Please attach/submit additional documents as needed to fully complete each section of the form.

**COURSE INFORMATION**

Department: Health and Human Performance

Course Title: Legal and Ethical Issues in the Exercise Professions

Course Number: HTH 475E

Type of Request: New One-time Only Renew* Change Remove

Rationale:

*If course has not changed since the last review and is taught by the same tenure-track faculty member, you may skip sections III-V.

Course has not changed since last review, and is taught by same tenure-track faculty member, so sections III-V were skipped.

**JUSTIFICATION FOR COURSE LEVEL**

Normally, general education courses will not carry pre-requisites, will carry at least 3 credits, and will be numbered at the 100-200 level. If the course has more than one pre-requisite, carries fewer than three credits, or is upper division (numbered at the 300 level or above), provide rationale for exception(s).

HTH 475E and the materials contained within it are taught specific to the professional needs of the students within our department who are required to take the course. However, the course is also broad enough to engage students from all majors across the UM campus. Based upon sampling of students enrolled in the course, approximately 30% of those in it are non-HHP majors. Although it has a 400 number, I teach it as an introductory course in ethics. The upper division designation allows for a greater workload and complexity, and a broader list of required reading for the students who take it.

**ADDITIONAL INFORMATION (FOR OCHE DATABASE):**

In which MUS Core Category, does this course fit? Unknown

Does the course include content regarding cultural heritage of American Indians? No

**II. ENDORSEMENT / APPROVALS**

* Instructor: Charles Palmer
  Phone / Email: 243-4826 charles.palmer@umontana.edu

Program Chair: Scott Richter

Dean: Roberta Evans

Signature [Signature] Date 9/6/2016

Signature [Signature] Date 9/6/16

Signature [Signature] Date 9/13/16

*Form must be completed by the instructor who will be teaching the course. If the instructor of the course changes before the next review, the new instructor must be provided with a copy of the form prior to teaching the course.
III. DESCRIPTION AND PURPOSE

General Education courses must be introductory and foundational within the offering department or within the General Education Group. They must emphasize breadth, context, and connectedness; and relate course content to students’ future lives: See Preamble.

IV. CRITERIA

BRIEFLY EXPLAIN HOW THIS COURSE MEETS THE CRITERIA FOR THE GROUP.

1. Courses focus on one or more of the specific traditions of ethical thought (either Western or non-Western), on basic ethical topics such as justice or the good life as seen through the lens of one or more traditions of ethical thought, or on a professional practice within a particular tradition of ethical thought.

2. Courses provide a rigorous analysis of the basic concepts and forms of reasoning which define the traditions, the ethical topics, or the professional practices that are being studied.

V. STUDENT LEARNING GOALS

BRIEFLY EXPLAIN HOW THIS COURSE WILL MEET THE APPLICABLE LEARNING GOALS.

1. Correctly apply the basic concepts and forms of reasoning from the tradition or professional practice they studied to ethical issues that arise within those traditions or practices.

2. Analyze and critically evaluate the basic concepts and forms of reasoning from the tradition or professional practice they studied.
VI. ASSESSMENT

A. HOW ARE THE LEARNING GOALS FOR THE GENERAL EDUCATION GROUP MEASURED?

Describe how you will determine that students have met each of the General Education Learning Goals. This should include specific examples of assignments, rubrics or test questions that directly measure the General Education learning goals. (See Example)

Please attach or provide a web link to relevant assessment materials.

1. Correctly apply the basic concepts and forms of reasoning from the tradition or professional practice they studied to ethical issues that arise within those traditions or practices.

2. Analyze and critically evaluate the basic concepts and forms of reasoning from the tradition or professional practice they studied.

*Various assessment materials are attached. These include a sampling of examination questions, “laboratory” exercises, and the written paper assignment.

A General Education Assessment Report will be due on a four-year rotating cycle. You will be notified in advance of the due date. This will serve to fulfill the University’s accreditation requirements to assess general education and will provide an opportunity to connect with your colleagues across campus and share teaching strategies. Items VI.B- D will be helpful in compiling the report.

B. ACHIEVEMENT TARGETS

[This section is optional. Achievement targets can be reported if they have been established.]

