NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

Business Law

June 2015

BOE Approved June 2016
New Milford Board of Education

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Kristie O’Neill
New Milford’s Mission Statement

The mission of the New Milford Public Schools, a collaborative partnership of students, educators, family and community, is to prepare each and every student to compete and excel in an ever-changing world, embrace challenges with vigor, respect and appreciate the worth of every human being, and contribute to society by providing effective instruction and dynamic curriculum, offering a wide range of valuable experiences, and inspiring students to pursue their dreams and aspirations.
Business Law

Business Law is a semester course designed to expand student knowledge of business and personal law. Topics such as the creation of laws, need for laws, corporate scandals, morals and ethics, criminal law, civil law and an overview of the state and local court systems are explored. The class includes a trip to a local court house, guest speakers and a student-run mock trial.
## Pacing Guide

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<td>Ethics and the Law</td>
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<td>Defining morals and ethics</td>
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<td>2</td>
<td>The Court System</td>
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<td>State and Federal</td>
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<td>Mock Trial</td>
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<td>The Law of Torts</td>
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<td>Intentional Torts</td>
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<td>Civil Negligence and Strict liability</td>
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<td></td>
<td>Consumer Law and e-commerce</td>
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Key For Common Core State Standards

W = Writing Standards

WHST = Writing: History/S.S., Science, & Technical Subjects

RST = Reading Standards for Literacy, Science, and Technology Subjects

SL = Speaking and Listening Standards

RI = Reading Standards for Informational Text

RH = Reading: History/Social Studies
# Identify Desired Results

## Common Core Standards

- **SL 11-12.4** – Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance, and style are appropriate to purpose, audience, and a range of formal and informal tasks.

- **RI.11-12.1** – Cite strong and thorough evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.

- **RI.17** – Integrate and evaluate multiple sources of information presented in different media or formats as well as in words in order to address a question or solve a problem.

- **W.6** – Use technology, including the Internet, to produce, publish, and update individual or shared writing products in response to ongoing feedback including new arguments or information.

- **NBEA National Business Education Association: Basics of the Law Achievement Content Standard I:** Analyze the relationship between ethics and the law and describe sources of the law, the structure of the court system, different classifications of procedural law, and different classifications of substantive law.

## Enduring Understandings

**Generalizations of desired understanding via essential questions**

*Students will understand that ...*

- There are ethical and moral decisions we make on a daily basis.
- Ethical decisions affect personal and business interests.
- There are protections and limitations to the Bill of Rights.
- Laws are created in a variety of ways.
- Unethical behavior in a business setting affects many people.

## Essential Questions

**Inquiry used to explore generalizations**

- What would happen if the world lacked ethics and morals?
- How can unethical decisions have long term implications to a person or a business?
- What should happen when people do unethical things but use the 1st Amendment as an excuse?
- Can we create or change laws in society?

## Expected Performances

**What students should know and be able to do**

- The difference between ethics and morals.
Basic ethical and moral characteristics
How to identify unethical behavior in a company and its effect on stakeholders
The Bill of Rights and what it means in today’s world
That laws are created in a variety of ways

Students will be able to do the following:
- Identify the difference in ethical and moral decision making.
- Describe the difference between a legal and ethical responsibility.
- Identify consequences of unethical and illegal conduct.
- Analyze and solve ethical and legal problems.
- Explain how courts make law and explain the role of precedent in the legal system.
- Research and evaluate specific statutes and administrative regulations.

Character Attributes
- Honesty
- Integrity
- Responsibility
- Respect
These attributes will be discussed and analyzed as part of instruction and also as part of case studies of unethical business practices.

Technology Competencies
- Students use critical thinking skills to plan and conduct research, manage projects, solve problems, and make informed decisions using appropriate digital tools and resources.

Develop Teaching and Learning Plan

Teaching Strategies:
- Teacher presents unit material using a PowerPoint presentation and student notes packets.
- Teacher presents relevant documentaries to further expand upon a topic.
- Teacher incorporates current events and real world situations on a daily basis.
- Teacher makes available real case studies as models.
- Teacher creates small collaborative groups to allow students to apply learned concepts to real-world situations.

