Constitutional Law II: Civil Rights and Civil Liberties
POS 4604 [0W60]
University of Central Florida
Fall 2025
Instructor Jeff Dambly

Course Description and Objectives

American Constitutional Law II: Civil Rights and Civil Liberties examines the protections afforded individuals by the Bill of Rights of the U.S. Constitution. This is an online only course. The course material is organized into numbered modules to be completed sequentially. Students can complete some assignments at their own pace but should participate in regular group discussion at roughly the same time as other students in the class. University Course Catalog Description: Development of civil liberties and civil rights in the American federal system.

Please read this syllabus carefully. When you've finished reading this syllabus, you can start with the "Start Here" module on Webcourses. The “Start Here” module includes a Syllabus Quiz and you must score 5/5 on it to unlock numbered modules.

The objective of this course is to introduce you to the important role that the United States Constitution has in orienting American politics and governance. With this end in mind, we will explore the Constitution, its various interpretations, and the role of the judiciary in constitutional application, examples of the influence it has had on the function of government, and the case law that has emanated from its interpretation. The objectives of this class include the following:

- Understand key constitutional terms and concepts
- Understand historically significant Supreme Court decisions
- Analyze historical trends in Supreme Court composition and decision making
- Evaluate and apply constitutional precedents
- Apply legal reasoning to complex hypothetical problems
- Engage in discussion and deliberation of constitutional issues
- Improve writing and critical thinking skills
- Build collaboration skills and practice professional work habits

Required Text & Assignments

There is no assigned textbook for this course. One of the goals of this course is to prepare you to succeed in law school (should that be of interest to you), graduate school, or the professional workforce. Learning to read cases and identify the nuances of court opinions now will help you significantly toward that end. Thus, our weekly readings will be excerpts from cases that I have edited. To be clear: reading these may not be easy, especially at first. Readings cases efficiently can be an acquired skill, but I strongly believe it will benefit you in the long run. We will cover some issues of how to read cases in the first week, and please know that I am always available to discuss issues you may be having.

Be mindful that weekly assigned readings vary in length, so some weeks will have heavier reading assignments compared to others. On occasion, you may find additional recommended reading posted in Webcourses. Please know that I strive to do a few things each week with these case excerpts: (1) I try to keep the reading to a manageable level, so I try to cap the maximum number of pages to read per week. I will monitor how you are progressing and adjust those numbers accordingly based on your feedback. (2) For case excerpts I ask you to read, I only provide the portions of cases I think have relevance to you. Either the case opinion's discussion is directly related to the substantive reasons the case is included in the module, or it discusses procedural issues/background that is useful.

Prerequisites: ENC 1102 (Freshman Composition II), POS 2041 (American National Government), or consent of the instructor. I encourage you to take POS 4284 (Judicial Process and Politics) prior to taking this class.

Class Format & How You Will Be Evaluated

This is an entirely online course with no in-class meetings. Therefore, our format will be slightly different than other versions of this course. The course is broken into modules that you will find on the Webcourses course site. Modules open on a weekly basis so as to not allow students to get too far ahead in completing assignments or watching lectures. I expect the course to be cumulative with learning taking place each week, so don't expect that you can knock out all your

assignments in a few weeks because of the online format. It is also your responsibility to stay up to date on changes in the syllabus. I reserve the right to amend the syllabus as I deem necessary.

Each week you will be assigned readings, typically from the assigned cases but on occasion I'll either require or suggest newer case opinions or applicable readings. I will provide a weekly lecture that you can review at your convenience that should provide an overview and prompt thoughts as you review the assigned readings and undertake weekly written assignments. I cannot stress enough that the lectures will be highly valuable in a holistic learning approach, and they may cover material not directly referenced in the case readings.

Please note that, traditionally, law courses center around in-class discussions and professors frequently use a Socratic method of instruction based on asking students questions. Since we can't do that in this format, we compensate with frequent group discussions. I expect each of you to engage your classmates frequently in the forums, and I will also participate from time to time.

Grading - your final grade will be a composite of four major factors:

1) **Discussion Assignments** (25% of your grade)

- Each numbered module includes a group discussion of a constitutional problem or issue. You will be expected to provide a weekly response to the provide prompt, as well as provide feedback to at least two of your classmates.

- Students will be graded based on quality of their writing and analysis, as well as their ability to appropriately respond to the prompt.

- ***Note: message boards will not be available in advance of the current module.***

2) **Quizzes** (20% of grade)

- Each of the numbered modules contains a quiz. Each module quiz is worth 45 points. Your lowest module quiz score will be dropped.

- ***Note: quizzes will not be available in advance of the current module.***

3) **Midterm** (25% of grade)

- For your "midterm," you will be provided a factual prompt based on a hypothetical scenario and asked to render a legal opinion based on particular case law. This exercise will be timed.