Describe the desirable level of performance for your students, and the percentage of students you expected to achieve this:

1.

2.
C. ASSESSMENT FINDINGS

[This section is optional. Assessment findings can be reported if they are available.]

What were the results/findings, and what is your interpretation/analysis of the data? (Please be detailed, using specific numbers/percentages when possible. Qualitative discussion of themes provided in student feedback can also be reported. Do NOT use course grades or overall scores on a test/essay. The most useful data indicates where students' performance was stronger and where it was weaker. Feel free to attach charts/tables if desired.)

D. ASSESSMENT FEEDBACK

Given your students' performance the last time the course was offered, how will you modify the course to enhance learning? You can also address how the course could be improved, and what changes in the course content or pedagogy you plan to make, based upon on the findings. Please include a timeframe for the changes.

As a member of the Pedagogy Project (PP) here on campus, I have a PP colleague sit in on the course, and then facilitate a discussion with the students (I am not present) regarding ways the course can be improved.
I also carefully analyze semester-end course evaluation materials, looking for trends and specific feedback about how the course can be improved.

A General Education Assessment Report will be due on a four-year rotating cycle. You will be notified in advance of the due date. This will serve to fulfill the University’s accreditation requirements to assess general education and will provide an opportunity to connect with your colleagues across campus and share teaching strategies.

VII. SYLLABUS AND SUBMISSION

Please submit syllabus in a separate file with the completed and signed form to the Faculty Senate Office, UH 221. The learning goals for the Ethics Group must be included on the syllabus. An electronic copy of the original signed form is acceptable.
HTH 475E: Legal and Ethical Issues in the Exercise Professions  
(formerly HHP 475E)  

Fall Semester 2016, Section 1  
Wednesday, 5:00-7:50pm

Professor: Dr. Charlie Palmer  
Office: McGill 106  
Phone number: 243-4826  
Email: Charles.Palmer@umontana.edu  
Twitter: @charliepalmer6  
Office Hours: Monday 9:00am-10:00am, Wednesday 1:00pm-2:00pm,  
Thursday 9:00am-10:00am, or by appointment

Course Introduction:

HTH 475E Legal and Ethical Issues in the Exercise Professions is designed for future practitioners in the health and exercise professions. As a General Education course within the Ethics perspective, it focuses upon the major Western Traditions of ethical thought (Virtue ethics, Deontological ethics, Utilitarian ethics,) exposes students to these various traditions of thought, and helps them to analyze specific cases and issues using said traditions. Much of the focus of this class will pertain to ethics, and how they pertain to legal topics in the exercise and health professions.

Through multiple case studies, writing assignments, lecture, and applied laboratory experiences, students will gain exposure and practice in applying these basic concepts and forms of reasoning to situations specific to them as future health and exercise professionals. Students will also learn how to critically evaluate these concepts and forms of reasoning to see which one, if any, is most applicable to a problem at hand.

Primary Objectives:

➢ To become more adept at thinking about pertinent legal issues, and how they apply to not only various professions within the fields of Health and Human Performance but also to the world in general
➢ To become more aware of the various ethical challenges that you might face or be presented with within the disciplines of HHP, or life for that matter
➢ To become familiar with and learn how to apply the Western perspectives on ethical reasoning
➢ To help students learn how to function more efficiently in a world that is full of asymmetrical problems, thus calling for asymmetrical thinking

Learning Goals: Upon completion of an Ethical and Human Values course, students will be able to:
correctly apply the basic concepts and forms of reasoning from the tradition or professional practice they studied to ethical issues that arise within those traditions or practices;

- analyze and critically evaluate the basic concepts and forms of reasoning from the tradition or professional practice they studied.

