Fall 2017

Modules (Weeks) List

(Use Modules to accomplish each step in the course)

Instructor

- Instructor: Eric Merriam, J.D., LL.M.
- Offices: HPA 1, Room 340 (Where's this?); HPH, Room 305A (Where's this?)
- Office Hours:
  - Tuesdays 9:30am-12pm in HPH office (Political Science Dept)
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- Twitter: Follow @ProfEricMerriam (Links to an external site.)Links to an external site.

Course Information

- Course Name: American Constitutional Law I
- Course ID: POS4603
- Credit Hours: 3
- 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.

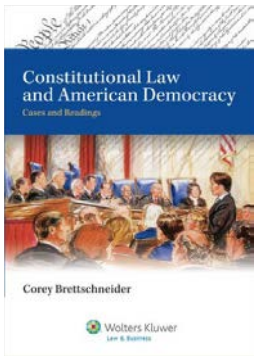
Course Objectives

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.

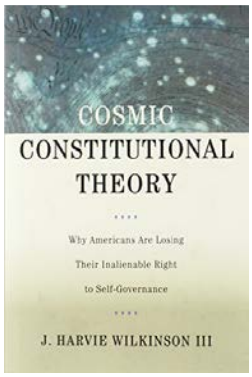
Prerequisites

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 graduate students. 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 Webcourses email account 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 class announcement from me. **Please do not use the comments function on discussion boards or assignments to communicate with me** -- send me a message through Webcourses. 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). My responses to emails or discussion posts will likely not be instantaneous, so plan ahead. You can generally expect to get a response from me to emails within 24-48 hours during the week; communication on the weekend, holidays, or school breaks 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 with you by email to any address other than your official KnightsMail address or through Webcourses.

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 email), 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.

Pace: This course is designed with the expectation that you work on the course weekly. However, you can work ahead up to a point. For example, all of the weekly modules that comprise "Block 1" of the course are available to you from the beginning of the course. All of the modules comprising Block 2 will be unlocked together, etc. Please note the module unlocking dates and assignment due dates and plan ahead. I do not unlock modules early.

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.**" See Plagiarism page in Module 0 for more information.

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 books are required. Both have been in print for a few years, so if you prefer used copies, they should be readily available. 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, 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.

Teaching Assistant: A teaching assistant (TA) may be employed in this course. If so, the TA will be a graduate student in the UCF political science department. The TA may be involved in preparing instruction and in grading, though ultimate responsibility for grades rests solely with the professor. You are welcome to communicate with the TA if you like, but **you must copy me on the email**; please understand the TA will share with the professor all communication to/from students, no matter the method of communication.

Technical Support: If you have technical problems with Webcourses, please use the technical support available here. If you notice a technical problem with the course (e.g., a Module doesn't unlock when it should, group discussion boards aren't working, assignments aren't working properly, etc.), you are welcome to inform me of it, but the most timely way to get the problem resolved will be through UCF's Webcourses technical support team. 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. If you notice broken links in the course, please let me know.

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.)Links to an external site. is a great, free antivirus program. Malwarebytes (Links to an external site.)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	90 – 100 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
Block 1 Module Journals	15%
Block 2 Module Journals	30%
Block 3 Module Journals	25%
Court Simulation I	10%
Court Simulation II	20%

Total	**100%**
Extra Credit Paper	Additional 5% max
Syllabus and Plagiarism Quiz	Additional 1% max

Extra Credit. There are only two opportunities for extra credit in this course: the optional Judicial Philosophy paper and the non-optional syllabus and plagiarism quiz. The maximum amount of extra credit available is an additional 6% increase in your overall semester grade (5% for the paper; 1% for the quiz). If you wish to receive any credit, it must be submitted by the due date. **Late submissions of extra credit assignments will not receive credit.**

Late Work. Late work will be penalized as follows: up to 24 hours late, reduction of 25% of maximum available points. ***No credit* for assignments submitted more than 24 hours late**. Extensions are rarely granted, must be requested before the deadline for the assignment, 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. The types of events that have qualified for late submissions in the past have included unplanned hospitalizations, funerals, and other family emergencies that have occurred in the day or two prior to a graded assessment being due. Events that have not qualified include being "busy," having work obligations, or being sick for part of the week during which the module was available.

Grade Adjustment. Sometimes (but not always) at the end of the semester I determine that the overall class grades do not accurately represent overall student performance and adjust everyone's grade upwards slightly. This is typically when graded assessments have been more difficult than I intended. Whether I apply such a "curve" is solely at my discretion. If I do apply an curve, it will apply to every student's grade equally (every student will receive the same grade percentage increase). Additionally, I will only apply an upward curve (no student's grade will be decreased as a result of a curve). I will not decide whether to apply a curve until after I have graded all assessments in the course, including the last assignment, so please do not ask me in advance whether there will be one. If I apply a curve at the end of the semester, I'll send a message to all students notifying you; if you don't receive such a message, it's safe to assume no curve was applied.

Course Summary:

Date	Details	
Fri Aug 25, 2017	Course Introduction Quiz	due by 3:59pm
Wed Sep 20, 2017	Block 1 Module Journals	due by 11:59pm
Wed Oct 11, 2017	Extra Credit - Constitutional Methodology Paper	due by 11:59pm
Wed Oct 25, 2017	Block 2 Module Journals	due by 11:59pm
Wed Nov 1, 2017	Court Simulation I - Clerk's Report	due by 11:59pm
Wed Nov 29, 2017	Block 3 Module Journals	due by 11:59pm
Wed Dec 6, 2017	Court Simulation II - Judicial Opinion	due by 11:59pm