POS 4604 - American Constitutional Law II

Section: 0W60

College of Sciences

School of Politics, Security, and Intl Affairs

Course Information

Term: Spring 2026
Class Meeting Days: ASC
Class Meeting Location: Online
Modality: WW
Credit Hours: 3.00

Instructor Information

Name: Jeff Dambly
Title: Instructor
Office Location: HPH 305A
Office Hours
MW 11am-12pm
Email: jeffrey.dambly@ucf.edu

Office Hours

Office hours will be Monday and Wednesday, from 11am-12pm, in my office on the third floor of Howard Phillips Hall (305A). I can be available at those same times for virtual office hours. 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 often 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.

Course Description

POS 4604 COS-POLS 3(3,0)American Constitutional Law II: PR: ENC 1102 or POS 2041 or C.I. Development of civil liberties and civil rights in the American federal system. Spring.

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.

Student Learning Outcomes

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

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.

Required Course Materials and Resources

All course material will be provided via Webcourses

Course Assessment and Grading Procedure

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 (beginning on Monday mornings) 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 may 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,. These lectures may be a source of testing.

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 quality feedback to at least two of your classmates. Discussion posts should be written in a CRAC (conclusion, rule, analysis/application, conclusion) format, which will be further outlined in the first reading assignments. Initial discussion essays are due on Fridays (unless otherwise stated), while feedback to classmates are due by the following Sunday.

- 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. Quiz questions may come from either assigned readings or lectures. Weekly quizzes will be due by Sunday unless otherwise stated.
- ***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. This exam is also timed.

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.

Grading Scale

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Letter Grade	Percentage
A	94-100%
A-	90-93%
B+	87-89%
B	84-86%
B-	80-83%
C+	77-79%
C	74-76%
C-	70-73%
D+	67-69%
D	64-66%
D-	60-63%
F	0-59%

Policies for Course Grade

Makeup Work Policy, Missed/Late Assignments, and Attendance

Make-ups for 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.

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, be seen via webcam, 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.

Artificial Intelligence (AI) Use Policy

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.

Use of Respondus LockDown Browser for Quizzes and Exams

To take quizzes and exams, you will need to download and use Respondus LockDown Browser. Please see the instructions below.

Hardware/Software Requirements

The following hardware and software technologies are needed to complete the course:

- Desktop or laptop computer
- Webcam
- Microphone
- Either speakers or headphones
- Reliable access to the internet

- Access to Webcourses@UCF
- Access to ucf.zoom.us with NID and NID password
- Respondus LockDown Browser, which you will need to take the quizzes and exams.

Using LockDown Browser and a Webcam for Online Exams

This course requires the use of LockDown Browser and a webcam for online exams. The webcam can be built into your computer or can be the type that plugs in with a USB cable. Watch this short video to get a basic understanding of LockDown Browser and the webcam feature. A student Quick Start Guide (PDF) is also available.

Then download and install LockDown Browser from this link:

https://download.respondus.com/lockdown/download.php?id=472413933

To ensure LockDown Browser and the webcam are set up properly, do the following:

- Start LockDown Browser, log into this course.
- Locate and select the **Help Center** button on the LockDown Browser toolbar.
- Run the **Webcam Check** and, if necessary, resolve any issues.
- Run the **System & Network Check**. If a problem is indicated, see if a solution is provided in the Knowledge Base. Troubleshooting information can also be emailed to our institution's help desk.
- Exit the Help Center and locate the Practice Quiz.
- Upon completing and submitting the practice quiz, exit LockDown Browser.

When taking an online exam that requires LockDown Browser and a webcam, remember the following guidelines:

- *Select a location where you are comfortable having a video recording taken of yourself and your workspace environment. This area should also be free of distractions and interruptions.*
    - Turn off all other devices (e.g., tablets, phones, second computers) and place them outside of your reach.
    - Clear your desk of all external materials not permitted — books, papers, other devices, etc.
    - Before starting the test, know how much time is available for it, and that you've allotted sufficient time to complete it.
    - Remain at your device for the duration of the test.
    - If the device or networking environment is different than what was used previously with the **Webcam Check** and

System & Network Check in LockDown Browser, run the checks again prior to starting the test.

- To produce a good webcam video, do the following:
  - Avoid wearing baseball caps or hats with brims.
  - Ensure your device is on a firm surface (a desk or table). Do NOT have the device on your lap, a bed or other surface where the device (or you) are likely to move.
  - If using a built-in webcam, avoid tilting the screen after the webcam setup is complete.
  - Take the exam in a well-lit room and avoid backlighting, such as sitting with your back to a window.
- Remember that LockDown Browser will prevent you from accessing other websites or applications; you will be unable to exit the test until all questions are completed and submitted.

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.

Disability Access & Accommodations

The University of Central Florida is committed to providing equal access to all students with disabilities (ADHD, learning disabilities, Autism, chronic medical conditions, physical disabilities, etc.). To receive consideration for reasonable disability-related course accommodations, disabled students must contact Student Accessibility Services (SAS) and complete the steps required for SAS to review accommodation requests. More information can be found on the UCF Student Accessibility Services website under the

Start Here tab or by contacting SAS directly (Ferrell Commons 185; sas@ucf.edu; Phone - 407-823-2371).

