

Law 120

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CURRICULUM

2004-2005

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Introduction

This revision of the New Brunswick Law 120 curriculum was undertaken to update expectations and outcomes in light of changes in educational theory and the law as well as to align course timelines with the requirements of the five period, semestered high school.

This curriculum revision was also undertaken to ensure the Law 120 curriculum reflects both *The Atlantic Canada Framework for Essential Graduation Learnings in Schools* and the *Foundation for the Atlantic Canada Social Studies Curriculum*.

The modular organization of the curriculum was adopted to recognize that the course is intended as an introduction to the law and not as a comprehensive survey. The core units provide a common introduction to the foundations of Canadian law while the choices of optional units permit instructional choices based on the abilities, needs and interests of learners.

Over the years, law has been taught in New Brunswick schools as a part of both the business and social studies programs of studies. Both traditions were taken into consideration during the development process.

Purpose of the Curriculum Guide

This document is intended to advance social studies education and to improve social studies teaching and learning, while recognizing and validating the effective practices that already exist in many classrooms. This guide provides the detailed curriculum for Law 120 in New Brunswick.

The Law 120 curriculum guide has several purposes:

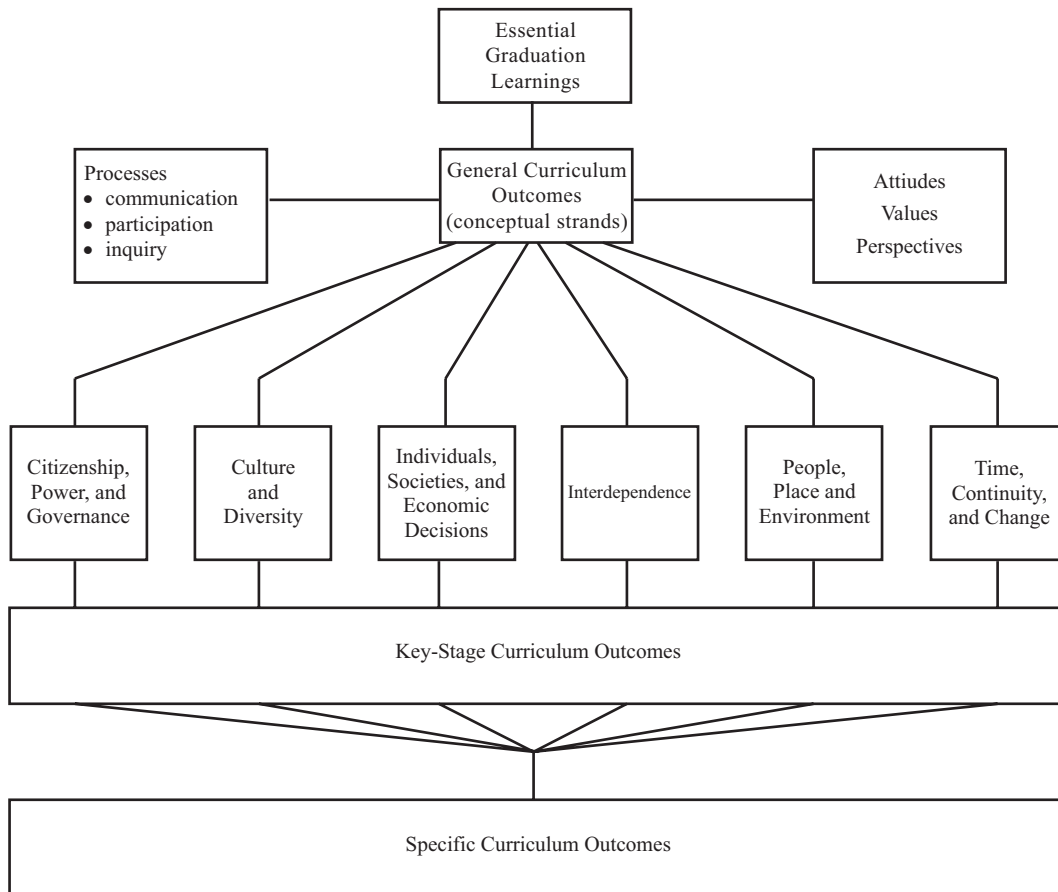
- to inform educators and members of the general public of the philosophy and assumptions underlying the Law 120 curriculum
- to outline detailed curriculum outcomes to which educators and others refer when making decisions concerning learning experiences, instructional techniques, and assessment strategies in Law 120
- to suggest possible teaching strategies, assessment techniques and learning resources which may be of use to educators when planning instruction and assessment
- to promote effective teaching and learning for students enrolled in Law 120

Program Design and Outcomes

The Law 120 curriculum is based on the Atlantic Canada Framework for Essential Graduation Learnings and the Foundation for the Atlantic Canada Social Studies Curriculum.

Overview

The chart below shows the relationship among the *Atlantic Canada Framework for Essential Graduation Learnings*, the *Foundation for the Atlantic Canada Social Studies Curriculum* and specific curricula. At the top of the chart are the Essential Graduation Learnings. Beneath them are found the various components of the *Foundation for the Atlantic Canada Social Studies Curriculum*: General Curriculum Outcomes; Processes; Attitudes, Values and Perspectives; conceptual strands; and Key Stage Curriculum Outcomes. The Law 120 curriculum is represented in the chart by the Specific Curriculum Outcomes, which are derived from and based on all the others.



Atlantic Canada Framework for Essential Graduation Learnings in Schools

The Atlantic Provinces worked together to identify the abilities and areas of knowledge that they considered essential for students graduating from high school. These are referred to as essential graduation learnings.

Following the statement of each essential graduation learning below, examples of learning in social studies which furthers their attainment are given. The examples are taken from the *Foundation for the Atlantic Canada Social Studies Curriculum*.

Aesthetic Expression Graduates will be able to respond with critical awareness to various forms of the arts and be able to express themselves through the arts. Graduates will be expected for example, to

- demonstrate understanding of the contribution of the arts to daily life, cultural identity and diversity, and the economy
- demonstrate understanding of the significance of cultural resources such as theatres, museums, galleries, cinemas, and libraries

By the end of grade 12, students will be expected to

- analyse and explain the ways cultures address human needs and wants
- evaluate patterns for preserving, modifying, and transmitting culture while adapting to environmental or social change

Citizenship Graduates will be able to assess social, cultural, economic and environmental interdependence in a local and global context.

Graduates will be expected for example, to

- demonstrate understanding of Canada's political, social, and economic systems in a global context
- demonstrate understanding of the social, political, and economic forces that have shaped the past and present and apply those understandings in planning for the future

By the end of grade 12, students will be expected to

- analyse and evaluate how Canadian and other political and legal systems establish order and security while meeting the needs and desires of citizens
- take age-appropriate actions to demonstrate their responsibilities as citizens

Communication Graduates will be able to use the listening, viewing, speaking, reading, and writing modes of languages as well as mathematical and scientific concepts and symbols to think, learn, and communicate effectively.

Graduates will be expected for example, to

- access, process, evaluate, and share information
- critically reflect on and interpret ideas presented through a variety of media

By the end of grade 12, students will be expected to

- analyse and compare events of the past to the present in order to make informed, creative decisions about issues
- propose and evaluate strategies that will promote a preferred future

Personal Development Graduates will be able to continue to learn and to pursue an active, healthy lifestyle.

Graduates will be expected for example, to

- make appropriate decisions and take responsibility for those decisions
- reflect critically on ethical issues

By the end of grade 12, students will be expected to

- analyse and evaluate the opportunities and challenges of an increasingly interdependent world
- plan and evaluate age-appropriate actions to support peace and sustainability in our independent world

Problem Solving Graduates will be able to use the strategies and processes needed to solve a wide variety of problems, including those requiring language, mathematical, and scientific concepts.

Graduates will be expected for example, to

- acquire, process, and interpret information critically to make informed decisions
- use a variety of strategies and perspectives with flexibility and creativity for solving problems

By the end of grade 12 students will be expected to

- evaluate complex issues by asking and answering geographic questions and by acquiring, organizing, and analysing geographic information
- apply knowledge of economic concepts in developing a response to current economic issues such as disparity and sustainability

Technological Competence Graduates will be able to use a variety of technologies, demonstrate an understanding of technological applications, and apply appropriate technologies for solving problems.

Graduates will be expected for example, to

- demonstrate understanding of and use existing and developing technologies
- demonstrate understanding of the impact of technology on society

By the end of grade 12, students will be expected to

- select and use appropriate geographic representations, tools, and technologies to evaluate problems and issues
- evaluate current technological developments and their potential impact on society and the environment

Foundation for the Atlantic Canada Social Studies Curriculum

The *Foundation for the Atlantic Canada Social Studies Curriculum* states the underlying philosophy and general curriculum outcomes (GCOs) to be considered when designing and teaching social studies courses such as Law 120. An overview of these, extracted from the *Foundation for the Atlantic Canada Social Studies Curriculum* document follows.

Aim of Social Studies

The vision for the Atlantic Canada social studies curriculum is to enable and encourage students to examine issues, respond critically and creatively, and make informed decisions as individuals and as citizens of Canada and of an increasingly interdependent world.

An effective social studies curriculum prepares students to achieve all essential graduation learnings. In particular, social studies, more than any other curriculum area, is vital in developing citizenship. Social studies embodies the main principles of democracy, such as freedom, equality, human dignity, justice, rule of law, and civic rights and responsibilities. The social studies curriculum promotes students' growth as individuals and citizens of Canada and an increasingly interdependent world. It provides opportunities for students to explore multiple approaches which may be used to analyse and interpret their own world and the world of others. Social studies presents unique and particular ways for students to view the interrelationships among Earth, its people, and its systems. The knowledge, skills, and attitudes developed through the social studies curriculum empower students to be informed, responsible citizens of Canada and the world and to participate in the democratic process to improve society.

In particular the social studies curriculum

- integrates the concepts, processes and ways of thinking drawn from the diverse disciplines including history, geography, economics, political science, sociology and anthropology. It also draws from humanities, literacy and pure sciences
- provides the multidisciplinary lens through which students examine issues affecting their lives from personal, provincial, national, academic, pluralistic and global perspectives.

Law 120 specifically deals with issues such as freedom, equality, human dignity, justice, rule of law, and civic rights and responsibilities. It also explores the legal aspects of how citizens in a democratic nation manage their relationships with each other and with the state. The knowledge, skills and attitudes developed in Law 120 directly contribute to the growth of students as knowledgeable, responsible citizens who understand the need for law and participate in the democratic process with consideration for the rights of others.

Learning and Teaching Social Studies

Principles Underlying the Social Studies Curriculum

Empowering and effective social studies is *meaningful, significant, challenging, active, integrative, and issues-based*.

Meaningful social studies encourages students to learn through purposeful experiences designed around stimulating ideas, social issues and themes, and discourages the memorization of disconnected pieces of information.

Significant social studies is student-centred and age-appropriate. Superficial coverage of topics is replaced by emphasis on the truly significant events, concepts, and principles that students need to know and be able to apply in their lives.

Challenging social studies occurs when teachers model high expectations for their students and themselves, promote a thoughtful approach to inquiry, and demand well-reasoned arguments.

Active social studies encourages students to assume increasing responsibility for managing their own learning. Exploration, investigation, critical and creative thinking, problem solving, discussion and debate, decision making, and reflection are essential elements of this principle. This active process of constructing meaning encourages lifelong learning.

Integrative social studies crosses disciplinary borders to explore issues and events, while using and reinforcing informational, technological, and application skills. This approach facilitates the study of the physical and cultural environment by making appropriate, meaningful, and evident connections to the human disciplines and to the concepts of time, space, continuity, and change.

Issues-based social studies considers the ethical dimensions of issues, and addresses controversial topics. It encourages consideration of opposing points of view, respect for well-supported positions, sensitivity to cultural similarities and differences, and a commitment to social responsibility and action.

Learning Environment

Problem solving, critical and creative thinking, and informed decision making are essential for success in the future. The social studies learning environment must support the development of these critical attributes to prepare students as lifelong learners.

Today's students come with increasingly diverse backgrounds and experiences. An effective instructional environment must incorporate principles and strategies which support this diversity, while recognizing and accommodating the varied learning styles, multiple intelligences, and abilities of individual students.

Teaching approaches and strategies must actively engage all students in the learning process, through their involvement in a wide variety of experiences. The nature and scope of social studies provide unique opportunities to do this.

Therefore an effective social studies learning environment must be

- student-centred
- inviting and inclusive
- respectful of diversity
- participatory, interactive, and collaborative
- engaging and relevant
- integrative
- challenging
- inquiry-based and issues-oriented
- reflective

To establish and maintain such an environment, teachers must

- recognize students as being intelligent in a number of different ways, and encourage them to explore additional ways of knowing, both inside and beyond the classroom
- value the inclusive classroom and engage all learners in meaningful activities
- acknowledge and value the ways in which gender, race, ethnicity, and culture shape particular ways of viewing and knowing the world
- incorporate new approaches, methodologies, and technologies with established effective practices
- have an extensive repertoire of strategies from which to select those most appropriate to the specific learning task
- use varied and appropriate resources to help students achieve the outcomes in a particular learning situation
- provide opportunities to integrate knowledge, skills, and attitudes
- provide repeated opportunities for reflection so that it becomes an integral part of the learning process

As a result, an effective social studies learning environment ensures student achievement by

- enhancing students' understanding, knowledge, and valuing of their own heritage and cultural background
- emphasizing inquiry and discovery by students rather than teacher presentation of information, facts, and conclusions
- encouraging student responsibility for involvement and participation in the learning process
- providing students with direct and vicarious experiences and opportunities to develop and to apply social studies skills, strategies, and processes in real, purposeful situations
- teaching students how to process and act upon information about the world in a rational and critical manner
- encouraging the effective use of various technologies, and community, media, and print resources in appropriate situations

Resource-Based Learning

Effective social studies teaching and learning are resource-based. Resource-based learning actively involves students, teachers, and teacher librarians in the effective use of a wide range of print, non-print, and human resources.

Resource-based learning fosters the development of individual students by accommodating their diverse backgrounds, various learning styles, needs, and abilities. Students who use a wide range of resources in various mediums of learning have the opportunity to approach a theme, issue, or topic of study in ways which allow for differences in learning styles and abilities.

Resource-based learning supports students as they develop information literacy. Information literacy is the ability to access, interpret, evaluate, organize, select, produce, and communicate information in and through a variety of media technologies. As students engage in their own research with appropriate guidance, they are more likely to take responsibility for their learning and to retain the information they gather for themselves.

