

**TEXAS CTE LESSON PLAN**[www.txcte.org](http://www.txcte.org)

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| **Lesson Identification and TEKS Addressed** | |
| **Career Cluster** | Business Management and Administration |
| **Course Name** | Business Law |
| **Lesson/Unit Title** | The Internet and Constitutional Rights |
| **TEKS Student Expectations** | **130.134 (c) Knowledge and Skills**  (3) The student identifies the different types of law, courts, and regulations in the judicial system. The student is expected to:  (D) comprehend the rationale for governmental regulations of business activities. |
| **Basic Direct Teach Lesson**  (Includes Special Education Modifications/Accommodations and  one English Language Proficiency Standards (ELPS) Strategy) | |
| **Instructional Objectives** | **Performance Objective**  Upon completion of this lesson, the student will be able to understand the jurisdiction and constitutional issues that arises with Internet usage.  **Specific Objective**   * Students will understand the issues of jurisdiction that arise with Internet usage. * Students will identify the various constitutional issues involved in the use of electronic communication. |
| **Rationale** | Should freedom of the Internet in today's world be just as important as freedom of the press, religion, or speech? The First Amendment has withstood the test of time, but it does not explicitly cover social networking or the Internet any more than it covers shut downs of the phone system or TV broadcasting. This lesson will help students better understand the jurisdiction and constitutional issues that arises with Internet usage. |
| **Duration of Lesson** | 2-3 days |
| **Word Wall/Key Vocabulary** | **Terms** |

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| *(***ELPS c1a,c,f; c2b; c3a,b,d; c4c;  c5b) PDAS II(5)** | * Cyberlaw - law that is intended to govern the use of computers in e- commerce and the Internet. * Browser - scanning program that utilizes the attributes of hypertext to allow immediate access to any and all subjects and the background information necessary to comprehend them. |
| **Materials/Specialized** | **Instructional Aids:** |
| **Equipment Needed** | * “The Internet and Constitutional Rights” Presentation |
|  | * Internet |
|  | * “Internet Legal Issues Timeline” Assignment |
|  | * Rubric for “Internet Legal Issues Timeline” Assignment |
|  | * “Internet Presentation” Assignment |
|  | * Rubric for “Internet Presentation” Assignment |
|  | **Materials Needed:** |
|  | * Construction paper |
|  | * Scissors and glue |
|  | * Poster board |
|  | **Equipment Needed** |
|  | * Computers for students to complete projects |
|  | * Projector for presentation |
| **Anticipatory Set** | **Ask** students what are the constitutional issues involved in the use of |
| (May include pre-assessment for | electronic communication. Freedom of speech and privacy rights are |
| prior knowledge) | both being challenged by the widespread use of the Internet. |
|  | Individuals must realize that their Internet communications are not private. E- mails are not private when using company’s e- mail system. |
|  | **Ask** students if the Internet should be regulated like television or given more freedom like newspapers and magazines. Does the United |
|  | States have the ability to control what is put on or transferred within the Internet throughout the world? Students should defend their positions. |
|  | **Ask** students to create scenarios in which each of the freedoms they enjoy can be pushed too far. Ask students how insulting, intrusive, or disrupting a statement relating to religious icons, races, ethnicities, public figures, emergency situations, etc., can be before the law should step in to control what is being said. |

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**Direct Instruction \***

I. Foundations of Cyberlaw

A. Law intended to govern the use of computers in e-commerce

B. Law to govern the Internet

C. The Birth of the Internet--Explain to students that over the last 50 years the U.S. Supreme Court has endorsed three different obscenity standards—from a very restrictive national standard prohibiting anything that tended to corrupt morals (pre- 1960s), to a very liberal national standard permitting anything with redeeming social value (1960s- early 1970s), to a standards that allowed local governments to define their own obscenity standard as long as it fell within the guideline set by the court.

1. U.S. Department of Defense laid the groundwork for the Internet in the late 1960s
2. 1980s - National Science Foundation (NSF) built its own network

D. The World Wide Web

1. 1990 - the Internet was opened up to new users through the creation of hypertext
2. Tim Berners- Lee- developed the World Wide Web (WWW)- making the Internet available to anyone with the use of a computer

E. Evolving Legal Issues in Cyber Space

i. The Ongoing Issue of Jurisdiction

ii. International Jurisdiction

iii. Types of Issues

1. Contracts
2. Privacy
3. Obscenity
4. Defamation
5. Security of data
6. Trademarks
7. Copyrights
8. Crimes

iv. Ask students to conduct research on illegal copying of music on the Internet and conduct a class discussion about the consequences.

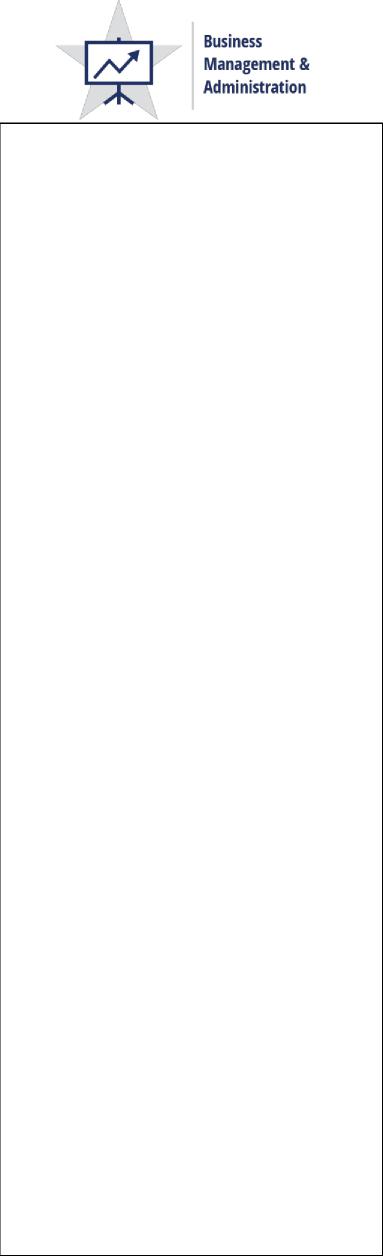
v. Ask students to research the Child Online Protection Act of 1998. How does this act affect questionable art and literature taught in schools that may be offensive to certain segment of the population?