Learning Activities:
- Students will take part in class and group discussions on given topics and scenarios.
- Students will work in small groups to create a Corporate Ethics Project where they will identify (through a research PowerPoint presentation) a real world unethical corporate situation and explain the effects on stakeholders.
- Students will work collaboratively to evaluate real world current events and identify their legal and ethical issues.
- Students will work independently and as a class to research CT laws and evaluate how they are changing and why.
<table>
<thead>
<tr>
<th>Performance Task(s)</th>
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<tr>
<td>Authentic application to evaluate student achievement of desired results designed according to GRASPS (one per marking period)</td>
<td>Application that is functional in a classroom context to evaluate student achievement of desired results</td>
</tr>
</tbody>
</table>

**Goal:**

- Participation in class discussions and responses
- Bill of Rights Quiz
- Corporate Ethics Project and presentation
- Completion and evaluation of case studies
- Tests to include T/F, multiple-choice, completion, case studies and essays.
- Current event articles

<table>
<thead>
<tr>
<th>Role:</th>
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<tbody>
<tr>
<td>Audience:</td>
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<tr>
<td>Situation:</td>
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<tr>
<td>Product or Performance:</td>
</tr>
<tr>
<td>Standards for Success:</td>
</tr>
</tbody>
</table>

**Suggested Resources**

- Keady, Jim, Team Sweat “Nike Sweatshops, Behind the Swoosh” online video clip https://www.youtube.com/watch?v=M5uYCWVfuPQ July 2011.
Identify Desired Results

Common Core Standards

- SL 11-12.4 - Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance, and style are appropriate to purpose, audience, and a range of formal and informal tasks.
- SL.11-12.1d - Respond thoughtfully to diverse perspectives; synthesize comments, claims, and evidence made on all sides of an issue; resolve contradictions when possible; and determine what additional information or research is required to deepen the investigation or complete the task.
- W6: Use technology, including the Internet, to produce, publish, and update individual or shared writing products in response to ongoing feedback including new arguments or information.
- NBEA National Business Education Association: Basics of the Law Achievement Content Standard I: Analyze the relationship between ethics and the law and describe sources of the law, the structure of the court system, different classifications of procedural law, and different classifications of substantive law.

Enduring Understandings

Generalizations of desired understanding via essential questions
(Students will understand that ...)

- The U.S. Court system has two major parts: Federal and State
- State Court Systems make their own laws and are not interrelated and do not depend on each other.
- State Laws must not conflict with the US Constitution
- Juvenile cases are handled in special courts
- Criminal and Civil courts have different procedures, remedies and burden of proof.

Essential Questions

Inquiry used to explore generalizations

- What types of crimes can be both Federal and State crimes?
- Should states be able to make something legal that is illegal on the federal level?
- What age should a juvenile be tried as an adult and what circumstances should affect this decision?
- How can someone be found innocent in Criminal court but liable in Civil?
- How can we keep prejudice and bias out of jury selection?

Expected Performances

What students should know and be able to do

Students will know the following:
- The differences between the State and Federal Court Systems
- Laws vary from State to State
- Criteria that Juvenile cases are based on
- The differences in Criminal and Civil Courts
• The steps in a jury trial
Students will be able to do the following:
• Identify and explain the difference in how cases are handled at various levels of the State and Federal courts
• Compare and contrast the basic structure of the federal, state, and local court system.
• Evaluate individual juvenile cases to determine if the defendant should be charged as an adult.
• Evaluate specific cases by stating the facts, finding the legal question, applying the law, and resolving the issue.
• Compare and contrast the characteristics of criminal and civil case law
• Identify state laws vs federal laws and how they can be changed
• Pick an effective jury based on the needs of a case

Character Attributes
• Cooperation
• Citizenship
• Responsibility
These attributes will be discussed and analyzed as part of instruction and also as part of case studies and jury selection.

Technology Competencies

Develop Teaching and Learning Plan

<table>
<thead>
<tr>
<th>Teaching Strategies:</th>
<th>Learning Activities:</th>
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<tr>
<td>Teacher presents unit material using a PowerPoint presentation and student notes packets.</td>
<td>Students will take part in class and group discussions on given topics and scenarios.</td>
</tr>
<tr>
<td>Teacher pairs students to work together to conduct lawyer type responsibilities.</td>
<td>Students will evaluate several juvenile cases to determine how they should be handled.</td>
</tr>
<tr>
<td>Teacher incorporates current events and real-world situations on a daily basis.</td>
<td>Students will work collaboratively to evaluate real-world current events and identify the legal issues.</td>
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<tr>
<td>Teacher invites a representative from CT Jury Administration to speak to students.</td>
<td>Students will work independently and as a class to research changes in Federal and State laws.</td>
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<tr>
<td>Teacher uses legal articles to provide students with current and relevant examples to expand on topics.</td>
<td>Students will categorize cases into civil or criminal and identify all elements of the case.</td>
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<td>Students will examine juror cards to select an unbiased jury.</td>
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Assessments

<table>
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<tr>
<th>Performance Task(s)</th>
<th>Other Evidence</th>
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<tbody>
<tr>
<td>Authentic application to evaluate student achievement of desired results designed according to GRASPS</td>
<td>Application that is functional in a classroom context to evaluate student achievement of desired results</td>
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</table>
Goal: Evaluate 30 Juror cards and determine which 12 jurors would be the best choice for the case being presented.

