

BUSINESS LAW

Description

Students will be introduced to the study of business and the legal issues that impact their daily lives. Business Law is the study of contracts, sales agreements, consumerism, and other legal issues that confront students every day. Real life case studies and cooperative projects provide an opportunity for students who are planning to pursue a career in business or the legal field.

Course Overview

Course Goals

Students should:

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Essential Questions

- What are the ethical principles of business law as it responds to the needs of individuals?
- What is the structure of the court system?
- What is the difference between criminal and civil law?
- What is tort law?
- What elements are required to make a contract?
- How does knowledge of purchasing and leasing vehicles and homes afford the buyer protection?
- Why is it important to analyze housing alternatives in order to decide to purchase a home?
- What are the major federal laws that regulate employment conditions, worker benefits and employment opportunities and consumer law?
- How would an individual undertake the process of starting a business in accordance to state and Federal law?
- What are the duties and rights of individuals as they enter into a marriage agreement or divorce agreement?

Assessments

Common Assessments

Skill Assessments

Content Outline

Standards

Grade Level Skills

<p>I. Unit 1 - The Court System and Ethical Issues of the Law</p> <p>II. Unit 2 - Planning for Your Future</p> <p>III. Unit 3 - Consumer Law</p> <p>IV. Unit 4 - Starting a Business</p> <p>V. Unit 5 - Marriage and Divorce Contracts</p>	<p>National Business Education Association Standards</p> <p>National Business Education Association Standards are met in the following areas:</p> <p>BUSINESS LAW</p> <ul style="list-style-type: none"> • <i>Basics of the Law</i> • <i>Computer Law</i> • <i>Contract Law, Law of Sales, and Consumer Law</i> • <i>Property Law</i> • <i>Negotiable Instruments, Insurance, Secured Transactions, Bankruptcy</i> • <i>Agency and Employment</i> • <i>Business Organizations</i> • <i>Environmental Law And Energy Regulation</i> • <i>Family Law</i> 	<p>Students will:</p> <ul style="list-style-type: none"> • Skills Matrix
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Pacing Guide

1st Marking Period		2nd Marking Period		
Month 1	Month 2	Month 3	Month 4	Month 5
Unit 1 <u>The Court System and Ethical Issues of the Law</u> 4 weeks	Unit 2 <u>Planning for Your Future</u> 5 weeks	Unit 3 <u>Consumer Law</u> 4 weeks	Unit 4 <u>Starting a Business</u> 4 weeks	Unit 5 <u>Marriage and Divorce Contracts</u> 2 weeks

Unit 1 - The Court System and Ethical Issues of the Law, 4 weeks [top](#)

Standards

BUSINESS LAW

Basics of the Law

A. ETHICS AND THE LAW

Level 3 Performance Expectations

- identify consequences of unethical conduct
- identify consequences of illegal conduct
- describe how to develop an ethical and legal lifestyle
- list the [most common] sources of the law
- demonstrate the need for social responsibility

B. SOURCES OF THE LAW

Level 3 Performance Expectations

- explain the differences between local, state, and federal governments
- describe the powers and limitations of the federal government as stated in the U.S. Constitution
- describe the powers and limitations of state government as found in the U.S. Constitution
- identify the basic freedoms guaranteed by the Bill of Rights
- describe several key constitutional amendments beyond the Bill of Rights
- explain how courts make law [and explain the role of precedent in the legal system]
- define the concept of stare decisis and explain the role of precedent in the state and federal legal systems

C. STRUCTURE OF THE COURTS

Level 3 Performance Expectations

- compare the role of the juvenile court with the role of other courts within a state, territory, or province
- differentiate between the roles of the U.S. Supreme Court and state, territory, and province supreme courts

D. CLASSIFICATION OF PROCEDURAL LAW

Level 3 Performance Expectations

- define litigation
- define alternate dispute resolution (ADR)
- define administrative hearing
- explain the advantages and disadvantages of arbitration, mediation, and conciliation
- compare and contrast the steps in a civil law suit with the steps in a criminal prosecution
- list and explain the steps in criminal and civil trials
- describe the appellate process in criminal and civil cases