II. Internet- Related Constitutional Issues

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A. Freedom of Speech - basic means of expression (speech, press, religion, assembly, and petition



i. Roth v. United States

1. Obscenity did not have the protection of the First Amendment
2. Does the questionable material have any redeeming social importance?

ii. Miller v. California - questionable materials were to be judged by the standards of the community affected

iii. Communication Decency Act - to control the knowing transmittal of obscene material through the Internet

iv. Child Online Protection Act - required commercial sites to use up-to-date methodology to restrict access to their sites containing material harmful to children

v. Explain the fine line between “freedom of speech” and obscene expression.

vi. Explain how sick individuals share obscene pictures and information using the Internet. The law can confiscate computers in these cases.

B. The Right of Privacy

1. Employee has no true expectation of privacy on a company’s e- mail system (personal e- mails are not protected by the right of privacy)
2. Spamming - practice of sending unwanted bulk e- mailings to hundreds of thousands of potential customers via the Internet
3. The computer at work for personal e- mails is risky business. An employer can fire individuals using the computer inappropriately for personal use at work. Spamming is annoying and frequently leads to computer viruses.

*Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*

* This lesson may be modified to accommodate your students with learning differencesby referring to the files found on the Career & Technical Special Populations page ofthis website (<http://cte.unt.edu/).>

Using the lesson presentation**,** the teacher will explain the Internet and Constitutional Rights. Split the class into teams that consist of two students. Each team must give an example of how individuals can get into legal trouble using the Internet. Each group will be given 3 minutes to report their information to other students in the class.

**Guided Practice \***

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| **Independent  Practice/Laboratory  Experience/Differentiated  Activities \*** | * **Internet Legal Issues Timeline:** Ask students to design an Internet Legal Issues Timeline that covers the four acts/laws covered in Part II of the outline. The timeline should include dates, define the laws/acts, and give several examples (minimum 8-10 events) for each law. * **Internet Presentation:** Split the class into teams with two members. Each team must design a presentation that explains the impact of the Internet in today’s business and personal world. The presentation should give examples of good and bad impacts from using the Internet. The presentation should also give examples of laws and regulations that have resulted since the birth of the Internet. |
| **Lesson Closure** | Q. What characteristic of the Internet makes exercising legal  control over it nearly impossible?  A. The decentralization of the Internet makes exercising legal  control by current institutions over it nearly impossible.  Q. What are the constitutional issues related to use of the  Internet?  A. The constitutional issues related to Internet use include  freedom of speech and the right of privacy.  Q. Which court system will hear a case when citizens of the same  state sue one another?  A. The state courts  Q. What act would offer protection to an employer whose  employee used the computer system at work to harass his ex‐  girlfriend?  A. Communications Decency Act |
| **Summative / End of Lesson  Assessment \*** | Use the assigned rubric to evaluate the projects assigned for Independent Practice. |
| **References/Resources/  Teacher Preparation** |  |
| **Additional Required Components** | |
| **English Language Proficiency  Standards (ELPS) Strategies** |  |
| **College and Career Readiness  Connection1** | **College Readiness and Study Skills** |

1 Visit the Texas College and Career Readiness Standards at

<http://www.thecb.state.tx.us/collegereadiness/CRS.pdf,> Texas Higher Education Coordinating Board (THECB), 2009.

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|  | * 110.48(b)(2)(A). The student is expected to expand vocabulary through wide reading, viewing, listening, and discussion. * 110.48(b)(2)(F). The student is expected to use context to determine meanings of words and phrases such as figurative language, idiomatic expressions, homonyms, and technical vocabulary. * 110.54(b)(4)(D). The student is expected to summarize texts by identifying main ideas and relevant details. * 110.47(b)(7)(A). The student is expected to read silently or orally such as paired reading or literature circles for sustained periods of time. |
| **Recommended Strategies** | |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy  Presentation Slides + One  Additional Technology  Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies  Journal Entries + 1 Additional  Writing Strategy** |  |
| **Communication**  **90 Second Speech Topics** |  |
| **Other Essential Lesson Components** | |
| **Enrichment Activity** (e.g., homework assignment) | Look at the electoral map for the last Presidential election. Frequently Republicans are described as more conservative and Democrats are described as more liberal. Then take a U.S. map and color‐ code the states as being more conservative or liberal. The conservative or liberal nature of the states will also be reflected in the state’s standard of obscenity.  Flash the following words during a presentation: art gallery, museum, university, literature, lyrics to a popular song, peaceful demonstration. Then ask students if any of these activities might be offensive to certain groups. How would the standard of obscenity be determined? |

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| **Family/Community  Connection** |  |
| **CTSO connection(s)** | **Business Professionals of America  Future Business Leaders of America** |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

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