



## **Business Law & Ethics**

### ***Course Description***

This course is designed to provide students with an overview of our legal system, including statutes and regulations that affect businesses, families, and individuals in a variety of ways. Knowledge of business law is particularly useful because all students eventually assume the role of citizen, worker, and consumer in society. Businesses operate in an increasingly global environment where the laws of different governments and judicial systems frequently conflict. As a result, business students must include in their academic preparation a basic knowledge of the legal system and how business law impacts commerce both nationally and internationally. Students must understand how and why local, state, and federal law works in conjunction with international law.

Students need to also be able to distinguish unethical behavior from illegal behavior and to understand the rising importance of social responsibility as an aspect of corporations and organizations in a global society. One of the most crucial changes in business law involves teaching students about the efforts of the courts and the legislature to deal with how technology has impacted the law, particularly with regard to computers and the Internet.

The material covered in Business Law & Ethics is reinforced and enhanced through the use of technology, guest speakers, videos and hands-on, project-based activities whenever possible. In addition, because experiential learning is an important aspect of all business courses, a field trip to the Courts or other law-related destination may also be offered.

## **Business Law & Ethics**

<b>Pacing Guide</b>		
<b>Unit</b>	<b>Topic</b>	<b>Suggested Timing</b>
Unit 1	Introduction & Foundational Legal Concepts	approx. 9 weeks
Unit 2	Contractual Relationships and Sales	approx. 9 weeks
Unit 3	Business Negotiations	approx. 9 weeks
Unit 4	Government Regulation of Business	approx. 8 weeks

## Educational Technology Standards

8.1.12.A.1, 8.1.12.B.2, 8.1.12.C.1, 8.1.12.D.1, 8.1.12.E.1, 8.1.12.F.1

- **Technology Operations and Concepts**
  - Create a personal digital portfolio which reflects personal and academic interests, achievements, and career aspirations by using a variety of digital tools and resources.
- **Creativity and Innovation**
  - Apply previous content knowledge by creating and piloting a digital learning game or tutorial.
- **Communication and Collaboration**
  - Develop an innovative solution to a real world problem or issue in collaboration with peers and experts, and present ideas for feedback through social media or in an online community.
- **Digital Citizenship**
  - Demonstrate appropriate application of copyright, fair use and/or Creative Commons to an original work.
- **Research and Information Literacy**
  - Produce a position statement about a real world problem by developing a systematic plan of investigation with peers and experts synthesizing information from multiple sources.
- **Critical Thinking, Problem Solving, Decision Making**
  - Evaluate the strengths and limitations of emerging technologies and their impact on educational, career, personal and or social needs.

## Career Ready Practices

*Career Ready Practices describe the career-ready skills that all educators in all content areas should seek to develop in their students. They are practices that have been linked to increase college, career, and life success. Career Ready Practices should be taught and reinforced in all career exploration and preparation programs with increasingly higher levels of complexity and expectation as a student advances through a program of study.*

### **CRP1. Act as a responsible and contributing citizen and employee**

Career-ready individuals understand the obligations and responsibilities of being a member of a community, and they demonstrate this understanding every day through their interactions with others. They are conscientious of the impacts of their decisions on others and the environment around them. They think about the near-term and long-term consequences of their actions and seek to act in ways that contribute to the betterment of their teams, families, community and workplace. They are reliable and consistent in going beyond the minimum expectation and in participating in activities that serve the greater good.

### **CRP2. Apply appropriate academic and technical skills.**

Career-ready individuals readily access and use the knowledge and skills acquired through experience and education to be more productive. They make connections between abstract concepts with real-world applications, and they make correct insights about when it is appropriate to apply the use of an academic skill in a workplace situation.

### **CRP3. Attend to personal health and financial well-being.**

Career-ready individuals understand the relationship between personal health, workplace performance and personal well-being; they act on that understanding to regularly practice healthy diet, exercise and mental health activities. Career-ready individuals also take regular action to contribute to their personal financial well-being, understanding that personal financial security provides the peace of mind required to contribute more fully to their own career success.

### **CRP4. Communicate clearly and effectively and with reason.**

Career-ready individuals communicate thoughts, ideas, and action plans with clarity, whether using written, verbal, and/or visual methods. They communicate in the workplace with clarity and purpose to make maximum use of their own and others' time. They are excellent writers; they master conventions, word choice, and organization, and use effective tone and presentation skills to articulate ideas. They are skilled at interacting with others; they are active listeners and speak clearly and with purpose. Career-ready individuals think about the audience for their communication and prepare accordingly to ensure the desired outcome.

**CRP5. Consider the environmental, social and economic impacts of decisions.**

Career-ready individuals understand the interrelated nature of their actions and regularly make decisions that positively impact and/or mitigate negative impact on other people, organization, and the environment. They are aware of and utilize new technologies, understandings, procedures, materials, and regulations affecting the nature of their work as it relates to the impact on the social condition, the environment and the profitability of the organization.