In a resource-based learning environment, students and teachers make decisions about appropriate sources of information, tools for learning, methods of access and how to access them. A resource-based approach raises the issues of selecting and evaluating a wide variety of information sources. The development of the critical skills needed for these tasks is essential to the social studies processes.

The range of possible resources include

- print—books, magazines, newspapers, documents, and publications
- visuals—maps, illustrations, photographs, pictures, and study prints
- artifacts—concrete objects, educational toys, and games
- individual and community—interviews, museums, field trips
- multimedia—films, audio and video tapes, laser and video discs, television, and radio
- information technology—computer software, databases, CD-ROMs
- communication technology—Internet connections, bulletin boards, e-mail

Resource-based learning implies the need to provide appropriate resources and professional development for teachers. Guidelines and policies for the selection of appropriate materials should also be in place.

It is necessary that administrators, teachers, teacher librarians, other library/resource/media centre staff, parents, and community agencies collaborate to ensure students' access to available resources to support resource-based teaching and learning.

Literacy through Social Studies

Literacy plays a vital role in the learning experiences of social studies. It promotes the students' ability to comprehend and compose spoken, written and visual text which are commonly used by individuals and groups to participate fully, critically and effectively in society. The multiplicity of communication channels made possible by technology and the increasing cultural and linguistic diversity of the world calls for a broadened view of literacy. Thus, the goals of literacy learning through the social studies are to foster language development and the critical engagement necessary for students to design their own futures.

The ability to read is critical for success in school. Therefore, it is paramount that teachers are sensitive to this process in social studies instruction. Reading in the content area of social studies requires that attention be given to setting the stage and using various strategies to help students address the reading assignment itself. Writing in the social studies is also important and needs to be thought of as a process by which students discover what they know about a particular topic. In social studies there is an abundance of writing activities in which to engage students. In addition to reading, writing and speaking, other textual modes such as audio and visual media also play a part in social studies classrooms.

Strategies to promote literacy through social studies include those that help students comprehend the meaning of words, symbols, pictures, diagrams, maps and other genres. Students will investigate a range of media at different times and places and have many opportunities to comprehend and compose in unfamiliar contexts. Most will be able to debate, persuade and explain in a variety of genres, including the artistic and technological. The social studies program will help students become culturally sensitive and effective cross-cultural communicators.

Critical literacy in texts includes awareness of stereotyping, cultural bias, author's intent, hidden agendas, silent voices and omissions. Students are encouraged to be aware that text are constructed by authors who have purposes for writing and make particular choices when doing so. Critical literacy approaches aid students in comprehending texts at a deeper level and also assist in the construction and reconstruction of their text. Students are encouraged to view text from a variety of perspectives and to interpret the various levels of meaning in a given text.

Literacy for active citizenship involves understanding different perspectives on key democratic struggles, learning how to investigate current issues and participating creatively and critically in community problem solving and decision making. Exercising civic rights and responsibilities is a practical expression of important social values, and requires specific personal, interpersonal and advocacy skills.

Integration of Technology in Social Studies

Technology should have a major role in the teaching and learning of social studies.

Computers and related technologies have become valuable classroom tools for the acquisition, analysis, presentation, and communication of data in ways that allow students to become more active participants in research and learning.

Computers and related technology (digital cameras, software, databases, Internet, bulletin boards, e-mail, CD-ROM players, videodisk players) afford numerous possibilities for enhancing learning and teaching. Computer and other technologies must enhance the social studies curriculum and not replace essential social studies learning. In that context, technological resources can provide a variety of opportunities.

- CD-ROMs and the Internet increase access to information. This gives teachers and students quicker and easier access to extensive and current information. However, research skills are key to efficient use of these resources. Questions of validity, accuracy, bias, and interpretation must still be applied to information available on the Internet and CD-ROMs.
- Direct e-mail conversations, student-created Websites, and listservs provide connections to students and cultures from around the world. This exposure to first-hand information will enable students to directly employ inquiry skills.
- Students can present what they have learned in a wide variety of forms (e.g., graphs, maps, text, graphic organizers, Websites, multi-media presentations) that fit their learning styles. These presentations can be shared with others, both in their classroom and beyond.
- Opportunities for students to become more actively involved in their learning by allowing for student control of information gathering, processing, and presentation. For example, Geographic Systems (GIS) software can enable students to collect data on a community, plot the data using global positioning systems (GPS), analyse and present their findings by creating maps that demonstrate their learning.

Contexts for Teaching and Learning

Equity and Diversity: Meeting the Needs of All Learners

The Atlantic Canada social studies curriculum is designed to meet the needs and interests of all students. The curriculum should provide for the inclusion of the interests, values, experiences, and language of each student and of the many groups within our local, regional, national, and global communities.

The society of Atlantic Canada, like all of Canada, is linguistically, racially, culturally, and socially diverse. Our society includes differences in race, ethnicity, gender, ability, values, lifestyles, and languages. Schools should foster the understanding of such diversity. Social studies curriculum promotes a commitment to equity by valuing,

appreciating, and accepting the diverse and multicultural nature of our society, as well as by fostering awareness and critical analysis of individual and systemic discrimination.

In a school setting characterized by mutual trust, acceptance, and respect, student diversity is both recognized and valued. All students are entitled to be respected and valued and are responsible for respecting and valuing all other people. All students are entitled to an educational system that affirms their gender, racial, ethnic, and cultural identity. The educational system should promote the development of a positive self-image that includes pride in their identity. Educators should ensure that classroom practices and resources positively and accurately reflect diverse perspectives and reject prejudiced attitudes and discriminatory behaviours.

In order to contribute to the achievement of equity and the support of diversity in education, the social studies curriculum must

- reflect and affirm the racial/ethnocultural, gender, and social identities of students
- reflect students' abilities, needs, interests, and learning styles
- provide materials and strategies that reflect accurately and fully the reality of Canada's diversity, and that foster an understanding of multiple perspectives and group and individual similarities and differences
- address ability, cultural, racial, gender, lifestyle, linguistic, and socio-economic issues in an accurate, respectful, fair, and analytical and balanced manner
- reflect the variety of roles and wide range of experiences available to all members of society
- promote the concept that all people should have equal access to opportunity and outcomes
- expect that all students will be successful, regardless of gender, racial, ethnocultural or socio-economic background, lifestyle, or ability
- include assessment and evaluation tools and practices that take into account gender, ability, learning styles, and the diverse racial, cultural, and linguistic backgrounds of students

Instructional practices must

- foster a learning environment which is free from bias and unfair practices based on ability, race, ethnicity, culture, gender, or socio-economic status
- promote opportunities to develop positive self-images that will enable students to transcend stereotypes and develop as individuals
- promote communication and understanding among those who differ in attitude, knowledge, points of view, and dialect, as well as among those who are similar
- help students explore and understand why different people have different perspectives
- encourage and enable students to question their own assumptions, and imagine, understand, and appreciate realities other than their own
- ensure the equitable sharing of resources, including teacher attention and support
- provide opportunities for students to work co-operatively in a variety of groupings
- enable students to examine and critique age-appropriate materials, resources, and experience which exhibit bias and prejudice

- use the multidisciplinary lens of social studies to examine historical and current equity and bias issues
- promote opportunities in non-traditional careers and occupations for members of both genders
- encourage students to challenge prejudice and discrimination which result in unequal opportunities for some members of society

The Atlantic provinces, through their departments of education, are committed to using accepted equity principles and practices in approving new social studies curricula and resources.

Assessing and Evaluating Student Learning

Introduction

Assessment is the systematic process of gathering information on student learning.

Evaluation is the process of analysing, reflecting upon, and summarizing assessment information and making judgments or decisions based upon the information gathered.

Assessment and evaluation are essential components of teaching and learning in social studies. Without effective assessment and evaluation, it is impossible to know whether students have learned, whether teaching has been effective, or how best to address student learning needs. The quality of the assessment and evaluation in the educational process has a profound and well-established link to student performance. Research consistently shows that regular monitoring and feedback are essential to improving student learning. What is assessed and evaluated, how it is assessed and evaluated, and how results are communicated send clear messages to students and others about what is really valued—what is worth learning, how it should be learned, what elements of quality are considered most important, and how well students are expected to perform.

Teacher-developed assessments and evaluations have a wide variety of uses, such as

- providing feedback to improve student learning
- determining if curriculum outcomes have been achieved
- certifying that students have achieved certain levels of performance
- setting goals for future student learning
- communicating with parents about their children's learning
- providing information to teachers on the effectiveness of their teaching, the program, and the learning environment
- meeting the needs of guidance and administration personnel

Assessment

To determine how well students are learning, assessment strategies have to be designed to systematically gather information on the achievement of the curriculum outcomes. In planning assessments, teachers should use a broad range of strategies in an appropriate balance to give students multiple opportunities to demonstrate their knowledge, skills, and attitudes. Many types of assessment strategies can be used to gather such information, including, but not limited to,

- formal and informal observations
- work samples
- anecdotal records
- conferences
- teacher-made and other tests
- portfolios
- learning journals
- questioning
- performance assessment
- peer- and self-assessment

Evaluation

Evaluation involves teachers and others analysing and reflecting upon information about student learning gathered in a variety of ways. This process requires

- developing clear criteria and guidelines for assigning marks or grades to student work
- synthesizing information from multiple sources
- weighing and balancing all available information
- using a high level of professional judgement in making decisions based upon that information

Reporting

Reporting on student learning should focus on the extent to which students have achieved the curriculum outcomes. Reporting involves communicating the summary and interpretation of information about student learning to various audiences who require it. Teachers have the responsibility to explain accurately what progress students have made in their learning and to respond to parent and student inquiries about learning.

Narrative reports on progress and achievement can provide information on student learning that letter or number grades alone cannot. Such reports might, for example, suggest ways in which students can improve their learning and identify ways in which teachers and parents can best provide support.

Effective communication with parents regarding their children's progress is essential in fostering successful home-school partnerships. The report card is one means of reporting individual student progress. Other means include the use of conferences, notes, and phone calls.

Guiding Principles

In order to provide accurate, useful information about the achievement and instructional needs of students, certain guiding principles for the development, administration, and use of assessments must be followed. *Principles for Fair Student Assessment Practices for Education in Canada* articulates five basic assessment principles.

- Assessment strategies should be appropriate for and compatible with the purpose and context of the assessment.
- Students should be provided with sufficient opportunity to demonstrate the knowledge, skills, attitudes, or behaviours being assessed.
- Procedures for judging or scoring student performance should be appropriate for the assessment strategy used and be consistently applied and monitored.
- Procedures for summarizing and interpreting assessment results should yield accurate and informative representations of a student's performance in relation to the curriculum outcomes for the reporting period.
- Assessment reports should be clear, accurate, and of practical value to the audience for whom they are intended.

These principles highlight the need for assessment that ensures that

- the best interests of the student are paramount
- assessment informs teaching and promotes learning
- assessment is an integral and ongoing part of the learning process and is clearly related to the curriculum outcomes
- assessment is fair and equitable to all students and involves multiple sources of information

While assessments may be used for different purposes and audiences, all assessments must give each student optimal opportunity to demonstrate what he/she knows and can do.

Assessing and Evaluating Student Learning in the Social Studies Classroom

Evaluation in social studies emphasizes assessment activities that incorporate the skills, perspectives, and knowledge of the many fields and disciplines within the social studies.

Instruction and evaluation are centred around outcomes. Not only are outcomes used in providing structured teaching and learning, but they also provide a framework for assessment and evaluation.

Assessment in the social studies is an integral and ongoing part of the learning process. Assessment can be used to shape instruction to better ensure student success. Assessment strategies should inform the daily instructional process. Moreover, students require frequent opportunities to assess and evaluate their own learning and performance.

In the social studies classroom, there should be a balanced approach to assessment in which emphasis is given to the learning process as well as the products of learning.

Assessment in social studies should reflect the following practices:

- assessing rich, well-structured knowledge
- assessing social studies processes
- designing assessment tasks in ways that recognize various learning styles
- engaging students in ongoing assessment of their work and that of others
- assessing the learning process
- assessing a variety of products
- assessing to inform effective planning and instruction

These practices should be reflected in the variety of teaching and assessment strategies that teachers use. The following, in addition to the assessment strategies, form a non-exhaustive list of methods contributing to balanced assessment practices which result in a better balance between process and product.

- case studies
- interviews
- rubrics
- simulations
- checklists
- reports
- questionnaires
- oral presentations
- role plays
- debates
- panel discussions
- learning contracts
- demonstrations

Law 120 and the Foundation for the Atlantic Canada Social Studies Curriculum

General Curriculum Outcomes (Conceptual Strands)

The general curriculum outcomes (GCOs) for the social studies curriculum, as stated in the *Foundation for the Atlantic Canada Social Studies Curriculum*, are organized around six conceptual strands. These general curriculum outcomes statements identify what students are expected to know and be able to do upon completion of study in social studies. Following each general curriculum outcome statement below are some examples of specific curriculum outcomes (SCOs) from the Law 120 curriculum which help achieve each GCO.

Citizenship, Power, and Governance

Students will be expected to demonstrate an understanding of the rights and responsibilities of citizenship and the origins, functions, and sources of power, authority, and governance.

By the end of the Law 120 program, students will, for example, be expected to

- explain the need for and purposes of law
- analyse the Charter of Rights and Freedoms to identify the rights, freedoms and responsibilities of Canadian citizens
- identify and explain the division of federal, provincial and municipal governmental powers

Culture and Diversity

Students will be expected to demonstrate an understanding of culture, diversity, and world view, recognizing the similarities and differences reflected in various personal, cultural, racial, and ethnic perspectives.

By the end of the Law 120 program, students will, for example, be expected to

- assess the impact of the Indian Act on the rights, freedoms and responsibilities of Aboriginal peoples
- demonstrate an understanding of changing trends in family structure
- assess the validity of treating young offenders differently

Interdependence

Students will be expected to demonstrate an understanding of the interdependent relationship among individuals, societies, and the environment—locally, nationally, and globally—and the implications for a sustainable future.

By the end of the Law 120 program, students will, for example, be expected to

- demonstrate an understanding of torts and the purposes of tort law
- assess the extent to which current laws ensure the sustainability of resource use and environmental quality
- explain why consumer protection laws are needed

Individuals, Societies, and Economic Decisions

Students will be expected to demonstrate the ability to make responsible economic decisions as individuals and as members of society.

