

BUSINESS LAW
ACTIVITY COURSE CODE: 5044

COURSE DESCRIPTION: The Business Law course is designed to develop an understanding of legal rights and responsibilities with applications applied to everyday roles as consumers, citizens, and workers. The students will examine principles of law and the legal system. Focus areas will include procedural and substantive law, criminal law, civil (tort) law, corporate law, contract law, consumer protection, real and personal properties law, employment law, technology law, and careers in the legal profession. Upon completion of the course, students may have the opportunity to earn a certification.

OBJECTIVE: Given the necessary equipment, supplies, and facilities, the student will be able to successfully complete all of the following core standards for a course which grants one unit of credit.

RECOMMENDED GRADE LEVEL:	10 - 12 grade
COMPUTER ACCESS REQUIRED:	1 computer per student
PREREQUISITE:	None
CREDIT:	1 unit (120 hours)

A. PRINCIPLES OF LAW

Proficient business law professionals demonstrate a basic understanding of principles of law. The following accountability criteria are considered essential for students in the business program of study.

1. Analyze the basic principles upon which the Constitution of the United States is based.
2. Compare sources of today's law: constitution (state and federal), common law, statutory law, court decisions, administrative law (regulations), and case law.
3. Classify types of laws and explain why laws are needed (i.e., civil, criminal, procedural, and substantive).
4. Distinguish between different types of courts.
5. Examine how courts interpret law and explain the role of precedent in the legal system.
6. Identify the types of cases heard in each of the federal and state courts and the difference between original and appellate jurisdiction.
7. Explain the relationship between law and ethics and why they sometimes conflict.
8. Compare various ethical traits and theories and explain their influence on the creation of today's laws (e.g., ethics, the Golden Rule, The Greatest Good Principle, Duty-based Ethics).

B. LEGAL SYSTEM

Proficient business law professionals demonstrate a basic understanding of the legal system. The following accountability criteria are considered essential for students in the business program of study.

1. Identify frequently used legal terms (e.g., plaintiff, defendant, appellant, appellee, litigation, arbitration, mediation, conciliation,).
2. Explain the differences between local, state, and federal government including the powers and limitations of each.
3. Explain statutory law, outline its purpose, and describe the process by which a bill becomes a statute under federal law.
4. Outline the constitutional rights and duties of U.S. citizens, obligations of the government to the people, and how individuals are impacted by laws.
5. Distinguish between the roles of legal professionals (e.g., judges, lawyers, and paralegals).
6. Analyze the trial process and courtroom procedures within a court of law.
7. Analyze the significance of “full disclosure” as it applies to law.
8. Determine the role of a notary and provide examples of legal documents that require notarization.

C. PROCEDURAL AND SUBSTANTIVE LAW

Proficient business law professionals demonstrate a basic understanding of procedural and substantive law. The following accountability criteria are considered essential for students in the business program of study.

1. Distinguish between procedural and substantive law.
2. Identify the roles and responsibilities of various people involved in a court trial (judge, attorneys, plaintiff/prosecutor, defendant, jury, paralegals).
3. Explain the advantages and disadvantages of negotiation, arbitration, mediation, litigation, and conciliation.
4. Compare and contrast the procedures in a civil lawsuit with a criminal prosecution.
5. Define the statute of limitations.
6. Research examples of cases dealing with procedural and substantive law violations.

D. CRIMINAL LAW

Proficient business law professionals demonstrate a basic understanding of criminal law. The following accountability criteria are considered essential for students in the business program of study.

1. Define the terms as related to criminal law (i.e., felony, misdemeanor, infraction, restitution, fine, imprisonment).
2. Compare and contrast various business crimes (i.e., forgery, embezzlement, fraud, larceny by false pretenses, perjury, conspiracy, extortion, bribery).

3. Differentiate defenses to criminal acts (e.g., insanity and self-defense).
4. Describe the penalties available for criminal law (restitution, fine, imprisonment, death).
5. Research examples of cases regarding criminal law violations.

E. CIVIL (TORT) LAW

Proficient business law professionals demonstrate a basic understanding of civil (tort) law. The following accountability criteria are considered essential for students in the business program of study.

1. Distinguish between a tort and a crime.
2. Compare and contrast civil (tort) law and criminal law.
3. Identify and explain the elements of torts (duty, breach, injury, causation/proximate causation).
4. Differentiate among and give examples of tortious assault, tortious battery, conversion, negligence, defamation of character (libel/slander), false imprisonment, intentional and strict liability torts, invasion of privacy, mental distress, strict liability, and trespass to land and personal property.
5. Explain the concepts of strict, absolute, and vicarious liability.
6. Describe the remedies available in tort law (punitive, compensatory, injunctive).
7. Differentiate between bond, bonded, and bonding.
8. Compare and contrast negligence versus intentional torts.
9. Define “negligence per se” and give examples of circumstances under which it applies.
10. Explain the concepts of the reasonable person test and proximate cause.
11. Describe the most common defenses in a civil action in cases of negligence (i.e., assumption of risk, contributory negligence, comparative negligence).
12. Research examples of cases regarding civil law violations.