4) **Final Exam** (30% of grade)

- The Final Examination is cumulative and will require students to apply their understanding of the subject matter in a comprehensive manner. Students can expect a mix of multiple choice and true-false questions on the Final Exam.

Student Expectations

a) Course Behavior

Very simply, every student should be prepared engaged on a weekly basis. If you are not engaged, it may affect your grade. Your participation and engagement may well be the deciding factor if your overall grade is on the fence to the next-highest grade range (up or down).

Be sure to understand this next point: this course will engage in discussions meant to provoke thoughtful conversation on potentially controversial legal and policy topics. All viewpoints are to be respected in an academic discussion. In expressing arguments and analysis, please be considerate and mindful of your classmates; please also have the same consideration when reviewing the viewpoints of your fellow classmates, particularly if they are not consistent with your political or ideological leanings. I anticipate (and, indeed, expect) engaging, vigorous, and professional discussions. I also expect reasoned, measured, and (again) professional discussions. Those who act in contrast to these expectations may lose the right to post on the discussion boards and the associated course points.

b) Absences, Late Work, and Incomplete Grades

Make-ups for in-class writing, quizzes, the midterm, or the final exam will only be allowed for official University activities or personal emergencies. Written documentation is required. Make-up assessments may be different. See UCF Policy 4.401. and UCF Regulation 5.020.

Excused absences include documented illnesses, deaths in the family and other documented crises, call to active military or jury duty, religious holy days, and official University activities. These absences will be accommodated in a way that does not arbitrarily penalize students who have a valid excuse. Considerations will also be given to students whose dependent children experience serious illness.

Incomplete grades are given only in situations where unexpected emergencies prevent a student from completing the course and the remaining work can be completed the next semester. Your instructor is the final authority on whether you qualify for an incomplete.

c) Academic Honesty

Course assignments are designed to have educational value; the process of preparing for and completing these exercises will help improve your knowledge. Just as importantly, these efforts will improve the skills necessary to succeed in the future. Material presented to satisfy course requirements is therefore expected to be the result of your own original scholarly efforts.

Cheating, plagiarism, or any dishonesty in your work is not tolerated at this university. Please refer to your student handbook for more information about UCF's academic honor system and reach out to me if any part of the code is unclear.

Use of Generative Artificial Intelligence (GenAI) is governed on an assignment-by-assignment basis. For each assignment, you must carefully review the instructions to determine whether AI-generated content is permitted. In some cases, you may be permitted (though not required) to use GenAI. When using GenAI, you must disclose specifically where and how it was used in the process of completing the assignment. Unless explicitly

allowed, all components of your work must be fully prepared by you. Any attempt to represent GenAI output inappropriately as your own work will be treated as plagiarism. Ultimately, students are responsible for the accuracy and veracity of submitted work whether AI-generated or not. There is significant value in many AI tools, but when authorized they should at most supplement, not replace, your own efforts, to include creative and critical thinking skills.

Each student is honor-bound to submit only their own work under their name or signature, to fully acknowledge their use of any information, ideas, or other matter belonging to someone else, to properly document the source in question, and to offer for credit only that work which they have completed without assistance. If thoughts are not your own, cite appropriately! I am comfortable with either APA or Bluebook (the legal standard) citation formats. I reserve the right to use Turnitin.com or other sources to check for plagiarism or dishonesty.

I will also adhere to the highest standards of academic integrity, so please do not ask me to change (or expect me to change) your grade illegitimately or to bend or break rules for one person that will not apply to everyone.

The Center for Academic Integrity (CAI) defines academic integrity as a commitment, even in the face of adversity, to five fundamental values: honesty, trust, fairness, respect, and responsibility. From these values flow principles of behavior that enable academic communities to translate ideals into action. http://academicintegrity.org/

UCF Creed: Integrity, scholarship, community, creativity, and excellence are the core values that guide our conduct, performance, and decisions.

> Integrity: I will practice and defend academic and personal honesty.
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> Scholarship: I will cherish and honor learning as a fundamental purpose of my membership in the UCF community.
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> Community: I will promote an open and supportive campus environment by respecting the rights and contributions of every individual.

Creativity: I will use my talents to enrich the human experience.

Excellence: I will strive toward the highest standards of performance in any endeavor I undertake.

d) Technology

Students may, without prior notice, record video or audio of a class lecture for a class in which the student is enrolled for their own personal educational use. A class lecture is defined as a formal or methodical oral presentation as part of a university course intended to present information or teach students about a particular subject. Recording classroom activities other than class lectures, including but not limited to lab sessions, student presentations (whether individually or part of a group), class discussion (except when incidental to and incorporated within a class lecture), clinical presentations such as patient history, academic exercises involving student participation, test or examination administrations, field trips, and private conversations is prohibited. Recordings may not be used as a substitute for class participation and class attendance, and may not be published or shared without the written consent of the faculty member. Failure to adhere to these requirements may constitute a violation of the University's Student Code of Conduct as described in the Golden Rule.

