

Business and Finance Technology Education Frameworks
Business Law

Content Standard 1 – Basics of the Law			
Analyze the relationship between ethics and the law and describe the sources of the law, the structure of the court system, and different classifications of procedural and substantive law.			
The student will be able to:	Beginning	Intermediate	Advanced
<p>Strand 1</p> <p>Understand the role that the law and ethics plays in business and society.</p>	<p>Learner Expectation</p> <p>Define a law.</p> <p>Define ethics.</p> <p>Explain a person’s responsibility to obey the law.</p> <p>Identify ethical character traits and values.</p>	<p>Learner Expectation</p> <p>*Describe the difference between a legal and ethical responsibility.</p> <p>Identify the consequences of unethical and illegal conduct.</p> <p>List the most common sources of the law.</p>	<p>Learner Expectation</p> <p>Analyze and solve ethical and legal problems.</p> <p>Identify ethical problems resulting from contemporary business technology.</p> <p>Describe the way that a business can be socially responsible.</p>
<p>Strand 2</p> <p>Describe the sources of the law.</p>	<p>Learner Expectation</p> <p>Identify the sources of law (Constitutions, Statutory Law, Administrative Regulations, Court Decisions and Precedent).</p>	<p>Learner Expectation</p> <p>Explain the difference between local, state and federal governments.</p> <p>Explain how courts make law (and explain the role of precedent in the legal system).</p> <p>Define the concept of stare decisis and explain the role of precedent in the state and federal legal systems.</p>	<p>Learner Expectation</p> <p>Analyze the specific cases by stating facts, finding the legal questions, applying the laws and resolving the issues.</p> <p>Research and evaluate specific statutes and administrative regulations.</p>

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<p>Strand 3</p> <p>Identify the structure of the court system.</p>	<p>Learner Expectation</p> <p>Explain the function of the court.</p> <p>*Describe the basic structure (hierarchy) of the national and state court systems.</p> <p>Explain the role of legal professionals (judges, lawyers).</p>	<p>Learner Expectation</p> <p>Differentiate between cases that belong within the jurisdiction of the federal and state court systems.</p> <p>Analyze the impact of the Internet on questions of court jurisdiction.</p>	<p>Learner Expectation</p> <p>Analyze the reasons that certain cases reach the U.S. Supreme Court.</p>
<p>Strand 4</p> <p>Identify the classifications of procedural law.</p>	<p>Learner Expectation</p> <p>Distinguish between procedural law and substantive law.</p> <p>Define litigation.</p> <p>List the steps in criminal and civil trials.</p>	<p>Learner Expectation</p> <p>Describe the appellate process in criminal and civil trials.</p> <p>Define the statute of limitations.</p> <p>Explain the new techniques involved in cyber-filing, cyber-discovery and electronically stored information (ESI).</p>	<p>Learner Expectation</p> <p>Compare and contrast the steps in a civil lawsuit with the steps in criminal prosecution.</p> <p>Identify and analyze different types of reactive and proactive ADR techniques.</p>
<p>Strand 5</p> <p>Identify the classifications of substantive law</p>	<p>Learner Expectation</p> <p>Define alternate dispute resolution.</p> <p>Define civil law.</p>	<p>Learner Expectation</p> <p>*Distinguish between categories of a crime (e.g., treason, felony and misdemeanor).</p>	<p>Learner Expectation</p> <p>Differentiate between survival statutes and wrongful death statutes.</p> <p>Analyze the statutory and Supreme</p>

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The student will be able to:	Beginning	Intermediate	Advanced
	Define criminal law. Define torts. Define negligence.	Define different types of business crimes (e.g., arson, forgery and misdemeanor). Distinguish between a tort and a crime. Identify and relate the concept of liability and steps of negligence (reasonable person test; proximate cause). Describe the penalties available in criminal law and the remedies available in tort law. Differential between the penalties for committing felonies and misdemeanors. Determine several defenses to criminal acts (e.g., insanity defense, self-defense).	Court criteria for imposing the death penalty. Analyze the impact and consequences of selected criminal violation on businesses.

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Content Standard 2 – Contract Law, Law of Sales and Consumer Law			
Analyze the relationship between contract law, law of sales and consumer law.			
The student will be able to:	Beginning	Intermediate	Advanced
<p>Strand 1</p> <p>Analyze the relationship between contract law, law of sales and consumer law.</p>	<p>Learner Expectation</p> <p>Explain the nature of a contractual relationship.</p> <p>Recognize the responsibilities created in a contract.</p> <p>List the elements required to create a contract.</p> <p>Define goods and distinguish them from services and real property.</p>	<p>Learner Expectation</p> <p>*Explain how offer and acceptance can create contractual rights and duties.</p> <p>Define counteroffer and describe the effects of a counteroffer in various contractual situations.</p> <p>Determine whether or not an agreement is definite enough to be enforced as a contract.</p> <p>Differential between the ways that assent can be undermined (e.g., fraud, nondisclosure, duress).</p> <p>Define and distinguish between different types of consideration and list the expectation to the requirements of consideration.</p> <p>Explain a minor’s rights to avoid a contract.</p>	<p>Learner Expectation</p> <p>Identify problems created when contracts are negotiated and entered into over the Internet.</p> <p>Analyze selected contract clauses such as a mandatory arbitration agreements and choice of forum clauses.</p> <p>State when a contract for the sales of goods must be evidenced in writing.</p>