Role: Attorney

Audience: Judge

Situation: Attorney representing a client needs to pick the best jury based on the facts of the case.

Product or Performance: Worksheet naming the 12 jurors, identifying the best and worst juror choices and explaining strategies used.

Standards for Success: Total points earned. Each juror is worth a certain number of points, corresponding to how beneficial they would be on the jury. May also earn points for defending juror choices.

- Participation in class discussions and responses
- Pick 12 Jury game
- Tests to include T/F, multiple-choice, completion, case studies and essays
- Current event articles and presentations
- Civil vs Criminal evaluation worksheets and organizers
- “Which court would it be?” Scavenger hunt

### Suggested Resources

New Milford Public Schools

<table>
<thead>
<tr>
<th>Committee Member: Kristie O’Neill</th>
<th>Course/Subject: Business Law</th>
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<tr>
<td>Unit 3 – Criminal Law</td>
<td>Grade Level: 11-12</td>
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<td># of Weeks: 4-5</td>
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</table>

### Identify Desired Results

#### Common Core Standards

- **SL.11-12.1** – Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, teacher-led) with diverse partners on grades 11-12 topics, texts, and issues, building on others’ ideas and expressing their own clearly and persuasively.
- **SL 11-12.1B** – Work with peers to promote civil, democratic discussions and decision-making, set clear goals and deadlines, and establish individual roles as needed.
- **SL.11-12.1d** – Respond thoughtfully to diverse perspectives; synthesize comments, claims, and evidence made on all sides of an issue; resolve contradictions when possible; and determine what additional information or research is required to deepen the investigation or complete the task.
- **WHST.11-12.6** – Use technology, including the Internet, to produce, publish, and update individual or shared writing products in response to ongoing feedback, including new arguments or information.
- **NBEA National Business Education Association: Basics of the Law Achievement Content Standard I:** Analyze the relationship between ethics and the law and describe sources of the law, the structure of the court system, different classifications of procedural law, and different classifications of substantive law.

#### Enduring Understandings

Generalizations of desired understanding via essential questions (Students will understand that ...)

- A crime is an offense against the public good and can be either a Felony or a Misdemeanor.
- The plaintiff in a criminal case is always the government.
- Each state has inherent police power and the ability to make and enforce its own laws.
- Negligence is a failure to exercise the care that a reasonably prudent person would exercise in like circumstances.
- There are several national police agencies including the FBI and DEA.
- The two elements of a crime are the criminal act and the required state of mind.

#### Essential Questions

Inquiry used to explore generalizations

- Brainstorm different crimes you can think of, are they felonies or misdemeanors?
- What characteristics should a prosecutor have?
- What are characteristics of a defense attorney?
- If voluntary manslaughter is intentional killing but due to emotional stress, how long should the person have to “think” about it?
- Why does the Fifth Amendment protect us from “Double Jeopardy”?
- Are there instances where the protections given to us by the Bill of Rights can be abused or work against justice?
Expected Performances
What students should know and be able to do

Students will know the following:
- The differences between Murder and Manslaughter
- Common defenses to crimes are Insanity, Entrapment, Self-Defense and Defense of Family Members.
- Three categories of crimes are: Crimes against People, Property and Business Interests.
- The criteria required the death of someone to be a murder.
- The elements of negligence.
- The responsibilities of an attorney, judge, witness and jury in a trial.

Students will be able to do the following:
- Determine when reading criteria of a case if it qualifies as murder or manslaughter.
- Evaluate crimes and match appropriate defenses.
- Analyze legal case studies to determine if the elements of negligence are present.
- Categorize different types of crimes, such as murder, manslaughter, burglary, battery, arson, and embezzlement.
- Consider several defenses to criminal acts such as the insanity defense and self-defense.
- Conduct a mock trial from beginning to end.

Character Attributes
- Honesty
- Cooperation
- Perseverance
- Courage
These attributes will be discussed and analyzed as part of instruction and also as part of case studies and the Mock Trial.

Technology Competencies
- Students will utilize various technology resources while preparing for their mock trial including: research on precedent and laws, creating word documents for questions and opening and closing statements, map creation, etc.