Approved accommodations are shared with course instructors via the SAS Course Accessibility Letter. Implementing certain accommodations may require discussion about specific considerations of the course design, course learning objectives, and the individual academic and course challenges experienced by the student. While students with disabilities or chronic health needs are also encouraged to discuss any course concerns with professors in addition to contacting SAS, professors are not required to facilitate disability-related adjustments to the course unless the professor has received a Course Accessibility Letter from SAS that outlines approved accommodations.

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.

Academic Integrity

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

1. 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 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

assessment, 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.

2. Any student who knowingly helps another violate academic behavior standards is also in violation of the standards.
3. 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 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.
4. 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 and Academic Integrity, 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" designated 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 access and community engagement, Title IX, accessibility, or UCF's complaint processes contact:

- Title IX – ONAC – Office of Nondiscrimination & Accommodations Compliance & 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 discrimination by any faculty or staff member, contact the Office of Nondiscrimination & Accommodations Compliance via the ONAC

website or at 407-823-1336. You can also choose to report using the UCF Integrity Line either anonymously or as yourself at 1-855-877-6049 or by 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 arrangements.

Campus Safety

At UCF's 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 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 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

Course Schedule

Week	Topic
1	Introduction to Case Law and Constitutional Interpretation Assigned Readings: • Modes of Constitutional Interpretation, Congressional Research Service • How to Read a Legal Opinion, Orin Kerr • Organizing a Legal Discussion, Columbia Law School • CRAC: An Overview, University of North Texas-Dallas College of Law
2	Incorporation of the Bill of Rights Assigned Readings: • Palko v. Connecticut • Hurtado v. California • Barron v. Baltimore • Duncan v. Louisiana

Week	Topic
3	Religious Liberties, Part I Assigned Readings: • Cantwell v. Connecticut • Sherbert v. Verner • Wisconsin v. Yoder • Employment Div., Dept. of Human Resources of Oregon v. Smith • Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah • Mahmoud v. Taylor
4	Religious Liberties, Part II Assigned Readings: • Lemon v. Kurtzman • Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC • Van Orden v. Perry • Trinity Lutheran Church of Columbia, Inc. v. Comer • Town of Greece NY v. Galloway • Zelman v. Simmons-Harris
5	Free Expression, Part I Assigned Readings: • Schenck v. US • Gitlow v. NY • Whitney v. California • Brandenburg v. Ohio

Week	Topic
6	Free Expression, Part II Assigned Readings: • Cohen v. California • US v. O'Brien • Texas v. Johnson • Tinker v. Des Moines Independent Community School District • Morse v. Frederick • Walker v. Texas Div. Sons of Confederate Veterans Inc. • Matal v. Tam • McCullen v. Coakley • Boy Scouts of America v. Dale
7	Midterm Midterm will be available February 23rd and will be due March 1st by 11:59pm
8	Freedom of the Press Assigned Readings: • Near v. State of Minnesota ex rel Olson • New York Times Co. v. US • Hazelwood School District v. Kuhlmeier • Branzburg v. Hayes
9	The Second Amendment Assigned Readings: • District of Columbia v. Heller • New York State Rifle and Pistol Association Inc. v. Bruen • US v. Rahimi
10	Spring Break: March 16 - 21

Week	Topic
11	Privacy Assigned Reading: • Griswold v. Connecticut • Roe v. Wade • Dobbs v. Jackson Women's Health Organization • Lawrence v. Texas • Obergefell v. Hodges • Cruzan by Cruzan v. Director Missouri Dept. of Health
12	Law Enforcement, Investigations, Intelligence, and Evidence Assigned Readings: • Katz v. US • Florida v. Jardines • Carpenter v. US • Illinois v. Gates • Terry v. Ohio • Mapp v. Ohio • Escobedo v. Illinois • Miranda v. Arizona • Missouri v. Seibert
13	Attorneys, Trials, and Punishments Assigned Readings: • Powell v. Alabama • Gideon v. Wainwright • Batson v. Kentucky • Sheppard v. Maxwell • Richmond Newspapers, Inc. v. Virginia • Gregg v. Georgia • Atkins v. Virginia • Smith v. Arizona

Week	Topic
14	Equal Protection, Part I Assigned Readings: • Plessy v. Ferguson • Sweatt v. Painter • Brown v. Board • Brown v. Board II • Swann v. Charlotte-Mecklenburg Bd of Education • Parents Involved in Community Schools v. Seattle School District No. 1 • Shelley v. Kraemer • Burton v. Wilmington Parking Authority
15	Equal Protection, Part II Assigned Readings: • City of Cleburne Texas v. Cleburne Living Center • Loving v. Virginia • Romer v. Evans • Reed v. Reed • Craig v. Boren • US v. Virginia • Plyler v. Doe • Regents of University of California v. Bakke • Fisher v. UT Austin • Students for Fair Admissions v. Harvard
16	Final Exam will be available on Webcourses April 29 - May 5.