- define the statute of limitations

E. CLASSIFICATION OF SUBSTANTIVE LAW

Level 3 Performance Expectations

- define different types of business crime (e.g., arson, forgery, and embezzlement)
- distinguish between a tort and a crime
- differentiate between and give examples of negligence and intentional torts
- explain the concepts of the reasonable person test and proximate cause
- explain the concept of strict liability and describe circumstances under which it is imposed
- define “negligence per se” and give examples of circumstances under which it applies
- describe the penalties available in criminal law and the remedies available in tort law

Computer Law

A. BASICS OF COMPUTER LAW

Level 3 Performance Expectations

- define the key terms involved in computer law
- identify the areas of the law affected by the use of computers

Unit Objectives

Students will be able to:

- identify and define the various ethical issues of law.
- differentiate between Federal and State court systems and jurisdictions.
- solve cases as they relate to tort law.
- differentiate between criminal and civil law.
- identify the six elements to a contract.

Essential Questions

- What are the ethical principles of business law as it responds to the needs of individuals?
- What is the structure of the court system?
- What is the difference between criminal and civil law?
- What is tort law?
- What elements are required to make a contract?

Focus Questions

- What are ethics and the law?
- How is the court system structured and how are juvenile courts different from adult courts?
- What constitutes a civil lawsuit and tort law?
- What are the six elements to a contract?

Assessments

- True court case study—Tort Law
- Debate

Skill Objectives

Students will:

- research and analyze ethical practices in law.
- create a visual chart of the Federal and State Court systems.
- solve court cases as they relate to criminal and civil law (law of torts).
- prepare an oral presentation on what constitutes a contract.

Unit 2 – Planning for Your Future, 5 weeks [top](#)

Standards

BUSINESS LAW

Contract Law, Law of Sales, and Consumer Law

A. CONTRACT LAW

Level 3 Performance Expectations

- differentiate between classes of contracts (e.g., bilateral and unilateral, express and implied, and oral and written)
- explain how offer and acceptance can create contractual rights and duties
- define counteroffer and describe the effects of a counteroffer in various contractual situations
- determine whether or not an agreement is definite enough to be enforced as a contract
- differentiate between the ways that assent can be undermined (e.g., fraud, nondisclosure, misrepresentation, mistake, duress, and undue influence)
- define and distinguish between different types of consideration and list the exceptions to the requirements of consideration
- explain a minor’s right to avoid a contract
- describe the concept of unconscionability and compare it to illegality
- list the essential information that should be included in writing under the statute of frauds
- describe breach of contract and the remedies available when a contract is breached

B. LAW OF SALES

Level 3 Performance Expectations

- identify the source of law that applies to contracts for (a) goods, (b) services, and real property
- explain when to apply the law of sales and leases of goods under the Uniform Commercial Code (UCC)
- give examples of special rules that apply to sales contracts that do not apply to other contracts
- clarify when sales contracts must be in writing and state the exceptions
- discuss the issue of taxation and e-commerce

C. CONSUMER LAW

Level 3 Performance Expectations

- identify and state the purpose of legislation that regulates consumer credit and electronic credit transactions (e.g., Fair Credit Reporting Act, Fair Credit Billing Act, Equal Credit Opportunity Act, Fair Credit Collection Practices Act, and Consumer Credit Protection Act)
- discuss consumer protection legislation (e.g., Federal Trade Commission Act, Consumer Product Safety Act, and Consumer Leasing Act)
- define the terms “unfair business practice” and “false and misleading advertising”
- describe the consequences of violating consumer statutes and define the term “civil penalty”
- explain the purpose of the Consumer Product Safety Act

Property Law

A. PERSONAL PROPERTY

Level 3 Performance Expectations

- list different methods by which property is acquired
- state the requirements of a completed gift
- identify the forms of co-ownership of personal property

