Spring 2016

Modules (Weeks) List

Instructor

- Instructor: Eric Merriam, J.D., LL.M.
- Office: HPA 1, Room 340 (Where's this?); HPH, Room 311A (Where's this?)
- Office Hours: Tuesdays 9:00-10:00am and 1:30-3pm in HPH office; Thursdays 9:00-10:00am and 1:30-3pm in HPA1 Office
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Course Information

- Course Name: American Constitutional Law I
- Course ID & Section: POS4603
- Credit Hours: 3
- Semester/Year: Spring 2016
- Location: Online only

Course Description

Constitutional law addresses the text of the U.S. Constitution and the interpretation of that text. This course focuses on what the Constitution says – and importantly, how what the Constitution says has been interpreted by the United States Supreme Court – about the powers of each branch of the federal government, and the relationship between the federal government and state governments. Federalism will be explored primarily through examination of the evolving understanding of the Commerce Clause. University Course Catalog Description: Development of American federalism and national power, commerce clause, and nationalization of the economy.

Course Objectives

1. Students will comprehend judicial review and how the power of judicial review was obtained by the Supreme Court.

2. Students will understand the role of the Supreme Court as the ultimate interpreter of the Constitution and be able to apply fundamental judicial philosophies/modes of constitutional interpretation in deciding cases and evaluating selected legal problems.
3. Students will understand some of the powers of the three branches of the federal government and how those powers have been shaped by historical events and Supreme Court interpretation of the Constitution.
4. Students will understand how the balance between federal and state power has shifted, especially through examination of the evolving meaning of the Commerce Clause.
5. Students will improve critical thinking and legal problem-solving skills.

Prerequisites

ENC 1102 (Freshman Composition II), POS 2041 (American National Government), or consent of the instructor. Though not required, I encourage you to take POS 4284 (Judicial Process and Politics) prior to taking this class.

Required Texts

Course textbook: Constitutional Law and American Democracy, by Corey Brettschneider, First Edition (2012)

Additional required book: Cosmic Constitutional Theory, by J. Harvie Wilkinson III, First Edition (2012)

Course Expectations/Policies

Academic Conduct: Academic dishonesty in any form will not be tolerated. If you are uncertain as to what constitutes academic dishonesty, please consult The Golden Rule, the University of Central Florida's Student Handbook (http://www.goldenrule.sdes.ucf.edu/) for further details. Also, see Plagiarism below and review the Plagiarism page in the Week 0 Module. As in all University courses, The Golden Rule Rules of Conduct will be applied. Violations of these rules will result in a record of the infraction being placed in your file and, at a minimum, receiving a zero for the graded assessment in question. At the instructor's discretion, you may also receive a failing grade for the course. Confirmation of such incidents can also result in expulsion from the University.

Collaboration: All graded assessments are individual effort only, unless otherwise directed. You are welcome (encouraged, if you need it) to use the University Writing Center (UWC) to improve your written work product. The UWC is a free resource for UCF undergraduates and graduates. At the UWC, a trained writing consultant will work individually with you on anything you're writing, at any point in the writing process from brainstorming to editing. Appointments are recommended, but not required. For more information or to make an appointment, visit the UWC website at http://www.uwc.ucf.edu, stop by MOD 608, or call 407.823.2197.

Communication with Professor: Regularly check your KnightsMail and look for Announcements here in the course for important information. Ensure your Webcourses notifications settings let you know when you've received a new email or announcement from me. In terms of your communication with me, you are welcome to converse with me by email, phone, or other mutually arranged communication technology (likely Skype). If real time communication (phone, video chat) is required, please plan to do that during my office hours (see Office Hours below). Also, if your question is one that might benefit other students, please post it in the Course Questions/Comments discussion page. Responses to emails or discussion posts will not be instantaneous, so plan ahead. You can generally expect to get a response from me to emails or discussion board posts within 24-48 hours during the week; communication on the weekend, holidays, or school break will likely be delayed. If extended substantive discussion or explanation is required, written communication (email, discussion posts, other messaging) is not preferred -- plan to discuss with me by phone or Skype. Also, please be aware that I am not permitted to communicate by email to any address other than your official KnightsMail address.

Copyright. This course may contain copyright protected materials such as audio or video clips, images, text materials, etc. These items are being used with regard to the Fair Use doctrine in order to enhance the learning environment. Please do not copy, duplicate, download or distribute these items. The use of these materials is strictly reserved for this online classroom environment and your use only. All copyright materials are credited to the copyright holder.

Disability Access: The University of Central Florida is committed to providing reasonable accommodations for all persons with disabilities. This syllabus is available in alternate formats upon request. Students who need accommodations must be registered with Student Accessibility Services, Ferrell Commons Room 185, phone (407) 823-2371, TTY/TDD only phone (407) 823-2116, before requesting accommodations from the professor.