**CRP6. Demonstrate creativity and innovation.**

Career-ready individuals regularly think of ideas that solve problems in new and different ways, and they contribute those ideas in a useful and productive manner to improve their organization. They can consider unconventional ideas and suggestions as solutions to issues, tasks or problems, and they discern which ideas and suggestions will add greatest value. They seek new methods, practices, and ideas from a variety of sources and seek to apply those ideas to their own workplace. They take action on their ideas and understand how to bring innovation to an organization.

**CRP7. Employ valid and reliable research strategies.**

Career-ready individuals are discerning in accepting and using new information to make decisions, change practices or inform strategies. They use reliable research process to search for new information. They evaluate the validity of sources when considering the use and adoption of external information or practices in their workplace situation.

**CRP8. Utilize critical thinking to make sense of problems and persevere in solving them.**

Career-ready individuals readily recognize problems in the workplace, understand the nature of the problem, and devise effective plans to solve the problem. They are aware of problems when they occur and take action quickly to address the problem; they thoughtfully investigate the root cause of the problem prior to introducing solutions. They carefully consider the options to solve the problem. Once a solution is agreed upon, they follow through to ensure the problem is solved, whether through their own actions or the actions of others.

**CRP9. Model integrity, ethical leadership and effective management.**

Career-ready individuals consistently act in ways that align personal and community-held ideals and principles while employing strategies to positively influence others in the workplace. They have a clear understanding of integrity and act on this understanding in every decision. They use a variety of means to positively impact the directions and actions of a team or organization, and they apply insights into human behavior to change others' action, attitudes and/or beliefs. They recognize the near-term and long-term effects that management's actions and attitudes can have on productivity, morals and organizational culture.

**CRP10. Plan education and career paths aligned to personal goals.**

Career-ready individuals take personal ownership of their own education and career goals, and they regularly act on a plan to attain these goals. They understand their own career interests, preferences, goals, and requirements. They have perspective regarding the pathways available to them and the time, effort, experience and other requirements to pursue each, including a path of entrepreneurship. They recognize the value of each step in the education and experiential process, and they recognize that nearly all career paths require ongoing education and experience. They seek counselors, mentors, and other experts to assist in the planning and execution of career and personal goals.

**CRP11. Use technology to enhance productivity.**

Career-ready individuals find and maximize the productive value of existing and new technology to accomplish workplace tasks and solve workplace problems. They are flexible and adaptive in acquiring new technology. They are proficient with ubiquitous technology applications. They understand the inherent risks-personal and organizational-of technology applications, and they take actions to prevent or mitigate these risks.

**CRP12. Work productively in teams while using cultural global competence.**

Career-ready individuals positively contribute to every team, whether formal or informal. They apply an awareness of cultural difference to avoid barriers to productive and positive interaction. They find ways to increase the engagement and contribution of all team members. They plan and facilitate effective team meetings.

## Differentiated Instruction

### Strategies to Accommodate Students Based on Individual Needs

<u>Time/General</u>	<u>Processing</u>	<u>Comprehension</u>	<u>Recall</u>
<ul style="list-style-type: none"> <li>• Extra time for assigned tasks</li> <li>• Adjust length of assignment</li> <li>• Timeline with due dates for reports and projects</li> <li>• Communication system between home and school</li> <li>• Provide lecture notes/outline</li> </ul>	<ul style="list-style-type: none"> <li>• Extra Response time</li> <li>• Have students verbalize steps</li> <li>• Repeat, clarify or reword directions</li> <li>• Mini-breaks between tasks</li> <li>• Provide a warning for transitions</li> <li>• Reading partners</li> </ul>	<ul style="list-style-type: none"> <li>• Precise step-by-step directions</li> <li>• Short manageable tasks</li> <li>• Brief and concrete directions</li> <li>• Provide immediate feedback</li> <li>• Small group instruction</li> <li>• Emphasize multi-sensory learning</li> </ul>	<ul style="list-style-type: none"> <li>• Teacher-made checklist</li> <li>• Use visual graphic organizers</li> <li>• Reference resources to promote independence</li> <li>• Visual and verbal reminders</li> <li>• Graphic organizers</li> </ul>
<u>Assistive Technology</u>	<u>Tests/Quizzes/Grading</u>	<u>Behavior/Attention</u>	<u>Organization</u>
<ul style="list-style-type: none"> <li>• Computer/whiteboard</li> <li>• Tape recorder</li> <li>• Spell-checker</li> <li>• Audio-taped books</li> </ul>	<ul style="list-style-type: none"> <li>• Extended time</li> <li>• Study guides</li> <li>• Shortened tests</li> <li>• Read directions aloud</li> </ul>	<ul style="list-style-type: none"> <li>• Consistent daily structured routine</li> <li>• Simple and clear classroom rules</li> <li>• Frequent feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Individual daily planner</li> <li>• Display a written agenda</li> <li>• Note-taking assistance</li> <li>• Color code materials</li> </ul>