F. CORPORATE LAW

Proficient business law professionals demonstrate a basic understanding of business organization/corporate law. The following accountability criteria are considered essential for students in the business program of study.

1. Describe the legal forms of business organization and identify their respective advantages and disadvantages.
2. Describe the types of organizational structures and management levels.
3. Examine the ways businesses can be created including their rights and limitations (e.g., limited partnership, general partnership, limited liability corporation).
4. Differentiate between types of corporations and describe the functions of the board of directors and officers of a corporation.
5. Identify shareholder rights and explain the nature of the shareholder liability.
6. Differentiate between types of corporate expansion (e.g., mergers, consolidations, and conglomerates).
7. Evaluate succession strategies of a business (e.g., sale, retirement, death).

8. Research the role of the Securities and Exchange Commission (S.E.C.) and identify potential consequences of violating S.E.C. regulations.
9. Debate ways that government regulation and legal issues in businesses have affected both businesses and consumers.
10. Develop an understanding of a business's responsibility to know, abide by, and enforce laws and regulations that affect business operations and transactions (e.g., antitrust laws, organized labor, and regulatory agencies).
11. Research legal issues and agencies related to managing a business in the global environment (e.g., environmental law, energy regulation and conservation).

G. CONTRACT LAW

Proficient business law professionals demonstrate a basic understanding of contract law. The following accountability criteria are considered essential for students in the business program of study.

1. Explain the contractual relationship and list the elements required to create a contract (offer, acceptance, genuine agreement, consideration, capacity and legality).
2. Identify contracts that should be in writing under the Statute of Frauds (e.g., marriage, land, executor, goods over \$500).
3. Analyze the classifications of contracts (valid, void, voidable, unenforceable, express, implied, bilateral, unilateral, oral, and written).
4. Differentiate among the ways that a contract can be affirmed (ratification) or disrupted (fraud, non-disclosure, negligent misrepresentation, mistake, duress, undue influence).
5. Define breach of contract and compare legal remedies available for resolution (damages, specific performance, rescission, restitution).
6. Discuss ways a contract may be terminated or discharged (e.g., assignment, delegation, performance, expiration).
7. Research examples of cases regarding contract laws.

H. CONSUMER PROTECTION LAW

Proficient business law professionals demonstrate a basic understanding of consumer protection law. The following accountability criteria are considered essential for students in the business program of study.

1. Describe the Uniform Commercial Code (UCC) and how it governs a sale of goods.
2. Assess the impact of the Securities and Exchange Act of 1934.
3. Distinguish between consumer protection laws and various common, unfair, and deceptive practices (e.g., bait and switch, usury, identity theft, deceptive service estimates, and fraudulent misrepresentations).
4. Explain expressed and implied warranties for sale of goods.
5. Research cases regarding consumer laws including trade regulations and practices.

I. REAL AND PERSONAL PROPERTY LAWS

Proficient business law professionals demonstrate a basic understanding of real and personal property (assets) laws. The following accountability criteria are considered essential for students in the business program of study.

1. Distinguish real property, personal property, intellectual property, and fixtures.
2. Describe the civil and criminal consequences for infringing on the intellectual property rights of others.
3. Explain why property distinctions are important.
4. Explain the rights and responsibilities of debtors and creditors (e.g., bankruptcy, commercial paper, endorsements, negotiation, electronic funds transfers, different types of credit).
5. Compare different legal rights and methods of acquiring property and transferring title (e.g., renting, leasing, or purchasing, contract for sale, deed, title search, abstract of title, mortgage, foreclosure, lost/found property), including the effects of liens.
6. Explain rights and duties of property owners and visitors according to property laws.
7. Review contemporary landlord-tenant law.
8. Research cases dealing with real and personal property laws.

J. EMPLOYMENT LAW

Proficient business law professionals demonstrate a basic understanding of employment law. The following accountability criteria are considered essential for students in the business program of study.

1. Explain agency relationships and list the ways agency relationships may be created.
2. Differentiate between agent, employee, independent contractor, and employment at will.
3. Identify the duties, scope of authority, responsibilities, and liabilities of agents.
4. Explain employee rights (e.g., employment interview, drug testing, laws affecting minors, discrimination, sexual harassment).
5. Evaluate legislation that regulates employment rights, conditions, and worker benefits (e.g., OSHA, Workers' Compensation, unemployment compensation, HIPAA, FLSA).
6. Evaluate legislation (e.g., civil rights, right to privacy, and ADA) affecting personnel practices (compensation, promotion, recruitment, selection, termination, training and development).
7. Describe legal reasons for terminating employees (e.g., employment at will, embezzlement, and violation of company policy).
8. Analyze contracts and company's position to assist management in labor contract negotiations and monitor implementation of contract for compliance.
9. Evaluate the impact of immigration relations to operations of business.
10. Analyze health insurance requirements and penalties as they relate to current federal law.
11. Research cases regarding employment laws.