By the end of the Law 120 program, students will, for example, be expected to

- identify the legal consequences of breach of contract
- demonstrate an understanding of the necessity for and importance of preparing a last will and testament
- identify and explain the rights and responsibilities of employers and employees, principals and agents

People, Place, and Environment

Students will be expected to demonstrate an understanding of the interactions among people, places, and the environment.

By the end of the Law 120 program, students will, for example, be expected to

- compare and contrast Aboriginal models of government to the parliamentary democratic model
- evaluate the effectiveness of environmental law in protecting air, water, land and endangered species locally, nationally and internationally
- explain the need for protection of human rights nationally and internationally

Time, Continuity, and Change

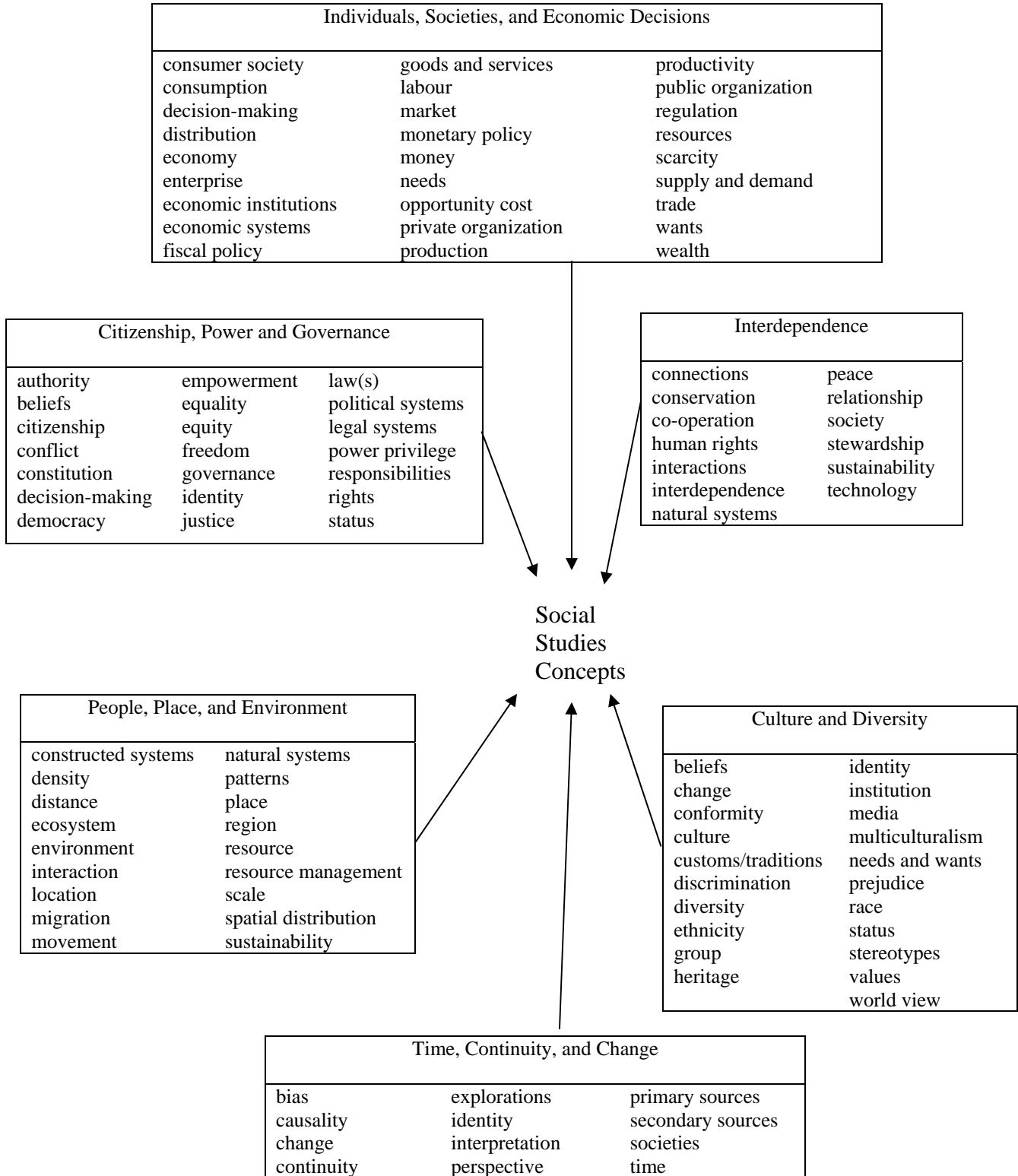
Students will be expected to demonstrate an understanding of the past and how it affects the present and the future.

By the end of the Law 120 program, students will, for example, be expected to

- identify the historical sources of our laws and explain how our laws evolved and continue to change
- analyze why society criminalizes certain behaviours
- explain the background to and reasons for the adoption of the UN Universal Declaration of Human Rights

Concepts in Social Studies

The following concepts are identified in the *Foundation for the Atlantic Canada Social Studies* program and are organized under the six conceptual strands.



Many of these concepts, in particular those under *Citizenship, Power, and Governance*, are developed in Law 120. As the study of the law has historical dimensions and concerns the relationships between individuals and institutions, concepts noted under *Time, Continuity, and Change* and *Interdependence* are also addressed in Law 120. Studies of contract, consumer and property law also permit Law 120 to explore many of the concepts under *Individuals, Societies, and Economic Decisions* while consideration of environmental law allows further development of those listed under *People, Place, and Environment*. Law's focus on human rights and the impact of the law on people of diverse backgrounds makes many of the concepts noted under *Culture and Diversity* important throughout Law 120.

Processes

The social studies curriculum consists of three major processes: communication, inquiry, and participation.

Communication requires that students listen to, read, interpret, translate, and express ideas and information.

Inquiry requires that students formulate and clarify questions, investigate problems, analyse relevant information, and develop rational conclusions supported by evidence.

Participation requires that students act both independently and collaboratively in order to solve problems, make decisions, and negotiate and enact plans for action in ways that respect and value the customs, beliefs, and practices of others.

Process-Skills Matrix

These processes are reflected in the suggestions for learning and teaching and suggestions for assessment in the *Foundation for the Atlantic Canada Social Studies Curriculum* and are further elaborated in the curriculum guides of the Atlantic Canada entry – grade 9 social studies curriculum. These processes constitute a number of skills; some of which are shared responsibilities across curriculum areas and some of which are critical to social studies. All, with the exception of the mapping and geographic skills, may be addressed in Law 120.

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
Read critically	<ul style="list-style-type: none"> • detect bias in historical accounts • distinguish fact from fiction • detect cause and effect relationships • detect bias in visual material 	<ul style="list-style-type: none"> • use picture clues and picture captions to aid comprehension • differentiate main and subordinate ideas • use literature to enrich meaning
Communicate ideas and information to a specific audience	<ul style="list-style-type: none"> • argue a case clearly, logically and convincingly 	<ul style="list-style-type: none"> • write reports and research papers
Employ active listening techniques	(see shared responsibilities)	<ul style="list-style-type: none"> • listen critically to others' ideas or opinions and points of view • participation in conversation, small groups, and whole group discussion
Develop mapping Skills	<ul style="list-style-type: none"> • use a variety of maps for a variety of purposes • use cardinal and intermediate directions to locate and describe places on maps and globes • construct and interpret maps that include a title, a legend, a compass rose, scale • express relative and absolute location • use a variety of information sources and technologies in the preparation of maps • express orientation by observing the landscape, by using traditional knowledge or by using a compass or other technology 	

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
Express and support a point of view	<ul style="list-style-type: none"> • form opinion based on critical examination of relevant material • restate major ideas of a complex topic in concise form 	<ul style="list-style-type: none"> • differentiate main and subordinate ideas • respond critically to texts
Select media and styles appropriate to a purpose	(see shared responsibilities)	<ul style="list-style-type: none"> • demonstrate an awareness of purpose and audience
Use a range of media and styles to present information, arguments and conclusions	<ul style="list-style-type: none"> • use maps, globes and geo-technologies • produce and display models, murals, collages, dioramas, art work, cartoons, multi-media to present • interpret/use graphs and other visuals 	<ul style="list-style-type: none"> • present information and ideas using oral, visual, material, print or electronic media
Present a summary report or argument	<ul style="list-style-type: none"> • use appropriate maps, globes and graphics 	<ul style="list-style-type: none"> • create outline of topic • prepare summaries • take notes • prepare a bibliography
Use various forms of group and interpersonal communications such as debating, negotiating, establishing a consensus, classifying and mediating conflict	<ul style="list-style-type: none"> • participate in persuading, compromising, debating, and negotiating in the resolution of conflicts and differences 	<ul style="list-style-type: none"> • participate in delegating duties, organizing, planning, making decisions, and taking action in group setting • contribute to the development of a supportive climate in groups

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
Frame questions or hypothesis that give clear focus to an inquiry	<ul style="list-style-type: none"> • identify relevant primary and secondary sources • identify relationships between items of historical, geographic and economic information • combine critical social studies concepts into statement of conclusions based on information 	<ul style="list-style-type: none"> • identify relevant factual material • identify relationship between items of factual information • group data in categories according to appropriate criteria • combine critical concepts into statement of conclusions based on information • restate major ideas in concise form • form opinion based on critical examination of relevant information • state hypothesis for further study
Solve problems creatively and critically	(see shared responsibilities)	<ul style="list-style-type: none"> • identify a situation in which a decision is required • secure needed factual information relevant to making the decision • recognize the values implicit in the situation and the issues that flow from them • identify alternative courses of action and predict likely consequences of each • make decision based on data obtained; select an appropriate strategy to solve a problem • self-monitor one's decision-making process
Apply a variety of thinking skills and strategies	<ul style="list-style-type: none"> • determine the accuracy and reliability of primary and secondary sources and geographic data • make inferences from primary and secondary materials • arrange related events and ideas in chronological order 	<ul style="list-style-type: none"> • determine the accuracy and reliability of data • make inferences from factual material • recognize inconsistencies in a line of argument • determine whether or not the information is pertinent to the subject • recognize significant issues and perspectives in area of inquiry

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
Recognize significant issues and perspectives in a area of inquiry	<ul style="list-style-type: none"> • research to determine the multiple perspectives on an issue 	<ul style="list-style-type: none"> • review an interpretation from various perspectives • examine critically relationships between and among elements of an issue/topic • examine and assess a variety of viewpoints on issues before forming an opinion
Identify sources of information relevant to the inquiry	<ul style="list-style-type: none"> • identify an inclusive range of sources 	<ul style="list-style-type: none"> • identify and evaluate sources of print • use card catalogue to locate sources • use search engine to locate sources on www • use periodical index

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
Gather, record, evaluate, and synthesize information	<ul style="list-style-type: none"> • interpret history through artifacts • use sources of information in the community • access oral history including interviews • use map and globe reading skills • interpret pictures, charts, graphs, photographs, tables and other visuals • organize and record information using time lines • distinguish between primary and secondary sources • identify the limitations of primary and secondary sources • detect bias in primary and secondary sources 	<ul style="list-style-type: none"> • use a variety of information sources • conduct interviews of individuals • analyse evidence by selecting, comparing and categorizing information
Interpret meaning and the significance of information and arguments	<ul style="list-style-type: none"> • interpret the socio-economic and political messages of cartoons and other visuals • interpret the socio-economic and political messages of artistic expressions, e.g., poetry, literature, folk songs, plays 	<ul style="list-style-type: none"> • identify ambiguities and inconsistencies in an argument • identify stated and unstated assumptions
Analyse and evaluate information for logic and bias	<ul style="list-style-type: none"> • distinguish between hypothesis and evidence and hypothesis and generalizations • distinguish between fact and fiction, fact and opinion, and fact and value 	<ul style="list-style-type: none"> • estimate the adequacy of the information • distinguish between relevant and irrelevant information

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
Test data, interpretations, conclusions and arguments for accuracy and validity	<ul style="list-style-type: none"> • compare and contrast credibility of differing accounts of same event • recognize the value and dimension of interpreting factual material • recognize the effect of changing societal values on the interpretation of historical events 	<ul style="list-style-type: none"> • test the validity of information using such criteria as source, objectivity, technical correctness, currency • apply appropriate models such as diagramming, webbing, concept maps, flowcharts to analyse data • state relationships between categories of information
Draw conclusions that are supported by the evidence	(see shared responsibilities)	<ul style="list-style-type: none"> • recognize the tentative nature of conclusions • recognize their values may have influenced their conclusion/interpretations
Engage in a variety of learning experiences that include both independent study and collaboration	(see shared responsibilities)	<ul style="list-style-type: none"> • express personal convictions • communicate own beliefs, feelings, and convictions • adjust own behavior to fit the dynamics of various groups and situations • recognize the mutual relationship between human beings in satisfying one another's needs • reflect upon, assess and enrich their learning process

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
Function in a variety of groupings, using collaborative and cooperative skills and strategies	(see shared responsibilities)	<ul style="list-style-type: none"> • contribute to the development of a supportive climate in groups • serve as a leader or follower • assist in setting goals for the group • participate in making rules and guidelines for group life • participate in delegating duties, organizing, planning, making decisions, and taking action in group setting • participate in persuading, compromising, debating, and negotiating in the resolution of conflicts and differences • use appropriate conflict resolution and mediation skills • relate to others in peaceful, respectful and non-discriminating ways

<i>Skill</i>	<i>Critical Responsibilities for Social Studies</i>	<i>Shared Responsibilities Across Curriculum Areas</i>
<p>Respond to class, school, community or national public issues</p> <p>Relate to the environment in sustainable ways and promote sustainable practices on a local, regional, national and global level</p>	<ul style="list-style-type: none"> • keep informed on issues that affect society • identify situations in which social action is required • work individually or with others to decide on an appropriate course of action • accept and fulfill responsibilities associated with citizenship • articulate their personal beliefs, values and world views with respect to given issues • debate differing points of view regarding an issue • clarify preferred futures as a guide to present actions <ul style="list-style-type: none"> • recognize the economic factors associated with sustainability (see shared responsibilities) • identify ways in which governments can affect sustainability practices 	<ul style="list-style-type: none"> • develop the personal commitment necessary for responsible community involvement • employ decision-making skills • contribute to community service and/or environmental projects in schools and communities • promote sustainable practices in families, schools and communities • monitor their own contributions

Attitudes, Values and Perspectives

Listed below are major attitudes, values and perspectives that are reflected in the strands and three processes of the foundation document. Some attitudes, values and perspectives are reflected in more than one strand or process. This reflects the integrative nature of social studies. The development of many of these attitudes, values and perspectives is integral to the Law 120 curriculum.

