

Unit 6: Personal Injury Laws

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Belleville Public Schools

Curriculum Guide

Business Law II

Unit 6-Personal Injury Laws

Grades 9-12

Belleville Board of Education

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Unit Overview

In this Unit students will learn the difference between criminal law and civil law. Students will learn about offenses against individuals that result in civil law suits. Lessons in civil liability will enable students to comprehend their rights and responsibilities if they cause personal injury or if they are injured. Students will learn the benefits of liability and health insurance. Students will be able to distinguish a crime from a tort and identify the elements of torts. Students will be able to explain why one person may be responsible for the torts of another and identify and define common intentional torts. Students will be able to recognize the elements of negligence and strict liability. Students will analyze and apply the legal remedies that are available to a tort victim. Students will study and apply the procedure used to try a civil case. Students will consider the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens. Students will identify the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have contributed to the American economy, politics and society. Students will discuss the responses of the United States and other nations to the violation of human rights that occurred throughout history and the role of the civil court system in addressing those issues. Students will evaluate the government response to climate change and the effects of global warming on environment and the civil remedies available to address those issues.

Enduring Understanding

Civil law involves issues of personal liability for intentional torts, negligence, and strict liability. It is necessary in our society to fully understand your rights and responsibilities to protect yourself and others. Understanding the difference between criminal

liability and civil liability is necessary to enhance your civic literacy. Students will also comprehend how to avoid civil liability and insure against economic loss. The civil justice system is a vehicle through which those who are or have been unfairly treated may seek restitution. All people have the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens. Appreciation for the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have contributed to the American economy, politics and society. Recognize the responsibilities of the United States and other nations to respond to the violation of human rights that occurred during the Holocaust and other genocides. Recognize the origins of the antislavery movement and the impact of particular events, such as the Amistad decision, on the movement. Evaluate the government response to climate change and the effects of global warming on environment.

Essential Questions

- What are the elements of a tort?
- What is the difference between a crime and a tort?
- What is vicarious liability?
- What are intentional torts?
- What is negligence?
- What are defenses to negligence?
- What is strict liability?
- What can a tort victim collect?
- How is a civil case tried?
- How is a judgement satisfied?
- How can the civil justice system be used to protect those treated unfairly?
- What is the personal and legal responsibility that each citizen bears to fight racism?
- How have women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities contributed to the American economy, politics and society?
- How have the United States and other nations responded to the violation of human rights that occurred during the Holocaust and other genocides?
- What are the origins of the antislavery movement and what has been the impact of particular events, such as the Amistad decision, on the movement?
- What is and has been the government's response to climate change and the effects of global warming on environment?

Exit Skills

Upon completion of Unit 6 students will demonstrate the ability to;

- Distinguish a crime from a tort
- Identify the elements of torts
- Explain why one person may be responsible for another's tort
- Identify common intentional torts
- Recognize the elements of negligence
- Explain the basis for strict liability
- State the legal remedies that are available to a tort victim
- Describe the procedure used to try a civil case
- How can the civil justice system be used to protect those treated unfairly?
- Students will consider the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens.

- Students will identify the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have contributed to the American economy, politics and society.
- Students will discuss the responses of the United States and other nations to the violation of human rights that occurred throughout history and the role of the civil court system in addressing those issues.
- Students will evaluate the government response to climate change and the effects of global warming on environment and the civil remedies available to address those issues.

New Jersey Student Learning Standards (NJSL)

SOC.6.1.12.EconET.2.a	Analyze how technological developments transformed the economy, created international markets, and affected the environment in New Jersey and the nation.
SOC.6.1.12.CivicsPR.10.a	Analyze how the Supreme Court has interpreted the Constitution to define and expand individual rights and use evidence to document the long-term impact of these decisions on the protection of civil and human rights.
SOC.6.1.12.HistorySE.14.a	Explore the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have contributed to the American economy, politics and society.
SOC.6.3	Active Citizenship in the 21st Century

