

Lesson Plan — What is Required of an Acceptance?

Course Title: Business Law

Session Title: What is Required of an Acceptance?

Performance Objective:

- Upon completion of this lesson, the student will be able to explain acceptance to an offer.

Specific Objectives:

- Students will discuss the requirements of an effective acceptance.
- Students will determine at what point in time an acceptance is effective.

Preparation

TEKS Correlations:

This lesson, as published, correlates to the following TEKS. Any changes/alterations to the activities may result in the elimination of any or all of the TEKS listed.

- **120.45(c)(2)(A)**
...explain the nature and classes of contracts
- **120.45(c)(2)(B)**
...cite methods of offer and acceptance
- **120.45(c)(2)(G)**
...research contemporary cases dealing with contract law using appropriate online technology

Interdisciplinary Correlations:

English:

110.42(b)(6)(A) – Vocabulary Development

...expand vocabulary through wide reading, listening, and discussing

110.42(b)(6)(B) – Vocabulary Development

...rely on context to determine meanings of words and phrases such as figurative language, idioms, multiple meaning words, and technical vocabulary

110.42(b)(7)(F) – Reading/comprehension

...identify main ideas and their supporting details

110.42(b)(7)(G) – Reading/comprehension

...summarize texts

110.42(b)(7)(J) – Reading/comprehension

...read silently with comprehension for a sustained period of time

Economics:

118.2(c)(8)(B) – Economics

...analyze how financial institutions affect households and businesses

Accommodations for Learning Differences:

[Lesson Plan/Curriculum Modifications Checklist](#)

Guidelines and Procedures for Adapting Instructional Materials
Instructor Format for Curriculum Customization for Learning Differences
Sample Curriculum Customization for Learning Differences

Teacher Preparation:

References:

1. Law for Business and Personal Use, Eighteenth Edition, John E. Adamson, Southwestern Cengage Learning
2. USA Today and local newspapers.
3. Television Network Newscasts and the Internet
4. uen.org (State of Utah Business Law Curriculum)

Instructional Aids:

1. "Acceptance" PowerPoint Presentation
2. Internet
3. "Bilateral vs. Unilateral Agreement Poster" Assignment
4. "Bilateral vs. Unilateral Agreement Poster" Assignment Rubric
5. "Creating the Legal Case Flash Card Game" Assignment
6. "Creating the Legal Case Flash Card Game" Assignment Rubric

Materials Needed:

1. Construction paper
2. Scissors and glue
3. Poster board
4. Current newspapers

Equipment Needed:

1. Computers for students to complete projects
2. Projector for PPT

Learner Preparation:

1. Read the following scenario to the class: "Brad makes an offer to Ashley. Ashley is not interested, but Ashley's friend who was standing nearby, hears the offer and says she accepts. Has a contract been formed?" Ask for a show of hands of students who think a contract has been formed. Then explain that an offer can only be accepted by the person(s) to whom it has been made.
2. List the following requirements for acceptance to create an enforceable agreement on the board: (1) Acceptance must be made only by the person(s) to whom the offer was made. (2) The acceptance must match the terms in the offer. (3) The acceptance must be communicated to the offerer. Acceptances for offers for services and realty (the mirror image rule) than for offers for goods. The mirror image rule requires that the acceptance must exactly match the terms contained in the offer. If an attempted acceptance does not fulfill these requirements, it is treated as a counteroffer.

Lesson Plan

Introduction (LSI Quadrant I): Read the following cases and ask students to write their answers.










- **Case Scenario:** Austin was vacationing at a Caribbean resort when he lost a valuable watch. He put a notice in the local newspaper that promised a \$500 reward for finding and returning the watch. Austin had to leave the resort two days later, so he included his home address and telephone number in the ad. Two months later, Judy found the watch and contacted Austin. Austin told Judy he would give her only \$300 for returning the watch since he had to wait so long for it. Can Austin revoke his \$500 offer for this reason? Explain your answer.
Answer: Austin made a unilateral contract that allows the offeree a reasonable amount of time to perform the act of finding the watch. Two months is not an unreasonable amount of time in this case. Austin cannot revoke his offer of \$500.
- **Case Scenario:** Jonathan offers to sell his collection of baseball cards to Geoffrey for \$500. Geoffrey tells Jonathan that he wants to think the offer over. Geoffrey later calls Jonathan and says, "I think \$500 is too much for the baseball cards. I'll give you \$300 for them." Jonathan tells Geoffrey that he'll think about it. Geoffrey later learns that the baseball cards are worth more than \$500 and he calls Jonathan back and accepts the original offer. Is Jonathan legally obligated to sell the cards to Geoffrey for \$500? Explain your answer.
Answer: Jonathan is not obligated because Geoffrey made a counteroffer of \$300 terminating the original offer made by Jonathan.
- **Case Scenario:** Gourmet Affair sponsored a baking contest in which the first prize was advertised as a new stainless steel self-cleaning oven valued at \$1,200. After verifying with Gourmet Affair that the prizes advertised were correct, Marcella entered the contest and won. When Marcella went to collect her prize, she was told that there had been a mistake and was offered a \$500 cast iron oven as first prize. Marcella sued, alleging that she had a contract for the prize offered. Should Marcella get the \$1,200 stainless steel self-cleaning oven? Explain your answer.
Answer: Yes, Marcella gets the \$1,200 stainless steel self-cleaning oven. The issue is whether Marcella accepted the unilateral offer to perform by performing as requested, thus creating a contract. By winning the contest in which the \$1,200 oven was offered, Marcella performed the requested act and simultaneously accepted Gourmet Affair's offer, creating an enforceable contract.