## Enrichment

### **Strategies Used to Accommodate Based on Students Individual Needs:**

- Adaption of Material and Requirements
- Evaluate Vocabulary
- Elevated Text Complexity
- Additional Projects
- Independent Student Options
- Projects completed individual or with Partners
- Self Selection of Research
- Tiered/Multilevel Activities
- Learning Centers
- Individual Response Board
- Independent Book Studies
- Open-ended activities
- Community/Subject expert mentorships

## Assessments

### Suggested Formative/Summative Classroom Assessments

- Timelines, Maps, Charts, Graphic Organizers
- Teacher-created Unit Assessments, Chapter Assessments, Quizzes
- Teacher-created DBQs, Essays, Short Answer
- Accountable Talk, Debate, Oral Report, Role Playing, Think Pair, and Share
- Projects, Portfolio, Presentations, Prezi, Gallery Walks
- Homework
- Concept Mapping
- Primary and Secondary Source analysis
- Photo, Video, Political Cartoon, Radio, Song Analysis
- Create an Original Song, Film, or Poem
- Glogster to make Electronic Posters
- Tumblr to create a Blog

## Interdisciplinary Connections

### English Language Arts

- Journal writing
- Close reading of industry-related content
- Create a brochure for a specific industry
- Keep a running word wall of industry vocabulary

### Social Studies

- Research the history of a given industry/profession
- Research prominent historical individuals in a given industry/profession
- Use historical references to solve problems

### World Language

- Translate industry-content
- Create a translated index of industry vocabulary
- Generate a translated list of words and phrases related to workplace safety

### Math

- Research industry salaries for a geographic area and juxtapose against local cost of living
- Go on a geometry scavenger hunt
- Track and track various data, such as industry's impact on the GDP, career opportunities or among of individuals currently occupying careers

### Fine & Performing Arts

- Create a poster recruiting young people to focus their studies on a specific career or industry
- Design a flag or logo to represent a given career field

### Science

- Research the environmental impact of a given career or industry
- Research latest developments in industry technology
- Investigate applicable-careers in STEM fields

## **New Jersey Student Learning Standards**

### **9.1 – Personal Financial Literacy**

- 9.1.12.A.4 Identify a career goal and develop a plan and timetable for achieving it, including educational/training requirements, costs, and possible debt
- 9.1.12.A.5 Analyze how the economic, social, and political conditions of a time period can affect the labor market.
- 9.1.12.B.1 Prioritize financial decisions by systematically considering alternatives and possible consequences
- 9.1.12.C.7 Analyze the rights and responsibilities of buyers and sellers under consumer protection laws.
- 9.1.12.C.8 Identify the types and characteristics of predatory lending practices (e.g., payday loans, car title loans, high-risk mortgages).
- 9.1.12.C.9 Evaluate the implications of personal and corporate bankruptcy for self and others
- 9.1.12.E.9 Determine when credit counseling is necessary and evaluate the resources available to assist consumers who wish to use it.
- 9.1.12.E.10 Determine reasons for the increase of identity theft worldwide and evaluate the extent to which victims of identity theft are successful in fully restoring their personal identities

## Common Career Technical Core (CCTC)

### Career Cluster Finance

FN04 Determine effective tools, techniques and systems to communicate and deliver value to finance customers.

FN08 Explore the regulatory environment of United States' businesses.

FN09 Plan, manage and maintain the use of financial resources to protect solvency.

### Career Cluster Telecommunications

AR-TEL3.2 Demonstrate customer service that meets the intent of state and national guidelines for consumer rights.

## Common Core State Standards (CCSS)

### CCSS - English-Language Arts

#### Key Ideas and Details:

- CCSS.ELA-LITERACY.RL.11-12.1 Cite strong and thorough textual 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.
- CCSS.ELA-LITERACY.RL.11-12.2 Determine two or more themes or central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to produce a complex account; provide an objective summary of the text.

#### Craft and Structure:

- CCSS.ELA-LITERACY.RL.11-12.5 Analyze how an author's choices concerning how to structure specific parts of a text (e.g., the choice of where to begin or end a story, the choice to provide a comedic or tragic resolution) contribute to its overall structure and meaning as well as its aesthetic impact.

#### Integration of Knowledge and Ideas:

- CCSS.ELA-LITERACY.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.
- CCSS.ELA-LITERACY.W.11-12.1.B Develop claim(s) and counterclaims fairly and thoroughly, supplying the most relevant evidence for each while pointing out the strengths and limitations of both in a manner that anticipates the

#### Production and Distribution of Writing:

- CCSS.ELA-LITERACY.W.11-12.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

- CCSS.ELA-LITERACY.W.11-12.5 Develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach, focusing on addressing what is most significant for a specific purpose and audience. (Editing for conventions should demonstrate command of Language standards 1-3 up to and including grades 11-12 here.)