General Curriculum Outcomes (Conceptual Strands)

Citizenship, Power and Governance

- develop attitudes that balance rights with responsibilities
- appreciate the influence of freedom and justice in the Canadian and global contexts
- appreciate the varying perspectives on the effects of power, privilege and authority on Canadian citizens
- recognize the purpose of law
- value decision making that results in positive change
- appreciate that there are differing perspectives on public issues
- value the benefits of active, participatory citizenship

Culture and Diversity

- appreciate the uniqueness of each individual
- value the positive interaction between individuals and groups
- recognize the perspectives of groups, institutions and media
- appreciate the material and non-material elements of various cultures
- appreciate the different approaches of cultures to meeting needs and wants
- appreciate that there are different world views
- recognize and respond in appropriate ways to stereotyping/discrimination
- appreciate and value the traditions of cultures

Individuals, Societies and Economic Decisions

- appreciate the wide range of economic decisions that they make and their effects
- recognize the varying impact of economic decisions on individuals and groups
- recognize the value of volunteerism to society
- appreciate the varying concepts of wealth in society - local, national and global
- recognize the varying perspectives on the role of government in the economy

Interdependence

- appreciate the complexity of the interactions between human and natural systems
- recognize that their values and perspective influence their interactions with the environment
- appreciate and value the struggle to attain universal human rights
- recognize the varying perspectives on the interdependence among society, the economy and the environment

- value the need for individual as well as collective action to support peace and sustainability

People, Places and Environment

- value maps, globes and other geographic representations as valuable sources of information and learning
- appreciate the relationship between attributes of place and cultural values
- appreciate and value the biological diversity of ecosystems
- appreciate the varying perspectives of regions
- appreciate and value geographic perspective and literacy
- recognize the complexity of global interdependence

Time, Continuity and Change

- value their society's heritage
- value their family and cultural heritage
- appreciate and value the historical artifacts of their society
- appreciate the value of historical methodology
- appreciate that there are varying perspectives on a historical issue
- recognize that the collective history influences the present

Processes

Communication

- respectfully listen to others
- appreciate the values and perspectives embedded in fiction and non-fiction
- respect other points of view
- value the importance of communication skills

Inquiry

- value problem-solving skills
- appreciate that there are a variety of strategies to solve problems and make decisions
- recognize that there are various perspectives in an area of inquiry
- recognize bias in others and themselves
- analyse problems from a variety of different perspectives
- appreciate the value of critical and creative thinking

Participation

- value both independent and group work
- learn to recognize, analyze and respond appropriately to discriminatory practices and behaviours
- take increasing responsibility for their own and the group's work
- value self-appraisal and self-advocacy
- value reflection as an integral part of the learning process
- identify ways of resolving conflict arising from different values positions
- demonstrate how groups may share some values and agree to differ about others
- value the importance of taking action to support responsible citizenship

Law 120 Program of Studies

Unit Structure

Compulsory Units¹

Unit 1:
Foundations of
the Law

Unit 2:
Criminal Law

Unit 3: Civil
Law and the
Law of Torts

Optional Units (Do at least 2)

Unit 4:
Contracts

Unit 5:
Family Law

Unit 6:
Estate Law

Unit 7:
Environmental
Law

Unit 8:
Consumer Law

Unit 9:
Aboriginal
Peoples & Law

Unit 10:
International
Law

Unit 11:
Labour
Law

Unit 12:
Youth & the
Law

Unit 13:
Human Rights

Unit 14:
Property Law

¹ Some units may contain core and optional outcomes and activities.

Suggested Time Lines

Compulsory Units

Unit 1 – 15 hours

Unit 2 – 20 hours

Unit 3 – 15 hours

Total – 50 hours

Optional Units

Optional units should take approximately
10-15 hours each.

Total – 20-30 hours

Resources

Listed Texts and Resources¹

Blair, Anice, Bill Costiniuk, Larry O'Malley and Alan Wasserman. *Law in Action*. Pearson, 2003. Support materials include a course web site at <http://www.pearsoned.ca/school/secondary/law/>, a CD with PowerPoint slides of text diagrams and an audio dramatization of the Stephen Truscott case, a teacher resource and a test bank.

Distance Learning Resources and Support for Classroom Teachers

New Brunswick Distance Learning provides approved courses online to meet the requirements of the New Brunswick curriculum. Classroom teachers may take advantage of Distance Learning's class registration option to acquire access to a complete online version of Law 120 for themselves and their students. Class registration provides access to all online course materials while the classroom teacher retains responsibility for instruction, assessment and evaluation of their students. With class registration, the online course facilitator is also available to the classroom teacher as a consultant on all matters related to the course. To view courses currently available from Distance Learning, go to <http://ltt.nbed.nb.ca/dl.asp> To complete a class registration, go to http://ltt.nbed.nb.ca/dl_reg_gen.asp for instructions and online registration.

Previously Listed Texts and Resources

Although no longer listed, these resources still contain much that is useful and many schools will have copies on hand. Caution should be exercised when using them, however, as significant changes in the law have taken place since their publication.

Gibson, Dwight L. *All About Law*. 4th Edition. Nelson Canada Limited, 1996. (Student text – 460970)

Spetz, Steven N. and Glenda S. Spetz. *Take Notice: An Introduction To Canadian Law*. 3rd Edition. Copp Clark Pitman, 1989. (Student text - 460150).

Gibson, Dwight L. and Terry G. Murphy. *All About Law: Exploring The Canadian Legal System - Teacher Resource* (460280). Nelson Canada Limited, 1996.

¹ Most listed materials continue to be available from Instructional Resources. The catalogue may be searched online at <http://www.gnb.ca/0000/irrp-e.asp>. Select "Services" to access the listings.

Other Resources

Gibson, Dwight L., Terry G. Murphy, Frederick E. Jarman and Derek Grant. *All About Law*. 5th Edition. Nelson Canada Limited, 2003. Support materials include a web site at <http://www.nelson.com/nelson/school/law/default.htm> a teacher resource and a test bank.²

Levitan, Jerry. *The Complete Idiot's Guide to Winning Everyday Legal Hassles in Canada*. Prentice Hall/Alpha Books, 1996.

Canada, Justice and the Law which bills itself as “your single window to justice-related information from across Canada” - <http://www.jl-jd.gc.ca/jlcPubHome.jsp?lang=eng>

Canada Department of Justice - <http://canada.justice.gc.ca/en/jus/index.html>.

Canadian Legal Information Institute - <http://www.canlii.org/index.html>

University of Montreal Faculty of Law - http://www.lexum.umontreal.ca/index_en.html.

Canada's Access to Justice Net - <http://www.acjnet.org/>.

Duhaime & Company - <http://www.duhaime.org/index.html>.

Government of New Brunswick Acts and Regulations - <http://www.gnb.ca/0062/acts/index-e.asp>.

Public Legal Education and Information Service of New Brunswick - http://www.legal-info-legale.nb.ca/mainframe_en.html.

Royal Canadian Mounted Police On-line University Independent Instruction Modules - <http://www.rcmp-learning.org/iim.htm>.

² This text is listed as a supplemental resource and is available from Instructional Resources. The catalogue may be searched online at <http://www.gnb.ca/0000/irrp-e.asp>

How to Use the Four-Column Curriculum Layout

The specific curriculum outcomes, suggested teaching and learning strategies, assessment ideas and links and resources for this course have been organized into four columns for several reasons

- to illustrate how learning experiences flow from the outcomes
- to illustrate the range of strategies for teaching and learning associated with a specific outcome or outcomes
- to demonstrate the relationship between outcomes and assessment strategies
- to suggest ways teachers can make cross-curricular connections

Column 1: Specific Curriculum Outcomes

This column provides the specific curriculum outcomes and delineations (subsets) describing what students are expected to know, be able to do, and value by the end of the course.

Column 2: Suggestions for Learning and Teaching

This column offers a range of instructional strategies from which teachers and students may choose. Suggested learning experiences can be used in various combinations to help students achieve an outcome or outcomes. It is not necessary to use all of these suggestions, nor is it necessary for all students to engage in the same learning experience.

Column 1	Column 2
<p>Unit 3 – Civil Law: Torts</p>	
<p><i>Students will be able to:</i></p> <ol style="list-style-type: none"> 1. distinguish between civil and criminal matters and the different types of civil law 2. describe civil law procedures and outcomes from both criminal procedures 3. demonstrate an understanding of torts and the purposes of tort law 4. demonstrate an understanding of the different kinds of torts and their damages <ol style="list-style-type: none"> 4.1 distinguish between intentional and unintentional torts 4.2 explain how of tort, standard care, gross negligence, foreseeability, and the reasonable person standard 5. demonstrate an understanding of the remedies available for torts 5.1 identify different kinds of damages which may be awarded in tortious matters and the principles governing their application 5.2 identify appropriate circumstances regarding various causes brought by and against Aborigine Peoples and recognize its importance 6. identify the specific defenses in tortious torts 7. apply their understanding of tort law to specific cases 	<p><i>Teaching and Learning Strategies:</i></p> <ol style="list-style-type: none"> 1. Analyze cases in discussion of torts as civil or criminal matters. In civil cases, identify the specific type of civil law involved 2. Classify civil law procedures and identify and describe the role of the different involved in civil law proceedings 3. Compare and contrast civil procedures and criminal suits 4. Research tortious actions in using the database 5. Roleplay a tortious situation outcome in court or stage 6. Write illustrative cases demonstrating an understanding of the definition of various torts 7. Call on various examples from database to illustrate the definition of torts and the nature of tort law 8. Research actual affidavits, contracts, depositions, child-care workers, etc. to find out what standard of care they are legally required to give 9. Argue the case for and against the plaintiff in specific tort matters 10. Award damages in specific illustrative cases and justify the awards according to various legal precedents 11. Compare the quality of the Indian law system, the civil and criminal purposes of the Indian as a legal system in a context of its subjects, tort, contract, depositions or tortious in focus on the tortiousness of any particular case as before in a trial. Examine the outcomes and suggest alternatives in resolving tortious issues. Aboriginal responsibility 12. Discuss whether an act done is a tort for tortious or liability reasons 13. Examine the importance of Aboriginal definition in the traditional context by using a Victim Impact Statement from the perspective of a family member. Make a case for damages against the government use of the Church organization and international law school
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Column 3: Suggestions for Assessment

This column provides suggestions for ongoing assessment that is part of the learning experience. It identifies both assessments related to activities in column two (formative) as well as new assessments (summative).

Column 4: Suggested Links

This column provides links to other curriculum areas, resources, and other agencies (local, national, international).

Column 3

Column 4

Assessment Strategies				Links & Resources			
1	Sustains meaningful relationships that of partnership type for assessment						
2	Compare IG assessment processes with direct/indirect processes and/or measures						
3	Create assessment, evaluation bulletin board display highlighting assessment issues and/or findings, such as Family Law						
4	Complete regular review of parent/guardian and/or caregiver ratings						
5	Assess caregiver of records and documents in accordance with provisions of the child						
6	Assess the records for, programmatic, and maintenance of family law						
7	Transfer record assessment						

Law 120 Program of Studies

Correlation of Prescribed Resources to Units

Core Resource, *Law in Action: Understanding Canadian Law*
(2003 Pearson Education Canada Inc., Toronto, Ontario)

Curriculum Unit of Study	<i>Law In Action</i> (2003)
Unit 1 Foundation of the Law*	Introduction
Unit 2 Criminal Law*	Unit 3, Chapters 6, 7, 8, 9, 10, 11
Unit 3 Civil Law and the Law of Torts*	Unit 4, Chapters 13, 14, 15
Unit 4 Contracts	Unit 4, Chapters 18, 19
Unit 5 Family Law	Unit 4, Chapters 16, 17
Unit 6 Estate Law	Unit 1, Chapter 2
Unit 7 Environmental Law	Supplemental Resources required
Unit 8 Consumer Law	Unit 4, Chapter 19
Unit 9 Aboriginal Peoples and Law	Unit 1, Chapter 1 Unit 2, Chapters 2, 4 Unit 3, Chapters 8, 10, 11
Unit 10 International Law	Unit 1, Chapter 2
Unit 11 Labour Law	Unit 2, Chapter 5 Unit 4, Chapter 13
Unit 12 Youth and the Law	Unit 3, Chapter 12
Unit 13 Human Rights	Unit 2, Chapters 4, 5
Unit 14 Property Law	Unit 1, Chapter 2 Unit 4, Chapters 14, 15

*Compulsory Units of Study

Law 120

Four-Column Curriculum Layout

Column 1: Specific Curriculum Outcomes

Column 2: Suggestions for Learning and Teaching

Column 3: Suggestions for Assessment

Column 4: Suggested Links

Unit 1: Foundations of the Law

Outcomes

Students will be expected to:

- 1.1 explain the need for and purposes of law
- 1.2 identify the historical sources of our laws and explain how our laws evolved and continue to change
- 1.3 classify laws by type
- 1.4 identify and explain the division of federal, provincial and municipal governmental powers
- 1.5 describe and explain the process by which laws are made in Canada
- 1.6 analyse the Charter of Rights and Freedoms to identify the rights, freedoms and responsibilities of Canadian citizens
- 1.7 analyse the NB Human Rights Act to identify the rights, freedoms and responsibilities of New Brunswick citizens
- 1.8 identify and describe the structure, powers and jurisdiction of the Indian Act
 - 1.8.1 assess the impact of the Indian Act on the rights, freedoms and responsibilities of Aboriginal peoples³
- 1.9 apply their understanding of human rights law to specific cases⁴
- 1.10 identify and describe the structure, powers, and jurisdictions of the federal and provincial courts

Suggestions for Learning and Teaching

1. Define “values” and brainstorm to create a list of important societal values. Examine Judeo-Christian values as presented in the Mosaic Law. Discuss how and why these are reflected in our current laws. Identify instances where changing values have caused revisions to the law.
2. Simulation exercise – Students are told they are marooned on a desert island and asked to discuss: What happens? What rules are needed? Why? How are they made?
3. Debate the proper balance of rights and freedoms when they conflict, freedom of expression for hate literature for example.
4. Draw and complete a timeline of legal landmarks in world history from ancient times to the present.
5. Draw and complete a timeline of legal landmarks in Canadian legal history.
6. Classify current cases in the news according to the type of law concerned.
7. Classify current issues in the news according to the level of government that has jurisdiction.
8. Invite the local MP, MLA, Mayor or councillor to speak on the law making process.

