



## 2022 Business Law

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The Research and Curriculum Unit (RCU), located in Starkville, as part of Mississippi State University (MSU), was established to foster educational enhancements and innovations. In keeping with the land-grant mission of MSU, the RCU is dedicated to improving the quality of life for Mississippians. The RCU enhances intellectual and professional development of Mississippi students and educators while applying knowledge and educational research to the lives of the people of the state. The RCU works within the contexts of curriculum development and revision, research, assessment, professional development, and industrial training.

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# Standards

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Some standards and alignment crosswalks are referenced in the appendix. Depending on the curriculum, these crosswalks should identify alignment to some of the standards mentioned below, as well as possible related academic topics as required in the Subject Area Testing Program in Algebra I, Biology I, English II, and U.S. History from 1877, which could be integrated into the content of the units. Mississippi's business law curriculum is aligned to the following standards:

## **National Standards for Business Education**

The National Business Education Association (NBEA) is the nation's leading professional organization, which recognizes that business education is essential for every student in today's rapidly changing society. Therefore, the NBEA strives to serve individuals and organizations involved in the instruction, administration, and deliverance of business education, standards, and materials. The NBEA recognizes that all students will take part in the economic system, encounter a diverse business environment, and use technology to manage information in some fashion during their lifetime. Thus, a curriculum focused on enabling students to become responsible citizens, capable of making wise economic decisions, will positively impact their personal and professional lives. *NBEA Business Education Library* (2020).

[nbea.org](http://nbea.org)

## **International Society for Technology in Education Standards (ISTE)**

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[iste.org](http://iste.org)

## **College- and Career-Readiness Standards**

College- and career-readiness standards emphasize critical thinking, teamwork, and problem-solving skills. Students will learn the skills and abilities demanded by the workforce of today and the future. Mississippi adopted Mississippi College- and Career-Readiness Standards (MCCRS) to provide a consistent, clear understanding of what students are expected to learn and so teachers and parents know what they need to do to help them.

[mdek12.org/oae/college-and-career-readiness-standards](http://mdek12.org/oae/college-and-career-readiness-standards)

## **Framework for 21st Century Learning**

In defining 21st-century learning, the Partnership for 21st Century Skills has embraced key themes and skill areas that represent the essential knowledge for the 21st century: global awareness; financial, economic, business, and entrepreneurial literacy; civic literacy; health literacy; environmental literacy; learning and innovation skills; information, media, and technology skills; and life and career skills. *21 Framework Definitions* (2019).

[battelleforkids.org/networks/p21/frameworks-resources](http://battelleforkids.org/networks/p21/frameworks-resources)

# Executive Summary

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## **Description**

Business Law introduces students to the legal and ethical concepts related to law within a business setting. Topics include foundations of law and ethics, legal environment, contract, sales, consumer, agency, employment and labor law, business organizations and operations, and applications in communications, law, and ethics.

## **Applied Academic Credit**

The latest academic credit information can be found at [mdek12.org/ese/approved-course-for-the-secondary-schools](http://mdek12.org/ese/approved-course-for-the-secondary-schools).

## **Teacher Licensure**

The latest teacher licensure information can be found at [mdek12.org/oel/apply-for-an-educator-license](http://mdek12.org/oel/apply-for-an-educator-license).

## **Professional Learning**

If you have specific questions about the content of any of training sessions provided, please contact the RCU at 662.325.2510.

# Course Outlines

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## One 1/2-Carnegie Unit Course

This curriculum consists of one 1/2-credit course.

### **Business Law—Course Code: 070340**

| <b>Unit</b>  | <b>Title</b>                                   | <b>Hours</b> |
|--------------|------------------------------------------------|--------------|
| 1            | Foundations of Law and Ethics                  | 10           |
| 2            | The Legal Environment                          | 20           |
| 3            | Contract, Sales, and Consumer Law              | 10           |
| 4            | Agency, Employment, and Labor Law              | 10           |
| 5            | Business Organizations and Operations          | 10           |
| 6            | Applications in Communication, Law, and Ethics | 10           |
| <b>Total</b> |                                                | <b>70</b>    |