**Research to Build and Present Knowledge:**

- CCSS.ELA-LITERACY.W.11-12.7 Conduct short as well as more sustained research projects to answer a question (including a self-generated question) or solve a problem; narrow or broaden the inquiry when appropriate; synthesize multiple sources on the subject, demonstrating understanding of the subject under investigation.

**Range of Writing:**

- CCSS.ELA-LITERACY.W.11-12.10 Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of tasks, purposes, and audiences

## Common Core State Standards (CCSS)

### CCSS - Mathematics

#### Summarize, represent, and interpret data on a single count or measurement variable:

- CCSS.MATH.CONTENT.HSS.ID.A.1 Represent data with plots on the real number line (dot plots, histograms, and box plots).
- CCSS.MATH.CONTENT.HSS.ID.A.2 Use statistics appropriate to the shape of the data distribution to compare center (median, mean) and spread (interquartile range, standard deviation) of two or more different data sets.
- CCSS.MATH.CONTENT.HSS.ID.A.4 Use the mean and standard deviation of a data set to fit it to a normal distribution and to estimate population percentages. Recognize that there are data sets for which such a procedure is not appropriate. Use calculators, spreadsheets, and tables to estimate areas under the normal curve.

#### Summarize, represent, and interpret data on two categorical and quantitative variables:

- CCSS.MATH.CONTENT.HSS.ID.B.5 Summarize categorical data for two categories in two-way frequency tables. Interpret relative frequencies in the context of the data (including joint, marginal, and conditional relative frequencies). Recognize possible associations and trends in the data

#### Make inferences and justify conclusions from sample surveys, experiments, and observational studies:

- CCSS.MATH.CONTENT.HSS.IC.B.3 Recognize the purposes of and differences among sample surveys, experiments, and observational studies; explain how randomization relates to each.
- CCSS.MATH.CONTENT.HSS.IC.B.4 Use data from a sample survey to estimate a population mean or proportion; develop a margin of error through the use of simulation models for random sampling.
- CCSS.MATH.CONTENT.HSS.IC.B.6 Evaluate reports based on data.

<p><b>Course:</b> Business Law &amp; Ethics  <b>Unit:</b> 2 – Contractual Relationships &amp; Sales  <b>Grade Level:</b> 9-12</p>	<p><b>Unit Overview:</b> This section introduces contracts and discusses both legal and equitable remedies of breach of contract. It details the anatomy of an agreement specifically offer and acceptance as well as bargain theory of consideration, mutuality of obligation and contracts that are valid without consideration. It goes on to review contractual capacity and genuine assent and discuss contracts in violation of statutes or public policy. It also reviews fraud, contract performance, nonperformance and discharge, contract right of third parties before closing with a discussion on Article 2 of the UCC. This details sales contracts formation, performance, breach and remedies.</p>
<p><b>New Jersey Student Learning Standards (NJSLS):</b> 9.1.12.A.4, 9.1.12.A.5, 9.1.12.B.1, 9.1.12.C.7, 9.1.12.C.8, 9.1.12.C.9, 9.1.12.E.9, 9.1.12.E.10</p>	
<p><b>Common Career Technical Core (CCTC)</b> FN.04, AR-TEL3.2, FN.08.6</p>	
<p><b>Common Core State Standards (CCSS):</b> RI.11-12.1, RI.11-12.4, RI.11-12.5, RI.11-12.6, RI.11-12.7, RI.11-12.10, SL.11-12.1; SL.11-12.2; SL.11-12.5; SL.11-12.6; L.11-12.4; L.11-12.5; L.11-12.6; W.11-12.4; W.11-12.6; W.11-12.10</p>	

Student Learning Objectives (SLOs)	Essential Questions	Skills & Indicators	Sample Activities	Resources
<p>Explain contracts including offer and acceptance as well as their remedies for breach of contract</p> <p><b>NJSLS:</b> 9.1.12.A.4, 9.1.12.A.5</p> <p><b>CCTC:</b> FN.04, AR-TEL.3.2</p>	<p>Does any offer and acceptance create a contract?</p> <p>Can remedies for breach of contract undo the damage caused?</p> <p>How does advancements in</p>	<p>Articulate the many steps that are involved in the offer and acceptance process</p> <p>Determine the legal remedies for breach of contract</p> <p>Examine equitable remedies for breach of contract</p>	<p><b>Offer and Acceptance Test</b></p> <p>Review scenarios and determine if in each case there was offer and acceptance</p> <p><b>Jeopardy Game Show of Contracts</b></p>	<p><b>Business Law 4e by James F. Morgan Chapter 13 - 14</b></p> <p><b>Jeopardy Rocks</b>  <a href="https://www.jeopardy.rocks/">https://www.jeopardy.rocks/</a></p> <p><b>Contract Law Problem Questions - Law</b></p>