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Content Standard 2 – Contract Law, Law of Sales and Consumer Law Analyze the relationship between contract law, law of sales and consumer law.			
The student will be able to:	Beginning	Intermediate	Advanced
		<p>Identify categories of people who lack contractual capacity.</p> <p>Describe the concept of unconscionability and compare it to illegality.</p> <p>*List the essential information that should be included in writing under the statute of frauds.</p> <p>Explain the parole evidence rule.</p> <p>Describe the various rules applied to the interpretation of contracts.</p> <p>Explain the various rules applied to contracts involving third parties.</p> <p>*List the ways a contract can be discharged.</p> <p>Describe the breach of contract and the remedies available when a contract is breached.</p> <p>Give examples of special rules that</p>	

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Content Standard 2 – Contract Law, Law of Sales and Consumer Law Analyze the relationship between contract law, law of sales and consumer law.			
The student will be able to:	Beginning	Intermediate	Advanced
		<p>apply to sales contracts that do not apply to other contracts.</p> <p>Discuss consumer protection legislation (e.g., Federal Trade Commission Act, Consumer Product Safety Act, and Consumer Leasing Act).</p> <p>Define the terms “unfair business practice” and “false and misleading advertising.”</p> <p>Describe those statutes that regulate cyber-price shopping, cyber-payment problems, and cyber-contract security issues.</p>	

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Content Standard 3 – Employment Law			
Analyze employment law as it relates to the conduct of business in the state and national marketplace.			
The student will be able to:	Beginning	Intermediate	Advanced
Analyze the role and importance of employment law as it relates to the conduct of business.	<p>Learner Expectation</p> <p>Demonstrate an understanding of the nature of the employer-employee relationship.</p> <p>*Explain the doctrine of employment-at-will.</p>	<p>Learner Expectation</p> <p>Identify legislation that regulates employee rights (e.g. Americans with Disabilities Act, Age Discrimination in Employment Act, Family and Medical Leave Act, etc.).</p> <p>Identify legislation that regulates employment conditions (e.g., Fair Labor Standards Act, Occupational Safety and Health Act, etc.).</p> <p>Identify legislation that guarantees worker benefits (e.g., unemployment insurance pension protection, Social Security legislation, workers' compensation, etc.).</p>	<p>Learner Expectation</p> <p>Analyze the impact of no-completion and confidentiality clauses in employment agreements.</p> <p>Discuss the impact Immigration regulations to the operation of business.</p>

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Content Standard 4 – Property Law			
Explain the legal rules that apply to personal property, real property and intellectual property.			
The student will be able to:	Beginning	Intermediate	Advanced
Strand 1 Analyze personal property.	Learner Expectation Compare real property, personal property, and fixtures and explain why property distinctions are important.	Learner Expectation List different methods by which property is acquired. Identify the forms of co-ownership of personal property.	Learner Expectation Describe some protections given in copyright and trademark matters. Distinguish between a lease and a deed. Explain the rights and obligations of landlords and tenants on termination of a lease including lawful and unlawful eviction procedures.
Strand 2 Analyze real property.	Learner Expectation Give examples of tangible and intangible personal property.	Learner Expectation *Distinguish among liens, licenses and easements and explain the differences.	Learner Expectation Analyze the relationship between the government power of eminent domain and property ownership rights. Describe the civil and criminal consequences for infringing on the intellectual property rights of another.
Strand 3 Analyze intellectual property.	Learner Expectation Define the concept of intellectual property.	Learner Expectation *List and define the types of intellectual property (e.g., trademark, trade name, trade dress, copyright, patent and trade secret). Describe how each type of intellectual property is created and legally protected	Learner Expectation

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Content Standard 4 – Property Law			
Explain the legal rules that apply to personal property, real property and intellectual property.			
The student will be able to:	Beginning	Intermediate	Advanced
		<p>Describe how intellectual property rights terminate or can be lost.</p> <p>Explain copyright law, including the procedure for obtaining a copyright, copyright infringement and fair use doctrine.</p>	

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Content Standard 5 – Family Law			
Explain the legal rules that apply to marriage, divorce, and child custody.			
The student will be able to:	Beginning	Intermediate	Advanced
Strand 1 Analyze marriage.	Learner Expectation Define marriage and explain the rights and obligations that are involved in marriage. Compare the definition of civil union with that of marriage.	Learner Expectation Identify the issues and concerns that might be included in a prenuptial agreement. *Distinguish between common law and a ceremonial marriage. Identify the types of marriages that are prohibited by law.	Learner Expectation Explain the impact of the laws of different countries on prenuptial agreements.
Strand 2 Analyze divorce and child custody	Learner Expectation Contrast legal separation, annulment, divorce and dissolution proceedings. Explain some of the typical grounds for divorce and annulment.	Learner Expectation Define “domestic partnership” and explain how it is created under various state laws. Explain the laws of domestic relations as it relates to child custody. Outline the law of domestic relations as it relates to spousal and child support.	Learner Expectation Discuss the impact of the laws of divorce on property distribution, child custody and child support.

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Content Standard 6 – Wills and Trusts			
Determine the appropriateness of wills and trusts in estate planning.			
The student will be able to:	Beginning	Intermediate	Advanced
Strand 1 Analyze wills.	Learner Expectation Define testamentary capacity and testamentary intent. Define a holographic will.	Learner Expectation Explain how a will may be modified or revoked. Distinguish between the protections given to spouses and to children under the law of wills. Explain what happens to a decedent's estate when a person dies without a will.	Learner Expectation Identify the responsibilities of a personal representative or executor or administrator in the settlement of an estate. Describe the probating and contesting of a will.
Strand 2 Analyze trusts.	Learner Expectation Define a trust. Identify key characteristics of a trust.	Learner Expectation Explain the advantages and disadvantages of establishing a trust.	Learner Expectation Identify the powers and duties of trustees. Identify the rights and duties of beneficiaries.