**Texts:**

- This course has a Moodle supplement. At times, various class-related information will be posted here. If you are unfamiliar with Moodle, you can visit the following website for more information: [http://umonline.umt.edu/Moodle%20Tip%20Sheets/tipsheetandvideosstudents.aspx](http://umonline.umt.edu/Moodle%20Tip%20Sheets/tipsheetandvideosstudents.aspx). Please visit with the instructor if you have any issues with this.
  - “The Immortal Life of Henrietta Lacks” by Rebecca Skloot
  - “Foundations” aka “The Groundwork of the Metaphysics of Morals” by Immanuel Kant: sections one and two only
  - “Utilitarianism” by John Stuart Mill
  - “Nicomachean Ethics” by Aristotle. I recommend the translation by Terence Irwin (2nd edition): books 1, 2, 3, 5, 8, and 10
  - A small, data notebook is also required

*Other materials may be incorporated, and these will come in a variety of forms (handouts, web resources, library reserve, etc.)*

**Assessments:** The course consists of two tests: one early mid-term examination (90 points), and one final examination (90 points, comprehensive). Test format will consist of true/false questions, multiple choice, short answer, and supported opinions. The content of each test will be finalized during the last class prior to each examination. Three quizzes (each worth 10 points) will also be incorporated during the semester. Also, there will be one writing assignment (worth 65 points). More information on the writing assignment is provided near the end of this syllabus. Students will also complete a team presentation, and this will be worth 25 points. Details on this presentation will be provided early in the semester. Finally, an assortment of different activities will be undertaken during the course of the semester, and combined these will account for 100 points. This is referred to as the “Lab” portion of the class. This list of activities will be elaborated upon further as the course progresses. Many of these 100 points will be related to your team activities (see below under **Team Activities**), but some may also be individually-based. There will be eleven labs over the course of the semester, but only ten will be counted (10 labs x 10 points = 100 points). Therefore, you can miss one lab and not be penalized. If a student attends all eleven labs, five additional bonus points will be added to your overall course point total. I will also be monitoring class participation throughout the semester, so throw your two pennies in when you feel it necessary. The instructor reserves the right to incorporate the Socratic teaching method, if necessary. **Anything we cover or talk about is potentially testable material!**
Team Activities: Team selections will take place early in the semester. Students will remain in teams for the duration of the semester. Many of the labs will be completed in this team environment, as well as the Group Presentation.

Grading:

93% - 100% = A (372-400 points)  
90% - 92% = A- (360-371 points)  
87% - 89% = B+ (348-359 points)  
83% - 86% = B (332-347 points)  
80% - 82% = B- (320-331 points)  
77% - 79% = C+ (308-319 points)  
73% - 76% = C (292-307 points)  
70% - 72% = C- (280-291 points)  
67% - 69% = D+ (268-279 points)  
63% - 66% = D (252-267 points)  
60% - 62% = D- (240-251 points)  
Below 60% = F (239 points or lower)

Graduate Students: Students taking this course for graduate credit will need to fulfill additional course requirements, as determined by the instructor. This will potentially consist of a group project (to be presented to the class), as well as an individual After Actions Review (AAR) to be completed by each graduate student pertaining to their specific involvement in the group project. Graduate students need to contact me at the beginning of the semester.

Important Dates:

Monday, August 29  
Monday, September 5  
Tuesday, November 8  
Friday, November 11  
Wednesday, November 23  
Thursday-Friday, November 24-25  
Monday, December 12  
Tuesday, December 13  
Wednesday-Tuesday, December 14-20  

Autumn Semester Classes Begin  
Labor Day – No Classes, Offices Closed  
Election Day – No Classes, Offices Closed  
Veterans Day – No Classes, Offices Closed  
Student Travel Day – No Classes  
Thanksgiving Break – No Classes, Offices Closed  
Last Day of Regular Classes  
Study/Reading Day  
Final Exams

Attendance: Attendance on the dates of examinations is required. Please notify me in advance if any examination will be missed due to illness (if possible) or official university business. Since this class meets only once per week for three hours, missing one class is the equivalent of missing three consecutive regular classes. Students are responsible for obtaining all handouts, case studies, reading assignments, and materials covered while absent. Attendance is important!
Dr. Gaskill’s Keys to Success:
- Come to class
- Do the necessary reading before hand
- Identify one key principle or tenet from each discussion

Student Conduct Code: All students must practice academic honesty. Academic misconduct is subject to an academic penalty by the course instructor and/or a disciplinary sanction by the University. Students can become more familiar with the Student Conduct Code, which is available online at http://life.umt.edu/vpsa/documents/StudentConductCode1.pdf

Just so that we are all on the same page, Section IV, A of the Student Conduct Code defines Academic Misconduct as: “Representing another person’s words, ideas, data, or materials as one’s own” (plagiarism) and “Submitting work previously presented in another course.”

