Course Description and Objectives
Society’s understanding of the Constitution has changed considerably since the founding of the county, despite the fact that the Constitution has been rarely amended. Change in the understanding of the Constitution is likely to come about from major societal conflicts and debates that the judiciary is called upon to resolve. Through its dual role of being the arbiter of the Constitution and a co-equal branch of Government, judicial decisions have both legal and political consequences. Therefore, the motivating question of this course is to what extent the judiciary can be a catalyst for significant social, political, and economic change. To examine this
question, students will evaluate the facts and arguments of landmark Supreme Court cases and analyze the lasting societal impact the decisions have had on both the American political system and society. Throughout the course students will:

- Identify the philosophy of America’s Constitutional system
- Distinguish between democratic and republican systems of government
- Compare and contrast legal interpretations of the Constitution
- Examine the Supreme Court’s role in America’s political, legal, and social life
- Explain the judiciary’s role in social change

**Prerequisites**
Credit Hours: 3; Prerequisites: POLS 2305 and POLS 2306

**Required Texts**

**Optional Texts**
3) The Professor, through Canvas, will post additional readings.

**Requirements, Dates, and Grades**
This class is being offered in a Hybrid format. Consequently, class lectures will be conducted as follows:

- **On Mondays,** we will meet in a traditional, face-to-face setting in our classroom (BUS 258) from 2:30pm-3:50pm.
- **On Wednesdays,** lectures will be recorded using Zoom Video and posted in Canvas afterwards. You have two options: 1) Similar to Mondays, you may attend the traditional lecture, which will take place in a classroom To Be Determined. 2) In lieu of attending the traditional lecture, you may view the posted lecture in Canvas. If you choose to view the lecture later, you are responsible for viewing online content (e.g. lectures and videos) and taking notes on your own over the assigned readings.

Consequently, access to Canvas is a necessity to do well in this course, since this will be the medium used to not only deliver class content, but you will submit papers through Canvas (both the Reflection Papers and Research Paper), access class readings, and view Zoom Video lectures.

The composition of the student’s final grade will consist of a 4 reflection papers, a research paper, and 2 exams (a take-home midterm and a non-cumulative final exam).
• Prompts for the Reflection Papers will be based on class readings/discussion and you will be responsible for answering all 4 of them throughout the course. These prompts will clearly state the expectations/goals of the assignment.
• The instructions and expectations for the Research Paper will be explained as the semester progresses, with ample amount of time for students to work on these assignments before the due date.
• The Midterm Exam will be a take-home exam and detailed instructions will be provided on the exam. And, the Final Exam will be a traditional, in-class exam and the format will be detailed during the class period before the Final Exam (a review session will also be held).

The following are the weights given to the Reflection Papers, the Research Paper, and the Midterm and Final Exams:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Date (Subject to Change)</th>
<th>Grade Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reflection Papers</td>
<td>See Class Schedule</td>
<td>25%</td>
</tr>
<tr>
<td>Midterm</td>
<td>Wednesday, March 7, 2018</td>
<td>25%</td>
</tr>
<tr>
<td>Research Paper</td>
<td>Monday, April 16, 2018</td>
<td>25%</td>
</tr>
<tr>
<td>Final Exam</td>
<td>Wednesday, May 2, 2018</td>
<td>25%</td>
</tr>
</tbody>
</table>

Final grades will be granted on the following scale: A=100%-90%, B=89%-80%, C=79%-70%, D=69%-60%, and E=59%-50%.

UT Tyler Honor Code & Students’ Rights and Responsibilities
Every member of the UT Tyler community joins together to embrace: Honor and integrity that will not allow me to lie, cheat, or steal, nor to accept the actions of those who do. Students Rights and Responsibilities To know and understand the policies that affect your rights and responsibilities as a student at UT Tyler, please follow this link: http://www.uttyler.edu/wellness/rightsresponsibilities.php

Attendance Policy
Your attendance in this course is not mandatory and your grade in this course will not suffer directly from missing class (we meet once a week, please make the effort to attend class). However, the examination material in this class is not only based on the required readings, but on class participation and class discussions, which means that your grade will almost certainly suffer by missing too many classes. Further, borderline grades will be determined by the quality of your overall contribution to the course.