Course content is available through Webcourses. Students must have the ability to view videos, write and upload assignments, and post to discussion boards. Students should have access to high-speed internet and updated software. Mobile devices may be used to view course content, upload assignments, and respond to board posts as determined by the instructor. Please work early in the week so that if you have any problems, you can receive any needed help prior to assignment due dates and times. Technology will not be an excuse for missing deadlines.

e) Unauthorized Use of Class Materials

There are many fraudulent websites claiming to offer study aids to students but are cheat sites. They encourage students to upload course materials, such as test questions, individual assignments, and examples of graded

material. Such materials are the intellectual property of instructors, the university, or publishers and may not be distributed without prior authorization. Students who engage in such activity are in violation of academic conduct standards and may face penalties.

f) Emergency Procedures

Students are encouraged to be aware of their surroundings and familiar with actions to take in various types of emergencies. 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 <https://my.ucf.edu> and logging in. Click on "Student Self Service" located on the left side of the screen in the toolbar, scroll down to the blue "Personal Information" heading on the Student Center screen, click on "UCF Alert", fill out the information, including e-mail address, cell phone number, and cell phone provider, click "Apply" to save the changes, and then click "OK."
- Students with special needs related to emergency situations should speak with their instructors outside of class.

g) 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 https://letsbeclear.ucf.edu and http://cares.sdes.ucf.edu/.

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

- Title IX – OIE – http://oie.ucf.edu/ & askanadvocate@ucf.edu
- Disability Accommodation – Student Accessibility Services
- Diversity and Inclusion Training and Events
- UCF Compliance and Ethics Office & complianceandethics@ucf.edu
- Ombuds Office

h) 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.

i) Financial Aid Requirement

As of Fall, 2014, all 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 the Evidence of Academic Engagement Quiz 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.

Office Hours and Professor Contact

Office hours will be Monday, Wednesday, and Friday, from 11am-12pm, in my office on the third floor of Howard Phillips Hall (305A). More generally, I will always make my best effort to be available for questions. You may email me at jeffrey.dambly@ucf.edu at any time. I am almost always connected to email, so please don't hesitate to follow up if I do not respond quickly. At a maximum, you should expect a response in no later than 1 business day. If designated office hours are problematic, we can also schedule time to meet in office or virtually on Zoom that is convenient for you.

Grading Scale

A	100-93
A-	92-90
B+	89-87
B	86-83
B-	82-80
C+	79-77
C	76-73
C-	72-70
D+	69-67
D	66-63
D-	62-60
F	Below 60

Course Accessibility Statement

The University of Central Florida is committed to providing access and inclusion for all persons with disabilities. This syllabus is available in alternate formats upon request. Students with disabilities who need specific access in this course, such as accommodations, should contact the professor as soon as possible to discuss various access options. Students should also connect with Student Accessibility Services (Ferrell Commons, 7F, Room 185, sas@ucf.edu, phone (407) 823-2371). Through Student Accessibility Services, a Course Accessibility Letter may be created and sent to professors, which informs faculty of potential access and accommodations that might be reasonable.

Accommodations for Active Duty Military Students

If you are a deployed active duty military student and feel that you may need a special accommodation due to that unique status, please contact the instructor to discuss your circumstances.

Course Breakdown – Subjects and Reading Assignments

These readings are subject to change. In fact, they likely will change as the semester evolves. Please coordinate with your classmates and instructor if you have any questions about upcoming assignments

Week 1: Introduction to Case Law and Constitutional Interpretation
Aug. 18 - 24

Reading Assignment:

- Murrill, B.J. (2018). Modes of constitutional interpretation. Congressional Research Service.
- Kerr, O.S. (2007). How to read a legal opinion: a guide for new law students. *The Green Bag* 11:1.

Week 2: Incorporation of the Bill of Rights
Aug. 25 – Aug. 31

Reading Assignment:

- Barron v. Baltimore (1833)
- Hurtado v. California (1884)
- Palko v. Connecticut (1937)
- Duncan v. Louisiana (1968)

Week 3: Religious Liberties, Part I
Sept. 1 – 7

Reading Assignment:

- Cantwell v. Connecticut (1940)
- Sherbert v. Verner (1963)
- Lemon v. Kurtzman (1971)
- Wisconsin v. Yoder (1972)

- Employment Div., Department of Human Resources of Oregon v. Smith (1990)
- Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC (2012)

Week 4: Religious Liberties, Part II
Sept. 8-14

Reading Assignment:

- Everson v. Board of Education (1947)
- School District of Abington Township v. Schempp (1963)
- Van Orden v. Perry (1986)
- Edwards v. Aguillard (1987)
- Zelman v. Simmons-Harris (2002)
- Trinity Lutheran Church v. Comer (2017)
- Town of Greece v. Galloway (2014)
- Mahmoud v. Taylor (2025)