Interdisciplinary Connections

LA.RH.9-10.1	Accurately cite strong and thorough textual evidence, to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.
LA.RH.9-10.3	Analyze in detail a series of events described in a text; draw connections between the events, to determine whether earlier events caused later ones or simply preceded them.
LA.RH.9-10.5	Analyze how a text uses structure to emphasize key points or advance an explanation or analysis.
LA.RH.9-10.8	Assess the extent to which the reasoning and evidence in a text support the author's claims.
LA.RST.9-10.1	Accurately cite strong and thorough evidence from the text to support analysis of science and technical texts, attending to precise details for explanations or descriptions.
LA.RST.9-10.8	Determine if the reasoning and evidence in a text support the author's claim or a recommendation for solving a scientific or technical problem.
LA.WHST.9-10.1.A	Introduce precise claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that establishes clear relationships among the claim(s),

	counterclaims, reasons, and evidence.
LA.WHST.9-10.1.B	Develop claim(s) and counterclaims using sound reasoning, supplying data and evidence for each while pointing out the strengths and limitations of both claim(s) and counterclaims in a discipline-appropriate form and in a manner that anticipates the audience's knowledge level and concerns.
LA.WHST.9-10.2	Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.
WRK.9.2.12.CAP.2	Develop college and career readiness skills by participating in opportunities such as structured learning experiences, apprenticeships, and dual enrollment programs.
WRK.9.2.12.CAP.3	Investigate how continuing education contributes to one's career and personal growth.
WRK.9.2.12.CAP.4	Evaluate different careers and develop various plans (e.g., costs of public, private, training schools) and timetables for achieving them, including educational/training requirements, costs, loans, and debt repayment.
WRK.9.2.12.CAP.5	Assess and modify a personal plan to support current interests and post-secondary plans.
WRK.9.2.12.CAP.7	Use online resources to examine licensing, certification, and credentialing requirements at the local, state, and national levels to maintain compliance with industry requirements in areas of career interest.
WRK.9.2.12.CAP.13	Analyze how the economic, social, and political conditions of a time period can affect the labor market.