Class notes, either of my own or transcribed by other students, will only be made available to those students whom miss class due to their observance of holidays and special events by organized religions or to students who have a pre-approved absence by the Dean of Students (see also: Student Absence for University-Sponsored Events and Activities and Student Absence due to Religious Observance sections of the syllabus).
For those students who attend lecture, photography of any class notes/lectures is strictly prohibited. Any student found in violation will be asked to leave class for the day.

“Make Up” Policy
Make up exams will only be offered to those students that have a University approved absence, a doctor’s note detailing your inability to take the exam on the date provided on this syllabus, or a sudden emergency (e.g. death in your family, illness) that prohibits your attendance for the exam on the date provided on this syllabus. Anyone who has not satisfied any of these requirements and does not take the exam will be given a grade of “0.” Remember, no make-ups are allowed for students that are absent from class when response papers are distributed.

If any conflict (others tests, travel plans, etc.) with the exams exists, notify me by Friday, January 27, 2018. Be advised that allowances will only be given in extreme cases with my discretion as to what I define as extreme. (see also: Student Absence for University-Sponsored Events and Activities and Student Absence due to Religious Observance sections of the syllabus).

Student Absence Due to Religious Observance
Students who anticipate being absent from class due to a religious observance are requested to inform the Professor of such absences by the second class meeting of the semester.

Student Absence for University-Sponsored Events and Activities
If you intend to be absent for a university-sponsored event or activity, you (or the event sponsor) must notify the Professor at least two weeks prior to the date of the planned absence. At that time the Professor will set a date and time when make-up assignments will be completed.

Student Standards of Academic Conduct
The UT Tyler community regards cheating as an extremely serious matter and deals severely with those who violate the standards of academic integrity. Disciplinary proceedings may be initiated against any student who engages in scholastic dishonesty, including, but not limited to, cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, any act designed to give unfair advantage to a student or the attempt to commit such acts.

“Cheating” includes, but is not limited to:
• copying from another student’s test paper;
• using, during a test, materials not authorized by the person giving the test;
• failure to comply with instructions given by the person administering the test;
• possession during a test of materials which are not authorized by the person giving the test, such as class notes or specifically designed “crib notes”. The presence of textbooks
constitutes a violation if they have been specifically prohibited by the person administering the test;

• using, buying, stealing, transporting, or soliciting in whole or part the contents of an unadministered test, test key, homework solution, or computer program;
• collaborating with or seeking aid from another student during a test or other assignment without authority;
• discussing the contents of an examination with another student who will take the examination;
• divulging the contents of an examination, for the purpose of preserving questions for use by another, when the instructor has designated that the examination is not to be removed from the examination room or not to be returned or to be kept by the student;
• substituting for another person, or permitting another person to substitute for oneself to take a course, a test, or any course-related assignment;
• paying or offering money or other valuable thing to, or coercing another person to obtain an unadministered test, test key, homework solution, or computer program or information about an unadministered test, test key, homework solution or computer program;
• falsifying research data, laboratory reports, and/or other academic work offered for credit;
• taking, keeping, misplacing, or damaging the property of The University of Texas at Tyler, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct; and
• misrepresenting facts, including providing false grades or resumes, for the purpose of obtaining an academic or financial benefit or injuring another student academically or financially.

“Plagiarism” includes, but is not limited to, the appropriation, buying, receiving as a gift, or obtaining by any means another’s work and the submission of it as one’s own academic work offered for credit.

“Collusion” includes, but is not limited to, the unauthorized collaboration with another person in preparing academic assignments offered for credit or collaboration with another person to commit a violation of any section of the rules on scholastic dishonesty.

All written work that is submitted will be subject to review by plagiarism software.