³ Unit 9 further develops topics related to Aboriginal Peoples and Law for those choosing this optional unit.

⁴ Human Rights should be introduced for everyone as part of the Foundations unit. For those wishing to complete a more detailed study an optional unit is also available.

Suggestions for Assessment

1. Based on the desert island simulation, list the main laws needed to maintain a civil society. Justify your choices.
2. Assess the quality of the debate.
3. Evaluate the timelines.
4. Provide students with examples of cases and have them classify them by type of law.
5. Provide students with examples of legal issues and have them identify the level of government that has jurisdiction.
6. Assess the chart showing how a bill becomes law.
7. Assess the examples/scenarios presented to illustrate Canadians' rights and responsibilities.
8. Evaluate the chart of the court hierarchy.
9. Evaluate the chart comparing the Charter of Rights and Freedoms to the Indian Act chart.
10. Evaluate the timeline of the evolution of the Indian Act.
11. Teacher created summative test.

Suggested Links

- Language Arts curricula - *Lord of the Flies*
- Political Science 120 texts and resources
- *Alive: The True Story of the Andes Survivors* – film - soccer team resorts to cannibalism after a plane crash
- General Links
<http://www.nelson.com/nelson/school/law/teacherlinks/default.html>
- Canada's System of Justice
<http://canada.justice.gc.ca/en/dept/pub/just/index.html>
- About Canada: Canada's Legal Tradition
http://www.mta.ca/faculty/arts/canadian_studies/english/about/law/index.htm
- Senator Eugene A. Forsey, *How Canadians Govern Themselves*
<http://www.parl.gc.ca/information/library/idb/forsey/toc-e.htm>
- Role of the Governor-General
http://www.gg.ca/governor_general/role_e.asp

9. Chart the process of a bill becoming law.
10. Create an inventory of personal rights and responsibilities from the Canadian Charter and New Brunswick Human Rights Act then create and present a master list of Canadians' rights and responsibilities.
11. Students create and present examples/scenarios to illustrate Canadians' rights and responsibilities.
12. Compare the impact of the Indian Act on the lives of Aboriginal people to that of the Charter of Rights and Freedoms. Create a chart listing Equality, Legal, Mobility and Democratic Rights as well as Fundamental Freedoms in one column. Place a plus (+) or minus (-) next to the each Charter right or freedom to indicate whether it is included under the Indian Act. In column three, identify where the relevant article of the Indian Act is found in the document.
13. Invite an elder to the classroom to discuss how the Indian Act affects his or her life.
14. Create a timeline that records the evolution of the Indian Act.
15. Chart the court structure.

Suggestions for Assessment

Suggested Links (continued)

- Role of the Lieutenant-Governor
<http://www.gnb.ca/lg/history.htm>
- How a law is made in Canada
<http://www.parl.gc.ca/information/about/process/info/ParliamentFAQ01-e.htm>,
<http://www.parl.gc.ca/information/about/process/info/ParliamentFAQ02-e.htm> and
<http://www.parl.gc.ca/information/about/process/house/precis/chap11-e.htm>
- How a law is made in New Brunswick
<http://www.gnb.ca/legis/publications/billbecomeslaw/billbecomeslaw-e.asp>
- Charter of Rights and Freedoms
http://canada.justice.gc.ca/Loireg/charte/const_en.html
- Canada's Court System
<http://canada.justice.gc.ca/en/dept/pub/trib/index.html>
- Provincial Courts
<http://canada.justice.gc.ca/en/dept/pub/trib/PC.html#tp>
- The Supreme Court of Canada
<http://www.scc-csc.gc.ca/>
- Testing the Canadian Bill of Rights
<http://canada.justice.gc.ca/en/justice2000/88mile.html>
- Web of Understanding: Indian Act
<http://www.fortsteele.bc.ca/exhibits/understanding/act.html>
- Historical Overview of the Indian Act
http://www.shannonthunderbird.com/indian_act.htm
- Corwin & Peltason. *Understanding the Constitution*. Harcourt Brace Jovanovich, Inc, 1991. ISBN 0-15-592869-4
- Les Vandor. *Legal Counsel: Frequently asked questions about the law – An introduction to the legal system, Individual Rights, and Employment Rights*. ECW Press, 2001. ISBN 1-55022-485-9

Unit 2: Criminal Law

Outcomes

Students will be expected to:

- 2.1 analyze why society criminalizes certain behaviours
- 2.2 identify and explain the elements of a criminal offence and of selected specific offences
- 2.3 describe and explain the roles of the various parties to an offence
- 2.4 distinguish between indictable and summary conviction offences
- 2.5 describe the legal process of police investigation and arrest
- 2.6 identify and explain the roles of the various officers of the court
- 2.7 identify and describe pre-trial and trial procedures
- 2.8 describe and evaluate the jury system
- 2.9 describe and apply the rules of evidence to specific cases
- 2.10 describe and analyze standard defences to criminal charges
- 2.11 identify sentencing alternatives, including options for Aboriginal offenders, and suggest appropriate circumstances for their use
- 2.12 identify and describe the different avenues of appeal
- 2.13 demonstrate an understanding of parole eligibility
- 2.14 apply the criminal law to analyze, prosecute, defend, and decide specific cases

Core/Optional Outcomes & Activities

Consider the following for the teaching of specific offences:

- Core content would cover a small number of offences, e.g. a crime of violence against the person, a property crime and a “social” crime such as impaired driving.
- Optional content would consider a greater number and range of specific examples. Alternatively these might be organized as enrichment or extension activities.

Suggestions for Learning and Teaching

1. Debate a controversial legal issue such as the legalization of marijuana, gun registration, abortion, or euthanasia to establish the reasons why some activities are criminalized. Comparisons may be drawn to other countries.
2. Analyze cases to identify *mens rea* and *actus reus* and the evidence for each.
3. Analyze cases to classify the offence as summary conviction or indictable and identify the implications for punishment.
4. Analyze cases to identify parties to an offence.
5. Write cases to illustrate conspiracy, attempt, *mens rea*, *actus reus*, and the parties to an offence.
6. Visit the courts. Sketch the layout of the courtroom and identify all the officials and their functions.
7. Create a chart detailing the jury system using the following headings: who is ineligible for jury duty, challenges available to Crown and defence, overall advantages, overall disadvantages.
8. Invite guest speakers such as a Crown Prosecutor, defence attorney, judge, corrections officer, parole officer, sheriff, police officer or prisoner advocate to speak on crime, criminal investigation, trial procedures, sentencing or the justice system.
9. Conduct a sentencing circle⁵ based on the model at http://www.usask.ca/nativelaw/jah_circle.html. Apply this model to resolve in-class issues.⁶

⁵ The recent use of sentencing circles for Aboriginal offenders represents a move from punishment towards rehabilitation and restoration.

⁶ Nelsen, Lott and Glenn, *Positive Discipline in the Classroom* (Prima Press, 1997) details a method of dispute resolution based on traditional Aboriginal models designed for use by teachers.

Suggestions for Assessment

1. Stage a formal debate on a contemporary, controversial legal issue. Assess the research and discussion.
2. Assess the case analyses, student written cases, and court schematic.
3. Have students write a book review, fiction or non-fiction, with a criminal case at the centre of the story line.
4. Complete speaker reviews under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
5. Assess the research for, participation in, and authenticity of the mock trial and parole board hearing.
6. Assess students' ability to apply the rules of evidence and the principles of sentencing to cases not previously considered.
7. Assess the charts on the jury system and the appellate courts.
8. Teacher created summative test.

Suggested Links

- General Links
<http://www.nelson.com/nelson/school/law/teacherlinks/default.html>
- National Film Board, *Circles*
- Canada's Schoolnet. Lesson Plans – Law
<http://www.acjnet.org/teacher/>
- Criminal Code of Canada
<http://laws.justice.gc.ca/en/C-46/39070.html>
- Statute and Case law
http://www.canlii.org/index_en.html
- Public Legal Education and Information Service of New Brunswick (PLEIS NB)
http://www.legal-info-legale.nb.ca/mainframe_en.html
- Public Legal Education Association of Saskatchewan
<http://www.plea.org/freepubs/freepubs.htm>
- Canadian Firearms Centre
<http://www.cfc-ccaf.gc.ca/>
- First Line Criminal Law Information
<http://www.brooksandmarshall.com/lobby.html>
- RCMP On-line University
<http://www.rcmp-learning.org/iim.htm>
- Supreme Court of Canada, "The Role of the Court" in *About the Court*
http://www.scc-csc.gc.ca/aboutcourt/role/index_e.html
- CBC News – Marshall, Morin, Millgard, etc
http://cbc.ca/news/indepth/facts/wrong_convicted.html
- *Justice Denied: The Donald Marshall Story* book by Michael Harris and video.
- University of Saskatchewan's Native Law Centre of Canada -
<http://www.usask.ca/nativelaw/jah.html>
- Sentencing circles
http://www.usask.ca/nativelaw/jah_circle.html
- Nelsen, Lott and Glenn, *Positive Discipline in the Classroom* (Prima Press, 1997)
- Isabelle Knockwood, *Out of the Depths: The Experience of Mi'kmaq Children at the Indian Residential School at Shubenacadie, Nova Scotia*. Page one has an excellent description of a Talking Circle.
- Aboriginal Legal Theory and Restorative justice
http://www.usask.ca/nativelaw/jah_guest.html
- Restorative Justice
Restorative Justice in Urban Aboriginal Communities - <http://www.cfcj-fcjc.org/full-text/restorative.htm>
- NS Department of Justice –
<http://www.gov.ns.ca/just/rj/rj-contents.htm>
- Corrections Canada - <http://www.csc-scc.gc.ca>
- Corrections Canada. *Inside Out. A Teacher's Guided to Corrections and Conditional Release*. (Free kit – includes video)
- Solicitor General Canada <http://www.sgc.gc.ca/>

Outcomes

Suggestions for Learning and Teaching (continued)

10. *Criminal Code of Canada* Section 718.2 states: "[A]ll available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of Aboriginal offenders." Examine why Aboriginal offenders have been highlighted in this way.⁷
11. Conduct a mock trial.
12. Have students argue cases informally using the rules evidence, standard defences and the principles of sentencing.
13. Conduct a mock parole board hearing or prepare an application for parole on behalf of an inmate.
14. Research a high profile case and follow its progress through the appellate courts to the Supreme Court of Canada, e.g. the wrongful conviction of Donald Marshall or Guy Paul Morin.
15. Chart the appellate courts of Canada.

⁷ It was recognized that there has been a serious problem in the over-incarceration of Aboriginal offenders. It also recognized that there has been systemic discrimination toward Aboriginal people, which has contributed to their over-representation in the criminal justice system

Suggestions for Assessment

Suggested Links (continued)

- Parole - <http://www.npb-cnrc.gc.ca/infoctr/parolec/contribe.htm>
- Barnhorst & Barnhorst. *Criminal Law and the Canadian Criminal Code*. McGraw Hill, 1996. ISBN 0-07-552757-x
- Video – *Twelve Angry Men*
- Video – *Inside Out*

Unit 3: Civil Law - Torts

Outcomes

Students will be expected to:

- 3.1 distinguish between civil and criminal matters and the different types of civil law
- 3.2 describe civil court procedures and contrast them with criminal procedure
- 3.3 demonstrate an understanding of torts and the purposes of tort law
- 3.4 demonstrate an understanding of the different kinds of torts and their elements
 - 3.4.1 distinguish between intentional and unintentional torts
 - 3.4.2 explain duty of care, standard care, proximate cause, foreseeability, and the reasonable person standard
- 3.5 demonstrate an understanding of the remedies available for victims
 - 3.5.1 identify different kinds of damages which may be awarded in tortious actions and the principles governing their application
 - 3.5.2 Identify the unique circumstances regarding tortious actions brought by and against Aboriginal litigants and respondents to litigation
- 3.6 identify the specific defences to various torts
- 3.7 apply their understanding of tort law to specific cases

Suggestions for Learning and Teaching

1. Analyze cases to determine if they are civil or criminal matters. In civil cases, identify the specific type of civil law involved.
2. Chart civil court procedures and identify and describe the roles of the officials involved in civil court proceedings.
3. Compare and contrast civil proceedings and criminal trials.
4. Research alternative solutions to suing for damages.
5. Role-play a mediation/negotiation /arbitration to resolve a dispute.
6. Write illustrative cases demonstrating an understanding of the definition of various torts.
7. Collect current examples from the news to illustrate the definition of torts and the nature of tort law.
8. Interview school officials, coaches, doctors, child-care workers, etc. to find out what standard of care they are legally required to give.
9. Argue the case for and against the plaintiff in specific civil actions.
10. Award damages in specific illustrative cases and justify the awards according to current legal practices.
11. Section 89.(1) of the Indian Act states that, “the real and personal property of an Indian or a band situated on a reserve is not subject to charge, pledge, mortgage, attachment, levy, seizure, distress or execution in favour or at the instance of any person other than an Indian or a band.” Examine the statement and suggest alternatives to resolving litigation against Aboriginal respondents.
12. Debate whether or not there is a need for limits on liability awards.
13. Examine the experiences of Aboriginal children in the residential schools by writing a Victim Impact Statement from the perspective of a former student. Mount a tort case for damages against the government or one of the Church organizations that administered the school.

Suggestions for Assessment

1. Given a number of previously unseen cases, students classify each as civil or criminal and identify the type of civil law involved.
2. Assess the chart of civil court procedures and description of the roles of officials.
3. Describe the procedures that would apply to specific examples of civil cases.
4. Create a comparison chart of civil and criminal procedures.
5. Assess the research for, participation in, and authenticity of the role play.
6. Assess the student written illustrative cases for an understanding of the various types of torts.
7. Create a scrapbook, collage, or bulletin board display illustrating the nature of torts.
8. Assess student presentations on their interviews of various people in positions of responsibility.
9. Using a previously unseen civil case, prepare written arguments for and against the plaintiff, award damages and provide a legal rationale for the decision.
10. Assess the quality of research and discussion in the debate.
11. Assess the Victim Impact Statement of the residential school student.
12. Teacher created summative test.