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<p><b>CCSS:</b> RI.11-12.1, RI.11-12.4, RI.11-12.5, RI.11-12.6, RI.11-12.7, RI.11-12.10, SL.11-12.1; SL.11-12.2; SL.11-12.5; SL.11-12.6; L.11-12.4; L.11-12.5; L.11-12.6; W.11-12.4; W.11-12.6; W.11-12.10</p>	<p>information technology impact contracts?</p>		<p>Create a list of questions regarding contracts with vary degrees of complexity for a simulated game show on contracts</p> <p><b>Contract Quizlet</b> Create study set using Quizlet on terms and meaning related to contracts</p>	<p><b>Teacher</b> <a href="http://www.lawteacher.net/problem-question-examples/contract-law/">http://www.lawteacher.net/problem-question-examples/contract-law/</a></p>
<p>Uncover the meaning of bargained-for consideration rule related to contracts</p> <p><b>NJSLS:</b> 9.1.12.A.4, 9.1.12.A.5</p> <p><b>CCTC:</b> FN.04, AR-TEL.3.2</p> <p><b>CCSS:</b> RI.11-12.1, RI.11-12.4, RI.11-12.5, RI.11-12.6, RI.11-12.7,</p>	<p>Is every promise a contract?</p> <p>Can a contract exist without bargained-for consideration?</p> <p>Does every contract have a legal benefit to both parties?</p>	<p>Examine the elements of a bargain and adequate consideration</p> <p>Determine the existence of mutuality of obligation is evident in a contract</p> <p>Explore contracts that are valid without consideration</p>	<p><b>Mini Cases on Bargained for Consideration</b></p> <p>Dickinson was employed by Auto Center under an oral contract terminable at will. His employer agreed to sell him part ownership of the business, but later refused to do so. When sued for breach of contract, Auto Center</p>	<p><b>Business Law 4e by James F. Morgan Chapter 15</b></p> <p><b>Rules of Consideration in Contract Law: Elements &amp; Case Examples</b> <a href="http://study.com/academy/lesson/rules-of-consideration-in-contract-law-elements-case-examples.html">http://study.com/academy/lesson/rules-of-consideration-in-contract-law-elements-case-examples.html</a></p>

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RI.11-12.10, SL.11-12.1; SL.11-12.2; SL.11-12.5; SL.11-12.6; L.11-12.4; L.11-12.5; L.11-12.6; W.11-12.4; W.11-12.6; W.11-12.10			<p>contended that there was no consideration for its promise to sell. Was it correct?</p> <p><b>Mini Cases on Mutuality of Obligation Test</b></p> <p>Brenner made a contract to enroll his son in the Little Red School House for the nexy school year and paid tuition of \$1,080. Brenner’s former wife has legal custody of his son, and she refused to enroll the boy. Brenner sought a refund. The school promised a refund but later it refused to pay it. When Brenner sued for the promised refund, the school defended that Brenner had incurred no legal detriment to support it promise to pay the tuition refund. Was</p>	<p><b>Consideration: Every Contract Needs It. What is consideration in a contract, and what if an agreement doesn't have it?</b></p> <p><a href="http://www.nolo.com/legal-encyclopedia/consideration-every-contract-needs-33361.html">http://www.nolo.com/legal-encyclopedia/consideration-every-contract-needs-33361.html</a></p>

Student Learning Objectives (SLOs)	Essential Questions	Skills & Indicators	Sample Activities	Resources
			<p>there consideration for the school’s promise to refund the tuition?</p> <p><b>Mini Cases on Contracts without consideration</b></p> <p>Burt pays \$1 in return for a thirty-day option to purchase real estate from Reynold for \$100,00. The next day Reynold tries to revoke the option. Can Reynold revoke? Why or why not?</p>	
<p>Explain contractual capacity and genuine assent including when contracts are illegal or violate public policy,</p> <p><b>NJSLS:</b> 9.1.12.B.1, 9.1.12.C.7, 9.1.12.C.8, 9.1.12.C.9</p>	<p>If all four elements of a contract are present can it still be considered voidable?</p> <p>Can a contract simply be considered a mistake?</p>	<p>Identify the ways in which contracts with minors are allowed and prohibited</p> <p>Determine when a contract may be considered a mistake</p>	<p><b>Mini Cases involving Minors</b></p> <p>Leon, a minor, signed a contract with Step-Up Employment Agency in which Leon promised to pay a fee if Step-Up secured him a job as a pianist. Step-Up did find suitable employment, but</p>	<p><b>Business Law 4e by James F. Morgan Chapter 5 - 6</b></p> <p><b>The United Nations Commission on International Trade Law</b>  <a href="https://www.uncitral.org/">https://www.uncitral.org/</a></p> <p><b>Five Areas of</b></p>

