and audit purposes. The findings may be used to inform changes aimed at improving the quality of FCA programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

Mandatory course requirements

- A minimum of 45% for both the mid-term and the final case studies

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Grading standards:

Letter Grade	Number grade	Approx Dist'n *	Simple Description	More Complete Description**
A+	Over 84	4%	Outstanding	Far exceeds requirements, flawless, creative
A	80-84	10%	Excellent	Polished, original, demonstrating mastery
A-	75-79	14%	Very Good	Some originality, exceeds all requirements
B+	70-74	22%	Good	Exceeds requirements in some respects
B	65-69	26%	Satisfactory	Fulfils requirements in general
B-	60-64	18%	Acceptable	Only minor flaws. Unoriginal
C+	55-59	4%	Pass	Mistakes, recapitulation of course material
C	50-54	2%	Minimum pass	Serious mistakes or deficiencies
D	40-49	1%	Unacceptable	Little understanding, poor performance
E	00-39	1%	Fail	Below the minimum required

* This is the hypothetical percentage of students that would attain the various levels of performance, over several repetitions of the course, under similar conditions. It is recognised that the distribution in a particular course, particularly with small enrolment, may differ markedly from the long-term distribution.

** The lecturer will develop a more complete or specific description of the meaning of the various levels of performance based upon the specific nature of the assessment in a course. For example, performance may be determined by the qualities of a written report, a classroom presentation, or work in a group project. The words used to describe these kinds of assessments will obviously vary.

Examinations

There is no final examination for this course. Course grades will be derived from the assessment items identified above.

Penalties

All written assignment deadlines have been specified and will be assessed by the date and time recorded on the email to which the assignment was attached when submitted to the Course Convenor. Because meeting deadlines is a critical factor in the assessment of tenders, job applications and other business negotiations, applications for extensions of time for the completion of assignments will not be entertained. There will be a 5% per day penalty for late delivery of assignments to a maximum of 25%. Students submitting their assignment late will be considered to have made an executive decision to do so and accept the penalty consequences. Assignments delivered more than 5 days late will not be marked.

Communication of Additional Information

Additional course information will be conveyed to students in class, by email or by posting the information to the course Blackboard site. Please monitor your email and the course Blackboard regularly.

Quality Assurance Note

Your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning objectives as required for accreditation and audit purposes. The findings may be used to inform changes aimed at improving the quality of FCA programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

Class Representative

A class representative will be elected in the first class, and that person's name and contact details made available to VUWSA, the Course Coordinator and the class. The class representative provides a communication channel to liaise with the Course Coordinator on behalf of students.

Use of Turnitin

Student work provided for assessment in this course may be checked for academic integrity by the electronic search engine http://www.turnitin.com Turnitin is an on-line plagiarism prevention tool which compares submitted work with a very large database of existing material. At the discretion of the Head of School, handwritten work may be copy-typed by the School and subject to checking by Turnitin. Turnitin will retain a copy of submitted materials

on behalf of the University for detection of future plagiarism, but access to the full text of submissions will not be made available to any other party.

For the following important information follow the links provided:

Academic Integrity and Plagiarism
http://www.victoria.ac.nz/home/study/plagiarism.aspx

General University Policies and Statutes
Find key dates, explanations of grades and other useful information at
www.victoria.ac.nz/home/study

Find out about academic progress and restricted enrolment at
http://www.victoria.ac.nz/home/study/academic-progress.aspx

The University's statutes and policies are available at www.victoria.ac.nz/home/about/policy, except qualification statutes, which are available via the Calendar webpage at
http://www.victoria.ac.nz/home/study/calendar.aspx (See Section C).
Further information about the University's academic processes can be found on the website of the Assistant Vice-Chancellor (Academic) at
www.victoria.ac.nz/home/about_victoria/avcacademic/default.aspx

AVC (Academic) Website: information including: Conduct, Academic Grievances, Students with Impairments, Student Support
http://www.victoria.ac.nz/home/about_victoria/avcacademic/Publications.aspx

Faculty of Commerce and Administration Offices
http://www.victoria.ac.nz/fca/studenthelp/

Te Pūtahi Atawhai
Maori and Pacific Mentoring Programme
http://www.victoria.ac.nz/st_services/tpa/index.aspx

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Assessment 1 - Session Preparation Assignments - SPAs

(Faulty Learning Outcomes on creative and critical thinking and Course Learning Outcomes 1, 2 and 3.)

