**POLITICAL SCIENCE 450 – Section 1**

**CONSTITUTIONAL LAW II**

**Spring, 2023**

**INFORMATION**

**COURSE:** Monday, Wednesday, and Friday, 10 – 10:50am, in **EHFA #249**

**INSTRUCTOR:** Dr. Mikel Norris

**OFFICE:** Brittain Hall #356

**OFFICE HOURS:** Monday and Wednesday, 8 – 9:30am, 11 – 1:30pm, and by appointment

* Please contact me via email to arrange face-to-face meetings on Microsoft Teams

**E-MAIL and PHONE:** [mnorris1@coastal.edu](mailto:mnorris1@coastal.edu) / (843) 349-4033

**INTRODUCTION**

Welcome to Political Science 450, Constitutional Law II.

***Catalog Description***

POLI 450 Constitutional Law II. (3) (Prereq: POLI 201 or permission of the instructor) A study of the Supreme Court decisions that have shaped the boundaries of the civil rights and liberties protected by the Constitution. Selected covered topics include the liberties enumerated in the first Ten Amendments of the Constitution, and the civil rights of citizens protected in the Fourteenth and Fifteenth Amendments of the Constitution.

***Course Objectives***

1. Examine the evolving scope, breadth, and limitations of the several protected rights and liberties of the American people.
2. Examine the evolution of constitutional doctrine in an historical context.
3. Discuss important constitutional cases and explain important legal terms, clauses, and tests that define American constitutional law.
4. Describe and explain important methods of constitutional interpretation and explain how those methods shape American constitutional law.

***Student Learning Outcomes***

Upon successful completion of the course, students are expected to be able to:

1. Compare and contrast the different methods of constitutional interpretation.
2. Identify important constitutional questions being decided by the Supreme Court.
3. Demonstrate a thorough understanding of the important terms, clauses, and tests that define how the Supreme Court interprets the Constitution.
4. Apply their knowledge of important Supreme Court precedents to critically analyze and interpret current constitutional dilemmas.

Students should be forewarned that there will be a lot of reading in this course. If you do not read the required material, you will not pass the course.

**BOOKS and SUPPLEMENTARY READING**

The following required book is available for purchase at the University Bookstore:

* Lee Epstein, Kevin T. McGuire, and Thomas G. Walker. *Constitutional Law for a Changing America: Rights, Liberties, and Justice, 11th Edition.* Washington DC: Sage/CQ Press. 2022.

(ISBN: 9781544391250)

This textbook may also be available online through different websites. Students need to purchase this book IMMEDIATELY, as we will begin using it immediately.

Additional court cases will also be assigned. They are noted in the Course Schedule & Assignments section of the syllabus, and are available in PDF format on Moodle in the appropriate course units.

Additional readings may be assigned during the semester. These readings will also be required if assigned, and will also be posted on Moodle.

**ASSIGNMENTS**

The assignments for this course are listed below:

* **MIDTERM EXAM:** The midterm examination will be in multiple choice/fill-in-the-blank/short answer format. It is worth 25% of your final grade. The date of the midterm examination is **Friday, March 3rd.**
* **QUIZZES:** Two quizzes will be given during the semester and will be in multiple choice/ fill-in-the-blank/short answer format. Quizzes are worth 20% of your final grade (10% each). The date of the first quiz is **Friday, February 17th.** The date of the second quiz is **Wednesday, April 5th.**
* **CASE BRIEFS:** Students will write detailed case briefs on selected Supreme Court opinions during the semester. Five (5) briefs will be assigned. I will announce in class which cases will be briefed. We will discuss the ins and outs of briefing in class. In total, the briefs will be worth 20% of your final grade.
* **CLASS PARTICIPATION:** Class participation will be worth 10% of your final grade.

**GRADING**

A total of 500 points can be earned in this class. You will earn points as follows:

* Midterm Examination: 125 points
* Final Examination: 125 points
* Quizzes: 100 points (50 points each)
* Case Briefs: 100 points (20 points each)
* Class Participation: 50 points

Your grade will be based on the following calculations:

* A (90% - 100%) = 450-500 points
* B+ (88% - 89.9%) = 438-449 points
* B (80% - 87.9%) = 400-437 points
* C+ (78% - 79.9%) = 388-399 points
* C (70% - 77.9%) = 350-387 points
* D+ (68% - 69.9%) = 338-349 points
* D (60% - 67.9%) = 300-337 points
* F (0% - 59.9%) = 299 points or less

**POLICIES**

**Class Attendance:** It should be common knowledge that students who attend class and participate in class discussion perform better on tests and quizzes and ultimately receive higher grades. Class attendance for this course is mandatory. Attendance will be taken for every class. Per University policy, I reserve the right to fail any student who is absent for more than 25% of regularly scheduled classes. This comes out to missing eight (8) or more courses for a Monday, Wednesday, Friday course.

