

# **BUSINESS AND PERSONAL LAW STANDARDS**

## **HIGH SCHOOL**

### **NBEA: BUSINESS LAW I. BASICS OF THE LAW**

- Ethics and the Law: Identify consequences of unethical conduct
- Ethics and the Law: Identify consequences of illegal conduct
- Ethics and the Law: List the most common sources of law
- Sources of the law: Explain the differences between local, state, and federal governments.
- Sources of the law: Describe the powers and limitations of the federal government as stated in the U.S. constitution.
- Sources of the law: Describe the powers and limitations of state government as found in the U.S. Constitution.
- Sources of the law: Define the concept of stare decisis and explain the role of precedent in the state and federal legal systems.
- Structure of the Courts: Differentiate between cases that belong within the jurisdiction of the federal and state, territory, and province court systems.
- Structure of the Courts: Compare the role of the juvenile court with the role of the other courts within a state, territory, or province.
- Classification of Procedural Law: Define litigation.
- Classification of Procedural Law: Define Alternative Dispute Resolution (ADR)
- Classification of Procedural Law: Explain the advantages and disadvantages of arbitration, mediation, and conciliation.
- Classification of Procedural Law: List and explain the steps in criminal and civil trials.
- Classification of Procedural Law: Describe the appellate process in criminal and civil cases.
- Classification of Procedural Law: Define the statute of limitations.
- Classification of Substantive Law: Define different types of business crime (e.g., arson, forgery, and embezzlement)
- Classification of Substantive Law: Explain the concept of “white collar crime” and provide examples.
- Classification of Substantive Law: Determine several defenses to criminal acts (e.g., insanity defense, and self-defense)
- Classification of Substantive Law: Distinguish between a tort and a crime
- Classification of Substantive Law: Differentiate between and give examples of negligence and intentional torts.
- Classification of Substantive Law: Explain the concepts of the reasonable person test and proximate cause.
- Classification of Substantive Law: Explain the concept of strict liability and describe circumstances under which it is imposed.
- Classification of Substantive Law: Describe the penalties available in criminal law and the remedies available in tort law.

### **NBEA: BUSINESS LAW II. CONTRACT LAW, LAW OF SALES, AND CONSUMER LAW**

- Contract Law: Differentiate between classes of contracts (e.g., bilateral and unilateral, express and implied, and oral and written)
- Contract Law: Explain how offer and acceptance can create contractual rights and duties.
- Contract Law: Define counteroffer and describe the effects of counteroffer in various contractual situations.

- Contract Law: Determine whether or not an agreement is definite enough to be enforced as a contract.
- Contract Law: Differentiate the ways that assent can be undermined. (e.g., fraud, nondisclosure, misrepresentation, mistake, duress, and undue influence)
- Contract Law: Explain a minor's right to avoid a contract.
- Contract Law: Identify categories of people who lack contractual capacity.
- Contract Law: Explain the parole evidence rule.
- Contract Law: List the ways a contract can be discharge.
- Contract Law: Describe breach of contract and remedies available when a contract is breached.
- Law of sales: (Level 4 Performance Expectation) Relate how express warranties, implied warranties, and the warranty of title arise, and describe how each of the warranties may be excluded or modified.
- Law of sales: (Level 3 Performance Expectation) Identify the source of law that applies to contracts for goods, services, and real property.
- Consumer Law: Discuss consumer Protection Legislation (e.g., Federal Trade Commission Act, Consumer Product Safety Act, and Consumer Leasing Act)
- Consumer Law: Define the terms "unfair business practice" and "false and misleading advertising".
- Consumer Law: Explain the purpose of the Consumer Product Safety Act

#### NBEA: BUSINESS LAW III. AGENCY AND EMPLOYMENT

- Employment Law: Explain the relationship of Title VII of the Civil Rights Act to employment.
- Employment Law: Explain the difference between disparate impact and disparate treatment in discrimination cases.
- Employment Law: Demonstrate and understanding of the basis on which employees or applicants may be asked to take tests (e.g., aptitude, psychological, polygraph, and drug tests)
- Employment Law: Identify legislation that regulates employee rights (e.g., Americans with Disabilities Act, Age Discrimination in Employment Act, Family and Medical Leave Act, the Uniformed Services Employment and Reemployment Rights Act, and Older workers Benefit Protection Act)
- Employment Law: Identify legislation that regulates employment conditions (e.g., Fair Labor standards Act, Immigration Reform and Control Act, Employment Retirement Income and Security Act, and Occupational Safety and Health Act)
- Employment Law: Identify legislation that guarantees worker benefits (e.g., unemployment insurance, pension protection, workers' compensation, and Social Security legislation)

#### NBEA: BUSINESS LAW V. PROPERTY LAW

- Personal Property: List different methods by which property is required.
- Personal Property: Identify the forms of coownership of personal property.
- Personal Property: Explain how a bailment is created and describe the standard of care different bailees are required to exercise over bailed property.
- Intellectual Property: List and define the different types of intellectual property.
- Intellectual Property: Describe how each type of intellectual property is created and legally protected.
- Intellectual Property: Describe how intellectual property rights can be terminated or lost.