Americans With Disabilities Act (ADA): The University of Montana upholds the ADA by providing reasonable accommodations to individuals with special challenges. If anyone requires reasonable accommodations to adequately perform the duties of this class, please see the instructor as soon as possible so that these issues can be addressed.

Professional Behavior: While I strive to make this class interesting and fun, I also am a strong proponent of behaving in a professional manner. The bulleted items better describe what this means:

- Cell phone usage: Since I feel this topic is extremely important, we will discuss it at length during the first class session.
- Once class has begun, the Kaimin or any other non-class reading materials need to be put away
- Come to class **on time** and **prepared** to learn.
- Notify the instructor in **advance** if you are going to come to class late, leave early, or not be in attendance
- If you are a UM athlete (in season), I need a copy of your travel letter
- Keep sidebar discussions quiet and to a minimum

Emergency Preparedness and Response

As members of a community of learning, we all have responsibilities for each other that extend beyond the teaching/learning experience. As human beings, we are responsible for the protection and well-being of the other members of our group, in this case the group being the Fall Semester class of HTH 475E. Therefore, should an emergency of any type develop, the following points become quite important:
In the event we need to evacuate the building, our primary route will be through the main classroom door, down the stairs to the main floor, and out the east exit. We will rally together in the common area east of the Social Sciences Building.

If you hear an alarm or are told to evacuate, always assume the emergency is real. Be sure to take coats, backpacks, and valuables since the building may be closed for some time.

If there is a need for an indoor rally point, that will be the Adams Center. We should reconvene as a group at the rally point to help determine if all members are accounted for.

Do not use elevators as a means of evacuating, and do not use cell phones until safely away from the building.

If you require assistance in evacuating or have any type of medical condition that will make evacuation challenging, please inform me privately and we can preplan an appropriate and safe response.

Paper Guidelines

Details for this project will be covered early in the semester during the Writing Workshop portion of the class.

Due Date: ________________________________

Format for Paper:

- Must be typed (double-spaced) with word processing software on a computer.
- Must be greater than 1000 words, excluding title page and references. I am much more interested in word count then number of pages! **Paper must have a word count printed on it!** No word count = minus five points.
- **Must have a separate title page, which includes the paper’s title, your name, and the due date centered on the page.** No cover page = minus five points.
- Must utilize at least three references. **References must be cited using American Psychological Association (APA) format.** No APA = minus five points
- Must turn in a hard copy! No electronic submissions accepted.
- Please keep a copy for your own records!

Paper Grading:

- **20 Points:** logical thread of thought in body of paper, smooth transitions from paragraph to paragraph, support of points made by presenting related research or personal experiences, and consistency of writing as it relates to writing style (e.g. use of “I” or third person).
- **15 Points:** opening paragraph(s)- clarity of thought, providing enough information to inform the reader of the topic to be discussed, setting tone of support or criticism, getting the reader’s attention, and generally, introducing the reader to what the paper is about.
- **15 Points**: closing paragraph(s)- leave the reader with a sense of closure. Leave the reader with an understanding of your point(s), and leave them with some points to ponder.

- **15 Points**: appropriateness of chosen topic, grammar, syntax, spelling, proofreading, and following directions. It will not take many simple, preventable errors to lose several/all 15 points.

- **-10 Points**: Any late paper will automatically have 10 points deducted. Papers must be received by Close of Business (COB) on the date due. COB is the start of class. For each ensuing M-W-F a paper deadline is missed, an additional five points will be deducted. No unexcused reasons allowed.