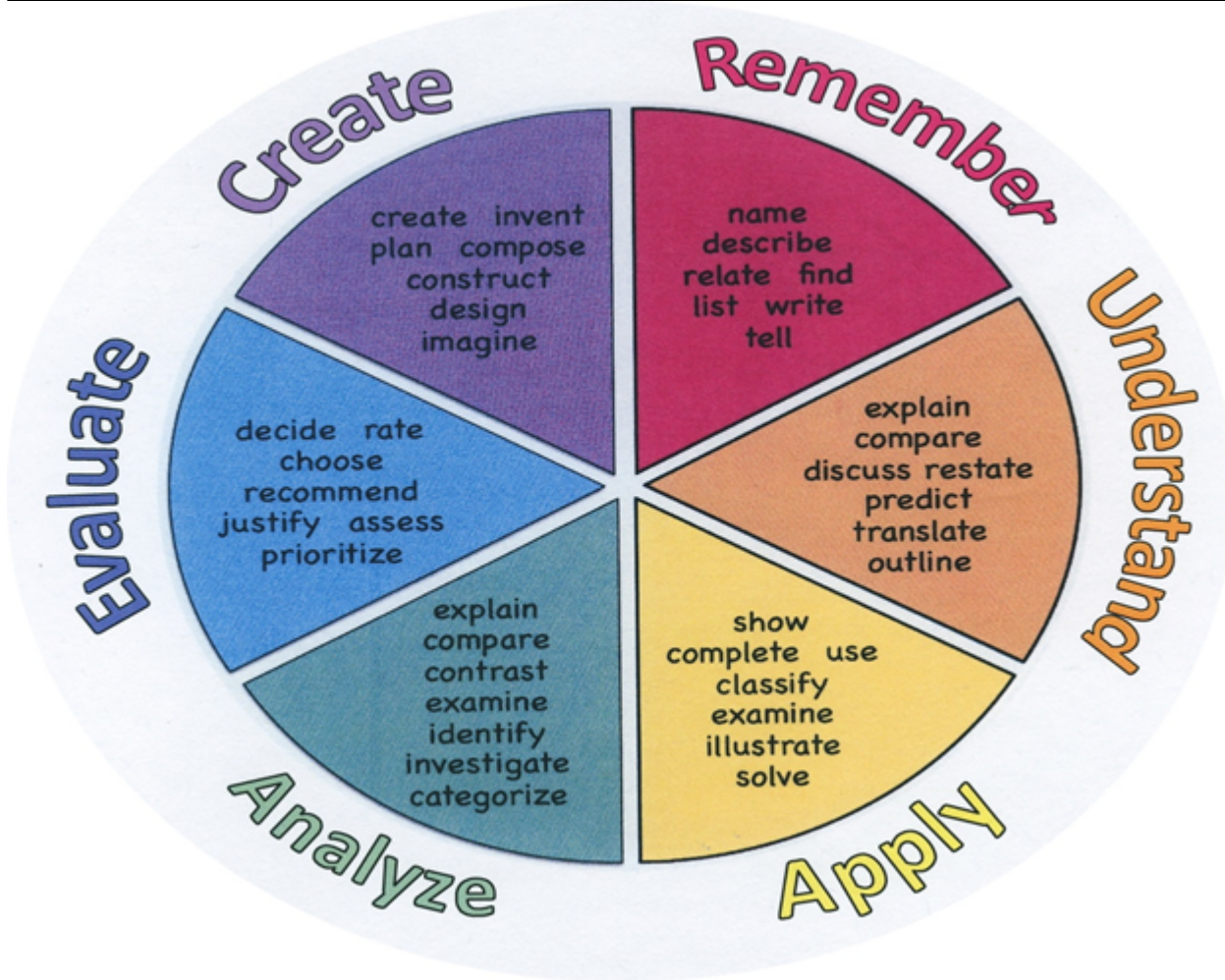
Learning Objectives

- Identify the elements of torts
- Explain why one person may be responsible for another's tort
- Identify common intentional torts
- Recognize the elements of negligence
- Explain the basis for strict liability
- State the legal remedies that are available to a tort victim
- Describe the procedure used to try a civil case
- How can the civil justice system be used to protect those treated unfairly?
- Students will consider the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens.
- Students will identify the various ways women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities have contributed to the American economy, politics and society.
- Students will discuss the responses of the United States and other nations to the violation of human rights that occurred throughout history and the role of the civil court system in addressing those issues.
- Students will evaluate the government response to climate change and the effects of global warming on environment and the civil remedies available to address those issues.

Action Verbs: Below are examples of action verbs associated with each level of the Revised Bloom's Taxonomy.

Remember	Understand	Apply	Analyze	Evaluate	Create
Choose	Classify	Choose	Categorize	Appraise	Combine
Describe	Defend	Dramatize	Classify	Judge	Compose
Define	Demonstrate	Explain	Compare	Criticize	Construct
Label	Distinguish	Generalize	Differentiate	Defend	Design
List	Explain	Judge	Distinguish	Compare	Develop
Locate	Express	Organize	Identify	Assess	Formulate
Match	Extend	Paint	Infer	Conclude	Hypothesize
Memorize	Give Examples	Prepare	Point out	Contrast	Invent

Name	Illustrate	Produce	Select	Critique	Make
Omit	Indicate	Select	Subdivide	Determine	Originate
Recite	Interrelate	Show	Survey	Grade	Organize
Select	Interpret	Sketch	Arrange	Justify	Plan
State	Infer	Solve	Breakdown	Measure	Produce
Count	Match	Use	Combine	Rank	Role Play
Draw	Paraphrase	Add	Detect	Rate	Drive
Outline	Represent	Calculate	Diagram	Support	Devise
Point	Restate	Change	Discriminate	Test	Generate
Quote	Rewrite	Classify	Illustrate		Integrate
Recall	Select	Complete	Outline		Prescribe
Recognize	Show	Compute	Point out		Propose
Repeat	Summarize	Discover	Separate		Reconstruct
Reproduce	Tell	Divide			Revise
	Translate	Examine			Rewrite
	Associate	Graph			Transform
	Compute	Interpolate			
	Convert	Manipulate			
	Discuss	Modify			
	Estimate	Operate			
	Extrapolate	Subtract			
	Generalize				
	Predict				



Suggested Activities & Best Practices

- Use of the e-learning platform using web based services for classroom management and lesson delivery
- Reading and outlining text and other e-material
- Using outline templates and PowerPoint presentations to reinforce student outlines
- Teacher oriented class discussion
- Reaction Papers addressing legal topics and current event issues
- Answering Discussion Questions and Unit/Lesson assessment questions
- Legal Vocabulary Review
- Unit specific Case Study exercises such as;
 - *Grimshaw v. The Ford Motor Co.*
- Analyze and discuss legislation, policy making, case law, and current event issues addressing;
 - The effects of global warming on the environment
 - The political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people
 - The Holocaust and genocides and the personal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens
 - The contributions of African-Americans to our country

Assessment Evidence - Checking for Understanding (CFU)