B. REAL PROPERTY

Level 3 Performance Expectations

- distinguish among liens, licenses, and easements and explain the differences
- list the major estates in real property and describe the major features of each
- list and describe the forms of co-ownership of real property
- explain the method of transferring title (deeding) to real property
- describe the kinds of rental relationships that landlords and tenants may create

Negotiable Instruments, Insurance, Secured Transactions, Bankruptcy

B. NEGOTIABLE INSTRUMENTS

Level 3 Performance Expectations

- explain the importance and function of negotiable instruments

C. INSURANCE

Level 3 Performance Expectations

- define insurance and differentiate between requirements for an insurable interest for property insurance and those needed for life insurance
- compare and contrast the different types of life insurance (e.g., ordinary, limited payment, endowment, and term)
- compare and contrast the different types of personal liability and property Insurance (e.g., automobile, homeowners, errors and omissions, directors, officers and company liability insurance, and marine)
- explain who can obtain flood insurance backed by the National Flood Insurance Program and contrast this insurance with the ordinary homeowner’s policy
- explain some of the differences in health insurance coverages

<p><u>Unit Objectives</u> Students will be able to:</p> <ul style="list-style-type: none"> • identify all steps necessary to purchasing a motor vehicle. • identify motor vehicle insurance and Federal Laws that protect consumers. • research process of buying and leasing a home. 	<p><u>Essential Questions</u></p> <ul style="list-style-type: none"> • How does knowledge of purchasing and leasing vehicles and homes afford the buyer protection? • Why is it important to analyze housing alternatives in order to decide to purchase a home? 	<p><u>Assessments</u></p> <ul style="list-style-type: none"> • Automobile insurance coverage report • Lease agreement
	<p><u>Focus Questions</u></p>	<p><u>Skill Objectives</u> Students will:</p> <ul style="list-style-type: none"> • research various types of cars and give an oral report on the safest vehicles. • research Federal Laws that protect

	<ul style="list-style-type: none"> • What are the advantages and disadvantages of purchasing or leasing a vehicle? • What Federal laws protect automobile purchasers? • What types of insurances are available to the owner of vehicles and homes? • What are the common covenants found in a lease? • What are the responsibilities of landlords and tenants included in various tenancy agreements? • What is the process of purchasing a home and how is ownership taken? • What limitations are on property use? 	<p>consumers when purchasing a vehicle.</p> <ul style="list-style-type: none"> • contact a local insurance agency and prepare a report on automobile insurance coverage. • complete a lease agreement and identify the different elements of a contract. • identify advantages and disadvantages of purchasing a home. • describe various types of home ownership and mortgages.
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Unit 3 - Consumer Law, 4 weeks [top](#)

Standards

BUSINESS LAW

Agency and Employment

A. AGENCY LAW

Level 3 Performance Expectations

- distinguish between an agent and individuals such as independent contractors, real estate brokers, bailees, and trustees
- explain the different types of agents
- explain the different types of principals
- define ratification and its elements

B. EMPLOYMENT LAW

Level 3 Performance Expectations

- explain the relationship of Title VII of the Civil Rights Act to employment
- explain the difference between disparate treatment and disparate impact in discrimination cases
- explain the 1972, 1978, and 1991 amendments to the Civil Rights Act of 1964
- determine what questions can and cannot be asked during an employment interview
- describe the employer's responsibilities to verify an employee's status in the U.S.
- demonstrate an understanding of the basis on which employees or applicants may be asked to take tests (e.g., aptitude, psychological, polygraph, and drug tests)
- identify legislation that regulates employee rights (e.g., Americans with Disabilities Act, Age Discrimination in Employment Act, Family and Medical Leave Act, the Uniformed Services Employment and Reemployment Rights Act, and Older Workers Benefit Protection Act)
- identify legislation that regulates employment conditions (e.g., Fair Labor Standards Act, Immigration Reform and Control Act, Employment Retirement Income Security Act (ERISA), and Occupational Safety and Health Act)
- identify legislation that guarantees worker benefits (e.g., unemployment insurance, pension protection, workers' compensation, and Social Security legislation)
- describe the collective-bargaining process
- identify legislation that regulates union activities (e.g., National Labor Relations Act Taft-Hartley Act Landrum-Griffin Act and the Worker Adjustment and Retraining Notification Act (WARN))
- identify the role of the National Labor Relations Board