<table>
<thead>
<tr>
<th>DATE</th>
<th>TOPIC</th>
<th>READING/ASSIGNMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 31st, 2016</td>
<td>Introduction -Lab #1</td>
<td>Familiarize yourself with the syllabus Moodle: “Out of Thin Air”</td>
</tr>
<tr>
<td>September 7th</td>
<td>-The Legal System -Lab #2</td>
<td>Moodle: “Overview: The Ethics of Right versus Wrong” Moodle: “Ethical Fitness”</td>
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<tr>
<td>September 21st</td>
<td>-Negligence -Liability -Lab #4</td>
<td>Moodle: “Negligence Law”</td>
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<tr>
<td>September 28th</td>
<td>Moral/Ethical development -Lab #5</td>
<td>“Foundations” by Kant: 1st two sections “Utilitarianism” by Mill “Nicomachean Ethics” by Aristotle: books 1, 2, 3, 5, 8, 10 Moodle: Personal Values Assessment</td>
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<tr>
<td>October 5th</td>
<td>Group presentations: Alpha -Quiz #1 -Lab #6</td>
<td>Quiz #1 on Moodle readings to date</td>
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<td>October 12th</td>
<td>Waivers et al Lab #7</td>
<td>Moodle: “The ABC’s of Liability Waivers” Moodle: “Nurse refuses to give CPR” Moodle: “Are Waivers/Releases worth the paper on which they are written?”</td>
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<td>October 19th</td>
<td>Midterm Exam</td>
<td>Midterm exam study guides handed out</td>
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<tr>
<td>Date</td>
<td>Events</td>
<td>Moodle</td>
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<tr>
<td>October 26th</td>
<td>-Risk Identification</td>
<td>Moodle: “Due Diligence”</td>
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<td>Review of MT</td>
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<td>November 2nd</td>
<td>Performance – enhancing substances and techniques</td>
<td>Moodle: “How to Write a Movie Review”</td>
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<td>-Lab #8</td>
<td>Moodle: “Russian doping scandal”</td>
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<td>November 9th</td>
<td>Lying and Cheating</td>
<td>Moodle: “Lying to Parents”</td>
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<td>Group presentations: Bravo</td>
<td>Moodle: “College Students and Lying”</td>
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<td>-Lab #9</td>
<td>Moodle: “Cheating”</td>
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<td>November 16th</td>
<td>Gender Equity</td>
<td>Moodle: “Title IX provided women with opportunity on and off playing field”</td>
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<td>--Lab #10</td>
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<tr>
<td>November 23rd</td>
<td>No class</td>
<td>Thanksgiving travel day</td>
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<td>November 30th</td>
<td>--Quiz #2</td>
<td>Quiz #2 on Moodle readings since Quiz #1</td>
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<td>Group presentations: Charlie</td>
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<td>December 7th</td>
<td>“The Immortal Life of Henrietta Lacks” discussion</td>
<td>“ILHL” reading completed</td>
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<td>-Quiz #3</td>
<td>Study guide for Final Exam</td>
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<td>-Lab #11</td>
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<td>December 14th</td>
<td>Final Exam</td>
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*Outline is subject to change*

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### Checklist: HTH 475E

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<th>Points</th>
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<th>Date due</th>
<th>Points earned</th>
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<td><strong>Total Points</strong></td>
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*Remember, only 10 labs will be counted towards overall grade*
1. Google: “Boston Globe how college courses encourage cheating.” Read article, contemplate about it, and write a brief synopsis of your thoughts. (150 words) 2 points
2. What is your experience with cheating at the University of Montana? 1 point
3. How do you think cheating can be reduced at UM? 1 point
4. Case study: read below and answer. 6 points

As a professor of mathematics and computer science at a mid-sized university in the west, Dr. Jones regularly teaches a remedial algebra course. The course typically enrolls students who have done very poorly in high-school math—a number of whom feel they are hopelessly incompetent in math and are frightened of failing yet again.

Dr. Jones’ course, which has 90 students, has five exams during the semester. After grading the first one, he makes a mental note to pay close attention to a few students, including Sarah, a sophomore who does particularly badly on the exam. She confesses to him that she has never understood math at all but needs this course for her major. So Dr. Jones is surprised to see that she is not in the room during the second exam. He does, however, think he sees a young man whom he hasn’t seen before. When the young man turns in his test paper, Dr. Jones puts it aside to look at later. Sure enough, when he turns it over, it has Sarah’s name on it.