## Unit 1: Foundations of Law and Ethics

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| <b>Competencies and Suggested Objectives</b>                                        |  |
|-------------------------------------------------------------------------------------|--|
| 1. Understand the relationship between law and ethics. <sup>DOK1</sup>              |  |
| a. Examine personal responsibility to obey the law.                                 |  |
| b. Identify ethical character traits and values.                                    |  |
| c. Explain the relationship between law and ethics.                                 |  |
| d. Relate historical contexts to the judicial system and ethical code.              |  |
| 2. Identify the preeminent sources of law. <sup>DOK2</sup>                          |  |
| a. Determine the four main sources of law.                                          |  |
| b. Define and explain the purpose of a constitution.                                |  |
| c. Describe the role of the three branches of federal, state, and local government. |  |

## Unit 2: The Legal Environment

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| <b>Competencies and Suggested Objectives</b>                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Explain the function and basic structure of the judicial system at the federal, state, and local level. <sup>DOK2</sup> | <ul style="list-style-type: none"><li>a. List and describe the different courts in the federal and typical state court systems.<ul style="list-style-type: none"><li>• Federal court</li><li>• District courts</li><li>• Courts of appeals</li><li>• Supreme court</li><li>• State courts</li><li>• Inferior trial courts</li><li>• Trial courts</li><li>• Appellate courts</li></ul></li><li>b. Identify and distinguish the roles of legal professionals (e.g., judges, attorneys, jurors, paralegals, etc.).</li><li>c. Determine the types of legal cases that belong in the federal and state judicial systems.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 2. Distinguish between procedural and substantive law. <sup>DOK2</sup>                                                     | <ul style="list-style-type: none"><li>a. Define procedural and substantive law.</li><li>b. Understand the functions of procedural and substantive law.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3. Distinguish between criminal and civil (i.e., tort) law. <sup>DOK2</sup>                                                | <ul style="list-style-type: none"><li>a. Define civil and criminal law.</li><li>b. Classify crimes among different categories (e.g., felony and misdemeanor, white collar and blue collar, etc.).</li><li>c. Define the different types of business crimes (e.g., fraud, forgery, embezzlement, identity theft, etc.).</li><li>d. Compare and contrast different types of civil laws (e.g., contract, property, negligence, strict liability, intentional torts, etc.).</li><li>e. Compare and contrast different methods used to litigate civil cases.<ul style="list-style-type: none"><li>• Court trials</li><li>• Mediation</li><li>• Arbitration</li></ul></li><li>f. Identify the possible outcomes of a civil case.<ul style="list-style-type: none"><li>• At-fault</li><li>• No-fault</li><li>• Punitive</li><li>• Compensatory damages</li></ul></li><li>g. Compare and contrast possible defenses to a crime.<ul style="list-style-type: none"><li>• Procedural (how an arrest was made)</li><li>• Substantive (attorney's defense to a defendant's charges)</li></ul></li></ul> |

4. Describe how advances in computer technology have impacted business law and ethics.  
DOK2

- a. Define cybercrime.
- b. Explore different types of crimes related to advances in technology.
  - Catfishing
  - Cyberstalking
  - Cyber spoofing
  - Cyberextortion
  - Phishing (cyber-ghosts)
  - Cyberpiracy
  - Identity theft
  - Cyberterrorism
  - Cyber vandalism
  - Cybergerm warfare
  - Cyber bullying
- c. Explain the nature of cyberextortion using malware, ransomware, and other cyberattack strategies used by terrorists, blackmailers, and extortionists.
- d. Describe jurisdictional issues related to cybercrimes.

## Unit 3: Contract, Sales, and Consumer Law

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| Competencies and Suggested Objectives                                                                                                                       |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. Examine concepts related to contract law. <sup>DOK1</sup>                                                                                                |  |
| a. Define a contract and contract law.                                                                                                                      |  |
| b. List the elements required to create a contract.                                                                                                         |  |
| • Offer                                                                                                                                                     |  |
| • Acceptance                                                                                                                                                |  |
| c. Understand the characteristics of bilateral and unilateral, expressed and implied, and oral and written contracts.                                       |  |
| d. Understand how a counteroffer is related to an offer and acceptance.                                                                                     |  |
| e. Determine when an agreement can be enforced and not enforced (i.e., discharged).                                                                         |  |
| • Capacity                                                                                                                                                  |  |
| • Age                                                                                                                                                       |  |
| • State of mind                                                                                                                                             |  |
| • Mutual assent                                                                                                                                             |  |
| • Performance                                                                                                                                               |  |
| f. Describe breach of contract and its potential repercussions.                                                                                             |  |
| 2. Examine concepts related to sales law. <sup>DOK2</sup>                                                                                                   |  |
| a. Define goods, services, and real property.                                                                                                               |  |
| b. Identify the source of law that applies to contracts for goods, services, and real property.                                                             |  |
| c. Define and explain when to apply the Uniform Commercial Code (UCC).                                                                                      |  |
| d. Determine when a sales contract is needed.                                                                                                               |  |
| e. Discuss the issue of taxation and cybercommerce.                                                                                                         |  |
| 3. Examine concepts related to consumer law. <sup>DOK2</sup>                                                                                                |  |
| a. Define and identify consumer law.                                                                                                                        |  |
| b. Define terms related to consumer law (e.g., unfair business practice, false advertising, misleading advertising, etc.).                                  |  |
| c. Explain the purposes of the Consumer Product Safety Act and the Consumer Finance and Protection Bureau.                                                  |  |
| d. Discuss the impact of different state and international laws concerning consumer protection for businesses using the internet or involved in e-commerce. |  |