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<p><b>CCTC:</b> AR-TEL3.2</p> <p><b>CCSS:</b> RI.11-12.1, RI.11-12.4, RI.11-12.5, RI.11-12.6, RI.11-12.7, RI.11-12.10, SL.11-12.1; SL.11-12.2; SL.11-12.5; SL.11-12.6; L.11-12.4; L.11-12.5; L.11-12.6; W.11-12.4; W.11-12.6; W.11-12.10</p>	<p>How much duress is required for a contract to be considered voidable?</p>	<p>Examine types of misrepresentation that lead to voidable contracts</p> <p>Review agreements that are considered illegal or are in conflict with public policies</p>	<p>Leon refused to pay the \$500 fee since he is a minor. Can Step-Up recover the fee? Why or why not?</p> <p><b>Mini Cases on Bilateral &amp; Unilateral Mistakes</b></p> <p>Beachcomer, a coin dealer, sues to rescind a purchase by Boskett, who paid \$50 for a dime both parties thought was minted in San Francisco. In fact, it was a very valuable dime minted in Denver. Beachcomer asserts a mutual mistake of fact regarding the genuineness of the coin as San-Francisco-minted. Boskett contended that the mistake was as to value only. Explain who should win.</p>	<p><b>Government Regulation in Business</b>  <a href="http://smallbusiness.chron.com/five-areas-government-regulation-business-701.html">http://smallbusiness.chron.com/five-areas-government-regulation-business-701.html</a></p>

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			<p><b>Mini cases on agreements that violate statutes or public policy</b></p> <p>The Fourth of July Company agreed to ship a quantity of fireworks to Behan. After Behan pays in full, he learns that state law prohibits this type of sale. Before the fireworks are sent, Behan calls to cancel this contract and to demand his money back. May he recover his money in court? Why or why not?</p>	
<p>Explore contractual formation, interpretation, performance, non-performance as well as discharge</p> <p><b>NJSLS:</b> 9.1.12.B.1,</p>	<p>Are all oral agreements binding?</p> <p>Can any writing qualify that an oral agreement was made?</p>	<p>Determine which oral contracts are not enforceable.</p> <p>Identify writing that must be evident for oral</p>	<p><b>Mini Cases on Oral Contracts</b></p> <p>A butcher sold hamburger meat on credit to the Good Eats Restaurant. When the</p>	<p><b>Business Law 4e by James F. Morgan Chapter 18 - 19</b></p> <p><b>Legal Zoom Oral Contracts: Do they carry any weight?</b>  <a href="https://www.legalzoom.com/ar">https://www.legalzoom.com/ar</a></p>

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<p>9.1.12.C.7, 9.1.12.C.8, 9.1.12.C.9</p> <p><b>CCTC:</b> AR-TEL3.2</p> <p><b>CCSS:</b> RI.11-12.1, RI.11-12.4, RI.11-12.5, RI.11-12.6, RI.11-12.7, RI.11-12.10, SL.11-12.1; SL.11-12.2; SL.11-12.5; SL.11-12.6; L.11-12.4; L.11-12.5; L.11-12.6; W.11-12.4; W.11-12.6; W.11-12.10</p>	<p>Can you be excused from performing a contract based on circumstances beyond your control?</p>	<p>contracts to be enforceable.</p> <p>Examine problems that may arise in the performance of a contract</p>	<p>restaurant was late paying its bill, the butcher contacted Jim, who orally promised to pay any bill that the restaurant failed to pay. Is this oral promise enforceable in court? Why or why not? Would your answer change of Jim said, “The restaurant is on hard times. Send the bills to me, and I’ll pay”. Explain.</p> <p><b>Mini Cases on the Interpretation of Contracts</b></p> <p>Chisholm had a written option to purchase 1.862 acres of land out of a 10-acre tract owned by the Cartwrights. The exact piece of property covered by the option was not specified. If Chisholm sues for a</p>	<p><a href="http://smallbusiness.chron.com/verbal-contracts-legal-court-58620.html">ticles/oral-contracts-do-they-carry-any-weight</a></p> <p><b>Chronicle Are Verbal Contracts Legal in Court?</b>  <a href="http://smallbusiness.chron.com/verbal-contracts-legal-court-58620.html">http://smallbusiness.chron.com/verbal-contracts-legal-court-58620.html</a></p>

Student Learning Objectives (SLOs)	Essential Questions	Skills & Indicators	Sample Activities	Resources
			<p>specific performance of the option, will the statute of frauds be a valid defense? Explain</p> <p><b>Mini Cases on contract Performance</b></p> <p>Rick agreed to buy two campers from McMahon and made a deposit of \$1000 as partial payment. Rik then wired McMahon not to ship the campers and explained his reasons for delaying shipment. Later, Rick decided not to buy the campers and demanded a return of his \$1,000. Was Rick’s instruction not to ship an anticipatory repudiation that will justify McMahon’s retention of the \$1,000? Explain</p>	