There will be eight Session Preparation Assignments – SPAs – during the course. The readings for each SPA will be posted to the BlackBoard website. Students will be expected to read the document and come to class prepared to discuss the issues presented. These SPAs are designed to give students practice with the analysis of texts and the identification of issues of relevance to lectures and class discussions. As such they prepare students for the mid-term and end-of-term case study tests. Contribution to each class will be assessed and the mark awarded will contribute to the final grade.

Appendix 2

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Assessment 2 – Preparing the literature review by annotating academic journal articles

(Faulty Learning Outcomes on writing and critical thinking and Course Learning Outcomes 2 and 3.)

1. Purpose of this assignment is to provide students with an opportunity to practice the skills learned in the tutorials and to update literature sources with subsequent publications on similar or related topics.
2. The assignment is also intended to provide students with the opportunity to analyze academic journal articles and to use the APA bibliographic convention in preparation for the final written presentation.
3. The feedback is intended to identify any areas that need attention.
4. Start by reading the articles on the course blackboard site:-

   - Suler, J. (2005). The online disinhibition effect. *International Journal of Applied Psychoanalytic Studies, 2:* 2, pp 184-188.
   - Boyd, & Hargittai, E. (2010). Facebook privacy settings: Who cares? . *First Monday, 15 (8)*. Retrieved from http://www.uic.edu/htbin/cgiwrap/bin/ojs/index.php/fm/article/view/3086/2589
   - Baughman, L. L. (2010). Internet expression in the 21st Century: Friend request or foe? Confirming the misuse of internet and social networking sites by domestic violence perpetrators. *Widener Law Journal, 19*(3), 37.
   - Park, J. H., Konana, P., Gu, B., & Man Leung, A. C. (2010). *An investigation of information sharing and seeking behaviors in virtual communities*. Paper 242 presented at the ICIS 2010 Proceedings. Retrieved from http://aisel.aisnet.org/icis2010_submissions/242

5. Record the above items according to the APA bibliographic convention and provide a 250 – 300 word annotation for each item. It has been agreed by the Faculty that the

APA convention is the Faculty standard, please use it for this assignment. Please note that the APA convention is different from other bibliographic conventions.

6. Use the assignment template attached below for the format of your document.
7. The assignment will be marked according to the attached marking schedule.
8. Date due for the paper version is in class on 25th July 2011 and in electronic form by midnight on 24th July 2011.

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Assessment 2 Submission template

Preparing the literature review by annotating academic journal articles

Student name……………………….   Student number……………………..

Citation 1:-

    Annotation 1

Citation 2

    Annotation 2

Citation 3

    Annotation 3

Citation 4

    Annotation 4

Statement of academic integrity
1. This assignment is my own work.   2. I have not allowed, and will not allow, anyone to copy my work with the intention of passing it off as his or her own work   Signature …………………………………….   Date …..../…..../…...…   Full name of student: ………………………………………………………….

Assessment 2 – Preparing the literature review by annotating academic journal articles

Marking schedule

Name of student…………………………………………………………………………………

Marked by …………………………………………………………………………………

Mark………………………………………………………………………………….