Important Terms for this Lesson:

- mirror image rule - the rule that the terms in the acceptance must exactly match the terms contained in the offer
- bilateral contracts - contracts in which the offer implies that it can be accepted by giving a promise instead of performing the contracted-for act
- unilateral contracts - contracts in which the offerer requires that the offeree indicate acceptance by performing his or her obligations under the contract

	<ul style="list-style-type: none"> b. telephone c. text messaging d. mail e. delivery service f. e-mail g. FAX h. other methods <p>5. When Acceptances are Effective</p> <ul style="list-style-type: none"> a. according to required means of acceptance by the offerer b. next-day delivery c. no specified or customary method for communicating acceptance - courts say the acceptance is effective when sent by the same means used for the offer or by faster means d. oral acceptances when the words are spoken e. telegraph when it is handed to the clerk at the telegraph office 	<p>acceptance means that the offeree only has to perform to receive what he/she has been promised by the offerer.</p> <p>C4 Acceptance of an offer can be communicated by a wide array of methods. The offeree must be certain that the offerer knows which form of communication will be used.</p> <p>C5 A good rule of thumb is to communicate acceptance through the same communication channel that the offer was made.</p>
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Copy and paste Multiple Intelligences Graphic in appropriate place in left column.

								
Verbal Linguistic	Logical Mathematical	Visual Spatial	Musical Rhythmic	Bodily Kinesthetic	Intra- personal	Inter- personal	Naturalist	Existentialist

Application

Guided Practice (LSI Quadrant III): Using the PowerPoint presentation, the teacher will explain acceptance for offers. Acceptance must occur within a reasonable amount

of time after the offer. Ask students what they think is an unreasonable amount of time to respond to an offer for selling a house or an offer for a new career. Accepting an offer within an appropriate amount of time is important. Also the means of communicating the acceptance should match the form of communication used to make the offer. A good rule of thumb is to have an offer and the acceptance in writing.

Independent Practice (LSI Quadrant III):

1. **Bilateral vs. Unilateral Agreement Poster:** Ask students to design a poster that shows pictures and explanations for four bilateral agreements and four unilateral agreements. This project will be evaluated using the associated rubric.
2. **Creating the Legal Case Flash Card Game:** Split the class into teams with two members. Each team must design a collage with an activity that involves an agreement. When the teams show their flash card to the class, students must state if the agreement is unilateral or bilateral. Students must also state what is involved in the agreement and if the agreement should be in writing. All answers must include specific explanations. This project will be evaluated using the associated rubric.

Summary

Review (LSI Quadrants I and IV):

Q: What are the requirements of an effective acceptance?

A: An effective acceptance must come from the intended offeree, match the terms of the offer, and be communicated to the offerer in a proper and timely fashion.

Q: Who may specify the method used to communicate the acceptance to an offer?

A: Offerer

Q: What are the new or changed terms called in an acceptance made by a consumer?

A: Proposals

Q: What is mirror image?

A: Mirror image requires that the terms in the acceptance match the terms in the offer.

BAIT AND SWITCH?

Barbara ordered a box of pears and a box of Yellow Granny Apples from the DECA fund raiser at school. When the order arrives, Red Delicious Apples had been substituted for the Yellow Granny Apples due to a lack of supply. Does Barbara have to accept this substitution? What should she do?

Answer: Barbara does not have to accept the substitution and unless the company indicated in the initial paperwork for the fund raiser that they had the right to send substitutes, the school can refuse the substitution.

