**POLITICAL SCIENCE 449 – Section 1**

**CONSTITUTIONAL LAW I**

**Fall, 2020**

**FALL 2020 and COVID-19**

Welcome to college in the era of COVID-19! This is going to be a semester unlike any other for both new and old students. It will be entirely new for me as well. We have not encountered a disruption to schooling like this in several generations, and although we have created new technologies and teaching methods since then, their application in an environment like this one will be new, unique, difficult, and uncertain. Still, I hope they will be informative and interesting for you.

One thing I want to make clear about this semester is this: it is going to be weird. I will be teaching remotely. Some of you may be taking class remotely. Some of you may be in a classroom. All of this course’s assignments will be given online. It will be harder to make connections with other students in class because you will not be sitting next to them. We will all have to overcome the difficulties of not meeting face-to-face in a classroom environment. Having said all of that, however, I am firmly convinced that we can make the best of the situation and turn this course into a great learning experience. The cliché “when life gives you lemons, make lemonade” is a cliché for a reason: because you have to do it a lot throughout life to make the most of life’s difficulties. This time in our lives is not an exception. You will become a better, smarter, and stronger person if you work to make this course – and this semester – a glass of lemonade rather than a box of lemons.

**Course Content**

This course will be taught ***synchronously****.* We are going to meet together at our regularly scheduled time (10:00 – 10:50am on Monday, Wednesday, and Friday). We will be using **Microsoft Teams** for our class meetings. **It is imperative that you get to know how to use Microsoft Teams once this semester begins.** Make sure you have access to Teams on your computer and on your phone. More on that later.

Content will be delivered through our Team meetings, and also via Moodle. What I want students to do is to watch the different lectures for each unit on Moodle, and then we talk about the material you’ve watched in our Team meetings. Hopefully this will make the course more interactive than just having me lecture for an hour through a Team meeting. This would be tortuous for you *and* for me. Let’s avoid any unnecessary pain, shall we? ☺

This syllabus is going to be more detailed and thorough than any syllabus I’ve ever made for a POLI 201 course. I want to try and cover all aspects of course delivery so that if you have questions, you can always refer back to the syllabus for answers to your questions. **Please take the time to read this syllabus thoroughly.** If you have any questions about the syllabus, or any other aspect of the class, please feel free to contact me, and I will answer your questions as soon as I can.

**COURSE INFORMATION**

**COURSE:** Monday, Wednesday, and Friday from 2:00 – 2:50pm

* Our classroom is **Prince Hall #101.** Students who have chosen **in classroom** as their option for course delivery are free to occupy this classroom during our scheduled meeting time. Those who have selected the streaming option are not free to attend class, and must stream class in another location.
* Be aware that “in person” teaching does not begin until September 8th. I do not recommend that students use any classroom on campus until this date, and simply participate in the course Teams meetings in a safe location.

**INSTRUCTOR:** Dr. Mikel Norris

**OFFICE:** My office is **Brittain Hall #356**

* I will not be in my office at all this semester if I can avoid it.

**OFFICE HOURS:** 8 – 10am, and 3 – 5pm, Monday, Wednesday, and Friday

* Per university policy, all office hours this semester will be **virtual office hours.** Like our classes, my office hours will be held over Microsoft Teams.
* To facilitate orderly office hours, I would ask that you email me before you want to talk so we can arrange a Team meeting. Therefore, during those office hours, I will be on email alert at all times. Email if you wish to talk. If we can talk immediately I will contact you immediately via Teams. If not, I’ll give you an estimated time in which we can talk, and will contact you at that time as long as nothing else gets in the way. I will work diligently to make sure we have a secured time to talk if you need to talk to me.
* Please be aware that I am teaching four courses, totaling around 110 students, all of which have the same office hours. Most of the time I don’t have a backlog of students trying to reach me during office hours, but I don’t know how things will unfold this semester. Please be aware of this fact, and that I will do what I can to meet with everyone who needs assistance.

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

* Please contact me via email. I will not be in my office enough to check my phone.
* If you call, my phone, however, it will go to my email so I can reach you. Nevertheless, please just email me.

**INTRODUCTION**

***Catalog Description***

A study of the Supreme Court decisions that have shaped the institutional powers, constraints, and interactions of the legislative, executive, and judicial branches of the federal government. Selected covered topics include the constitutional powers of Congress, the president, and the Supreme Court, federalism, the Commerce Clause, and substantive due process. F,S.