Develop Teaching and Learning Plan

Teaching Strategies:
- Teacher presents unit material using a PowerPoint presentation and student notes packets.
- Teacher provides students with a mock trial packet and trial procedure information for use with mock trial.
- Teacher assigns Mock Trial roles to encourage peer teaching.
- Teacher uses various news articles and videos for further topic explanation.

Learning Activities:
- Students will take part in class and group discussions on given topics and scenarios.
- Students will evaluate several criminal cases to determine what type of crime occurred.
- Students will work in pairs to find recent articles related to crimes and determine negligence and defense strategies.
- Students will work independently, in pairs, and in small groups to prepare
- Teacher invites a Sergeant from the local police department to come and speak with students.
- Teacher uses legal articles to provide students with relevant examples to expand on topics.

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<th>Assessments</th>
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<tr>
<td>Authentic application to evaluate student achievement of desired results designed according to GRASPS (one per marking period)</td>
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<tr>
<td><strong>Goal:</strong> Prepare for and conduct a student run mock trial.</td>
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<tr>
<td><strong>Role:</strong> Judge, Prosecutors, Defense Attorneys, Witnesses and Jurors</td>
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<tr>
<td><strong>Audience:</strong> Judge/Jury/Defendant</td>
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<tr>
<td><strong>Situation</strong> The actual case will change, however students will prepare for and participate in a criminal mock trial.</td>
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<tr>
<td><strong>Product or Performance:</strong> Mock Trial Packets to include Opening and Closing statements, witness questions and answers, anticipated questions and answers, other trial materials. Also thinking on their feet and strategizing as they go.</td>
</tr>
<tr>
<td><strong>Suggested Resources</strong></td>
</tr>
<tr>
<td>• Trial Procedures Packet – teacher created</td>
</tr>
<tr>
<td>• Connecticut High School Mock Trial Case Study. State of New Justice vs. Terry Jackson</td>
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</table>
New Milford Public Schools

<table>
<thead>
<tr>
<th>Committee Member: Kristie O'Neill</th>
<th>Course/Subject: Business Law</th>
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<tbody>
<tr>
<td>Unit 4 – The Law of Torts</td>
<td>Grade Level: 11-12</td>
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<td># of Weeks: 3-4</td>
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### Identify Desired Results

#### Common Core Standards

- W.11-12.1 – Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.
- RH.11-12.3 Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.
- WHST.1.b- Develop claim(s) and counterclaims fairly and thoroughly, supplying the most relevant data and evidence for each while pointing out the strengths and limitations of both claim(s) and counterclaims in a discipline-appropriate form that anticipates the audience’s knowledge level, concerns, values, and possible biases.

#### Enduring Understandings

**Generalizations of desired understanding via essential questions**

(Students will understand that ...)

- There is a difference between a crime and a tort.
- There are a variety of intentional and unintentional torts.
- The elements of negligence are owing a duty of care, breaching that duty and causing injury or harm.
- There are several defenses to negligence.

#### Essential Questions

**Inquiry used to explore generalizations**

- How can a tort occur?
- Why should people be held responsible for unintentional torts if they didn’t mean it?
- Which element of negligence would be the hardest to prove in a law suit?
- Would a person who is hit by a foul ball at a baseball game be able to prove negligence?
- What activities might you classify as being ultra-hazardous and therefore fall under strict liability?

### Expected Performances

**What students should know and be able to do**

**Students will know the following:**

- The major difference between a crime and a tort is government involvement and punishment.
- The common defenses to torts.
- What constitutes strict liability.
- What is necessary to prove negligence.

**Students will be able to do the following:**

- Evaluate a case and determine if it is a crime or a tort.
- Evaluate a tort case to determine if all elements are present.
- Evaluate and give examples of negligence and intentional torts.
- Establish an appropriate defense to different types of torts.

### Character Attributes

<table>
<thead>
<tr>
<th>Respect</th>
<th>Responsibility</th>
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<tbody>
<tr>
<td>These attributes will be discussed and analyzed as part of instruction and also as part of case studies.</td>
<td></td>
</tr>
</tbody>
</table>

### Technology Competencies

- Students will use a variety of input technologies to maximize productivity.

### Develop Teaching and Learning Plan

#### Teaching Strategies:

- Teacher presents unit material using a PowerPoint presentation and student notes packets.
- Teacher uses various news articles and videos for further topic explanation.
- Teacher takes students to a local court house to see real world criminal and tort cases.
- Teacher uses a mock trial case to provide a real life simulation of a tort proceeding.

#### Learning Activities:

- Students will take part in class and group discussions on given topics and scenarios.
- Students will tour a Superior Court where they will meet with the judge, prosecutors, defense attorneys, and marshals.
- Students will conduct an informal tort mock trial.