Suggested Links

- General Links
<http://www.nelson.com/nelson/school/law/teacherlinks/default.html>
- Videos –A *Civil Action*, *Rainmaker*
- Lloyd Duhaime. *Tort Law in Canada - An Introduction*.
<http://www.duhaime.org/tort.htm>
- Public Legal Education and Information Service of New Brunswick (PLEIS NB)
http://www.legal-info-legale.nb.ca/mainframe_en.html
- Parental Responsibility Ontario
<http://www.newswire.ca/government/ontario/english/releases/August2000/15/c0759.html> or
<http://www.attorneygeneral.jus.gov.on.ca/html/cad/prarecoverscc.htm>
- Manitoba -
<http://web2.gov.mb.ca/laws/statutes/1996/c06196e.php>
- British Columbia -
http://www.legis.gov.bc.ca/37th2nd/3rd_read/gov16-3.htm.
- Refusal of Medical Treatment
http://www.ontla.on.ca/hansard/committee_debates/36_parl/session1/justice/j015.htm
- Isabelle Knockwood, *Out of the Depths: The Experience of Mi'kmaw Children at the Indian Residential School at Shubenacadie*, Nova Scotia. Roseway Publishing.
- *Breaking the silence: an interpretive study of residential school impact and healing as illustrated by the stories of First Nations individuals*. Ottawa: Assembly of First Nations, 1994.
- Canada. Royal Commission on Aboriginal Peoples. *Report of the Royal Commission on Aboriginal Peoples*. Ottawa, 1996. 5 vol. in 6 parts.
- Chrisjohn, Roland D; Young, Sherri. *The Circle Game : Shadows and Substance in the Indian Residential School Experience in Canada*. Penticton, B. C.: Theytus Books, 1997.

Unit 4: Contracts

Outcomes

Students will be expected to:

- 4.1 explain the need for contractual agreements and the process of making a valid contract
 - 4.1.1 explain the purpose, nature and types of contracts
 - 4.1.2 describe the elements of and the process for making a valid contract
 - 4.1.3 identify the legal limitations and constraints of contracts for various individuals (e.g. contracts with minors, etc.)
 - 4.1.4 explain how a contract may be discharged
- 4.2 identify the legal consequences of breach of contract
- 4.3 identify the remedies available for breach of contract and demonstrate an understanding of their application
- 4.4 apply their understanding of contract law to specific cases

Suggestions for Learning and Teaching

1. In groups, list and discuss the various types of community organizations that would require a contractual agreement with their members and/or customers and discuss why they would require contracts.
2. Collect examples of instances where not having a contract caused problems, e.g. having work done under the table carries no warranty if defective (underground economy). Share and discuss the consequences of these situations.
3. Invite a lawyer into the classroom to discuss the elements of a legal contract, limitations, discharging a contract, etc.
4. Obtain copies of express contracts from the community, e.g. rental agreements, sale of goods contracts, loan agreements, old and new teacher's contracts, mail order agreements with underage teenagers (e.g., Columbia House), online contracts, etc. Analyze the documents to identify the essential elements of a contract.
5. Analyze an Aboriginal treaty document to identify the elements of a contract.
6. Compare and contrast the privacy provisions of traditional and online contracts.
7. In groups, develop a contract governing behaviour and attendance and the consequences for inappropriate actions and/or devise a contract between the school and students entering high school who wish to obtain "school letters". Specify the requirements for each letter.
8. Debate the legal and personal ramifications of breach of contract, e.g. the Baby M case or defaulting on a student loan.
9. Invite a guest speaker from a financial institution to discuss the consequences of breaching a loan agreement or other financial contract.

Suggestions for Assessment

1. Students compile a chart for assessment based on activity 1.

Community organization	Type of contract	Elements of contract	Purpose of contract

2. Evaluate student presentations about the legal problems created by the lack of a contract.
3. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
4. Evaluate students' analyses of the essential elements of contracts.
5. Assess student designed school contracts for inclusion of all the basic elements.
6. Stage a formal debate on the advantages and disadvantages of breaching a contract. Assess the quality of research and discussion.
7. Teacher created summative test.

Suggested Links

- General Links
<http://www.nelson.com/nelson/school/law/teacherlinks/default.html>
- Local small claims court
- Teacher's contract and negotiations
<http://www.nbt-fenb.nb.ca/activity.htm>
- Texts of Aboriginal Treaties
http://www-gad1.ccrs.nrcan.gc.ca/newtexts/map_texts/english/trytxt_e.html#NU
- Local financial institutions
- NB Sale of Goods Act
<http://www.gnb.ca/acts/acts/s-01.htm>

Unit 5: Family Law

Outcomes

Students will be expected to:

- 5.1 describe what is considered a family in legal terms
 - 5.1.1 demonstrate an understanding of changing trends in family structure
 - 5.1.2 identify the legal requirements of marriage and of common law relationships, including same sex partnerships
 - 5.1.3 demonstrate an understanding of the legal rights and responsibilities of family members
 - 5.1.4 identify and explain the legal requirements and process of adoption
- 5.2 demonstrate an understanding of the legal ramifications of family breakdown
 - 5.2.1 identify and explain the legal requirements and processes involved in separation, divorce and annulment
 - 5.2.2 describe the purpose and legal requirements of pre-nuptial and cohabitation agreements
 - 5.2.3 demonstrate an understanding of the legal principles applied when deciding custody
 - 5.2.4 demonstrate an understanding of the legal principles applied when deciding support issues
 - 5.2.5 demonstrate an understanding of the legal principles applied when dividing matrimonial property
- 5.3 apply their understanding of family law to specific cases

Optional Outcome

- 5.4 demonstrate an understanding of the causes and consequences of domestic violence and abuse (cf. Criminal Law Unit)

Suggestions for Learning and Teaching

1. Identify different types of family units in Canada. Compare student definitions to the legal definition of family in Canada.
2. Research how the definition of partnerships and the legal rights and obligations of partners in traditional and non-traditional relationships has changed.
3. Identify the legal requirements for marriage in NB and evaluate the validity of these in today's society.
4. Conduct a role-play in which student "couples" are allotted property and must draw up legally valid prenuptial and/or cohabitation agreements.
5. Role-play a divorce settlement and ending a common law relationship involving custody issues and division of property. Student "couples" are allotted property to be divided and custody issues to be resolved then work out a settlement that meets the requirements of Canadian law.
6. Compare the requirements for civil and religious annulments.
7. Collect materials on current high profile cases that deal with Family Law. Discuss.
8. Invite a counsellor to speak on separation, divorce, and custody and how it affects children.
9. Role-play a custody hearing.
10. Invite a lawyer specializing in Family Law to speak to the class.
11. Research landmark cases that have shaped Family Law.
12. Debate the meaning of the "best interest of the child" standard used in family law.
13. Invite a social worker to discuss the legal responsibilities of family members and issues facing families and children.

Suggestions for Assessment

1. Students complete the following chart of partnership types for assessment.

Type	Legal definition	Responsibilities	Obligations

2. Compare NB marriage requirements with those of other provinces and/or countries.
3. Create a scrapbook, collage or bulletin board display highlighting contemporary issues and/or landmark cases in Family Law.
4. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
5. Assess the quality of research and discussion in the debate on the best interests of the child.
6. Assess the research for, participation in, and authenticity of the role-plays.
7. Teacher created summative test.

Suggested Links

- Family Living 120 and Child Studies 120 curricula
- General Links
<http://www.nelson.com/nelson/school/law/teacherlinks/default.html>
- Robert Glossop on the Canadian Family
<http://www.statcan.ca/english/ads/11-008-XIE/family.html>
- NS Registration of Domestic Partnerships
<http://www.gov.ns.ca/just/regulations/regs/visdpreg.htm>
- Public Legal Education and Information Service of New Brunswick
<http://www.legal-info-legale.nb.ca> Look under Family Law in Publications. What Parents Should Know About Child Protection (responsibilities of parents)
- NB Marriage Act
<http://www.gnb.ca/acts/acts/m-03.htm>
- NB Marital Property Act
<http://www.gnb.ca/acts/acts/m-01-1.htm>
- Federal Divorce Act
<http://laws.justice.gc.ca/en/D-3.4/index.html>
- “The Happy Divorce. How to Break Up and Make Up”, Maclean’s, January 21, 2002, pp.25-29.
- Same sex marriage - www.equalmarriage.ca
- Les Vandor. *Legal Counsel: Frequently asked questions about the law – Property Rights, Family and Divorce, and Company Rights*. ECW Press, 2001. ISBN 1-55022-485-9

Unit 6: Estate Law

Outcomes

Students will be expected to:

- 6.1 demonstrate an understanding of the necessity for and importance of preparing a last will and testament
- 6.2 identify and explain the legal requirements for making, changing, revoking and executing a last will and testament
 - 6.2.1 identify the types and differences among the various types of last will and testaments
 - 6.2.2 demonstrate an understanding of the legal capacity necessary to make a last will and testament
 - 6.2.3 identify the required elements of a valid last will and testament
 - 6.2.4 demonstrate an understanding of the duties and obligations of the executor of an estate
- 6.3 explain intestate succession and its consequences
- 6.4 apply their understanding of estate law to specific cases

Optional outcomes

- 6.5 explain the legal requirements of and the authority conferred by a power of attorney
- 6.6 demonstrate an understanding of a living will
 - 6.6.1 compare the enforceability of a living will to that of a last will and testament

Suggestions for Learning and Teaching

1. Students discuss their aspirations for the future, list the material possessions they hope to accumulate then discuss what they would like done with their wealth after they die and how they would ensure their wishes will be carried out.
2. Identify the legal requirements that must be met before a will distributes assets and bequests. List these in the order they must happen.
3. To dispose of the estate described in activity 1, draw up a sample will illustrating the requirements of a lawyer created will in New Brunswick. The teacher might add some realistic complications not mentioned by the students, e.g. debts and minor children, to the issues to be dealt with.
4. Draw up a sample holographic will that illustrates all the legal requirements for such a document while disposing of the estate, with complications, described in activity 3.
5. Create a comparison chart listing the differences and similarities between a lawyer created will and a holographic will.
6. Obtain a commercial will form kit and analyze it to ensure it meets all provincial requirements of a valid will. Compare it to the wills scrutinized in activity 5.
7. In groups, research legal capacity, identify who does and does not have the legal capacity to make a will, then indicate who in the group is not legally able to make a valid will. Those whose illustrative wills from activities 3 and 4 are deemed invalid would die intestate. Describe what would happen to their estates.
8. Compare the results from activity 7 with the desires set out in the will created previously.
9. Exchange sample wills among groups. Have each group itemize what they would have to do as executor and if and when it would be necessary to probate the will.
10. Compare the laws that apply to Aboriginal estates to those that apply to non-Aboriginal Canadians. Discuss and evaluate the differences.

Activities for Optional outcomes

11. Debate the advantages and the dangers of giving someone your power of attorney.
12. Invite medical and legal professionals to speak to the class on the legal and ethical dilemma posed by living wills.
13. Debate the morality and utility of living wills.

Suggestions for Assessment

1. Assess the student created wills.
2. Assess the chart comparing holographic and lawyer created wills.
3. Assess group descriptions of what happens in a case of intestate succession.
4. Assess group created lists of the duties of an executor/executrix.
5. Teacher created summative test.

Assessment Strategies for Optional Outcomes/Activities

6. Assess the quality of research and discussion in the formal debates.
7. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons

Suggested Links

- Elder Law
<http://www.duhaime.org/Will/ca-wills.htm>
- An Introduction to Powers of Attorney in Canada at <http://www.duhaime.org/ca-power.htm>
- Living Wills
http://www.utoronto.ca/jcb/_lwdisclaimer/canchap2.htm#Alberta
- Public Legal Education and Information Service of New Brunswick at <http://www.legal-info-legale.nb.ca/>. Follow the link to Publications, then look under Wills and Estate Planning for the following titles:
 1. Making a Will
 2. Choosing an Executor
 3. Being an Executor
 4. Probate of a Will
- Writing a Will
<http://www.publiclegaled.bc.ca/wills/index.htm>
- Aboriginal Estates
<http://www.bloorstreet.com/200block/sindact.htm> – 6
Les Vandor. Legal Counsel: Frequently asked questions about the law – Retirement, Representation and Wills. ECW Press, 2001. ISBN 1-55022-486-7

Unit 7: Environmental Law

Outcomes

Students will be expected to:

- 7.1 identify the need for and purposes of environmental law
- 7.2 research to identify the nature and extent of environmental protection laws locally, nationally and internationally
- 7.3 evaluate the effectiveness of environmental law in protecting air, water, land and endangered species locally, nationally and internationally
 - 7.3.1 assess the extent to which current laws ensure the sustainability of resource use and environmental quality
 - 7.3.2 analyze current laws and evaluate the extent to which they balance economic development against environmental concerns
- 7.4 describe and assess the role of lobby, protest and special interest groups in making and changing environmental law
- 7.5 apply their understanding of environmental law to specific cases

Suggestions for Learning and Teaching

1. Create a time line of Canadian and Provincial laws dealing with environmental issues since 1867.
2. Create a scrapbook on environmental issues. Classify items as international, national and provincial then summarize each.
3. Write a research paper on a major environmental disaster, e.g. Love Canal, Exxon Valdez, Sydney Tar Ponds, or Walkerton, and its resolution.
4. Research how effective the Canadian Environmental Protection Act has been.
5. Research and compile a list of endangered or extinct species. Find out why these species are endangered or extinct. Discuss whether better laws could have prevented this.
6. Research the position of the major political parties on protection of the environment.
7. Visit a local business to see environmental protection technology.
8. Contact representatives of a major industry. Find out what environmental laws affect the industry and identify their impact. Determine the cost to the company and how it is passed on to the consumer.
9. Debate whether the environment should be protected even when such actions mean the loss of jobs.
10. Invite guest speakers to address the class on environmental issues, concerns and laws. Speakers might include:
 - Minister of the Environment
 - local politicians
 - an environmental activist
 - the owner of a local business
 - a worker who has lost a job because of environmental concerns
11. Assess your school or community's compliance with environmental laws and sound environmental practices. Prepare and submit a report with recommendations.
12. Identify international environmental agreements, e.g. the Kyoto Protocol, that affect Canada. Why is it important to participate in such accords? Why do some countries reject such agreements?

Suggestions for Assessment

1. Assess the quality and comprehensiveness of time lines.
2. Assess the quality and comprehensiveness of scrapbooks.
3. Assess research papers as to quality of research and organization.
4. Have students write a response on their Environmental Protection Act research outlining deficiencies. Assess the response.
5. Have students create a map which pegs areas where extinct species existed. Include a report on why these animals became extinct and how this may have been prevented. Assess the quality and comprehensiveness of the map and report.
6. Have students prepare a chart which displays the major political parties and their policies regarding environmental protection. Assess the quality and comprehensiveness of the chart.
7. Have students write a report on a field trip. Report assessment should include evaluation of the:
 - quality of presentations
 - number and quality of listed facts relating to business visited
 - student's ability to link the field trip to the study of environmental law.
8. Assess the quality of the debate
9. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
10. Students present information regarding international environmental agreements which address questions in teaching and learning strategies 12. Assess the presentations.
11. Teacher created summative test.