- Students will create outlines that will be reviewed and revised based on PowerPoint Presentation and class discussions- Alternate assessment
 - Checklists and the E-learning platform will be used to review student work for comprehension and understanding
 - Unit test-Summative Assessment
 - Evaluation rubrics for writing, oral presentations-Formative Assessment
 - Engage in Mock Trial debate of Constitution based legal issues-Benchmark Assessment
 - Mock Trial Project-benchmark assessment
-
- Anticipation Guide
 - Common Benchmarks
 - Compare & Contrast
 - Create a Multimedia Poster
 - Define
 - Describe
 - Evaluate
 - Evaluation rubrics
 - Exit Tickets
 - Explaining
 - Illustration

- Journals
- Learning Center Activities
- Multimedia Reports
- Newspaper Headline
- Outline
- Question Stems
- Quickwrite
- Quizzes
- Self- assessments
- Socratic Seminar
- Study Guide
- Teacher Observation Checklist
- Think, Write, Pair, Share
- Top 10 List
- Unit review/Test prep
- Unit tests
- Web-Based Assessments
- Written Reports

Primary Resources & Materials

- E-Textbook: Law for Business and Personal Use
- Access to Legal periodicals such as NJSBF Legal Eagle and database resources such as Newsela, Mackin Educational Resources
- Internet access for legal research on current event issues
- Presentation tools such as a Smart T.V.
- E-Learning Platform (Student Information Systems i.e. Power School/Schoology)

Ancillary Resources

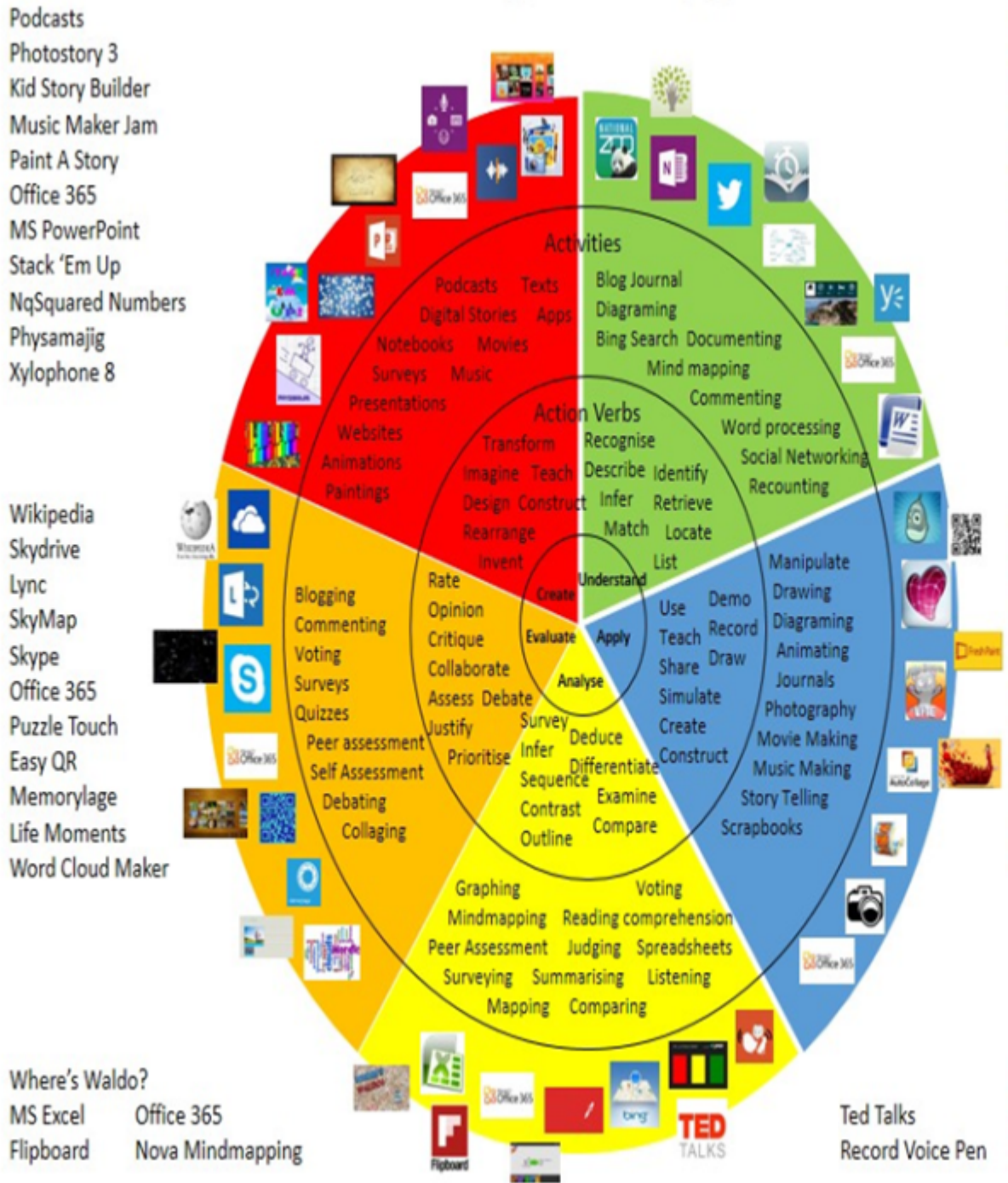
- BHS Courtroom
- BHS Law Library
- Video equipment for recording courtroom trials and activities