Student Learning Objectives (SLOs)	Essential Questions	Skills & Indicators	Sample Activities	Resources
<p>Uncover the contractual rights of third parties</p> <p><b>NJSLS:</b> 9.1.12.A.4, 9.1.12.A.5, 9.1.12.E.9, 9.1.12.E.10</p> <p><b>CCTC:</b> FN.08.6, FN.09.1</p> <p><b>CCSS:</b> RI.11-12.1, RI.11-12.4, RI.11-12.5, RI.11-12.6, RI.11-12.7, RI.11-12.10, SL.11-12.1; SL.11-12.2; SL.11-12.5; SL.11-12.6; L.11-12.4; L.11-12.5; L.11-12.6; W.11-12.4; W.11-12.6; W.11-12.10</p>	<p>Can persons not original parties of a contract have rights under that contract?</p> <p>Can you be required to perform a contract when the contracting party changes without your consent?</p> <p>Are contracts voidable when a new third party is introduced?</p>	<p>Understand the nature of third-party beneficiary contracts</p> <p>Determine the conditions under which a contract may be assigned to a third-party</p> <p>Review the application of novation whereby a new party replaced one of the original parties to a contract.</p>	<p><b>Mini Cases on Third-Party Beneficiaries</b></p> <p>Boyce contracts to build a house for Anne. Pursuant to the contract, Boyce and his surety, Travelers, execute a payment bond to Anne by which they promise Anne that a of Boyce’s debts for labor and materials on the house will be paid. Boyce later employs Sam as a carpenter and buys lumber from Larry’s Lumber Company. Are Sam and Larry’s Lumber Company intended beneficiaries if Travelers’ promise to Anne? Explain.</p>	<p><b>Business Law 4e by James F. Morgan Chapter 18 - 19</b></p> <p><b>USLegal - Third Party and Assignments</b></p> <p><a href="https://contracts.uslegal.com/third-parties-and-assignments/">https://contracts.uslegal.com/third-parties-and-assignments/</a></p> <p><b>Entrepreneur - BulletProof Terms for Every Contract</b></p> <p><a href="https://www.entrepreneur.com/article/191778">https://www.entrepreneur.com/article/191778</a></p>

Student Learning Objectives (SLOs)	Essential Questions	Skills & Indicators	Sample Activities	Resources
			<p><b>Mini Cases on Contract Assignment</b></p> <p>Corey sold his property to Greer, who assigned the contract rights to Bob. The original contract of sale provided for an extension of credit by Corey to Greer and did not require a total cash payment at the time of closing. It a contract for sale of real estate assignable by the buyer if it provides for credit from the seller to the buyer? Explain.</p> <p><b>Mini Cases on Novation</b></p> <p>Hunt, an employee of Marie Reading School was injured when the elevator he was operating fell. The school</p>	

Student Learning Objectives (SLOs)	Essential Questions	Skills & Indicators	Sample Activities	Resources
			had a contract with Shaft Elevator, Inc., whereby Shaft was to inspect and service the elevator on a regular basis. Hunt contended that Shaft had not properly inspected the elevator and that its omission caused the accident. Can Hunt maintain an action against Shaft? Why or why not?	
<p>Unpack contract formulation, performance, breach &amp; remedies as well as warranties</p> <p><b>NJSLS:</b> 9.1.12.A.4, 9.1.12.A.5, 9.1.12.E.9, 9.1.12.E.10</p> <p><b>CCTC:</b> FN.08.6, FN.09.1</p> <p><b>CCSS:</b> RI.11-12.1, RI.11-12.4, RI.11-12.5,</p>	<p>Should laws governing business transactions change over time or remain as unchanged laws?</p> <p>How common is breach of sales contracts?</p> <p>How often are companies held to warranties they provide with their product or</p>	<p>Examine the key provisions of Article 2 of the Uniform Commercial Code (UCC) which is a set of business laws that regulate financial contracts</p> <p>Determine the party to a sales contract that bears the risk of loss in the event of theft etc.</p>	<p><b>Cases that rely on Article 2 of the UCC</b></p> <p>Tom entered into a contract to sell Jerry twenty acres of sod for \$1,000 per acre. Jerry was allowed to remove it any time during the next twelve-month period. Does the Uniform Commercial Code govern the contract? Explain</p>	<p><b>Business Law 4e by James F. Morgan Chapter 21 - 23</b></p> <p><b>Chron: Difference between Breach of Contract and Breach of Warranty</b>  <a href="http://smallbusiness.chron.com/difference-between-breach-contract-breach-warranty-30452.html">http://smallbusiness.chron.com/difference-between-breach-contract-breach-warranty-30452.html</a></p>

Student Learning Objectives (SLOs)	Essential Questions	Skills & Indicators	Sample Activities	Resources
RI.11-12.6, RI.11-12.7, RI.11-12.10, SL.11-12.1; SL.11-12.2; SL.11-12.5; SL.11-12.6; L.11-12.4; L.11-12.5; L.11-12.6; W.11-12.4; W.11-12.6; W.11-12.10	service?	Understand buyer's and seller's rights and remedies for breach of contract	<p><b>Cases regarding Sales Contracts Breach and Remedies</b></p> <p>Slacks, Inc. sells tank tops to a fashionable boutique. Upon receipt, the store inspects them, discovers defects, and seasonably rejects them. Slacks instructs the store to sell the tan tops or return them. The boutique does neither. Is it liable for anything? Explain.</p> <p><b>Cases regarding Warranties</b></p> <p>Plaintiff sued the manufacturer of a backyard driving range for personal injuries. Plaintiff was hit on the head by a golf ball following a practice</p>	<p><b>Quizlet - Remedies for Breach of Sale Contracts and Lease Contracts</b></p> <p><a href="https://quizlet.com/57430794/chapter-20-remedies-for-breach-of-sales-and-lease-contracts-flash-cards/">https://quizlet.com/57430794/chapter-20-remedies-for-breach-of-sales-and-lease-contracts-flash-cards/</a></p>