Unit Objectives

- Students will be able to:
- identify and define the various laws

Essential Question

- What are the major federal laws that regulate employment conditions, worker benefits and

Assessments

- Case Study
- Credit Card Activity

<p>affecting employers and employees.</p> <ul style="list-style-type: none"> • understand rights as employers/employees. • explain termination, employment benefits and employment opportunities. • explain the steps to borrowing money and applying for credit. • identify bankruptcy and explain how to avoid it. • analyze different types of insurance. 	<p>employment opportunities and consumer law?</p> <p><u>Focus Questions</u></p> <ul style="list-style-type: none"> • What are the Federal Laws affecting employment? • What are the rights and duties of employees and employers? • How does an understanding of credit and borrowing money lead to successful financial decisions? • Why does an understanding of the principal types of insurance assist students in their adult lives? • What laws affect employment conditions, benefits and opportunities? • What are the various forms of credit? • What is the procedure for borrowing money? • How do Federal laws govern the unauthorized use of credit cards? • How does health insurance coverage differ? • What is homeowner's insurance and what is covered in it? 	<p><u>Skill Objectives</u></p> <p>Students will:</p> <ul style="list-style-type: none"> • research various companies and analyze the expectations for both employees and employers. • orally report on employee termination, employment benefits and employment opportunities. • prepare a presentation on laws affecting employer/employees. • solve cases as they relate to employment law. • create a spreadsheet calculating withholding of social security, Medicare and FICA. • research various credit companies. • prepare an application for credit. • research various bankruptcy chapters. (Example: Chapter 11 bankruptcy) • contact a local insurance company and acquire information and rates of insurance policies. • prepare oral reports on insurance company findings. • discuss the advantages and disadvantages of borrowing on credit.
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Unit 4 – Starting a Business, 4 weeks [top](#)

Standards

BUSINESS LAW

Business Organizations

A. SOLE PROPRIETORSHIPS AND PARTNERSHIPS

Level 3 Performance Expectations

- explain the legal procedures for forming and running a sole proprietorship
- describe legislation that affects partnerships (e.g., Uniform Partnership Act and Revised Uniform Partnership Act)
- explain the property rights involved in partnerships under the Uniform Partnership Act (UPA) and the Revised Uniform Partnership Act (RUPA) [(e.g., tenancy in partnership and sharing of profits)]
- explain all additional rights and duties involved in partnerships under the UPA and/or the RUPA
- contrast the process of ending a partnership under the UPA and/or the RUPA
- distinguish between a limited partnership and a general partnership
- describe how the Revised Uniform Limited Partnership Act affects limited partnerships
- explain the rights and duties of limited partners and general partners in a limited partnership
- explain the distribution of assets after the dissolution of a limited partnership
- differentiate between other partnership-type business organizations (e.g., joint ventures, limited partnership associations, and registered partnerships having limited liability)

B. CORPORATIONS

Level 3 Performance Expectations

- differentiate between types of corporations (e.g., profit nonprofit, professional, domestic, foreign, and alien corporations)
- explain the steps involved in forming a corporation
- explain the circumstances under which the courts may disregard the corporate entity and “pierce the corporate veil”
- describe the functions of the board of directors and officers of a corporation with regard to control of corporate affairs
- differentiate between common and preferred stock
- identify shareholder rights (e.g., right to receive dividends, right to vote, right to transfer stock, right to inspect the books) and preemptive rights
- explain the nature of the shareholders’ liability
- describe when promoters, directors, and officers are liable to the corporation, shareholders, and third persons
- differentiate between types of corporate expansion (e.g., mergers, consolidations, and conglomerates)
- explain the nature of a takeover bid
- explain how the directors of a corporation can fight a potential takeover bid
- explain the nature of state anti-takeover statutes
- explain the effect of the Foreign Trade Antitrust Improvement Act on American companies involved in foreign markets

