POS 4603 - American Constitutional Law I

Section: AW60

College of Sciences

School of Politics, Security, and Intl Affairs

Course Information

Term: Summer 2024
Class Meeting Location:
Modality: WW
Credit Hours: 3

Instructor Information

John Hanley
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Office Hours:
By Appointment
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Course Description

POS 4603 COS-POLS 3(3,0)American Constitutional Law I: PR: ENC 1102 or POS 2041 or C.I. Development of American federalism and national power, commerce clause, and nationalization of the economy. Fall.

America's system of government arises mainly from a set of institutional negotiations concluded at Philadelphia in the summer and early fall of 1787. Just as it did not slowly take shape over hundreds of years, neither was it the product of ethnic or linguistic nationalism, nor an invention

of legal scholars, international organizations, or a foreign conqueror. As a result, Americans seek political guidance and national meaning from an 18th century document whose text has been lightly revised in the succeeding 237 years. To a greater extent than in probably any other country, the American constitution *matters* and its interpretation is the subject of vigorous debate. But the Constitution of 1787 failed, and it is not the Constitution we live under today. How do we balance the meanings and purposes of the Constitution of yore against those of the amendments and current-day society? How can we determine what the Constitution's answer is to a specific question, or even whether the Constitution provides an answer in the first place? Who gets to make these determinations? Who must follow them?

Student Learning Outcomes

Students shall:

- Analyze and assess judicial opinions and case outcomes, judicial philosophies and political and socio-economic theories more generally. Critical thinking will be engaged both *deductively*--identifying shortcomings in stated theories as well as *inductively*--organizing perspectives into coherent systems of belief.
- Increase their substantive understanding of American politics and political history, consistent with the centrality of the Constitution to American political culture and institutions.

Course Materials and Resources

Constitutional Law and Politics, vol. 1
Subtitle: Struggles for Power and Governmental Accountability
ISBN: 978-0-393-89351-9
Authors: O'Brien, David M., and Gordon Silverstein
Publisher: Norton
Publication Date: 2023
Edition: 12
Notes: DO NOT PURCHASE VOLUME 2

Course Assessment and Grading Procedure

Grades will be based on semi-weekly quizzes, review exercises, Yellowdig discussions, and a final exam. These will be weighted as follows:

- Module quizzes 40%
- Review Exercises 20%
- Yellowdig discussions 20%
- Final Exam 20%

100 %

Quizzes (40%)
Each module will include a quiz. The quiz will require you to understand and be familiar with the cases in the module as well as how they fit together and illustrate political debates and solutions. The lowest quiz grade will be dropped.

Review Exercises (20%) Each numbered module contains two graded review exercises, such as crossword puzzles, matching games, etc. Your lowest two module review exercise scores will be dropped.

Yellowdig Discussions (20%) – As part of the course, you will be assigned to a group in a Yellowdig community. This will give you an opportunity to engage with and discuss constitutional law topics. Yellowdig has its own rules for earning points, and you should familiarize yourself with these.

Final Exam (20%)
The final examination will be composed of multiple choice, true/false, and short answer questions. It will be cumulative.

Grading Scale

Letter Grade	Percentage
A	93.333-100%
A-	90.000-93.332%

Letter Grade	Percentage
B+	86.667-89.999%
B	83.333-86.667%
B-	80-83.333%
C+	76.667-79.999%
C	73.333-76.667%
C-	70-73.333%
D	60-69.999%
F	0-59.999%

Policies for Course Grade

Makeup Work Policy

Incomplete grades, changes in exam dates, and extensions of written assignments will be approved only by the instructor, and only upon evidence of extenuating circumstances. Students participating in religious observances or university-sanctioned activities may receive extensions on assignments consistent with UCF and state policy.

Missed/Late Assignments

Late work will be penalized at a rate of 10% per day late (or portion thereof), including weekend days and holidays unless otherwise noted in the module.

Attendance

This is an online course. There are no sessions to attend.

Course Accessibility

The University of Central Florida is committed to providing access and inclusion for all persons with disabilities. Students with disabilities who need access to course content due to course design limitations should contact the professor as soon as possible. Students should also connect with Student Accessibility Services (SAS) (Ferrell Commons 185, sas@ucf.edu, phone 407-823-2371). For students connected with SAS, a Course Accessibility Letter may be created and sent to professors, which informs

faculty of potential course access and accommodations that might be necessary and reasonable. Determining reasonable access and accommodations requires consideration of the course design, course learning objectives and the individual academic and course barriers experienced by the student. Further conversation with SAS, faculty and the student may be warranted to ensure an accessible course experience.