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			swing with the golf-training device. The lable on the shipping carton stated in bold type, "COMpletely SAFE . . . . BALL WILL NOT HIT PLAYER." What theory did player use in this case? Explain	

## Unit 2 Vocabulary

Bilateral Contract	Contract Accord and Satisfaction
Unilateral Contract	Adequacy of Consideration
Express Contract	Sham Consideration
Implied-in-Fact Contract	Illusory promise
Implied-in-Law Contracts	Preexisting duty
Quasi Contract	Mutuality of Obligation
Void Contract	Promissory Estoppel
Nominal Damages	Moral Obligation
Compensatory Damages	Preexisting Duty
Punitive Damages	Discharge of Debts
Liquidated Damages Clause	Forbearance
Rescission Remedy	Renunciation Under the Code
Restitution Remedy	Modification of Contracts
Executed Contract	Minors' Contracts
Voidable Contract	Ratification of Contract
Unenforceable Contract	Third-Party Rights
Irrevocable Offer	Bilateral Mistake
Counteroffer	Unilateral Mistake
Option Contract	Course of Dealing
Indirect revocation	Usage of Trade
Mailbox rule Reformation of Written Contracts	Course of Performance
Scienter	Gap Filling under the code
False Representation	Bill of Lading
Silence as Fraud	Organ Transplant
Justifiable Reliance	Organ Transplant
Injury or Damage	Adequate Assurances
Undue Influence and Duress	Right to Inspect
Disaffirmance	Right to Reject

<p>Necessaries                  Usury                  Agreement in Restraint                  Covenant not to Compete                  Illegal Agreements                  Contract of Adhesion                  Unconscionability                  Exculpatory clause                  Contracts disclaiming Liability                  Tickets disclaiming Liability                  Restraint of Trade                  Guaranty Contracts                  Promissory Estoppel                  Judicial Admissions                  Parole Evidence Rule                  Condition preventing Contract Performance                  Express Conditions                  Constructive Conditions                  Tender of Performance                  Substantial Performance                  Anticipatory Repudiation                  Waiver                  Commercial Frustration                  Accord and Satisfaction                  Intended Third-Party beneficiary                  Incidental third-party beneficiary                  Creditor-beneficiary                  Donee-beneficiary                  When beneficiary's rights vest                  Assignment                  Delegation                  Non Assignable Rights</p>	<p>Notice of Rejection                  Rights and Duties on Rejection                  Right to Revoke Acceptance                  Right to Cover                  Right to Damages for NonDelivery                  Right to the Goods                  Right to Cure                  Right to Reclaim Goods from an Insolvent Buyer                  Right to Reclaim Goods from a Solvent Buyer                  Right to Resell Goods                  Right to Collect Damages                  Right to Collect the Purchase Price                  Express Warranties                  Warranty of Title                  Implied Warranty of Merchantability                  Implied Warranty of Fitness for a Particular Purpose                  Written Disclaimer of Implied Warranties                  Remedies                  Notice                  Vertical Privity                  Fungible goods</p>
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## **Suggested Unit Projects**

*Choose At Least One*

### **Personal Bankruptcy Increase**

Research personal bankruptcy increase in the US. What is the cause of this increase? Who is affected the most? What is the government doing about it? Write a 2-page paper with your team discussing what you find out. Consider the role technology and identity theft has played.

### **Federal Trade Commission (FTC) and Consumer Protection**

The main mission of the FTC is to promote consumer protection and the elimination and prevention of anti-competitive business practices. Explore the FTC's website. What major topics are found on consumer protection? Write a one to two-page report summarizing your findings. Then, give a brief presentation to the class.

### **Career as Credit Counselor**

Research the career of a credit counselor. Find out what the job entails, the skill and formal education credit counselors should have, and the salary range for an entry level counselor. Investigate the certification offered by the National Foundation for Credit Counseling. Prepare a presentation with findings and share with the class.

## Suggested Structured Learning Experiences

Rutgers-Newark (SBDC) Small Business Development Center  
25 James St.  
Newark NJ, 07102  
Phone: 973-353-5950  
Fax: 973-353-5978  
Email: [rnsbdc@business.rutgers.edu](mailto:rnsbdc@business.rutgers.edu)  
Facebook: <http://facebook.com/njsbdc.rutgersnewark>  
Twitter: <https://twitter.com/rnsbdc>  
SKYPE: rnsbdc

<http://www.business.rutgers.edu/rnsbdc>

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