***Course Objectives***

1. Examine the evolving relationships between the branches of the federal government, the federal government and the states, and the federal government and the 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.

**REQUIRED and SUPPLEMENTARY READING**

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

* Lee Epstein and Thomas G. Walker. 2019. *Constitutional Law for a Changing America: Institutional Powers and Constraints, 10th Edition.* Sage/CQ Press (ISBN: 978-1544317908)

Other readings may be assigned throughout the semester. I will post additional readings on Moodle if they are assigned.

**ASSIGNMENTS**

The assignments for the class are listed below:

**UNIT QUIZZES:** There will be eleven (11) quizzes – one for each unit - that students must complete over the course of the semester. These quizzes will be available on Moodle. Each quiz will be five (5) questions long. Due dates for each quiz are listed in the **Course Schedule and Assignments** section of the syllabus

**COURSE DISCUSSION:** There will be thirteen (14) discussion forums related to the content covered in class available for students to post to on Moodle. Students must post at least once to each unit discussion forum in order to receive full credit. Students can also receive full credit for each unit by participating in our Teams class meetings. I will let students know if their participation was acceptable on the Teams meetings so that they don’t have to post on the discussion forums.

* Normally, a big part of your grade in this class is participation. Although I am not that big of a fan of discussion forums, this is the best way to measure participation given the difficulties of this semester. I am also operating under the assumption that this semester will be moved entirely online before it’s over. Using discussion forums will facilitate that transition if it happens.
* This assignment should also encourage you to participate in our online courses. If you don’t want to have to post on online discussion forums, then participate in class.
* As a rule of thumb, if I **do not** contact you to let you know you’re course participation has been adequate, then you need to post comments to a discussion forum.

**CASE BRIEFS:** Students will write detailed case briefs on selected Supreme Court opinions over the course of the semester. Five (5) briefs will be assigned. I will announce in class which cases need to be briefed and when they need to be turned in. Instructions for writing briefs – as well as brief examples – will be posted on Moodle.

**MID-TERM EXAM:** The midterm examination will be in multiple choice/fill-in-the-blank/short answer/essay format. Students will take the midterm exam on Moodle on **Friday, October 2nd.**

**FINAL EXAM:** The final exam will be in the same format as the midterm exam. Students will take the final exam on Moodle, and can take the exam at any time between **December 3rd – December 7th.**

**GRADING**

A total of **520 points** can be earned in this class. You will earn points as follows:

* **Unit Quizzes:** 110 points (10 points each)
* **Course Discussion:** 110 points (10 points each)
* **Case Briefs:** 100 points (20 points each)
* **Midterm Exam:** 100 points
* **Final Exam:** 100 points

Your grade will be calculated as follows:

* A (90% - 100%) = 468 – 520 points
* B+ (88% - 89.99%) = 458 – 467 points
* B (80% - 87.99%) = 416 – 457 points
* C+ (78% - 79.99%) = 406 – 415 points
* C (70% - 77.99%) = 364 – 405 points
* D+ (68% - 69.99%) = 354 – 363 points
* D (60% - 67.99%) = 312 – 453 points
* F (0% - 59.99%) = 311 points or fewer

**SYNCHRONOUS DISTANCE INSTRUCTION and MOODLE**

This course is a **synchronous** course. This means that I will meet with all students together at specifically assigned times to cover course content. The times we meet will be our regularly scheduled times. As I will discuss in my absence policy, students are **required** to attend class. What will be different for this course this semester is that I will not be teaching in class, and many students will not physically be present in class either. This is going to be different for everyone and will be confusing for some. But hopefully I can explain through this syllabus and through other resources exactly what you need to do in order to succeed in this course.

All students need to have access to Microsoft Teams. All students have access to Microsoft Teams by virtue of being CCU students. It is a part of the **Office 365** package available to all students. You need to add the Teams app to your personal computer and also to your cell phone. Both are easy to download. **I have a video on how to download Teams to your computer and to your phone posted on our course Moodle page.**

Students are going to be using Moodle *extensively* this semester for all of their courses, and not just mine. It is vitally important that all students get to know how to use Moodle proficiently. I have a course navigation video posted on Moodle that students need to watch. It will walk students through the course’s Moodle page.