I only excuse absences for **FOUR** circumstances, which are deemed acceptable by Coastal Carolina University:

* University representation
* Death of an immediate family member
* Religious observance
* Incapacitating illness

The key word in the last excuse is **incapacitating.** Merriam-Webster’s Dictionary defines incapacitating as “unable to work, move, or function in the usual way.” So, a cold is not incapacitating, a tummy-ache is not incapacitating, etc. etc. etc. I will only accept as incapacitating illness different illnesses requiring you to have extensive bedrest, hospital stay, or quarantine. This includes COVID-related illness. Please see below.

**DO NOT** bring me doctors’ excuses or other forms of verification for missing class unless your absence occurs on a test or a quiz day, and the notification must be presented **before** the test or quiz. Be aware that **just because you bring me a doctor’s note does not mean I will count your absence as excused.** If you are truly sick, or are going to miss time due to a death in the family, please fill out an **Attendance Notification Request Form.** This form can be found on the Dean of Students’ website:

<https://www.coastal.edu/deanofstudents/attendancenotificationforstudents/>

When you submit this form, the Dean of Students’ Office will send notification of the reason of absence to **all** of your professors. It’s the easiest and most effective way to let your professors and others know that you will be missing class. **I am more likely to accept this verification of an excused absence than I am a doctor’s note.**

For further information on the rights and responsibilities of students and professors regarding class attendance, please see policy **ACAD-125** on the University’s Policies webpage:

<https://www.coastal.edu/policies>

Coastal Carolina University is committed to taking steps to retain its student body. One of those steps is to require absence reporting for 100-level and 200-level courses. I will file absence alerts after a student has missed two consecutive absences and has not informed me of the reasons for doing so. This will happen regardless of whether the absences are excused or unexcused. Once this is submitted, you can expect to be contacted by an Academic Outreach Advisor. If you don’t want to be bothered by the people in Academic Outreach, then come to class.

I must also report absences for your interim and final grades. The absences reported for these grades will account for both excused and unexcused absences.

**Class Participation:** Class participation is also important for class success. All students should come to class prepared to discuss the materials to be covered for each lecture. Class preparation includes reading and thinking critically about all class material. Students should also be prepared to ask questions about material they do not understand, answer questions during class, and make appropriate comments and insights that will benefit and enhance class discussion. Students who meet all of these criteria may receive extra points when their final grade is calculated. Assignment of these points will be made at the discretion of the instructor.

Students are also asked to speak and act appropriately during class. This includes not talking to other students in a disruptive manner during class, or making inappropriate comments toward other students. Cell phones should also not be used during class. They are disruptive to the instructor and other students. Continued violations of these guidelines WILL impact your final grade.

I would ask all students to think of their participation grade as a clean slate. Everyone has a 100% on the first day of class. If you regularly attend class, come to class prepared, participate in discussion and don’t use your cell phone you will get a 100% participation grade. If you don’t exhibit these behaviors your grade will drop. It will ultimately be up to you what this final grade will be.

**Academic Integrity and Code of Conduct:** Cheating and plagiarism are wrong and I do not like it. It is unfair to other students. Furthermore, it reflects very poorly on your character. Cheating carries with it a severe penalty, and may even lead to expulsion from the university. **DON’T DO IT.** It is wrong and will not be tolerated. Those caught cheating (e.g., looking at someone else’s paper during a test, consulting notes during a test, consulting previously-taken tests/quizzes, etc.) in this class will receive a zero for that assignment and be reported to the University Academic Integrity Officer. Further action may be considered based on the extent and severity of the offense. If further action is pursued, I will request the student receive a grade of **Fx** for the course.

Students need to be immediately aware that **I regularly check students’ case briefs against available briefs online. I have no tolerance for lazy students who think they are savvy enough to copy internet case briefs, turn them in as their own, and get away with it.**

Coastal Carolina University operates under a Code of Student Conduct, which governs both academic and social conduct. The Code of Student Conduct may be reviewed here:

<https://www.coastal.edu/media/2015ccuwebsite/contentassets/documents/deanofstudents/2020-2021%20Code%20of%20Student%20Conduct.pdf>

Per the Code of Student Conduct, all students at Coastal Carolina pledge to oppose all instances of academic dishonesty. Plagiarism is listed as the second form of prohibited conduct in the Code of Conduct behind personal behavior. This should make clear the importance of not engaging in this type of activity. Students may talk to me privately if they have any questions or concerns involving cheating and plagiarism.

**Late Assignment Policy:** I will not tolerate late assignments. Students who miss tests or quizzes will not be able to make up those assignments unless they have an excused absence (see above), and will receive a zero for the assignment. If a case brief is not turned in by the beginning of the class on the day it is due, five (5) points will be deducted from the final grade. An additional five (5) points will be deducted if it is not turned in by the end of that day. Five(5) points will be deducted each day thereafter.

**Students with Disabilities:** I am committed to making all necessary accommodations for students with verified disabilities. However, it is the responsibility of *the student* to begin the accommodation process. I will not make accommodations unless the student provides me with verification of disability and supplies the proper paperwork to me in a timely fashion so I can accommodate them. Students with disabilities are urged to contact the Office of Accessibility and Disability Services ((843) 349-2503) to learn more about the rights and responsibilities of disabled students attending Coastal Carolina University.