Office Hours: If you need to communicate with me in real time (rather than through KnightsMail or discussion board), I will be generally available in person, online, or at my office phone during office hours stated above. I have two offices, both of which are on the main campus; you are welcome to visit me in either. To ensure I am available when you need to communicate with me, I strongly recommend you set up an appointment with me in advance.

Plagiarism: Many incidents of plagiarism result from students' lack of understanding about what constitutes plagiarism. However, you are expected to familiarize yourself with UCF's policy on plagiarism. All work you submit must be your own scholarly and creative efforts. UCF's Golden Rule defines plagiarism as follows: "**whereby another's work is used or appropriated without any indication of the source, thereby attempting to convey the impression that such work is the student's own.**"

Reading Material: Though a few additional readings will be posted on the course website, the vast majority of the required readings for this course are in the course textbook, Constitutional Law and American Democracy, 2012, by Dr. Corey Brettschneider. The other assigned reading is the book Cosmic Constitutional Theory, 2012, by J. Harvie Wilkinson. Both of these books are required. Unless otherwise noted, page numbers in the course schedule refer to the textbook. Read for comprehension and memory all pages noted on the syllabus unless otherwise directed (e.g., to "skim" or "review"). There is a significant amount of reading in this course and the vast majority of your learning will come from the reading. If you do not intend to complete all assigned readings, you may want to reconsider taking this course.

Respect: Respect for others is the most important value in this course and is a key element of your academic education. Because of the contentious nature of some of the subject matter addressed in this course, respect will be especially important, including respect for others (by respecting the right to have different opinions and by courteous behavior) and respect for yourself (through professional presentation and effort). I reserve the right to modify course grades, including receiving a failing grade, for a significant violation of this expectation of respect. In addition, students are reminded that violence and harassment based on sex that interferes with educational opportunities is unlawful under Title IX. If you or someone you know has been harassed or assaulted, you can find resources available to support the victim, including confidential resources, and information concerning reporting options at shield.ucf.edu. Perpetrators are subject to expulsion or termination and may also be subject to criminal penalties.

Syllabus: This syllabus is meant to provide you with an overview of the course, but I may need to make changes. If so, I'll provide you with notice, and if the changes are significant, a revised syllabus.

Technical Support: Please use the technical support available here. If you notice a technical problem with the course, you are welcome to inform me of it. If this is the first time you will be using Webcourses to take an online course at UCF, I strongly encourage you to first take the brief tutorial, available here, and KnightsOnline.

A virus can spell disaster. Your use of a reputable anti-virus program is a requirement for participation in this course. AVG (Links to an external site.) is a great, free antivirus program. Malwarebytes (Links to an external site.) is a great anti-malware program. Back up your files using One Drive in Office365 or a similar backup system. Technical issues can and will happen. These problems do occur and are really inconvenient, however, they are generally not a valid excuse for failing to get your work in on time.

Third-Party Software and FERPA: During this course you might have the opportunity to use public online services and/or software applications sometimes called third-party software such as a blog or wiki. While some of these could be required assignments, you need **not** make any personally identifying information on a public site. Do not post or provide any private information about yourself or your classmates. Where appropriate you may use a pseudonym or nickname. Some written assignments posted publicly may require personal reflection/comments, but the assignments will not require you to disclose any personally identity-sensitive information. If you have any concerns about this, please contact your instructor.

Evaluation and Grading (Assessments)

The following grading scale applies in this course:

Letter Grade	Points
A	93 – 100 points
A-	90 – 92 points
B+	87 – 89 points
B	83 – 86 points
B-	80 – 82 points
C+	77 – 79 points
C	73 – 76 points
C-	70 – 72 points
D+	67 – 69 points
D	63 – 66 points
D-	60 – 62 points
F	59 and below

Assignment	Weighted Value of Semester Grade
Module Journals	40%
Journal Peer Reviews	20%
Court Simulation I	15%
Court Simulation II	25%
Total	**100%**
Extra Credit Paper	Additional 5% max

Extra Credit. There is only one opportunity for extra credit in this course: the Judicial Philosophy paper. The maximum amount of extra credit available is an additional 5% toward the overall semester grade. If you wish to receive any credit, it must be submitted by the due date. Late submissions of the extra credit paper will not be allowed for any reason.

Late Work. Late work will be penalized as follows: up to 24 hours late, reduction of 25% of maximum available points; 24-48 hours late, reduction of 50%. *No credit* for assignments submitted more than 48 hours late. Extensions are rarely granted and are at the sole discretion of the professor. If an extension is granted, it will only be because the student faced truly unforeseen and unforeseeable circumstances that prevented timely submission of the assignment. Students believing they need an extension under such circumstances should contact the professor as soon as possible to explain and make alternative arrangements.