

Lesson Plan —Creation of Offers

Course Title: Business Law

Session Title: Creation of Offers

Performance Objective:

- Upon completion of this lesson, the student will be able to distinguish a legal contract.

Specific Objectives:

- Students will list the elements required to form a contract.
- Students will describe the requirements of an offer.

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 elements of legal contracts and negotiable instruments; for example, stocks, bonds, checks, and bills of sale.
- **120.45(c)(6)(H)**
...explain the elements of legal contracts and negotiable instruments.
- **120.45(c)(6)(G)**
...explain the facts of a contract dispute.

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. "Creation of Offers" PowerPoint Presentation
2. Internet
3. "Requirements for Contracts Flash Card Assignment" Assignment
4. Rubric for "Requirements for Contracts Flash Card Assignment"
5. "Write a Case" Assignment
6. Rubric for "Write a Case" Assignment

Materials Needed:

1. Construction paper
2. Scissors and glue
3. Poster board

Equipment Needed:

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

Learner Preparation:

1. Select an article about a controversial topic from the newspaper. Read the article in class and ask students to voice their personal opinions regarding the topic. Ask students to search the Internet for information and opinions that are opposite of the viewpoints expressed in the newspaper. Emphasize how the Internet enhances the free flow of information.
2. Survey the class to determine how many students personally use the Internet each day. Then survey to the class to determine if the use of the Internet is for school, current information, games, e-mail, or other reasons. Ask how many students use the Internet to make purchases. Then explain how society has become addicted to using the Internet.

Lesson Plan

Introduction (LSI Quadrant I)

1. Ask students what are the constitutional issues involved in the use of electronic communication. Freedom of speech and privacy rights are both being challenged by the widespread use of the Internet. Individuals must realize that their Internet communications are not private. E-mails are not private when using company's e-mail system.

2. Ask students if the Internet should be regulated like television or given more freedom like newspapers and magazines. Does the United States have the ability to control what is put on or transferred within the Internet throughout the world? Students should defend their positions.
3. Ask students to create scenarios in which each of the freedoms they enjoy can be pushed too far. Ask students how insulting, intrusive, or disrupting a statement relating to religious icons, races, ethnicities, public figures, emergency situations, etc., can be before the law should step in to control what is being said.



Important Terms for this Lesson:


- Offerer - the party who communicates a serious, definite offer
- Offeree - the party to whom an offer is made
- Offer - a proposal by an offerer to do something, provided the offeree does something in return
- Contracts - agreements between two or more parties that create obligations

Outline










Outline (LSI Quadrant II):

Instructors can use the PowerPoint presentation, slides, handouts, current events, the Internet, and note pages in conjunction with the following outline.

MI	Outline	Notes to Instructor
 	<p>I. Essential Elements for a Contract</p> <p>A. Offer and Acceptance</p> <ol style="list-style-type: none"> 1. offerer-person who makes the offer 2. offeree-the person to whom the offer is made <p>B. Genuine Assent-the agreement must not be based on one party's deceiving another, on an important mistake, or on the use of unfair pressure exerted to obtain the offer or acceptance</p> <p>C. Legality-agreement cannot involve a crime or tort</p> <p>D. Consideration-both sides receiving what the law considers value in some form as a result of the transaction</p> <p>E. Capacity-parties must have the legal ability to contract for themselves</p> <p>F. Writing-some agreements must be placed in writing to be fully enforceable in court</p>	<p>A Contracts must have a legitimate offer and acceptance.</p> <p>B Any deception or unfair pressure will make a contract void.</p> <p>C The offer and acceptance for a contract must be legal.</p> <p>D Both parties to the contract must be getting something.</p> <p>E Minors, individuals under the influence, and individuals without the mental capability</p>