Suggested Links

- Environmental Science 120 curriculum
- General Links
<http://www.nelson.com/nelson/school/law/teacherlinks/default.html>
- Conservation Council of New Brunswick:
<http://www.web.net/~ccnb/>
- Aboriginal Rights and Resource Conservation
<http://www.web.net/~ccnb/publications/handbook/chap2e.html>
- Conservation Council of New Brunswick Environmental Law Handbook:
<http://www.web.net/~ccnb/publications/handbook/guidee.html>
- Canadian Environmental Law links
<http://www.law-lib.utoronto.ca/resguide/global/EnvlawCanada%20WSSD.htm>
- NB Department of Environment and Local Government
<http://www.gnb.ca/0009/index-e.asp>
- Environment Canada on Environmental Law
http://www.ec.gc.ca/envlaw_e.html
- Climate Change - Government of Canada - Canada and the Kyoto Protocol - Overview
http://www.climatechange.gc.ca/english/whats_new/overview_e.html

Unit 8: Consumer Law

Outcomes

Students will be expected to:

- 8.1 explain why consumer protection laws are needed
- 8.2 describe the protection provided to consumers by legislation
- 8.3 distinguish between implied and express conditions and warranties
- 8.4 analyze specific cases to identify remedies available to the buyer and seller

Suggestions for Learning and Teaching

1. Brainstorm areas in which consumers need protection and discuss why this would be so. Compare the list generated to existing laws protecting consumers. Discuss what, if any, additional laws are needed.
2. Invite a business manager/owner into the classroom to discuss consumer protection laws as they affect their business.
3. Discuss and research actions available to consumers who have purchased a defective product.
4. Have students devise a plan for taking a business to task for the sale of a defective product. Students should prepare:
 - a letter of complaint requesting a refund
 - a letter of intent stipulating the consumer's plan for legal action
 - forms required to seek compensation in small claims court
5. Identify the refund and exchange policies of local retailers. Compare this to the policies of retailers selling on television, the Internet, over the phone or by mail.
6. Describe/role play an event where a retail customer attempts to return a product to a store with no refund or exchange policy.
7. Research a current or well known case of a hazardous product to identify what liability the manufacturer has and what remedies are available.
8. Examine the labels on various products, such as food, movies, CDs and cigarettes. Identify what information is provided and why.
9. Research the role of consumer protection and advocacy groups. Discuss why they are necessary. Determine whether or not they are doing an adequate job protecting consumers.
10. Research copyright laws. Identify how copyright applies to photocopies, copied CDs or tapes and downloaded music and movies. Identify the penalties for those who violate copyright laws. Discuss the implications of disregard for copyright laws for artists.

Suggestions for Assessment

1. Assess student prepared charts containing the following headings: Existing Consumer Laws and Proposed Consumer Laws.
2. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
3. Evaluate the quality of research and student discussions.
4. Evaluate the quality of the letter of complaint, the letter of intent and the completion of forms.
5. Assess student prepared charts on exchange policies available. Chart headings should include: Local Retailers, Television Retailers, Mail Order Retailers, Telephone Retailers and Internet Retailers.
6. Assess the quality of the research for, participation in, and authenticity of the role-play.
7. Provide student groups with previously unseen cases on hazardous or unsafe products. Assess group presentations on the quality of information. Presentation should include specifics on the nature of the hazard, the remedy and whether the remedy was satisfactory.
8. Evaluate student prepared posters displaying different types of products, the information provided on labels and its necessity.
9. Have students identify a product or service they determine potentially unsafe or hazardous and develop a strategy to address the issue. Evaluate the quality and potential effectiveness of the strategy.
10. Evaluate the quality and depth of student based discussions of copyrights laws and penalties and implications
11. Teacher created summative test.

Suggested Links

- General Links
<http://www.nelson.com/nelson/school/law/teacherlinks/default.html>
- Better Business Bureaus
<http://www.bbb.org/bbblookup/>
- Canadian Standards Association
<http://www.csa.ca/Default.asp?language=English>
- CBC Marketplace
<http://www.cbc.ca/consumers/market/>
- Contract Law
<http://www.duhaime.org/ca-con1.htm>
- Copyright law
<http://www.mcgrawhill.ca/copyrightlaw/>
- Financial Consumer Agency of Canada
<http://www.fcac-acfc.gc.ca/eng/>
- Industry Canada
Consumer and Business Information Home Page
http://strategis.ic.gc.ca/sc_consue/engdoc/homepage.html
Consumer Handbook 2002
<http://strategis.ic.gc.ca/SSG/ca01136e.html>
Laws and Codes
<http://strategis.ic.gc.ca/SSG/ca01188e.html>
Office of Consumer Affairs Online
http://strategis.ic.gc.ca/sc_consue/consaffairs/engdoc/oca.html
Publications
<http://strategis.ic.gc.ca/SSG/ca01168e.html#tech>
- NB Acts and Regulations
<http://www.gnb.ca/0062/acts/acts-e.asp>
Lists:
 - Direct Sellers Act
 - Unconscionable Transactions Relief Act
 - Cost of Credit Act
 - Consumer Product Warranty and Liability Act
 - Sale of Goods Act

Unit 9: Aboriginal Peoples and Law

Outcomes

Students will be expected to:

- 9.1 explain and differentiate between the definitions of Status and non-Status Indians under the Indian Act
 - 9.1.1 identify, compare and contrast between the rights, freedoms and responsibilities afforded Status and non-Status Indians under the Indian Act
 - 9.1.2 apply their understanding of the Canadian Charter of Rights and Freedoms to the changes made in the Indian Act through Bill C-31.
- 9.2 explain the differences between Aboriginal Rights and Treaty Rights
- 9.3 apply their understanding of governance and human rights to the concept of Aboriginal self-government
- 9.4 compare and contrast Aboriginal models of government to the parliamentary democratic model

Suggestions for Learning and Teaching

1. Compare and contrast Aboriginal-style government to the Canadian model. Create a table or chart which might include the following headings: *How Leaders are Chosen; How Decisions are Made; How Programs are Funded.*
2. Examine provincial laws such as the Fish and Wildlife Act to determine how Aboriginals are written into or out of the law.
3. Invite an Aboriginal Elder into your classroom to share his/her stories of life on the “reserves” under the Indian Act.
4. View the movie *Welcome To Nunavut* and compare the system of governance in Nunavut to that of New Brunswick.
5. View the movie *Kahnesetake* and debate the issue of inherent right to land vs. the rights of municipalities to determine land usage in areas inhabited by First Nations before and after contact.
6. Examine section 35 of the *Constitution Act* and develop a framework for resolving conflict.⁸
7. Create a two columned table in which Aboriginal Rights and Treaty Rights are listed. Write a summary of the similarities and differences.

⁸ Section 35 of the Constitution Act, 1982, affirmed that Aboriginal title, and the rights that go along with it, exist whether or not there is a treaty. Aboriginal rights refer to practices, traditions and customs that distinguish the unique culture of each First Nation and were practised prior to European contact. Aboriginal title is an Aboriginal property right to land. Treaty rights refer to Aboriginal rights that are set out in a treaty.

Suggestions for Assessment

1. Assess the charts and tables suggested in the Teaching and Learning Strategies.
2. Assess the framework for the resolution of conflict.
3. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
4. Create a simulation/role play illustrating the different ways the same issues might be dealt with by an Aboriginal-style government and by a parliamentary one.
5. Evaluate the way in which Aboriginal peoples are dealt with in Canadian and NB laws.
6. Teacher created summative test.

Suggested Links

- Explanation of Bill C-31
http://www.johnco.com/nativel/bill_c31.html
- Comprehensive List of Federal, Provincial and Territorial Justice and Court Links
http://www.fja.gc.ca/links/index_e.html#20
- Federal Government views on Aboriginal self-government
http://www.ainc-inac.gc.ca/pr/pub/sg/plcy_e.html
- Marshall Decision
http://www.lexum.umontreal.ca/csc-scc/en/pub/1999/vol3/html/1999scr3_0456.html
- Fish and Wildlife Act
<http://www.gnb.ca/acts/acts/f-14-1.htm>
- Overview of the life of Sandra Lovelace and her victory in affecting change in the Indian Act with Bill C-31.
http://www.mta.ca/faculty/arts-letters/canadian_studies/english/about/study_guide/famous_women/sandra_lovelace.html
- The Honourable Gérard La Forest and Judge Graydon Nicholas, Report of the Task Force on Aboriginal peoples. March 1999.
<http://www.gnb.ca/0016/task/task.htm#anchor46728>
- Section 35 of the Constitution Act
http://lois.justice.gc.ca/en/const/annex_e.html#II

Unit 10: International Law

Outcomes

Students will be expected to:

- 10.1 explain the nature of international law and how it is made
- 10.2 discuss specific examples of international laws and their application and effectiveness
- 10.3 apply their understanding of aspects of international law to current/recent issues

Suggestions for Learning and Teaching

- 1. Write a brief biography of N.B. human rights activist John P. Humphrey. Should Humphrey be considered a Canadian and International hero? Why or why not?
- 2. Examine the Universal Declaration of Human Rights (UDHR) and divide it into categories, i.e. equality rights, safety rights, legal rights, etc. Provide contemporary or historical examples of violations of articles within these categories.
- 3. Watch “Genocide”, “Schindler’s List” or a similar film on the Holocaust. Identify examples of crimes against humanity. Identify provisions of the UDHR, which were designed to address such abuses.
- 4. Research to find current examples of violations of the Conventions On The Rights Of The Child and/or the International Convention on the Elimination of all Forms Of Racial Discrimination.
- 5. Identify international courts and tribunals that currently exist and the types of cases that they hear. Explain how cases are brought to those courts and how judgments are enforced. Discuss the effectiveness of this system.
- 6. Invite speakers from Amnesty International, UNICEF, the Red Cross or non-governmental organizations (NGOs) that work to promote and protect human rights worldwide.
- 7. Discuss the meaning of the phrase “One person’s terrorist is another’s freedom fighter” and debate the question “Is the death of innocent civilians ever justified?” Examine U.N. Conventions on Terrorism and use contemporary examples to enhance the debate.
- 8. Organize school wide celebrations of the March 21 Day To Eliminate Racial Discrimination, March 8 International Women’s Day or similar observances.
- 9. Traditionally coastal waters have belonged to the coastal states while the high seas have been open to all. Technology has made it possible for anyone to fish anywhere and this has led to disputes over control of coastal waters and fish stocks. Examine and assess the current law of the sea.

Suggestions for Assessment

1. Assess the quality of the student response to questions related to John P. Humphrey.
2. Have students chart or otherwise present examples under the categories identified in strategy two. Evaluate the comprehensiveness of the chart.
3. Have students write a response which links violations of the UDHR to events in the film(s) suggested in strategy three. Assess the quality of the student response.
4. Prepare a poster connecting current events to specific rights identified in instruments found in strategy four. Assess the quality and comprehensiveness of the poster.
5. Conduct a mock court where Adolf Hitler or Joseph Stalin is on trial for crimes against humanity. Use the rules of evidence and conduct established by the international courts of justice. Suggested resources may include UDHR, Conventions on Genocide and the United Nations website.
6. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
7. Assess student participation in the activities suggested in strategies eight and eleven.
8. Have students design a new formula for designating territorial and international waters in order to safeguard jobs and resources. Assess the student formula.
9. Chart or map the origins of consumer goods. Discuss how international agreements affect daily life. Assess the chart.
10. Write a position paper for or against globalization based on class discussion of this issue. Assess the paper.
11. Using the Geneva Conventions have students prepare a chart which displays the prescribed standards of treatment for the following: civilians, humanitarian organizations, prisoners of war, other.
12. Assess the quality of the debates.
13. Teacher created summative test.

Suggested Links

- U.N. Universal Declaration of Human Rights http://www.stthomasu.ca/research/AHRC/UN_DHR.HTM
- John Peters Humphrey <http://www.stthomasu.ca/research/AHRC/HUMPHREY.HTM>
- International Convention on the Elimination of all Forms Of Racial Discrimination <http://www.stthomasu.ca/research/AHRC/RACIAL.HTM>
- U.N. Convention on the Rights of the Child <http://www.stthomasu.ca/research/AHRC/RIGHTS.HTM>
- Conventions on Terrorism <http://untreaty.un.org/English/Terrorism.asp>
- Terms explained/defined <http://untreaty.un.org/English/guide.asp#treaties>
- Oceans and Laws of the Sea <http://www.un.org/Depts/los/index.htm>
- International Court of Justice <http://www.icj-cij.org/>
- Historical Perspective on Law of the Sea http://www.un.org/Depts/los/convention_agreements/convention_historical_perspective.htm#Historical%20Perspective
- Foreign Affairs Canada NAFTA site <http://www.dfait-maeci.gc.ca/nafta-alena/menu-e.asp>
- Alternative Perspectives on NAFTA <http://www.citizen.org/trade/nafta/index.cfm>
- UNICEF Canada - <http://www.unicef.ca/>
UNICEF NB, 2 - 55 Canterbury Street
Saint John, NB E2L 2C6,
Tel: (506) 634-1911, Fax: (506) 652-7583
- Amnesty International - www.amnesty.ca

Outcomes

Suggestions for Learning and Teaching (continued)

10. Review the North American Free Trade Agreement, in particular sections dealing with duties on imported goods. Examine consumer items to determine their origins. Identify which had duties applied to them and which did not. Debate the question: "Is the move to globalization and freer trade good for Canada?"
11. Start school chapters of UNICEF or Amnesty International. (Both provide start-up support.)
12. Research the Geneva Conventions. Compare and contrast the treatment required for different categories of combatants and for civilians. Research past conflicts to determine the effectiveness of the conventions.
13. Debate whether or not the imposition of international law is really the imposition of western cultural values.