- identify federal, state, territory, and province statutes that regulate corporations
- describe the ways corporate existence may be terminated

C. LIMITED LIABILITY COMPANIES

Level 3 Performance Expectations

- define a limited liability company
- explain the steps in forming a limited liability company
- explain the advantages and disadvantages of doing business as a limited liability company
- explain the nature of management responsibilities in a limited liability company
- describe the effects of the tax code on limited liability companies

Negotiable Instruments, Insurance, Secured Transactions, Bankruptcy

D. BANKRUPTCY

Level 3 Performance Expectations

- describe Chapter 7 Bankruptcy, and state the eligibility requirements to file for this under the 2005 Bankruptcy Code
- explain the requirements for creditors to file for Chapter 7 involuntary bankruptcy under the 2005 Bankruptcy Code
- summarize the principal features of Chapters 11, 12/ and 13 Bankruptcy Code

Environmental Law And Energy Regulation

A. ENVIRONMENTAL LAW

Level 3 Performance Expectations

- describe the various federal statutes (e.g., National Environmental Policy Act, Clean Air Act, Clean Water Act, and Toxic Substance Control Act) that impact the environment
- describe the various state statutes that impact the environment
- discuss civil and criminal consequences of violating environmental regulations

<p><u>Unit Objectives</u> Students will be able to:</p> <ul style="list-style-type: none"> • identify various business structures. • differentiate between the legal process of starting various types of businesses. • identify the roles of the board of director, shareholders and officers of the corporation. • identify the government role in business environment. 	<p><u>Essential Question</u></p> <ul style="list-style-type: none"> • How would an individual undertake the process of starting a business in accordance to state and Federal law? <p><u>Focus Questions</u></p> <ul style="list-style-type: none"> • What are the various types of business structures available and which is best suited for individual circumstances? • What is the process for starting your own 	<p><u>Assessment</u></p> <ul style="list-style-type: none"> • Project “Joe’s Chinese Restaurant” <p><u>Skill Objectives</u> Students will:</p> <ul style="list-style-type: none"> • research competition in the community. • complete the necessary state and federal forms necessary to starting their own business. • form their own corporation, partnership
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	<p>business?</p> <ul style="list-style-type: none">• What are the advantages and disadvantages associated with each type of business structure?• What is the Governments role in overseeing how corporations are expanded and dissolved?	<p>or proprietorship.</p> <ul style="list-style-type: none">• develop a marketing strategy for their new business.
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Unit 5 – Marriage and Divorce Contracts, 2 weeks [top](#)

Standards

BUSINESS LAW

Family Law

A. MARRIAGE

Level 3 Performance Expectations

- identify the issues and concerns that might be included in a prenuptial agreement
- distinguish between common law and ceremonial marriages
- identify the types of marriages that are prohibited by law
- define “domestic partnership” and explain how it is created under various state laws

B. DIVORCE AND CHILD CUSTODY

Level 3 Performance Expectations

- describe the various state laws related to the distribution of property in a divorce
- explain the law of domestic relations as it relates to child custody
- outline the law of domestic relations as it relates to spousal and child support

Unit Objective

- Students will be able to:
- identify the contracts of marriage and divorce.

Essential Question

- What are the duties and rights of individuals as they enter into a marriage agreement or divorce agreement?

Focus Questions

- What are the rights and duties involved in the marriage contract?
- What is the purpose of the premarital agreement?
- What are the age requirements of marriage in different states?
- What is the difference between common law and ceremonial marriage?
- What kinds of marriage are prohibited by law?
- How does divorce differ from an annulment?
- How are grounds for divorce determined?
- Where is the line drawn on property division?
- What are child custody laws?

Assessment

- Case studies

Skill Objectives

Students will:

- use the computer to research laws of differing states on marriage and divorce.
- participate in a mock divorce, custody case.
- analyze cases as they relate to marriage and divorce.