		do not have the capacity to legally enter into a contract. F Ask students why it is important for contracts to be in writing.
	<p>II. Requirements of an Offer</p> <p>A. Contractual intent must be present</p> <ol style="list-style-type: none"> 1. Jests-the law is not concerned with what is actually in the mind of a person making what might be considered an offer (jokes may not be offers) 2. Statements made in anger or terror 3. Preliminary negotiations <ol style="list-style-type: none"> a. communication to induce someone to initiate bargaining b. not seen by the law as an intent to contract 4. Social Agreements-to go to the movies or on a dinner date <p>B. Offer must be communicated to the offeree</p> <p>C. Essential terms must be complete and definite</p> <ol style="list-style-type: none"> 1. Complete <ol style="list-style-type: none"> a. a proper legal description of the real estate b. price c. full terms for payment d. date for delivery of possession e. date for delivery of the deed 2. Definite 	<p>A1 Jests are examples of puffing and not legitimate offers.</p> <p>A2 Contracts are void if the offer is made in a state of anger.</p> <p>A3 Striking a conversation does not equal an offer.</p> <p>A4 Breaking a social date is not breaking a contract.</p> <p>C Terms of a contract must be thorough.</p>

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 legal offers for a contract. Read examples to the class and ask students if an offer exists. Make sure to give examples of legal offers, jests, statements made in anger, social arrangements, and preliminary negotiations. Ask students what distinguishes a contract from other agreements. Contracts will be enforced by the court of law.

Independent Practice (LSI Quadrant III):

1. **Requirements for Contracts Flash Card Assignment:** Ask students to design a set of six flash cards that represent the six major requirements for a legally enforceable contract. One side of the flash card should have the requirement written on it and a definition. The other side of the flash card must show a picture that represents the concept.
2. **Write a Case:** Split the class into teams with two members. Each team must write two case studies—one that represents a legal contract and one that doesn't meet the requirements of a legal contract. All cases will be compiled and students will look at each case to see if it has the six elements necessary for a legally enforceable contract.

Summary

Review (LSI Quadrants I and IV):

Q: What elements are required to form a legally enforceable contract?

A: The elements are offer and acceptance, genuine assent, legality, consideration, capacity, and writing.

Q: What are the requirements of an offer?

A: The offer must have contractual intent, be complete and definite, and in some fashion be communicated to the offeree by the offerer.

Q: Can a joke be enforced as an offer?

A: Yes. See above.

Q: How can a minor enter into an enforceable contract?

A: With a co-signer who does meet the legal age requirement

INVITATION vs. ACTUAL OFFER

Most advertisements are not complete and clear because they do not address the question of having limited merchandise to offer for sale. Instead, they invite a consumer to make an offer to buy one of the limited items. Analyze five television commercials and explain why each commercial is an invitation and not an offer. Design a newspaper advertisement for a department store that represents an invitation. Explain how the advertisement is an invitation.

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):

Use the assigned rubric to evaluate the projects assigned for Independent Practice (LSI Quadrant III)

Extension/Enrichment (LSI Quadrant IV):

1. Videotape one or more television commercials. Show the commercial in class and ask students to identify words that make the commercial appear to be either offers or invitations to make offers.
2. Flash the following words during a PowerPoint presentation: art gallery, museum, university, literature, lyrics to a popular song, peaceful demonstration. Then ask students if any of these activities might be offensive to certain groups. How would the standard of obscenity be determined?

**Business Law – Creation of Offers
Independent Practice Assignment #1
Requirements for Contracts Flash Card Assignment**

Student Name _____

Student Name _____

Your team must design a set of six flash cards that represent the six major requirements for a legally enforceable contract. One side of the flash card should have the requirement written on it and a definition. The other side of the flash card must show a picture that represents the concept. This project will be evaluated with the associated rubric.