In order to complete this course, students need access to a computer with internet access. This does not mean students have to have their own personal computer – though that would be optimal. At minimum, students have to have a smartphone. I am going to assume that all students have at least this minimal amount of internet access. This will allow students to attend virtual class. Students can even download Coastal Carolina University’s Moodle app or access Moodle via the internet from their phone in order to review course content, take unit quizzes, post on discussion forums, and take tests. If you do not have a computer with internet access you need to contact me immediately, as this will be a substantial problem for you in *all* of your courses this semester and not just mine.

There are no other software demands for this course beyond the basic Microsoft Office applications (Word, Excel, PowerPoint, and Teams) which are all available to all students through your Office365 account. Although it isn’t required, I recommend that students invest in a good pair of **headphones.** While they are not necessary for this course, students may find them valuable given the classroom and study area configurations the University is planning for students this semester.

Moodle will open new boxes on your computer, which at times are detected as pop-ups. In order to use Moodle, you will have to **turn off your pop-up blocker on your security system in your computer.** Please be aware of these issues prior to submitting an assignment or taking a test or quiz. It is **YOUR** responsibility to familiarize yourself with Moodle and to assure that you understand its components.

If you are having problems opening items or downloading/uploading items in Moodle, try using another Internet browser. For whatever reason, Moodle sometimes does not work properly when using Google Chrome or Safari. If you use these browsers and encounter problems, try using Firefox or Internet Explorer.

**POLICIES**

**Absence Policy:** Even though this semester will be unlike any other, students are **required** to attend class. University policy states that faculty have the right to fail any student who misses at least 25% of regularly scheduled courses. This comes out to **eight courses** for a Monday, Wednesday, Friday course like ours. I will fail any student who misses **nine** regularly scheduled classes regardless of previous course progress. I will only excuse absences for University-excused absences. They are as follows:

* University representation
* The death of an immediate family member
* Extended illness

Given the nature of classes this fall, I need to clarify what is meant by **extended illness.** First, **do not** give me a copy of a doctor’s note for missing one or even two classes. I don’t care. When I get dozens of students who give me these notes at one time (which always seems to happen) they just go in the trash. You have eight days of class you can miss before you run into trouble. **I only want to know if you are going to miss substantial class time.**

Given the nature of COVID-19, and University policies regarding class attendance during this semester, there is almost no way for you to miss class. You can attend class even if you’re sick since the class will be broadcast over Teams. I only want an excuse if you miss extended class time and are physically incapable of participating in class.

I also want to be up front and clear about the potential for COVID-19 to disrupt your coursework. It is quite possible some students may contract COVID-19 this semester and miss substantial class time. It is also quite possible that students may have a close family member die because of COVID-19. All faculty at Coastal Carolina University are aware of these possibilities. It’s the reason this semester is arranged the way that it is, and also the reason why I am not going to be teaching in person. Having said that, **do not in any way use COVID-19 as an excuse for missing class unless you are actually affected by it.** I had several students use it as an excuse for missing classes and assignments over the summer. I’m sure some of the students were affected by COVID-19, but I’m also sure some students were using it as an excuse. **COVID-19 is not a laughing matter. I will not tolerate students who try to use it as an excuse to get out of class.** I will be keeping a record of all students who tell me they miss a class or assignment because of COVID-19. I will accept this information conveyed as being legitimate, and will give it to Student Health Services. You will then have to follow University-mandated protocol for COVID-19 (testing, quarantine, etc.) before being able to return to class.

**Student 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 or plagiarizing (e.g., looking at someone else’s paper during a test, consulting notes during a test, plagiarizing material on papers, etc.) in this class will receive a failing grade and zero points for that given assignment. 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.

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:

<http://www.coastal.edu/conduct/documents/codeofconduct.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 first form of prohibited conduct in the Code of Conduct. 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 quizzes or fail to post on discussion forums before their closing dates will not be able to make up the activity. Students will receive a zero for missed quizzes and a zero if they do not complete their discussion forum posts on time. Late assignments will only be accepted if a student is “absent” on the day an assignment is due for an excused reason. Only three types of absences count as excused absences: **death of a family member, university representation, or extended illness.** Please pay attention to the last form of excused absence. Extended illness means you will miss **extensive time** due to illness. Unless this criteria is met I will not excuse a late assignment.

**Class Etiquette:** In addition to following the Student Code of Conduct, students must communicate with the instructor and with one another with respect in all digital and in-person exchanges. I expect students to act with civility, using proper tone and style. I also expect students to communicate with formality when posting on discussion forums and emailing me. I will pay attention to spelling, grammar and punctuation. Continued violations of this digital etiquette statement will lead to reductions in your final grade.