Suggestions for Assessment

Suggested Links

Unit 11: Labour Law

Outcomes

Students will be expected to:

- 11.1 identify and explain the rights and responsibilities of employers and employees, principals and agents
 - 11.1.1 demonstrate an understanding of the elements of employment contracts
- 11.2 identify and explain the main provisions of federal and provincial labour legislation
- 11.3 explain the formation and role of unions
- 11.4 describe the process of collective bargaining and the roles of the parties involved

Suggestions for Learning and Teaching

1. Invite a representative of the Human Rights Commission to speak about issues surrounding hiring, firing, and employment.
2. Debate issues such as adverse effect discrimination, reverse discrimination, constructive discrimination employment equity and pay equity in regards to hiring practices.
3. Research current provincial statutes that govern wages, pay equity (gender), working hours, minimum age and discuss any changes that could/should be made.
4. Invite a union representative to speak about the function of a union and how the bargaining process operates.
5. Explore current events that pertain to striking workers or negotiations.
6. Role-play negotiation of a contract.
7. Invite a representative from the Workplace Health, Safety and Compensation Commission to speak about employee rights and responsibilities regarding safe working conditions.
8. Have students report on the safety precautions and standards apparent at their current place of employment or their parent's place of employment.

Suggestions for Assessment

1. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
2. Stage a formal debate on equity and discrimination. Assess the quality of research and discussion.
3. Students compile a chart under the following headings.

NB Laws on wages	Working Hours	Minimum Working Age	Suggested Changes

4. Create a poster or scrapbook of current events pertaining to labour law.
5. Assess the research for, participation in, and authenticity of the role-play.
6. Evaluate the student report on work place safety.
7. Teacher created summative test.

Suggested Links

- Canada's SchoolNet. *Thinking About the World of Work*
<http://www.acjnet.org/teacher/worktab.htm>
- NB Pay Equity Act
<http://www.canlii.org/nb/sta/p-5.01/whole.html>
- NB Advisory Council on the Status of Women
<http://www.acswcccf.nb.ca>
- NB Employment Standards Act
<http://www.gnb.ca/acts/acts/e-07-2.htm>
- NB Public Service Labour Relations Act
<http://www.gnb.ca/acts/acts/p-25.htm>
- Human Resources Development Canada. Workplace Information
<http://www.hrdc-drhc.gc.ca/common/workplace.shtml#laws>
- Les Vandor. *Legal Counsel: Frequently asked questions about the law – An introduction to the legal system, Individual Rights, and Employment Rights*. ECW Press, 2001. ISBN 1-55022-485-9

Unit 12: Youth and the Law

Outcomes

Students will be expected to:

- 12.1 discuss and explain changing attitudes toward the treatment of young offenders over time
 - 12.1.1 compare the provisions of the Juvenile Delinquents Act, the Young Offenders Act, the Youth Criminal Justice Act and current legislation
- 12.2 identify the special rights and protections currently provided to young offenders on arrest and detention, during trial and with respect to dispositions and alternative measures
- 12.3 compare the treatment of adult and young offenders
- 12.4 explain why there are special legal provisions for young offenders
- 12.5 assess the validity of treating young offenders differently
- 12.6 identify resources and contacts available to young victims and potential victims of crime

Suggestions for Learning and Teaching

1. Debate or discuss whether or not youth should receive different treatment under the law. At the end of the unit, revisit the debate to assess if and how opinions have changed.
2. Create a comparison chart of the underlying philosophy, procedures and penalties of the Juvenile Delinquent's Act, Young Offenders Act, Youth Criminal Justice Act and current legislation.
3. Research the Steven Truscott case. Describe his treatment. Compare this to how he would be treated now.
4. Create a scrapbook of media reports on charges against youth offenders. Summarize each article.
5. Compare the treatment of young offenders and adults from arrest to sentencing.
6. Research how countries other than Canada treat youth offenders.
7. Obtain and present current information on:
 - recent changes to young offenders laws
 - youth violence, bullying and harassment in schools
 - youth, the law and drugs
 - alternative measures programs available in your community and province
8. Invite one or more of the following to speak to your class.
 - Youth Court judge
 - lawyer/social worker who deals with young offenders
 - police representatives
 - politician with an interest in youth justice
 - Justice Department official responsible for youth
 - probation/parole officer
9. Prepare a questionnaire and survey students about reasons youth get into trouble with the law. Compare the survey results with a list of community resources and services aimed at prevention of youth crime. Based on the comparison, suggest what else the community could do to help youth.
10. View the film *Chasing Away Rain Clouds*. Using the accompanying guide, discuss the film's insights as to why youth get into trouble with the law.
11. Prepare a brochure or flyer identifying local and national contact information for support groups available to young victims or potential victims of crime. Ensure that the information is available to their peers.

Suggestions for Assessment

1. Assess debates as to quality of information used and presentation of arguments.
2. Assess the chart in strategy 2 on the quality of content and organization
3. Assess the quality and comprehensiveness of scrapbooks.
4. Have students write a report from their research on the Steven Truscott case. Assess the reports in terms of student understanding of existing legislation regarding youth crime.
5. Have students prepare a chart comparing/contrasting the procedures used to process young and adult offenders under the following headings: Apprehension/ Arrest, Pre-trial Release(?), Trial, Sentencing, Incarceration/Detention/ Internment, Reintegration. Assess the quality and comprehensiveness of the chart.
6. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
7. Have students create a map which identifies various countries by their treatment of young offenders. Rating criteria should include severity of punishment, opportunities for rehabilitation, reintegration. Criteria should be rated on a scale of 1 to 4 with 4 given to those countries which best protect the rights and integrity of the child. The countries can be color coded to depict the given rates.
8. Divide the class into groups of four each of which is given a topic provided in strategy seven. Have groups complete a multimedia presentation on their topic. Assess the presentation.
9. Assess the questionnaire suggestions from strategy 9.

Suggested Links

- Test your knowledge of youth crime in Canada
<http://www.legal-info-legale.nb.ca/yj/quiz1.htm>
- The Great Young Offenders Act Debate
<http://www.lawyers.ca/tgyad/index.htm>
- Young Offenders Act
<http://laws.justice.gc.ca/en/Y-1/index.html>
- Young Offenders Act on *First Line Criminal Law Information*
<http://www.brooksandmarshall.com/youth.html>
 - Justice4youth
<http://www.justice4youth.com/home.html>
- Youth Criminal Justice Act
<http://canada.justice.gc.ca/en/ps/yj/legis/legis.html>
- Young Offenders vs. Youth Criminal Justice Act
<http://canada.justice.gc.ca/en/ps/yj/legis/diffs.html>
- Julian Sher. *Until You Are Dead: Stephen Truscott's Long Ride into History*. Random House, 2002.

Outcomes

Suggestions for Learning and Teaching

Suggestions for Assessment
(continued)

Suggested Links

10. Have students prepare a booklet that provides information on resources/ services in the community aimed at prevention of youth crime. Assess the quality and relevance of the booklet.
11. Have students respond to the realism and relevance of the film *Chasing Away Rain Clouds*. Assess the quality of the student response.
12. Assess the quality and useability of contact information in the student produced brochure for victims/potential victims of crime.
13. Teacher created summative test.

Unit 13: Human Rights

Outcomes

Students will be expected to:

- 13.1 explain the need for protection of human rights nationally and internationally
 - 13.1.1 explain the background to and reasons for the adoption of the UN Universal Declaration of Human Rights
 - 13.1.2 explain the background to and reasons for the adoption of the Canadian Bill of Rights
 - 13.1.3 explain the background to and reasons for the adoption of the Canadian Charter of Rights and Freedoms
 - 13.1.4 explain the background to and reasons for the adoption of the Canadian and NB Human Rights Act
- 13.2 describe their rights and responsibilities as citizens of Canada and the world under the UN Universal Declaration of Human Rights, the Canadian Bill of Rights, the Canadian Charter of Rights and Freedoms and national and provincial Human Rights Acts
- 13.3 describe and explain the process of filing and hearing a complaint under the UN Universal Declaration of Human Rights, the Canadian Bill of Rights, the Canadian Charter of Rights and Freedoms and national and New Brunswick Human Rights Acts
- 13.4 identify the remedies available to plaintiffs under the UN Universal Declaration of Human Rights, the Canadian Bill of Rights, the Canadian Charter of Rights and Freedoms and national and provincial Human Rights Acts
- 13.5 evaluate the effectiveness of current human rights legislation

Suggestions for Learning and Teaching

1. Students examine each of the human rights instruments listed in the outcomes. Compare them to find examples of shared values. Discuss the role of values in creating human rights instruments.
2. Students examine each of the human rights instruments and create a chart that identifies: historical background and common provisions such as freedoms, equality rights, democratic rights, legal rights, etc., included in the various human rights instruments.
3. Have students review the events and consequences of the Holocaust and the effect that the attempted Nazi genocide of the Jews had on the creation of the Universal Declaration of Human Rights and other human rights instruments.
4. Create and administer a survey about people's knowledge of their rights and responsibilities.
5. Create a code of conduct for your school that reflects the rights, responsibilities and values as outlined in the human rights instruments listed in the outcomes.
6. Chart the process of filing and hearing a complaint under the human rights instruments listed in the outcomes. Identify possible remedies.
7. Role-play filing and hearing a complaint with the N.B. Human Rights Commission. Justify the judgement.
8. Examine the Universal Declaration of Human Rights for its relevance to the contemporary world. Suggest any necessary amendments that should be made to take into account issues created by, for example, technology and globalization.
9. Examine the categories for protection included in most of the major human rights instruments. Are they truly inclusive? For example, sexual orientation, age, and "abilities" are not included, although they may be implied, in the UDHR.
10. Students should look at Canada's policy of multiculturalism and discuss how it has changed, or should change.
11. Examine a current human rights issue to determine whether human rights legislation is being followed.
12. Examine the documents on Rights of Women and of the Child listed in the Links section and determine whether Canada, a signatory to all of them, is in compliance.
13. Invite speakers from various Canadian and International organizations that deal with human rights issues to speak to the class.

Suggestions for Assessment

1. Create a comparison chart of the major human rights instruments.
2. Students are assessed on their ability to recognize specific human rights violations as contained in documents or clippings.
3. Test students on their knowledge and understanding of the background to and reasons for adopting the different human rights documents.
4. Students are asked to write research papers in which they examine specific human rights issues. Papers are evaluated.
5. Students are tested on their knowledge and understanding of the different mandates and jurisdictions of the various human rights instruments.
6. Students write reaction reports to contemporary events with a human rights connection. Reports are assessed.
7. Students are given scenarios based on the N.B. Human Rights Act and are asked to:
 - i. Identify the violation
 - ii. Describe the process
 - iii. Suggest and justify a resolution.The work is assessed.
8. Students do volunteer work in their community. Assign marks.
9. Draft and justify a new law to protect rights not adequately safeguarded.
10. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
11. Teacher created summative test.

Suggested Links

- Convention on the Prevention and Punishment of the Crime of Genocide <http://www.hri.ca/uninfo/treaties/87.shtml>
- “Genocide” – film available in every NB high school
- Eta Fuchs Berk. *Chosen*. The story of a Fredericton women’s experiences in the death camps of Nazi Europe.
- National Film Board. *One of Them*. Video on homophobia available from school district resource centers.
- Treaties, Conventions & Agreements <http://www.hri.ca/uninfo/treaties/index.shtml> contains many relevant documents including, for example:
 - Rights of Women
 - *Optional Protocol to the Convention on the Elimination on Discrimination against Women* http://untreaty.un.org/English/TreatyEvent2002/CEDAW_Prot_4.htm
 - Rights of the Child
 - Declaration of the Rights of the Child <http://www.unhchr.ch/html/menu3/b/25.htm>
 - Convention on the Rights of the Child <http://www.unicef.org/crc/>
 - Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography http://www.hri.ca/uninfo/treaties/op_cse.c.htm
- NB Human Rights Commission <http://www.gnb.ca/hrc-cdp/e/index.htm>
- Les Vandor. *Legal Counsel: Frequently asked questions about the law – An introduction to the legal system, Individual Rights, and Employment Rights*. ECW Press, 2001. ISBN 1-55022-485-9

Unit 14: Property Law

Outcomes

Students will be expected to:

- 14.1 outline the procedures for the purchase and sale of real property
- 14.2 identify and explain the rights and responsibilities of property owners
 - 14.2.1 identify and explain the limits on the rights of property ownership
- 14.3 identify and explain the rights and responsibilities of landlord and tenant
 - 14.3.1 identify and explain the essentials of various types of leases
 - 14.3.2 identify and explain the essentials of the different classes of tenancies

Suggestions for Learning and Teaching

1. Invite a real estate professional to speak to the class on the legal procedures and costs of buying property.
2. Consider cases relating to civil suits for nuisance, various forms of occupier's liability, trespass, allurements and perhaps even damage by domestic animals to identify the rights and responsibilities of property owners.
3. Consider a case of expropriation. Discuss why land would be expropriated, how a price would be set and any process of appeal.
4. Examine a standard lease or rental agreement to create a chart listing the rights and responsibilities of both landlord and tenant.
5. Collect various examples of lease and rental agreements that illustrate the different classes of tenancies then analyze, compare and contrast their provisions.

Suggestions for Assessment

1. Complete a speaker review of guest speakers under the following headings.
 - Name of Speaker
 - Organization Represented
 - Purpose of Organization
 - 4-5 Key Topics of the Presentation
 - New Facts or Ideas Learned
 - Rate the Speaker (1-10) with Reasons
2. Assess cases analyses.
3. Evaluate the chart of rights and responsibilities of landlords and tenants.
4. Assess the comparison of the various types of rental and lease agreements.
5. Teacher created summative test.

Suggested Links

- NB Landlord and Tenant Act - <http://www.gov.nb.ca/acts/acts/l-01.htm>
- The Residential Tenancies Act - <http://www.gov.nb.ca/acts/acts/r-10-2.htm>
- New Brunswick Regulation 83-108 under the Residential Rent Review Act, 1983 (O.C. 83-592) - <http://www.gov.nb.ca/justice/regs/83%2D108.htm>
- New Brunswick Expropriation Act <http://www.gnb.ca/acts/acts/e-14.htm>
- Public Legal Education Information Service of New Brunswick under Publications, "Landlord and Tenant, and Real Estate Law" http://www.legal-info-legale.nb.ca/mainframe_en.html

References

Atlantic Provinces Education Foundation. *The Atlantic Canada Framework for Essential Graduation Learnings in Schools*. Atlantic Provinces Education Foundation, 1995.

Available on-line at <http://www.gnb.ca/0000/publications/curric/acef.html> and <http://apef-fepa.org/library.html>.

New Brunswick, Department of Education. *Foundation for the Atlantic Canada Social Studies Curriculum*. Atlantic Provinces Education Foundation, 1999. Available on-line at <http://apef-fepa.org/library.html>.