Academic Integrity

Students should familiarize themselves with UCF's Rules of Conduct at Student Conduct and Integrity Office. According to Section 1, "Academic Misconduct," students are prohibited from engaging in:

1. Unauthorized assistance: Using or attempting to use unauthorized materials, information or study aids in any academic exercise unless specifically authorized by the instructor of record. The unauthorized possession of examination or course-related material also constitutes cheating.
2. Communication to another through written, visual, electronic, or oral mans: The presentation of material which has not been studied or learned, but rather obtained through someone else's efforts and used as part of an examination, course assignment, or project.
3. Commercial Use of Academic Material: Selling of course material to another person, student, and/or uploading course material to a third-party vendor without authorization or without the express written permission of the university and the instructor. Course materials include but are not limited to class notes, Instructor's PowerPoints, course syllabi, tests, quizzes, labs, instruction sheets, homework, study guides, handouts, etc.
4. Falsifying or misrepresenting the student's own academic work.
5. Plagiarism: Using or appropriating another's work without any indication of the source, thereby attempting to convey the impression that such work is the student's own.
6. Multiple Submissions: Submitting the same academic work for credit more than once without the express written permission of the instructor.
7. Helping another violate academic behavior standards.
8. Soliciting assistance with academic coursework and/or degree requirements.

Responses to Academic Dishonesty, Plagiarism, or Cheating

Students should also familiarize themselves with the procedures for academic misconduct in UCF's student handbook, *The Golden Rule*. UCF faculty members have a responsibility for students' education and the value of a UCF degree, and so seek to prevent unethical behavior and respond to academic misconduct when necessary. Penalties for violating rules, policies, and instructions within this course can range from a zero on the exercise to an "F" letter grade in the course. In addition, an Academic Misconduct report could be filed with the Office of Student Conduct, which could lead to disciplinary warning, disciplinary probation, or deferred suspension or separation from the University through suspension, dismissal, or expulsion with the addition of a "Z" designation on one's transcript.

Being found in violation of academic conduct standards could result in a student having to disclose such behavior on a graduate school application, being removed from a leadership position within a student organization, the recipient of scholarships, participation in University activities such as study abroad, internships, etc.

Let's avoid all of this by demonstrating values of honesty, trust, and integrity. No grade is worth compromising your integrity and moving your moral compass. Stay true to doing the right thing: take the zero, not a shortcut.

Title IX

Title IX prohibits sex discrimination, including sexual misconduct, sexual violence, sexual harassment, and retaliation. 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 Let's Be Clear and UCF Cares.

For more information on diversity and inclusion, Title IX, accessibility, or UCF's complaint processes contact:

- Title IX – OIE – Office of Institutional Equity & askanadvocate@ucf.edu
- Disability Accommodation – Student Accessibility Services – Student Accessibility Services & sas@ucf.edu

- Diversity and Inclusion Training and Events – Office of the VP for Diversity, Equity & Inclusion
- UCF Compliance and Ethics Office – Compliance, Ethics, and Risk Office & complianceandethics@ucf.edu
- The Ombuds Office is a safe place to discuss concerns.

Deployed Active-Duty Military Students

Students who are deployed active duty military and/or National Guard personnel and require accommodation should contact their instructors as soon as possible after the semester begins and/or after they receive notification of deployment to make related arrangements.

Campus Safety

Emergencies on campus are rare, but if one should arise during class, everyone needs to work together. Students should be aware of their surroundings and familiar with some basic safety and security concepts.

- In case of an emergency, dial 911 for assistance.
- Every UCF classroom contains an emergency procedure guide posted on a wall near the door.
- Students should make a note of the guide's physical location and review the online version at Safety
- Students should know the evacuation routes from each of their classrooms and have a plan for finding safety in case of an emergency.
- If there is a medical emergency during class, students may need to access a first-aid kit or AED (Automated External Defibrillator). To learn where those are located, see AED Locations.
- To stay informed about emergency situations, students can sign up to receive UCF text alerts by going to RAVE Mobile Safety and logging in. On the "My Account" tab, fill out the information, including e-mail address and cell phone number.

- Students with special needs related to emergency situations should speak with their instructors outside of class.
- To learn about how to manage an active-shooter situation on campus or elsewhere, consider viewing this video from the UCF Police Department, You CAN Survive an Active Shooter.

Campus Safety Statement for Students in Online-Only Courses

Though most emergency situations are primarily relevant to courses that meet in person, such incidents can also impact online students, either when they are on or near campus to participate in other courses or activities or when their course work is affected by off-campus emergencies. The following policies apply to courses in online modalities.

- To stay informed about emergency situations, students can sign up to receive UCF text alerts by going to RAVE Mobile Security and logging in. On the “My Account” tab, fill out the information, including e-mail address and cell phone number.
- Students with special needs related to emergency situations should speak with their instructor outside of class.

Financial Aid Accountability

All instructors/faculty are required to document students’ academic activity at the beginning of each course. In order to document that you began this course, please complete this activity by the end of the first week of classes or as soon as possible after adding the course. Failure to do so may result in a delay in the disbursement of your financial aid.

Class Schedule

Module	Completion Date	Topic
1	5/17	Introduction & Judicial Review
2	5/17	How the federal judiciary works
3	5/22	Methods of constitutional interpretation
4	5/24	Congress & Commerce I
5	5/29	Commerce II

6	5/31	Regulating States and Taxation
7	6/5	The President in Foreign Policy
8	6/7	Emergency Powers
9	6/12	Appointment, Privilege, and Immunity
10	6/14	Appointment and Removal
11	6/19	Representation & Voting Rights
12	6/21	Campaigns & Elections
Final Due 6/21 at 11:59pm		