**Students with Disabilities:** I am committed to making all necessary accommodations for students with verified disabilities. 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.

**Hurricanes:** This course will move to a completely online format in the event of hurricane evacuation. I will post revised due dates for assignments if needed, and class Teams meetings will be suspended until further notice. You will need to regularly check your email during an evacuation, as a lot of information will be sent out by all professors. **Also, it is your responsibility to bring all of your school materials with you in the case of an evacuation!** Let’s hope we have a light year this year!

**COURSE SCHEDULE and ASSIGNMENTS**

WEDNESDAY, AUGUST 19……………………………………….COURSE INTRODUCTION

FRIDAY, AUGUST 21 & MONDAY, AUGUST 24…………..THE CONSTITUTION and the SUPREME COURT

* TEXTBOOK: pp. 2 – 45
* The Constitution and the Supreme Court Quiz and discussion posts must be completed no later than the end of the day **Friday, August 28th.**

WEDNESDAY, AUGUST 26 thru WEDNESDAY, SEPTEMBER 2………….INSTITUTIONAL POWERS OF THE JUDICIARY

* TEXTBOOK: pp. 47 – 118
* The Institutional Powers of the Judiciary Quiz and discussion posts must be completed no later than the end of the day **Monday, September 7th.**

FRIDAY, SEPTEMBER 4 thru MONDAY, SEPTEMBER 14………INSTITUTIONAL POWERS OF CONGRESS

* TEXTBOOK: pp. 119 – 180
* **MONDAY, SEPTEMBER 7th: LABOR DAY (NO CLASSES)**
* The Institutional Powers of Congress Quiz and discussion posts must be completed no later than the end of the day **Friday, September 16th.**

WEDNESDAY, SEPTEMBER 16 thru WEDNESDAY, SEPTEMBER 23…….INSTITUTIONAL POWERS OF THE EXECUTIVE

* TEXTBOOK: pp. 181 – 264
* The Institutional Powers of the Executive Quiz and discussion posts must be completed no later than the end of the day **Monday, September 28th.**

FRIDAY, SEPTEMBER 25 thru WEDNESDAY, SEPTEMBER 30……..INTERBRANCH INTERACTIONS

* TEXTBOOK: pp. 265 – 334
* The Interbranch Interactions Quiz and discussion posts must be completed no later than the end of the day **Monday, October 5th.**

**TEST #1: FRIDAY, OCTOBER 2nd (ON MOODLE)**

MONDAY, OCTOBER 5 thru WEDNESDAY, OCTOBER 14…………………...FEDERALISM

* TEXTBOOK: pp. 335 – 404
* The Federalism Quiz and discussion posts must be completed no later than the end of the day **Monday, October 19th.**

FRIDAY, OCTOBER 16 thru MONDAY, OCTOBER 26…………..THE COMMERCE CLAUSE

* TEXTBOOK: pp. 405 – 514
* The Commerce Clause Quiz and discussion posts must be completed no later than the end of the day **Friday, October 30th.**

WEDNESDAY, OCTOBER 28 thru WEDNESDAY, NOVEMBER 4……..THE POWER TO TAX and SPEND

* TEXTBOOK: pp. 515 – 582
* The Power to Tax and Spend Quiz and discussion posts must be completed no later than the end of the day **Monday, November 9th.**

FRIDAY, NOVEMBER 6 & MONDAY, NOVEMBER 9………….THE CONTRACT CLAUSE

* TEXTBOOK: pp. 583 – 616
* The Contracts Clause Quiz and Discussion posts must be completed no later than the end of the day **Friday, November 13th.**

WEDNESDAY, NOVEMBER 11 thru WEDNESDAY, NOVEMBER 18……….SUBSTANTIVE DUE PROCESS

* TEXTBOOK: pp. 617 – 675
* The Substantive Due Process Quiz and discussion posts must be completed no later than the end of the day **Monday, November 30th.**

FRIDAY, NOVEMBER 30 thru WEDNESDAY, DECEMBER 2……..THE TAKINGS CLAUSE

* TEXTBOOK: pp. 676 – 714
* The Takings Clause Quiz and discussion posts must be completed no later than the end of the day **Friday, December 4th.**

**FINAL EXAM CAN BE TAKEN ANY TIME FROM 12am THURSDAY, DECEMBER 3rd until 12am SUNDAY, DECEMBER 6th. THE EXAM WILL BE GIVEN ONLINE ON MOODLE**