**COVID-19:** Individual students affected by COVID-19 need to refer to my absence policy detailed above. Students who are quarantined because of COVID-19 will still be able to stay on pace with the rest of the class via the recorded lectures on Moodle. It will be that student’s responsibility to stay on pace with the rest of the class. I would also recommend that student’s affected by COVID-19 stay in contact with me via email and Microsoft Teams so I can help you through the inevitable difficulties that will arise from missing a lot of class time.

Be aware that I take all reports of students becoming ill with COVID-19 *very* seriously. If you tell me you are missing class time due to COVID-19, I will contact Student Health Services personally to make sure they are aware of the situation. If you use COVID-19 as an excuse for missing class, you can expect for the University to place you in quarantine and compel you to undergo COVID-19 testing as a price for using that excuse.

In the event of a COVID-19 spread that affects the entire campus and we are evacuated or moved to a distance learning format, we will move our courses online as outlined in the Hurricane Policy listed above and proceed on schedule.

**\*\*\*\*\*\*THE PROFESSOR RESERVES THE RIGHT TO MAKE CHANGES TO THE**

**SYLLABUS DURING THE COURSE OF THE SEMESTER. ANY CHANGES WILL BE**

**DISCUSSED BEFOREHAND\*\*\*\*\*\***

**COURSE SCHEDULE and ASSIGNMENTS**

MONDAY, JANUARY 9 & WEDNESDAY, JANUARY 11………...INTRODUCTION to the SUPREME COURT

* TEXTBOOK: pp. 3 – 65
* **FRIDAY, JANUARY 13th: CLASS CANCELLED (Professor at conference)**
* **MONDAY, JANUARY 16th: MARTIN LUTHER KING DAY (NO CLASSES)**

WEDNESDAY, JANUARY 18 thru MONDAY, JANUARY 23………..INCORPORATION DOCTRINE

* TEXTBOOK: pp. 67 – 87

WEDNESDAY, JANUARY 25 thru WEDNESDAY, FEBRUARY 1………...FREEDOM OF RELIGION

* TEXTBOOK: pp. 91 – 179
* *Kennedy v. Bremerton School District* (2022) available on Moodle

FRIDAY, FEBRUARY 3 thru FRIDAY, FEBRUARY 10……………………….FREEDOM OF SPEECH, ASSEMBLY, and ASSOCIATION

* TEXTBOOK: pp. 181 – 261

MONDAY, FEBRUARY 13 & WEDNESDAY, FEBRUARY 15………………….FREEDOM OF PRESS

* TEXTBOOK: pp. 263 – 285

FRIDAY, FEBRUARY 17 thru WEDNESDAY, FEBRUARY 22………………BOUNDARIES OF FREE EXPRESSION

* TEXTBOOK: pp. 287 – 327
* **QUIZ #1: FRIDAY, FEBRUARY 17th**

FRIDAY, FEBRUARY 24 thru WEDNESDAY, MARCH 1………………………...RIGHT TO PRIVACY

* TEXTBOOK: pp. 341 – 396
* *Dobbs v. Jackson Women’s Health Org.* (2022) available on Moodle

**FRIDAY, MARCH 3rd: MID-TERM EXAMINATION**

**MONDAY, MARCH 6th thru FRIDAY, MARCH 10th: SPRING BREAK (NO CLASSES)**

MONDAY, MARCH 13 & WEDNESDAY, MARCH 15………………….THE RIGHT TO BEAR ARMS

* TEXTBOOK: pp. 329 – 339
* *New York State Rifle & Pistol Assoc. v. Bruen* (2022) available on Moodle

FRIDAY, MARCH 17 thru FRIDAY, MARCH 24…………………....INVESTIGATIONS & EVIDENCE

* TEXTBOOK: pp. 399 – 461

MONDAY, MARCH 27 thru MONDAY, APRIL 3……......ATTORNEYS, TRIALS, and PUNISHMENTS

* TEXTBOOK: pp. 463 – 512
* **QUIZ #2: WEDNESDAY, APRIL 5th**

WEDNESDAY, APRIL 5 thru WEDNESDAY, APRIL 12…………………RACIAL DISCRIMINATION

* TEXTBOOK: pp. 515 – 556
* **FRIDAY, APRIL 7th: SPRING HOLIDAY (NO CLASSES)**

FRIDAY, APRIL 14 thru WEDNESDAY, APRIL 19………...APPROACHES to EQUAL PROTECTION

* TEXTBOOK: pp. 557 – 616

FRIDAY, APRIL 21 thru WEDNESDAY, APRIL 26………………...VOTING and REPRESENTATION

* TEXTBOOK: pp. 617 – 673

**FINAL EXAM: WEDNESDAY, MAY 3rd, at 11:00am, in this classroom**

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**DISCUSSED BEFOREHAND\*\*\*\*\*\***