On this point, Dr. Jones knows, the rules of the university are particularly clear: he could initiate action that will surely lead to the immediate and dishonorable dismissal of both Sarah and her friend. But he knows that such a dismissal would become a permanent part of their records. As such, it could forever warp their futures. To be sure, they did something terribly wrong. And certainly, given the well-known levels of cheating in the university system, the faculty has to send strong messages that such cheating will not be tolerated.
But do these two deserve to be singled out and academically destroyed? Is it fair to punish two individuals for the increased cheating statistics of their generation—especially when Sarah seems to have been driven into temptation through an almost helpless sense of fear? Dr. J. finds himself in a right-versus-right dilemma, with his strong sense of justice pitted against his powerful sense of mercy. So Dr. J. calls them both in to see him. The young man, it turns out, is Sarah’s boyfriend and a senior engineering major. Dr. Jones lets them know the serious trouble they are in, and sends them away for a week while he considers what to do.

What would you decide to do about this situation? Please come up with one course of action and support, in detail, how you arrived at this decision.

After ensuring that your name is on your paper, print off your replies to these queries, and bring it with you to class to turn in as a hardcopy on February 9th, 2016.
You are an Emergency Medical Technician employed by an ambulance service, but on this particular night you are not working. Driving home from a ski club meeting, you come across a single vehicle accident. From what you see, it appears that a pickup truck has rolled several times, and is now resting on its side in the middle of the highway. At present no other first responders or bystanders are on scene. When you get closer you see that the truck belongs to your intimate partner. Fearing the worst you rush over to see your partner is trapped in the car with another person. On a side note, you and your partner are parents to three young children.

Your partner sees you and although barely conscious, she/he manages to mouth the words “I’m sorry.”

You don’t understand, but her/his look answers your question. The person next to your partner is her/his lover with whom he/she has been having an affair. The person also happens to be a family friend, and the executive director of a large non-profit organization that provides services to wounded veterans.

You reel back in shock, devastated by what your partner’s eyes have just told you. As you step back, the wreck in front of you comes into focus. You see your partner is seriously hurt and needs attention straight away. Even if she/he gets attention there’s a very high chance she/he will die.

You look at the seat next to your partner and see her/his lover. This person is bleeding heavily from a wound to the neck and you need to stem the flow of blood immediately. It will only take about 5 minutes to stop, but it will mean your spouse will definitely die.

If you tend to your partner however, the other will bleed to death despite the fact it could have been avoided.

Who would you choose to work on and why? Support your answer by incorporating material covered during lectures and from the readings. **500 words minimum, word count must be typed on document, hard copy due at the beginning of class on Feb. 17, 2016. Solo effort.**

http://www.eprinstructor.com/MT-GS.htm
1. Please provide some background and historical information on Ms. Michaels.
2. Ms. Michaels has been involved in several lawsuits in the past couple of years. Provide a synopsis of at least four of these lawsuits.
3. Is Ms. Michaels the defendant in these suits or the plaintiff, and why?
4. What types of lawsuits are these (civil or criminal) and why?
5. What do critics have to say about this “Maximum Strength Calorie Control” product?
6. What personal training credentials does Ms. Michaels hold, and do you believe that they are adequate for the work she does?
7. The ethics of “The Biggest Loser” have been called in to question by some: 
   Apply the basic concepts and forms of reasoning that we have talked/read about to this specific situation.

Your answers to this lab must be turned in as a hard copy during class on Wednesday, October 14th. Team roster must be included!
An ethical dilemma that you have faced or are facing?
What did you select as a Course of Action, and how did you decide upon this COA?
Results of decision?
What would you do again if you could do it over?
Analyze and critically evaluate your COA with the basic concepts and forms of reasoning that we have studied from the Western traditions of ethical reasoning. How do/did they apply?
30. Ethical dilemmas can be classified in many ways. One approach is to use the *versus* dilemmas that Kidder wrote about and that we have talked about in class (e.g. Justice v. Mercy). Identify one of the other *versus* dilemmas and elaborate upon it (cannot be right v. right or right v. wrong).

26. “The Immortal Life of Henrietta Lacks” revolves around the central theme of ethics. Apply the basic concepts and forms or reasoning from the Western traditions of ethical thought to this book.

28. What is Aristotle’s concept of the Golden Mean?

29. Compare and contrast deontological ethics with utilitarian ethics.