## Unit 4: Agency, Employment, and Labor Law

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| <b>Competencies and Suggested Objectives</b>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Examine concepts related to agency law. <sup>DOK1</sup>     | <ul style="list-style-type: none"><li>a. Define agency.</li><li>b. Define and identify employment law.</li><li>c. Identify agents involved in a business or organization's employment practices related to power of attorney.</li><li>d. Explain vicarious liability and the relationship of the Statute of Frauds to the Equal Dignities Rules.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2. Examine concepts related to employment law. <sup>DOK1</sup> | <ul style="list-style-type: none"><li>a. Explain the nature of the employer-employee relationship.</li><li>b. Identify U.S. laws and agencies related to employment law, including Title VII of the Civil Rights Act, Equal Employment Opportunity Act, Americans with Disabilities Act, Age Discrimination in Employment Act, Occupational Safety and Health Administration, and so forth.</li><li>c. Explain the difference between disparate treatment and disparate impact in discrimination cases.</li><li>d. Determine what questions can and cannot be asked during an employment interview.</li><li>e. Explain what constitutes sexual harassment in the workplace.</li><li>f. Describe the importance of free speech in the workplace and examine the influence of employer social media policies in this area.</li><li>g. Identify legislation related to employee wages and benefits (e.g., unemployment insurance, pension protection, workers' compensation, etc.).</li><li>h. Explore occupational safety and health regulations for different career pathways.</li></ul> |
| 3. Examine concepts related to labor law. <sup>DOK2</sup>      | <ul style="list-style-type: none"><li>a. Define labor law and concepts (e.g., unions, collective bargaining, strike, etc.).</li><li>b. Identify legislation that regulates union activities including National Labor Relations Act, Taft-Hartley Act, Landrum-Griffin Act, and the Worker Adjustment and Retraining Notification Act.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## Unit 5: Business Organizations and Operations

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| <b>Competencies and Suggested Objectives</b>                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Describe the different types of business organizations. <sup>DOK1</sup>                    | <ul style="list-style-type: none"><li>a. Define sole proprietorship, partnership, corporations, LLCs, etc.</li><li>b. Compare and contrast the different types of business organizations and their advantages and disadvantages.</li><li>c. Distinguish between the different types of partners including silent, dormant, and secret.</li><li>d. Explain the legal process of forming a sole proprietorship, partnership, and LLC.</li><li>e. Describe how to legally end a partnership.</li><li>f. Identify organizations to contact for more information about starting your own business (e.g., Mississippi SBDC Network, Mississippi Small Business Association, Chambers of Commerce, Mississippi Secretary of State, Mississippi Development Authority, etc.).</li></ul> |
| 2. Explain the legal rules that apply to personal property and real property. <sup>DOK1</sup> | <ul style="list-style-type: none"><li>a. Compare and contrast real property, personal property, and fixtures.</li><li>b. Give examples of tangible and intangible personal property.</li><li>c. Identify the extraordinary obligations of innkeepers, common carriers, and warehouses.</li><li>d. Distinguish among liens, licenses, and easements.</li><li>e. Describe the kinds of rental relationships that landlords and tenants may create.</li></ul>                                                                                                                                                                                                                                                                                                                      |
| 3. Explain the legal rules that apply to intellectual property. <sup>DOK2</sup>               | <ul style="list-style-type: none"><li>a. Identify the types of intellectual property (e.g., trademark, tradename, trade dress, copyright, patent, trade secret, etc.).</li><li>b. Identify laws pertaining to intellectual property.</li><li>c. Describe how each type of intellectual property is created and legally protected.</li><li>d. Describe how intellectual property rights terminate or can be lost.</li><li>e. Explain the procedure for obtaining intellectual property rights.</li></ul>                                                                                                                                                                                                                                                                         |
| 4. Analyze the financial obligations of business operations. <sup>DOK1</sup>                  | <ul style="list-style-type: none"><li>a. Discuss the requirements to comply with tax laws and regulations.</li><li>b. Define bankruptcy.</li><li>c. Summarize types of bankruptcy (e.g., Chapters 7, 11, 12, and 13).</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

