# POS 4603 - AMERICAN CONSTITUTIONAL LAW I

**Section:** 0W60

*College of Sciences*

School of Politics, Security, and Intl Affairs

## Course Information

**Term:** Fall 2024
**Class Meeting Location:**
**Modality:** WW
**Credit Hours:** 3.00

## Instructor Information

John Hanley
**Office Location:** Room 302I ("Eye") Howard Phillips Hall
**Office Hours:**
Monday 9am-noon (virtual)

Tuesday noon-3pm (in-office)
**Email:** John.Hanley@ucf.edu

## 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 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% |
| 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

Quizzes will only be available for one day late, except under exceptional circumstances. Yellowdig discussions permit students to work ahead or catch up, earning a possible 135% of the week's maximum points.

### 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:

a. Academic misconduct is defined as any submitted work or behavior that obstructs the instructor of record's ability to accurately assess the student's understanding or completion of the course materials or degree requirements (e.g., assignment, quiz, and/or exam). Examples of academic misconduct include but are not limited to: plagiarism, unauthorized assistance to complete an academic exercise; unauthorized communication with others during an examination, course assignment, or project; falsifying or misrepresenting academic work; providing misleading information to create a personal advantage to complete course/degree requirements; or multiple submission(s) of academic work without permission of the instructor of record.

b. Any student who knowingly helps another violate academic behavior standards is also in violation of the standards.

c. Commercial Use of Academic Material. Selling of course material to another person and/or uploading course material to a third-party vendor without authorization or without the express written permission of the University and the instructor of record. Course materials include but are not limited to class notes, the instructor of record's slide deck, tests, quizzes, labs, instruction sheets, homework, study guides, and handouts.

d. Soliciting assistance with academic coursework and/or degree requirements. The solicitation of assistance with an assignment, lab, quiz, test, paper, etc., without

authorization of the instructor of record or designee is prohibited. This includes but is not limited to asking for answers to a quiz, trading answers, or offering to pay another to complete an assignment. It is considered Academic Misconduct to solicit assistance with academic coursework and/or degree requirements, even if the solicitation did not yield actual assistance (for example, if there was no response to the solicitation).

**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
- Access and Community Engagement (including the Ginsberg Center for Inclusion and Community Engagement, Military and Veteran Student Success, and HSI Initiatives)
- UCF Compliance and Ethics Office – Compliance, Ethics, and Risk Office & complianceandethics@ucf.edu
- The Ombuds Office is a safe place to discuss concerns.

## Reporting an Incident or Issue

If you believe you have experienced abusive or discriminatory behavior by any faculty of staff member, contact the Office of Institutional Equity online or at 407-823-1336. You can also choose to report using the UCF Integrity Line and can report anonymously or as yourself at 1-855-877-6049 or using the online form. UCF cares about you and takes every report seriously. For more information see the Reporting an Incident or Issue Webpage.

## 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

At UCF Public Safety and Police, safety is the top priority. Emergencies on campus are rare, but if one should arise, it's important to be familiar with some basic safety and security concepts.

- In an emergency, always dial 911.
- Every UCF classroom has an **Emergency Procedure Guide** posted on a wall near the door, which will show you how to respond to a variety of situations. This guide can also be found online here.
- In the event of an active threat, remember **AVOID, DENY, DEFEND**. Choose the best course of action and act immediately. Watch the video here to learn more.
    - **AVOID**. Pay attention to your surroundings and have an exit plan. Get as much distance and as many barriers between you and the threat as quickly as possible.
    - **DENY.** When avoiding is difficult or impossible, deny the threat access to you and your space. Lockdown by creating barriers, turning the lights off and remaining quiet and out of sight. Make sure your cell phone is silenced, but do not turn it off.
    - **DEFEND.** When you are unable to put distance between yourself and the threat, be prepared to protect yourself. Commit to your actions, be aggressive and do not fight fairly. Do whatever it takes to survive.
- For emergencies on campus, UCF will utilize the UCF Alert system. All UCF students, faculty and staff are automatically enrolled to receive these email and text alerts, however, it's a good idea to frequently ensure your contact information is up to date.

## 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 | 8/30 | Introduction & Judicial Review |
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|---|---|---|
| 2 | 9/6 | How the federal judiciary works |
| 3 | 9/13 | Methods of constitutional interpretation |
| 4 | 9/20 | Congress & Commerce I |
| 5 | 9/27 | Commerce II |
| 6 | 10/4 | Regulating States and Taxation |
| 7 | 10/11 | The President in Foreign Policy |
| 8 | 10/18 | Emergency Powers |
| 9 | 10/25 | Appointment, Privilege, and Immunity |
| 10 | 11/1 | Appointment and Removal |
| 11 | 11/8 | Representation & Voting Rights |
| 12 | 11/15 | Campaigns & Elections |
| 13 | 11/22 | Liberty of Contract |
| Final Due 12/6 at 11:59pm | | |