Technology Infusion

- Access to a cloud-based Student Information System (i.e. PowerSchool) and learning management system (i.e. Schoology)
- Presentation tools to aid in multimedia lesson delivery (i.e. Smart T.V.)
- Chromebooks for student use

- Video/Audio equipment for recording and reviewing courtroom presentations

Win 8.1 Apps/Tools Pedagogy Wheel



Originally taken from <http://www.coetail.com/vzimmer/files/2013/02/Padagogy-Wheel.001.jpg>
 And adapted for Windows 8.1 devices by Charlotte Beckhurst @CharBeckhurst

Alignment to 21st Century Skills & Technology

Mastery and infusion of **21st Century Skills & Technology** and their Alignment to the core content areas is essential to student learning. The core content areas include:

- English Language Arts;
- Mathematics;
- Science and Scientific Inquiry (Next Generation);
- Social Studies, including American History, World History, Geography, Government and Civics, and Economics;
- World languages;
- Technology;
- Visual and Performing Arts.

WRK.9.2.12.CAP.2	Develop college and career readiness skills by participating in opportunities such as structured learning experiences, apprenticeships, and dual enrollment programs.
WRK.9.2.12.CAP.3	Investigate how continuing education contributes to one's career and personal growth.
WRK.9.2.12.CAP.4	Evaluate different careers and develop various plans (e.g., costs of public, private, training schools) and timetables for achieving them, including educational/training requirements, costs, loans, and debt repayment.
WRK.9.2.12.CAP.6	Identify transferable skills in career choices and design alternative career plans based on those skills.
WRK.9.2.12.CAP.8	Determine job entrance criteria (e.g., education credentials, math/writing/reading comprehension tests, drug tests) used by employers in various industry sectors.
WRK.9.2.12.CAP.10	Identify strategies for reducing overall costs of postsecondary education (e.g., tuition assistance, loans, grants, scholarships, and student loans).
TECH.9.4.12.CI.1	Demonstrate the ability to reflect, analyze, and use creative skills and ideas (e.g., 1.1.12prof.CR3a).
TECH.9.4.12.CI.2	Identify career pathways that highlight personal talents, skills, and abilities (e.g., 1.4.12prof.CR2b, 2.2.12.LF.8).
TECH.9.4.12.CI.3	Investigate new challenges and opportunities for personal growth, advancement, and transition (e.g., 2.1.12.PGD.1).
TECH.9.4.12.CT.1	Identify problem-solving strategies used in the development of an innovative product or practice (e.g., 1.1.12acc.C1b, 2.2.12.PF.3).
TECH.9.4.12.CT.2	Explain the potential benefits of collaborating to enhance critical thinking and problem solving (e.g., 1.3E.12profCR3.a).

21st Century Skills/Interdisciplinary Themes

- Critical Thinking and Problem Solving

- Communication and Collaboration
- Information Literacy
- Media Literacy
- Life and Career Skills

- Communication and Collaboration
- Creativity and Innovation
- Critical thinking and Problem Solving
- ICT (Information, Communications and Technology) Literacy
- Information Literacy
- Life and Career Skills
- Media Literacy

21st Century Skills

- Global Awareness
- Financial, Economic, Business and Entrepreneurial Literacy
- Civic Literacy
- Environmental Literacy

- Civic Literacy
- Environmental Literacy
- Financial, Economic, Business and Entrepreneurial Literacy
- Global Awareness