K. TECHNOLOGY LAW

Proficient business law professionals demonstrate a basic understanding of technology law. The following accountability criteria are considered essential for students in the business program of study.

1. Identify the laws and regulations that affect the use of technology including the prevention of cyber crimes (e.g., phishing, ransomware, identity theft, computer hacking, software piracy, source code, software license).
2. Evaluate the methods of protecting creative and intellectual property: copyright, trademark, patent, the Economic Espionage Act.
3. Analyze existing laws, jurisdictional considerations, and disputes regarding electronic communications.
4. Differentiate between various statutes that deal with the effects and use of computer records, data collection, and privacy matters.
5. Research cases regarding technology laws.

L. BUSINESS LAW CAREERS

Proficient business law professionals demonstrate how to prepare to enter the business workplace. The following accountability criteria are considered essential for students in the business program of study.

1. Evaluate business law career opportunities.
2. Evaluate characteristics needed for employee readiness (e.g., interpersonal skills, education requirements, employment outlook, certifications).
3. Compose various employment documents (e.g., resume, cover letter, letter of application, follow-up letter, and letter of resignation).

Safety, Student Organizations, Technology Knowledge, Personal Qualities and Skills, and Professional Knowledge are to be embedded in course standards A-L.

SAFETY

Business professionals know the academic subject matter, including safety as required for proficiency within their area. The following accountability criteria are considered essential for students in any program of study.

1. Review school safety policies and procedures.
2. Review classroom safety rules and procedures.
3. Review safety procedures for using equipment in the classroom.
4. Identify major causes of work-related accidents in office environments.
5. Demonstrate safety skills in an office/work environment.

STUDENT ORGANIZATIONS

Business professionals know the academic subject matter, including professional development. The following accountability criteria are considered essential for students in any program of study.

1. Identify the purpose and goals of a Career and Technology Student Organization (CTSO).
2. Explain how CTSOs are integral parts of specific clusters, majors, and/or courses.
3. Explain the benefits and responsibilities of being a member of a CTSO. List leadership opportunities that are available to students through participation in CTSO conferences, competitions, community service, philanthropy, and other activities.
4. Explain how participation in CTSOs can promote lifelong benefits in other professional and civic organizations.

TECHNOLOGY KNOWLEDGE

Business professionals know the academic subject matter, including the ethical use of technology. The following accountability criteria are considered essential for students in any program of study.

1. Demonstrate proficiency and skills associated with the use of technologies that are common to a specific occupation.
2. Identify proper netiquette when using e-mail, social media, and other technologies for communication purposes.
3. Identify potential abuse and unethical uses of laptops, tablets, computers, and/or networks.
4. Explain the consequences of social, illegal, and unethical uses of technology (e.g., piracy; illegal downloading; cyberbullying; licensing infringement; inappropriate uses of software, hardware, and mobile devices in the work environment).
5. Discuss legal issues and the terms of use related to copyright laws, Creative Commons, fair use laws, and ethics pertaining to downloading of images, photographs, Creative Commons, documents, video, sounds, music, trademarks, and other elements for personal use.
6. Describe ethical and legal practices of safeguarding the confidentiality of business-related information.
7. Describe possible threats to a laptop, tablet, computer, and/or network and methods of avoiding attacks.

PERSONAL QUALITIES AND EMPLOYABILITY SKILLS

Business professionals know the academic subject matter, including positive work practices and interpersonal skills. The following accountability criteria are considered essential for students in any program of study.

1. Demonstrate creativity and innovation.
2. Demonstrate critical thinking and problem-solving skills.
3. Demonstrate initiative and self-direction.
4. Demonstrate integrity.

5. Demonstrate work ethic.
6. Demonstrate conflict resolution skills.
7. Demonstrate listening and speaking skills.
8. Demonstrate respect for diversity.
9. Demonstrate customer service orientation.
10. Demonstrate teamwork.

PROFESSIONAL KNOWLEDGE

Business professionals know the academic subject matter, including positive work practices and interpersonal skills. The accountability criteria are considered essential for students in any program of study.

1. Demonstrate global or “big picture” thinking.
2. Demonstrate career and life management skills and goal-making.
3. Demonstrate continuous learning and adaptability skills to changing job requirements.
4. Demonstrate time and resource management skills.
5. Demonstrates information literacy skills.
6. Demonstrates information security skills.
7. Demonstrates information technology skills.
8. Demonstrates knowledge and use of job-specific tools and technologies.
9. Demonstrate job-specific mathematics skills.
10. Demonstrates professionalism in the workplace.
11. Demonstrates reading and writing skills.
12. Demonstrates workplace safety.

Additional Materials and Resources

Course Academic Indicators