Week 5: Free Expression, Part One
Sept. 15-21

Reading Assignment:
- Schenck v. U.S. (1919)
- Gitlow v. N.Y. (1925)
- Whitney v. California (1927)
- Brandenburg v. Ohio (1969)

Week 6: Free Expression, Part Two
Sept. 22-28

Reading Assignment:
- Chaplinsky v. N.H. (1942)
- U.S. v. O'Brien (1968)
- Texas v. Johnson (1989)
- Cohen v. California (1971)
- McCullen et al. v. Coakley (2014)

- Snyder v. Phelps (2011)
- U.S. v. Alvarez (2012)
- Tinker v. Des Moines Indep. Community School Dist. (1969)
- Morse v. Frederick (2007)
- First National Bank of Boston v. Belloti (1978)
- Bates v. State Bar of Arizona (1977)
- Central Hudson Gas and Electric Corp. v. Public Service Comm. of N.Y. (1980)
- Walker v. Texas Division, Sons of Confederate Veterans (2015)
- Matal v. Tam (2017)
- West Virginia State Board of Ed. v. Barnette (1943)
- Rumsfeld v. Forum for Academic and Institutional Rights, Inc. (2006)
- Boy Scouts of America v. Dale (2000)

Week 7: Midterm
Sept. 29 – Oct. 5

Midterm Will Be Available Sept. 29th
and will be Due Sunday, October 5th, 11:59pm

There will be no quiz or other writing assignments for Week 7 due to the midterm

Week 8: Freedom of the Press
Oct. 6. – Oct. 12

Reading Assignment:
- Near v. Minnesota (1931)
- New York Times v. U.S. (1971)
- Hazelwood School District v. Kuhlmeier (1988)
- Branzburg v. Hayes (1972)

Week 9: The Second Amendment
Oct. 13 - 19

Reading Assignment:

- District of Columbia v. Heller (2008)
- McDonald v. City of Chicago (2010)
- New York State Rifle and Pistol Association, Inc. v. Bruen (2022)
- US v. Rahimi (2024)

Week 10: Privacy
Oct. 20 – 26

Reading Assignment:

- Griswold v. Connecticut (1965)
- Roe v. Wade (1973)
- Planned Parenthood of Southeastern Pennsylvania v. Casey (1992)
- Lawrence v. Texas (2003)
- Obergefell v. Hodges (2015)
- Cruzan v. Director, Missouri Department of Health (1990)
- Dobbs v. Jackson Women's Health Organization (2022)

Week 11: Law Enforcement, Investigations, Intelligence, and Evidence
Oct. 27 – Nov. 2

Reading Assignment:

- Katz v. U.S. (1967)
- U.S. v. Jones (2012)
- Illinois v. Gates (1983)
- Florida v. Jardines (2013)
- Safford Unified School District #1 v. Redding (2009)
- Terry v. Ohio (1968)
- Mapp v. Ohio (1961)
- U.S. v. Leon (1984)
- Hudson v. Michigan (2006)
- Escobedo v. Illinois (1964)
- Miranda v. Arizona (1966)
- Missouri v. Seibert (2004)

Week 12: Attorneys, Trials, and Punishments
Nov. 3 - 9

Reading Assignment:

- Powell v. Alabama (1932)
- Gideon v. Wainwright (1963)
- Batson v. Kentucky (1986)
- Sheppard v. Maxwell (1966)
- Richmond Newspapers v. Virginia (1980)
- Gregg v. Georgia (1976)
- Atkins v. Virginia (2002)

Week 13: Equal Protection, Part One
Nov. 10 - 16

Reading Assignment:

- Plessy v. Ferguson (1896)
- Sweatt v. Painter (1950)
- Brown v. Board of Education I (1954)
- Brown v. Board of Education II (1955)
- Swann v. Charlotte-Mecklenburg Bd. of Ed. (1971)
- Parents Involved in Community Schools v. Seattle School District No. 1 (2007)

Week 14: Equal Protection, Part Two
Nov. 17 - 23

Reading Assignment:

- Cleburne v. Cleburne Living Center (1985)
- Loving v. Virginia (1967)
- Regents of the University of California v. Bakke (1978)
- Fisher v. University of Texas (2013)
- Reed v. Reed (1971)
- Craig v. Boren (1976)
- U.S. v. Virginia (1996)
- Romer v. Evans (1996)
- San Antonio Independent School District v. Rodriguez (1973)
- Plyler v. Doe (1982)
- Shelley v. Kraemer (1948)

- Burton v. Wilmington Parking Authority (1961)
- Moose Lodge No. 107 v. Irvis (1972)

Final Exam will be available on Webcourses
December 1 - 6