Differentiation

- Students will be given additional time for completion of assignments or assessments
- Cooperative grouping to enhance and elevate student productivity during legal research projects such as mock trial hearings
- Use of visual and auditory presentations to introduce and support lesson delivery
- Use of web based resources and databases that provide structured reading levels and read aloud options

Differentiations:

- Small group instruction
- Small group assignments
- Extra time to complete assignments
- Pairing oral instruction with visuals
- Repeat directions
- Use manipulatives
- Center-based instruction
- Token economy
- Study guides
- Teacher reads assessments allowed

- Scheduled breaks
- Rephrase written directions
- Multisensory approaches
- Additional time
- Preview vocabulary
- Preview content & concepts
- Story guides
- Behavior management plan
- Highlight text
- Student(s) work with assigned partner
- Visual presentation
- Assistive technology
- Auditory presentations
- Large print edition
- Dictation to scribe
- Small group setting

Hi-Prep Differentiations:

- Alternative formative and summative assessments
- Choice boards
- Games and tournaments
- Group investigations
- Guided Reading
- Independent research and projects
- Interest groups
- Learning contracts
- Leveled rubrics
- Literature circles
- Multiple intelligence options
- Multiple texts
- Personal agendas
- Project-based learning
- Problem-based learning
- Stations/centers
- Think-Tac-Toes
- Tiered activities/assignments
- Tiered products
- Varying organizers for instructions

Lo-Prep Differentiations

- Choice of books or activities
- Cubing activities
- Exploration by interest
- Flexible grouping
- Goal setting with students
- Jigsaw
- Mini workshops to re-teach or extend skills
- Open-ended activities
- Think-Pair-Share
- Reading buddies
- Varied journal prompts

- Varied supplemental materials

Special Education Learning (IEP's & 504's)

- Students will work in cooperative groups to prepare Unit outline
 - Students will use Unit outline to complete Unit assignments and assessments
 - Students will work cooperatively to resolve a personal injury law suit debating issues of liability and damages
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- printed copy of board work/notes provided
 - additional time for skill mastery
 - assistive technology
 - behavior management plan
 - Center-Based Instruction
 - check work frequently for understanding
 - computer or electronic device utilizes
 - extended time on tests/ quizzes
 - have student repeat directions to check for understanding
 - highlighted text visual presentation
 - modified assignment format
 - modified test content
 - modified test format
 - modified test length
 - multi-sensory presentation
 - multiple test sessions
 - preferential seating
 - preview of content, concepts, and vocabulary
 - Provide modifications as dictated in the student's IEP/504 plan
 - reduced/shortened reading assignments
 - Reduced/shortened written assignments
 - secure attention before giving instruction/directions
 - shortened assignments
 - student working with an assigned partner
 - teacher initiated weekly assignment sheet
 - Use open book, study guides, test prototypes

English Language Learning (ELL)

- Students will work with a peer tutor on Unit assignments and assessments
 - Assignments will be modified to enable students to focus on selected objectives such as legal vocabulary by providing a glossary
 - Students and teacher will use translation apps to enable students to focus on selected objectives such as legal vocabulary
-
- teaching key aspects of a topic. Eliminate nonessential information
 - using videos, illustrations, pictures, and drawings to explain or clarify
 - allowing products (projects, timelines, demonstrations, models, drawings, dioramas, poster boards, charts, graphs, slide shows, videos, etc.) to demonstrate student's learning;
 - allowing students to correct errors (looking for understanding)
 - allowing the use of note cards or open-book during testing
 - decreasing the amount of work presented or required
 - having peers take notes or providing a copy of the teacher's notes
 - modifying tests to reflect selected objectives
 - providing study guides
 - reducing or omitting lengthy outside reading assignments
 - reducing the number of answer choices on a multiple choice test
 - tutoring by peers
 - using computer word processing spell check and grammar check features
 - using true/false, matching, or fill in the blank tests in lieu of essay tests

At Risk

- Students will be provided with Unit PowerPoint study guide
 - Students will be allowed to use study guide/outline on Unit assessments
 - Alternate assessments will be used such as Reaction Papers and serving as student juror during mock trial activity
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- allowing students to correct errors (looking for understanding)
 - teaching key aspects of a topic. Eliminate nonessential information
 - allowing products (projects, timelines, demonstrations, models, drawings, dioramas, poster boards, charts, graphs, slide shows, videos, etc.) to demonstrate student's learning
 - allowing students to select from given choices
 - allowing the use of note cards or open-book during testing
 - collaborating (general education teacher and specialist) to modify vocabulary, omit or modify items to reflect objectives for the student, eliminate sections of the test, and determine how the grade will be determined prior to giving the test.
 - decreasing the amount of work presented or required
 - having peers take notes or providing a copy of the teacher's notes
 - marking students' correct and acceptable work, not the mistakes
 - modifying tests to reflect selected objectives
 - providing study guides