### Assessments

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- Participation in class discussions and responses – Entry/Exit tickets
- Tort Mock Trial activity – participation rubric, group discussion, Mock Trial packets, presentation.
- Tests to include T/F, multiple-choice, completion, case studies and essays.
- Current event articles and presentations

### Suggested Resources

## Identify Desired Results

### Common Core Standards

- RST.11-12.9 - Synthesize information from a range of sources (e.g. texts, experiments, simulations) into a coherent understanding of a process, phenomenon, or concept, resolving conflicting information when possible.
- SL 11-12.4 - Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance, and style are appropriate to purpose, audience, and a range of formal and informal tasks.

### Enduring Understandings

<table>
<thead>
<tr>
<th align="left">Generalizations of desired understanding via essential questions (Students will understand that ...)</th>
<th>Essential Questions Inquiry used to explore generalizations</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left">• There are specific elements of a contract needed to make it legal.</td>
<td>• Does the promise to do a favor create a binding contract?</td>
</tr>
<tr>
<td align="left">• There are a variety of ways to enter into and terminate a contract.</td>
<td>• Describe a situation where you have entered into a contract, what made that contract valid?</td>
</tr>
<tr>
<td align="left">• Contractual capacity protects minors and others who are unable to make sound judgments.</td>
<td>• Identify parties who lack contractual capacity.</td>
</tr>
<tr>
<td align="left">• Consideration has 3 characteristics.</td>
<td>• Is the purchase of clothing from a store a contract?</td>
</tr>
<tr>
<td align="left">• Consumer Law governs contracts for the sale and lease of goods.</td>
<td>• How safe is it to make purchases on the internet?</td>
</tr>
<tr>
<td align="left"></td>
<td>• Did you agree to a contract when you got your phone? Did you read it?</td>
</tr>
</tbody>
</table>

### Expected Performances

**Students will know the following:**
- The elements of a contract are Offer, Acceptance, Genuine Agreement, Consideration, Capacity and Legality.
- Contracts can be Express or Implied, Bilateral or Unilateral, and Oral or Written.
- Capacity is the legal ability to enter into a contract and the law shields minors in making contracts as a protective measure.
- The Uniform Commercial Code (UCC) and its purpose.

**Students will be able to do the following:**
- List and explain the elements required to create a contract.
- Differentiate among classes of contracts, such as bilateral and unilateral; express
and implied and oral and written.

- Define and distinguish between different types of consideration and list the exceptions to the requirements of consideration.
- Assess capacity and identify people who lack contractual capacity.

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<tr>
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<tr>
<td>Honesty</td>
</tr>
<tr>
<td>Integrity</td>
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These attributes will be discussed and analyzed as part of instruction and also as part of case studies on contracts.

<table>
<thead>
<tr>
<th>Technology Competencies</th>
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<tbody>
<tr>
<td>Students will use various input technologies to enter and manipulate text and data.</td>
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### Develop Teaching and Learning Plan

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</tr>
<tr>
<td>Teacher shows the elements and examples of contracts using interactive and video examples to guide student-directed learning.</td>
<td>Students will create their own contracts on a specific topic.</td>
</tr>
<tr>
<td>Teacher leads discussions on elements of contract, consideration, and capacity using real world examples.</td>
<td>Students will participate in various group activities to evaluate consideration.</td>
</tr>
<tr>
<td>Teacher makes available sample contracts for evaluation.</td>
<td>Students will determine capacity of pre-determined scenarios.</td>
</tr>
<tr>
<td>Teacher groups students into pairs to create their own contracts.</td>
<td></td>
</tr>
</tbody>
</table>

### Assessments

<table>
<thead>
<tr>
<th>Performance Task(s)</th>
<th>Other Evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authentic application to evaluate student achievement of desired results designed according to GRASPS (one per marking period)</td>
<td>Application that is functional in a classroom context to evaluate student achievement of desired results</td>
</tr>
</tbody>
</table>

- Participation in class discussions and responses – Entry/Exit tickets
- Creation of contracts
- Consideration activities worksheets
- Capacity project rubric.
- Tests to include T/F, multiple-choice, completion, case studies and essays.
- Current event articles and presentations
Suggested Resources


- McCartney, Anthony “Judge rules author Tess Gerritsen’s lawsuit over 'Gravity' film is flawed, but can be amended” Associated Press June 2015.

- Smith, Josh. “Apple Drastically Changes How You Buy a New iPhone 6” Notebooks.com Inc. 2015 June 7, 2015 online http://www.gottabemobile.com/2015/06/07/apple-iphone-6-att-next-iphone-6s/