Criteria	Unacceptable	Below Expectations	Meets Expectations	Above Expectations
Relevance	**0**	**1**	**2**	**3**
Writing	**0**	**1**	**2**	**3**
Vocabulary	**0**	**1**	**2**	**3**
Style	**0**	**1**	**2**	**3**
Meaning & content	**0**	**1**	**2**	**3**
APA convention	**0**	**1**	**2**	**3**
Acad. integrity	**0**	**.5**	**1**	**2**
Total				

Marking guide:-

Criteria	Below Expectations	Meets Expectations	Above Expectations
Relevance: The items selected are relevant to the assignment statement and relate to ethical and moral values	Selection of articles that don't relate to the topic; confusion of concepts; incomplete. Submission structure ignored and unsigned; Articles from original text used.	Correct number of articles selected; annotations relevant to topic were selected; Submission structure correct and signed	Annotations crisply presented; relevant and clear. Neat presentation. All requirements met
Writing skills: Spelling, capitalisation, punctuation, grammar, general proofreading; layout (?)	Consistent misspelling; non-existent or incorrect punctuation; grammatically poor; Very sloppy proofreading.	Occasional lapses in spelling, punctuation, grammar, but not enough to seriously distract the reader	Correct spelling, punctuation, grammar; neat presentation

Vocabulary: Originality, breadth, appropriateness, variety.	Excessively limited or inappropriate or repetitive vocabulary	Generally appropriate vocabulary; not overly repetitive	Highly appropriate, well chosen, broad and creative vocabulary
Style: Sentence construction, flow, appropriate to audience	Overly repetitive or simplistic sentence structure; consistently disjointed, lack of flow; style inappropriate for audience. Waffling. Sentence structure too complex	Not overly repetitive; some variety in sentence construction; generally flows well; some awareness of audience	Variety of sentence construction; logical flow; style highly appropriate for task and audience; avoids clichés.
Meaning and Content: Answers the question, succinct, appropriate complexity	Meaning confused/unclear; or overly complex	Meaning reasonably clear; occasionally wanders off track but answers the question; not over-elaborated or over-complicated	Meaning effectively and efficiently conveyed; highly focused on the question; easily understood
APA convention Applies the APA convention correctly to	Confusion about component elements of bibliographic entries; elements missing; spacing and punctuation poor; other omissions	Author, titles, dates and pagination correctly given. Any confusion limited to punctuation, spacing and font.	Correct use of APA, spacing, punctuation and font. Clear distinctions between different types of publication evident, especially electronic sources.
Academic Integrity: Appropriate use of referencing and avoidance of plagiarism	Signs of unattributed work from other sources. OR Does not attempt to use APA.	Other sources acknowledged through quotes and references to others' work. Uses APA mostly consistently and correctly	Clearly acknowledges the work of others by appropriate referencing. No signs of plagiarism. Uses APA consistently and correctly

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Assessment 3 – Literature review.

(Faculty Learning Objectives on critical and creative thinking and communication. Course Learning Outcomes 2 and 3.)

Building on the skills developed and assessed in the Annotated bibliography you prepared for Assessment 2, you will now prepare a literature review based on the contents of at least 15 peer-reviewed journal articles on the topic of "Understanding risky internet behaviour". The literature review is an academic device intended to identify the boundaries of contemporary knowledge based on what has been published in the available literature. As such, you will use your literature review to identify what has been published, and therefore what we know, about the problems that flow from the use of the Internet by the naive or unwary. Part of the intention is for you to identify any gaps in our knowledge and ways in which one might investigate those gaps and enhance our knowledge and understanding.

Please note that this assignment will inform the way that you undertake the final written research document. Although students may want to use the feedback from these iterative assessments to improve subsequent deliverables, the grade awarded will not be changed as a result. (In other words, you don't get two bites at the cherry, but subsequent documents will be assessed as a whole, and therefore will include previous submissions that have been corrected or improved.)

The Marking Schedule for this assessment will be the same as that for the previous assessment. (See page 10 and 11 above).

You should construct your literature review according to instructions given in the tutorial held on 16th July 2011.

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Final written research document

"Understanding risky internet behaviour"

(Faculty Learning Objectives on creative and critical thinking and communication. Course Learning Outcomes 2 and 3.)