- reducing or omitting lengthy outside reading assignments
- reducing the number of answer choices on a multiple choice test
- tutoring by peers
- using authentic assessments with real-life problem-solving
- using true/false, matching, or fill in the blank tests in lieu of essay tests
- using videos, illustrations, pictures, and drawings to explain or clarify

Talented and Gifted Learning (T&G)

- Students will use Legal Reasoning problem solving skills to resolve legal disputes
 - Demonstrate self-directed learning, thinking, research, and communication skills
 - Look for extension ideas that challenge the student to delve deeper into the subject
 - Students will identify current legal issues and debate both in favor of and opposed to the issue.
 - Students will lead threaded discussions on various legal topics
 - Students will work in groups to represent each side of legal dispute and present arguments to student jurors
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- Above grade level placement option for qualified students
 - Advanced problem-solving
 - Allow students to work at a faster pace
 - Cluster grouping
 - Complete activities aligned with above grade level text using Benchmark results
 - Create a blog or social media page about their unit
 - Create a plan to solve an issue presented in the class or in a text
 - Debate issues with research to support arguments
 - Flexible skill grouping within a class or across grade level for rigor
 - Higher order, critical & creative thinking skills, and discovery
 - Multi-disciplinary unit and/or project
 - Teacher-selected instructional strategies that are focused to provide challenge, engagement, and growth opportunities
 - Utilize exploratory connections to higher-grade concepts
 - Utilize project-based learning for greater depth of knowledge

Sample Lesson

Unit Name:

Unit 6 Personal Injury Law

NJSLS:

See Standards Listed Below

Interdisciplinary Connection:

Critical Thinking

Problem Solving

Reading- Informative text/vocabulary

Writing-analysis/evaluation

Statement of Objective:

SWDAT describe what constitutes damages and what remedies are available to tort victims **by** reading and outlining Ch. 6-3. Students will complete Ch. 6-3 outline with 100% accuracy. Students will analyze legislation and case law on women, racial and ethnic minorities, the LGBTQ community, and individuals with disabilities and how these groups have contributed to the American economy, politics and society. Students will assess the responses of the United States and other nations to the violations of human rights throughout history comprehend the personal and legal responsibility that each citizen bears to fight racism and hatred whenever and wherever it happens. Students will evaluate the government response to climate change and the effects of global warming on environment.

Anticipatory Set/Do Now:

Complete Ch. 6-2 TALC/TCAE

Learning Activity:

T/O class discussion/PPT; Ch. 6-3 Outline

Student Assessment/CFU's:

Think About Legal Concepts, Think Critically About Evidence and Class Discussion Responses

Use of web based resources and databases that provide structured reading levels and read aloud options

Reaction Papers

Mock Trial Project

Summative and Formative Assessments

Materials:

E-Textbook

E-Learning Platform (Student Information System, i.e. Power School/Schoology)

Presentation tools to aid lesson delivery (i.e. Smart TV, PowerPoint)

Lap-Tops for students

21st Century Themes and Skills:

Critical Thinking and Problem Solving

Civic Literacy

Differentiation:

Use of visual and auditory presentations to introduce and support lesson delivery

Use of web based resources and databases that provide structured reading levels and read aloud options

Cooperative grouping to enhance and elevate student productivity during legal research projects such as mock trial hearings

Integration of Technology:

Presentation tools to aid lesson delivery (i.e. Smart TV, PowerPoint)

E-learning platform

Civic and political institutions address social and political problems at the local, state, tribal, national, and/or international level.

Historical, contemporary, and emerging processes, rules, laws, and policies are modified as societies change in an effort to promote the common good and strive to protect human rights.

Constitutions establish a system of government that has powers, responsibilities, and limits that can change over time.

SOC.6.1.12.CivicsPI.14.c

Analyze how the Supreme Court has interpreted the Constitution to define and expand individual rights and use evidence to document the long-term impact of these decisions on the protection of civil and human rights.