**Requirements for Contracts Flash Card
Business Law – Creation of Offers
Independent Practice Assignment #1 Rubric**

Student Name: _____

CATEGORY	20	15	10	5 or less
Attention to Theme	The student gives a reasonable explanation of how every item in the collage is related to the assigned theme. For most items, the relationship is clear without explanation.	The student gives a reasonable explanation of how most items in the collage are related to the assigned theme. For many of the items, the relationship is clear without explanation.	The student gives a fairly reasonable explanation of how most items in the collage are related to the assigned theme.	The student's explanations are weak and illustrate difficulty understanding how to relate items to the assigned theme.
Creativity	Several of the graphics or objects used in the collage reflect an exceptional degree of student creativity in their creation and/or display.	One or two of the graphics or objects used in the collage reflect student creativity in their creation and/or display.	One or two graphics or objects were made or customized by the student, but the ideas were typical rather than creative (e.g., apply the emboss filter to a drawing in Photoshop).	The student did not make or customize any of the items on the collage.
Time and Effort	Class time was used wisely. Much time and effort went into the planning and design of the collage. It is clear the student worked at home as well as at school.	Class time was used wisely. Student could have put in more time and effort at home.	Class time was not always used wisely, but student did do some additional work at home.	Class time was not used wisely and the student put in no additional effort.
Titles and Text	Titles and text were written clearly and were easy to read from a distance. Text varied in color, size and/or style for different text elements.	Titles and text were written clearly and were easy to read close-up. Text varied in color, size and/or style for different text elements.	Titles and text were written clearly and were easy to read close-up. There was little variation in the appearance of text.	Titles and/or text are hard to read, even when the reader is close.
Design	Graphics are trimmed to an appropriate size and interesting shape and are arranged well, some in front and some behind. Care has been taken to balance the pictures across the canvas.	Graphics are trimmed to an appropriate size and interesting shape and are arranged with some items in front and others behind. The canvas however does not appear balanced.	Graphics have been trimmed to an appropriate size and shape, but the arrangement of items is not very attractive. It appears there was not a lot of planning of the item placement.	Graphics are untrimmed or of inappropriate size and/or shape. It appears little attention was given to designing the collage.

Total Score _____
Maximum 100 Points

Business Law – Creation of Offers
Independent Practice Assignment #2
Write a Case

Student Name _____
Student Name _____

Your team must write two case studies—one that represents a legal contract and one that doesn't meet the requirements of a legal contract. All cases will be compiled and students will look at each case to see if it has the six elements necessary for a legally enforceable contract. Your cases must include extensive information for the rest of the class to determine if all essential elements of a contract exist. This project will be evaluated using the associated rubric.

Write a Case

Business Law – Creation of Offers

Independent Practice Assignment #2 Rubric

Student Name: _____

CATEGORY	20	15	10	5 or less
Writing Process	Student devotes a lot of time and effort to the writing process (prewriting, drafting, reviewing, and editing). Works hard to make the story wonderful.	Student devotes sufficient time and effort to the writing process (prewriting, drafting, reviewing, and editing). Works and gets the job done.	Student devotes some time and effort to the writing process but was not very thorough. Does enough to get by.	Student devotes little time and effort to the writing process. Doesn't seem to care.
Focus on Assigned Topic	The entire story is related to the assigned topic and allows the reader to understand much more about the topic.	Most of the story is related to the assigned topic. The story wanders off at one point, but the reader can still learn something about the topic.	Some of the story is related to the assigned topic, but a reader does not learn much about the topic.	No attempt has been made to relate the story to the assigned topic.
Organization	The story is very well organized. One idea or scene follows another in a logical sequence with clear transitions.	The story is pretty well organized. One idea or scene may seem out of place. Clear transitions are used.	The story is a little hard to follow. The transitions are sometimes not clear.	Ideas and scenes seem to be randomly arranged.
Creativity	The story contains many creative details and/or descriptions that contribute to the reader's enjoyment. The author has really used his imagination.	The story contains a few creative details and/or descriptions that contribute to the reader's enjoyment. The author has used his imagination.	The story contains a few creative details and/or descriptions, but they distract from the story. The author has tried to use his imagination.	There is little evidence of creativity in the story. The author does not seem to have used much imagination.
Accuracy of Facts	All facts presented in the story are accurate.	Almost all facts presented in the story are accurate.	Most facts presented in the story are accurate (at least 70%).	There are several factual errors in the story.

Total Score _____
Maximum 100 Points