## Unit 6: Applications in Communication, Law, and Ethics

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| Competencies and Suggested Objectives                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. Develop effective communication and public speaking skills within the context of the legal and ethical environment. <sup>DOK2</sup> |  |
| a. Demonstrate correct grammar, spelling and writing skills.                                                                           |  |
| b. Create and present digital media projects.                                                                                          |  |
| 2. Summarize and apply the general rules of a courtroom to legal case studies. <sup>DOK3</sup>                                         |  |
| a. Conduct a mock trial with students.                                                                                                 |  |
| 3. Summarize and apply the general rules of debate to ethical case studies. <sup>DOK3</sup>                                            |  |
| a. Facilitate a student led debate on an ethical case study.                                                                           |  |

Source: *Miss. Code Ann. § 37-1-3 (2)(a)*

## Appendix: National Business Education Association Standards

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|                  | Units | 1 | 2 | 3 | 4 | 5 | 6 |
|------------------|-------|---|---|---|---|---|---|
| <b>Standards</b> |       |   |   |   |   |   |   |
| NBEA-BL1         |       | X | X |   |   |   |   |
| NBEA-BL2         |       |   |   | X |   |   |   |
| NBEA-BL3         |       |   |   | X | X | X |   |
| NBEA-BL4         |       |   |   |   |   | X |   |
| NBEA-BL5         |       |   |   |   |   | X |   |
| NBEA-BL6         |       |   |   | X | X | X |   |
| NBEA-BL7         |       |   | X | X | X | X |   |
| NBEA-BL8         |       | X | X | X | X | X |   |
| NBEA-CM1         |       |   |   |   |   |   | X |
| NBEA-CM2         |       |   |   |   |   |   | X |
| NBEA-CM3         |       |   |   |   |   |   | X |
| NBEA-CM4         |       |   |   |   |   |   | X |

### **Business Law**

#### **NBEA-BL1 – Basics of the Law**

- 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.

#### **NBEA-BL2 – Contract Law, Law of Sales, and Consumer Law**

- Analyze the relationships between contract law, law of sales, and consumer law.

#### **NBEA-BL3 – Agency and Employment**

- Analyze the role and importance of agency law, and employment law as they relate to the conduct of business in the national and international marketplaces.

#### **NBEA-BL4 – Business Organizations**

- Describe the major types of business organizations, including sole proprietorships, partnerships, corporations, and limited liability companies, operating within the socioeconomic arena of the national and international marketplace.

#### **NBEA-BL5 – Property Law**

- Explain the legal rules that apply to personal property, [and] real property and intellectual property.

#### **NBEA-BL6 – Negotiable Instruments, Insurance, Secured Transactions, Bankruptcy**

- Analyze the functions of negotiable instruments, insurance, secured transactions, and bankruptcy.

#### **NBEA-BL7 – Computer Law**

- Explain how advances in computer technology impact such areas as intellectual property, contract law, criminal law, tort law, and international law.

#### **NBEA-BL8 – Environmental Law and Energy Regulation**

- Explain the legal rules that apply to environmental law and energy regulation.

### **Communications**

#### **NBEA-CM1 – Foundations of Communications**

- Listen actively, use the communication process, read and research information, and integrate technology to enhance communication effectiveness.

#### **NBEA-CM2 – Interpersonal Skills**

- Apply interpersonal skills in personal and professional environments to communicate effectively.

#### **NBEA-CM3 – Workplace Communication**

- Incorporate appropriate leadership and supervision techniques, customer service strategies, and personal ethics standards to communicate effectively with various business constituencies.

#### **NBEA-CM4 – Technological Communication**

- Use technology to enhance the effectiveness of communication.