Evaluation

Informal Assessment (LSI Quadrant III):

1. Instructor will observe students during Independent Practice.
2. Instructor will assist students as needed

Formal Assessment (LSI Quadrant III, IV):

Project #1 will be evaluated for the correct answer to the legal case. Use the assigned

rubric to evaluate project #2 assigned for Independent Practice (LSI Quadrant III)

Extension/Enrichment (LSI Quadrant IV):

1. Ken had a verbal agreement with the Torrence brothers to paint the outside of Ken's home for a specified amount of money. The agreement was for half the money to be paid up front so supplies could be purchased and the other half to be paid when the work was completed. After one week of work, the Torrence brothers never returned. Can the verbal agreement be a binding contract?
Answer: Yes. The money and work already completed indicate acceptance and genuine assent.
2. Trading Cases: Divide the class into teams with two students on a team. Each team has 30 minutes to write a legal case involving acceptance. The legal case must describe the transaction and ask a question about acceptance. Students must provide the answers to their cases to the teacher. Groups will trade their cases with other groups. Each group must answer the case they receive. Then the cases will be generally discussed in class.

**Business Law – What is required of an Acceptance?
Independent Practice Assignment #1
Bilateral vs. Unilateral Agreement Poster Assignment**

Student Name _____
Student Name _____

Your team must design a poster that shows pictures and explanations for four bilateral agreements and four unilateral agreements. This project will be evaluated using the associated rubric.

Making A Poster: Bilateral vs. Unilateral Agreement

Business Law – What is Required of an Acceptance? Independent Practice Assignment #1 Rubric

Student Name: _____

CATEGORY	20	15	10	5 or less
Graphics and Text Clarity	Graphics are all in focus and the content and text are easy to comprehend.	Most graphics are in focus and the content and text are easy to comprehend.	Most graphics are in focus and the content and text are easy to comprehend.	Many graphics and text are not clear or are too small.
Required Elements	The poster includes all required elements as well as additional information.	All required elements are included on the poster.	All but 1 of the required elements are included on the poster.	Several required elements were missing.
Graphics - Relevance	All graphics are related to the topic and make it easier to understand. All borrowed graphics have a source citation.	All graphics are related to the topic and most make it easier to understand. All borrowed graphics have a source citation.	All graphics relate to the topic. Most borrowed graphics have a source citation.	Graphics do not relate to the topic or several borrowed graphics do not have a source citation.
Graphics - Originality	Several of the graphics used on the poster reflect an exceptional degree of student creativity in their creation and/or display.	One or two of the graphics used on the poster reflect student creativity in their creation and/or display.	The graphics are made by the student, but are based on the designs or ideas of others.	No graphics made by the student are included.
Attractiveness	The poster is exceptionally attractive in terms of design, layout, and neatness.	The poster is attractive in terms of design, layout and neatness.	The poster is acceptably attractive though it may be a bit messy.	The poster is distractingly messy or very poorly designed. It is not attractive.

Total Score _____
Maximum 100 Points

**Business Law – What is required of an Acceptance?
Independent Practice Assignment #2
Creating the Legal Case Flash Card Game**

Student Name _____
Student Name _____

Your team must design a collage flash card with an activity that involves an agreement. Your team will show the flash card you have designed to the class. Students must state if the agreement is unilateral or bilateral. Students must also state what is involved in the agreement and if the agreement should be in writing. All answers must include specific explanations. This project will be evaluated using the associated rubric. Your project will be evaluated for clarity and attention to directions. Flash cards must have at least 3 original graphs and contrasting colors.

**Creating the Legal Case Flash Cards Game
Business Law – What is Required of an Acceptance?
Independent Practice Assignment #2 Rubric**

Student Name: _____

CATEGORY	20	15	10	5 or less
Knowledge Gained	All students in group could easily and correctly state several facts about the topic used for the game without looking at the game.	All students in the group could easily and correctly state 1-2 facts about the topic used for the game without looking at the game.	Most students in the group could easily and correctly state 1-2 facts about the topic used for the game without looking at the game.	Several students in the group could not correctly state facts about the topic used for the game without looking at the game.
Accuracy of Content	All information cards made for the game are correct.	All but one of the information cards made for the game are correct.	All but two of the information cards made for the game are correct.	Several information cards made for the game are not accurate.
Attractiveness	Contrasting colors and at least 3 original graphics were used to give the flash cards visual appeal.	Contrasting colors and at least 1 original graphic were used to give the flash cards visual appeal.	Contrasting colors and "borrowed" graphics were used to give the flash cards visual appeal.	Little or no color or fewer than 3 graphics were included.
Cooperative work	The group worked well together with all members contributing significant amounts of quality work.	The group generally worked well together with all members contributing some quality work.	The group worked fairly well together with all members contributing some work.	The group often did not work well together and the game appeared to be the work of only 1-2 students in the group.
Creativity	The group put a lot of thought into making the game interesting and fun to play with highly creative cases.	The group put some thought into making the game interesting and fun to play with highly creative cases.	The group tried to make the game interesting and fun, but some of the things made it harder to understand/enjoy the game.	Little thought was put into making the game interesting or fun.

Total Score _____
Maximum 100 Points