

# Course Competency

## BUL 2241 Business Law 1

### Course Description

Law in relation to the proper conduct of business, including a consideration of the nature and source of law, courts and courtroom procedure, contracts, sales of goods, negotiable instruments and secured transactions. Special fee.

Course Competency	Learning Outcomes
<p><b>Competency 1:</b>The student will understand the sources of law and basic legal rights.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Information Literacy</li> <li>3. Critical thinking</li> </ol>
<ol style="list-style-type: none"> <li>a. Describing the different sources of law.</li> <li>b. Defining legal rights including individual rights such as the right to privacy and freedom of speech.</li> <li>c. Explaining the distinctions between substantive and procedural law.</li> <li>d. Explaining the difference between a court of equity and a court of law.</li> </ol>	
<p><b>Competency 2:</b>The student will understand the composition of the court system.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ol>
<ol style="list-style-type: none"> <li>a. Describing the composition and organization of the Federal and State of Florida trial courts.</li> <li>b. Discussing the differences between original, limited and appellate jurisdiction.</li> <li>c. Explaining the process by which a case goes through court from pretrial to trial.</li> <li>d. Distinguishing between the different types of alternative dispute resolution mechanisms.</li> </ol>	

<p><b>Competency 3:</b>The student will become familiar with federal constitutional principles.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ol>
<ol style="list-style-type: none"> <li>a. Explaining how the constitution works to establish state and federal government structure and powers.</li> <li>b. Analyzing the powers enumerated in the commerce clause.</li> <li>c. Discussing the financial powers given to Congress in the constitution including the authority to collect taxes and spend money.</li> <li>d. Identifying the different individual rights protected by the constitution including due process, equal protection, and privileges and immunities clause.</li> </ol>	
<p><b>Competency 4:</b>The student will understand the purpose, function and operation of administrative agencies.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ol>
<ol style="list-style-type: none"> <li>a. Discuss the general nature of administrative agencies.</li> <li>b. Discuss how administrative regulations are formulated and reported.</li> <li>c. Explain the unique features of administrative hearings.</li> <li>d. Explain the legislative powers of an administrative agency.</li> <li>e. Define the judicial and investigative powers of administrative agencies including exhaustion of administrative remedies and appeals from administrative agency rulings.</li> </ol>	
<p><b>Competency 5:</b>The student will understand the nature of crimes, criminal penalties, and the constitutional protections afforded to defendants.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ol>
<ol style="list-style-type: none"> <li>a. Describe the nature of crimes and the types of criminal penalties for crimes.</li> <li>b. Distinguish between the different types of white-collar crimes.</li> </ol>	

<ul style="list-style-type: none"> <li>c. Explaining the crimes of larceny, robbery, burglary and destruction of property.</li> <li>d. Identify the myriad of computer crimes and penalties assessed for these crimes.</li> <li>e. Explaining the procedures and rights for defendants in a criminal proceeding.</li> <li>f. Distinguishing between the contract, tort, criminal law and intellectual property issues associated with cyber law.</li> </ul>	
<p><b>Competency 6:</b>The student will understand the elements in torts.</p>	<ul style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ul>
<ul style="list-style-type: none"> <li>a. Explaining the nature of a tort.</li> <li>b. Identifying the different elements for intentional torts, negligence and strict liability.</li> <li>c. Distinguishing between the different types of defenses to tort claims.</li> <li>d. Identifying the issues in tort reform.</li> </ul>	
<p><b>Competency 7:</b>The student will understand the nature of contracts.</p>	<ul style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ul>
<ul style="list-style-type: none"> <li>a. Define the nature and elements of a contract.</li> <li>b. Explain the parties to a contract and how a contract is formed.</li> <li>c. Distinguish between the different types of contracts including formal/informal; express/ implied; valid/void; executed and executory; bilateral/unilateral and quasi-contracts.</li> <li>d. Discuss the different ways that parties form a contract using the Internet and other types of electronic communication.</li> <li>e. Identify the different requirements for a valid contractual offer.</li> <li>f. Explain how an offer is accepted and terminated.</li> </ul>	

<p><b>Competency 8:</b>The student will understand how to analyze capacity and genuine contractual assent.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ol>
<ol style="list-style-type: none"> <li>a. Explaining factual and legal capacity to form a contract.</li> <li>b. Discussing the unique legal consequences of minors entering into contracts.</li> <li>c. Analyzing the legal effects of mental incapacity.</li> <li>d. Distinguishing between the different types of mistakes in a contract and their effect as defenses.</li> <li>e. Describing the different types of physical and economic pressures that may affect the validity of a contract.</li> </ol>	
<p><b>Competency 9:</b>The student will understand the importance and legal consequences of consideration and the formalities required to form a contract.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ol>
<ol style="list-style-type: none"> <li>a. Defining consideration and the legal consequences in a contract including when there is absence of consideration.</li> <li>b. Explaining what constitutes valid consideration.</li> <li>c. Identifying the exceptions to the requirement for valid consideration.</li> <li>d. Discussing the requirements of the statute of frauds.</li> <li>e. Explaining the dynamics of electronic contracts.</li> <li>f. Analyzing the parole evidence rule.</li> </ol>	
<p><b>Competency 10:</b>The student will demonstrate an understanding of how to interpret contracts and the legal significance of third persons in the formation of contracts.</p>	<ol style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Information Literacy</li> </ol>
<ol style="list-style-type: none"> <li>a. Explaining contractual intent and its legal significance.</li> <li>b. Distinguishing between objective and subjective contractual interpretation of contracts.</li> <li>c. Identifying the rules for contradictory, ambiguous and implied contract terms.</li> <li>d. Discussing custom and trade usage in contracts.</li> </ol>	

<ul style="list-style-type: none"> <li>e. Analyzing choice of law forum clauses.</li> <li>f. Explaining third party beneficiaries and their rights as parties to a contract.</li> <li>g. Distinguishing between incidental and donee beneficiaries.</li> <li>h. Analyzing the limitations imposed in third party contracts.</li> <li>i. Discussing assignments and delegations.</li> <li>j. Explaining the different contractual provisions that are necessary to form a contract.</li> <li>k. Analyzing different contracts, including a publishing and a sports contract.</li> <li>l. Drafting a simple contract, including contracts relating to: Bill of Sale; Purchase Order; Promissory Note; and Employment.</li> </ul>	
<p><b>Competency 11:</b> The student will become familiar with how a contractual obligation is discharged and understand the consequences and remedies for breach of contract.</p>	<ul style="list-style-type: none"> <li>1. Communication</li> <li>2. Critical thinking</li> <li>3. Ethical Issues</li> <li>4. Ethical Issues</li> </ul>
<ul style="list-style-type: none"> <li>a. Explaining when performance in a contract has occurred and how this may act to discharge contractual obligations.</li> <li>b. Identifying adequate performance and its consequences.</li> <li>c. Discussing how duties are discharged under a contract including unilateral discharge; impossibility; frustration of purpose and discharge by operation of law.</li> <li>d. Defining a breach of contract.</li> <li>e. Explaining anticipatory repudiation and waiver. Analyze the different remedies available for breach of contract including, rescission, specific performance and all types of damages.</li> <li>f. Distinguishing between liquidated damages and limitation of remedies in contracts</li> </ul>	

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