1. The purpose of the exercise is to build on the earlier assignments and provide an opportunity for students to compile and write up their research in academic form.
2. Start by writing an introduction of about 300 words stating what you were planning to do and why it is important. You may also include a brief statement of how you plan to do it and what you expect to find.
3. Paste in to the document the literature review prepared in Assessment 3 above that defines the boundaries of our knowledge. Students will be expected to have found, read and cited at least 15 peer-reviewed research articles in this subject area. More is better.
4. On the basis of your literature review findings, you will need to write a statement of your research methodology – how you plan to research the subject and why that is the most appropriate method to use. Basically, you will have undertaken a content analysis of the Facebook pages of friends to determine the extent to which they might be engaged in "risky behavior" in the networking activities that could have consequences in future. You will then need to take the tabulation of your findings and paste them into the document. If the table is too big you might prefer to break it down into the component parts that make sense to you and are most appropriate for informing your analysis.
5. The next section would be a discussion of your findings. Identify features that are common to all, and also features that are different. Interpret the meaning of these comparisons and their implications for users of social networking sites.
6. Finally you need to draw conclusions – not too long, about 300 words only based on the above discussion of findings.
7. There is no total word limit but it is suggested that 5000 to 6000 words should be sufficient to get your message across in your completed document.
8. Instructions for writing up your research can be found in the guidelines for academic writing that are provided on the Course Blackboard website. Pay specific attention to the structure, the literature review and the need to provide in-text citations and references according to APA convention.
9. Note also the criteria by which your work will be marked in the Marking Schedule.
10. The assignment should be submitted in paper form to the Course Coordinator in class on 26th September 2011 with an electronic version delivered by midnight that same night.

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Class Presentation Assignment – Current ethical & legal issues

(Faculty Learning Outcomes on Oral communication. Course Learning Outcomes 1, 2, 3 and 4.)

Educational research has demonstrated clearly that students learn best through a variety of assignments, especially in association with peers. Accordingly, to reduce your dependence on listening to me, and to enhance learning through peer group involvement, each formal class will have a student presentation on a relevant issue.

To fit in with the communications and leadership assessment requirements of the Faculty, the purpose of this assignment will be to provide an opportunity for students to discuss an issue of a legal or ethical issue. Each member of class will participate in the assessment and their evaluations will be moderated by the Course coordinator.

Topics for discussion will be selected from the spreadsheet of possible topics based on the papers presented at a conference in 2010 in Barcelona. Depending on the numbers of students in the class, presentation will be scheduled around the topic and other class activities.

The first thing is to identify a topic from the list below:-

Number	Topic
1	Some Technological Implications for Ascertaining the Contents of Contracts in Web-based Transactions - *Dr Eliza Mik*
2	The Scorecard on Contract Formation and Enforceability Issues in Web Transactions - *Jay Forder*
3	The Definition of ICT Crime - *Pieter Kleve, Richard De Mulder & Kees van Noortwijk*
4	Profiling the Mobile Customer – Privacy Concerns When Behavioural Advertisers Target Mobile Customers - *Nancy J. King & Pernille Wegener Jessen*
5	Scenario Study of Biometric Systems at Borders - *Yue Liu*
6	How Virtual are Virtual Economies? An Exploration into the Legal, Social and Economic Nature of Virtual World Economies - *Dr Clare Chambers*
7	Bioinformatics and Genetic Privacy: The Impact of the Personal Data Protection Act 2010 - *Ida Madieha Azmi*
8	Cursing the Cloud (or) Controlling the Cloud - *Noriswadi Ismail*

9	Information Misuse - *Sabah S. Al-Fedaghi*
10	Cybercrime: The Weakest Link in Electronic Government - *Shalini Kesar*
11	Biometric Access Control in the Workplace: Benefit or Bind? - *Lynne Norris-Jones*
12	Decrypting Encryption Law in India - *N S Nappinai*
13	Computer Use Monitoring and Privacy at Work - *Kathy Eivazi*
14	The Google Conundrum: Facilitator or Enabler on the Net? Forging a Fair Copyright Framework of Rights, Liability and Responsibility - *Warren Chik*
15	Treatment of hypertext linking under copyright law - *Pessi Honkasalo*

The date of your class presentation will be advised on or about 18th July 2011. The first presentation will be due in class on 25th July. Evaluations will be done according to a rubric to be handed out in class.