If a student is suspected of academic dishonesty, the classroom instructor may ask the student to meet with him or her to discuss the incident. A student may admit to allegations of academic dishonesty, waive the right to a hearing and accept penalties imposed by the instructor. The student may also deny all allegations and ask to see the Dean of Student Affairs. An accused student may accept the decision of the Dean of Student Affairs or ask for a hearing before an impartial hearing officer appointed by the university. Witnesses may be called and evidence
presented. The hearing officer will consider all evidence and make a decision. The decision of the hearing officer may be appealed to the President by either the student or the Dean of Student Affairs. For further discussion of academic dishonesty and possible penalties, please see: http://www.uttyler.edu/judicialaffairs/scholasticdishonesty.php

Class Conduct and Threatening Behavior
Given the nature of political discourse, some of the topics discussed and debated in class may be sensitive to some students. It is expected that students, regardless of the subject matter, maintain civility in their class comments. The University and the Professor seek to promote a safe environment where students may participate in debates, discussion, and other objectives concurrent with the educational process without compromising their health, safety, and welfare. Concurrent with this ideal, mutual courtesy and respect should govern all classroom conduct. Therefore, threats of physical harm or verbal abuse will not be tolerated in this class.

All electronic devices must be silenced during class (if possible, please turn off all electronic devices) unless you have received prior permission from the Professor. Any such device that interrupts class will be confiscated and returned to the student during the Professor’s office hours. **ANYONE USING AN ELECTRONIC DEVICE WITHOUT PRIOR PERMISSION DURING AN EXAMINATION WILL RECEIVE A “0” ON THAT EXAM.**

Campus Carry
We respect the right and privacy of students 21 and over who are duly licensed to carry concealed weapons in this class. License holders are expected to behave responsibly and keep a handgun secure and concealed. More information is available at: http://www.uttyler.edu/about/campus-carry/index.php

UT Tyler: A Tobacco-Free University
All forms of tobacco will not be permitted on the UT Tyler main campus, branch campuses, and any property owned by UT Tyler. This applies to all members of the University community, including students, faculty, staff, University affiliates, contractors, and visitors. Forms of tobacco not permitted include cigarettes, cigars, pipes, water pipes (hookah), bidis, kreteks, electronic cigarettes, smokeless tobacco, snuff, chewing tobacco, and all other tobacco products.

There are several cessation programs available to students looking to quit smoking, including counseling, quitlines, and group support. For more information on cessation programs please visit: www.uttyler.edu/tobacco-free.

Disability/Accessibility Services
In accordance with Section 504 of the Rehabilitation Act, Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA) the University of Texas at Tyler offers accommodations to students with learning, physical and/or psychological disabilities. If you have a disability, including a non-visible diagnosis such as a learning disorder, chronic illness, TBI, PTSD, ADHD, or you have a history of modifications or accommodations in a previous
educational environment, you are encouraged to visit
https://hood.accessiblelearning.com/UTTyler/ and fill out the New Student application. The
Student Accessibility and Resources (SAR) office will contact you when your application has
been submitted and an appointment with Cynthia Lowery, Assistant Director of Student
Services/ADA Coordinator. For more information, including filling out an application for
services, please visit the SAR webpage at http://www.uttyler.edu/disabilityservices, the SAR
office located in the University Center, # 3150 or call 903.566.7079.

Grade Replacement/Forgiveness and Census Date Policies
Students repeating a course for grade forgiveness (grade replacement) must file a Grade
Replacement Contract with the Enrollment Services Center (ADM 230) on or before the Census
Date of the semester in which the course will be repeated. Grade Replacement Contracts are
available in the Enrollment Services Center or at http://www.uttyler.edu/registrar.

Each semester’s Census Date can be found on the Contract itself, on the Academic Calendar, or
in the information pamphlets published each semester by the Office of the Registrar. Failure to
file a Grade Replacement Contract will result in both the original and repeated grade being used
to calculate your overall grade point average. Undergraduates are eligible to exercise grade
replacement for only three course repeats during their career at UT Tyler; graduates are eligible
for two grade replacements. Full policy details are printed on each Grade Replacement Contract.

The Census Date is the deadline for many forms and enrollment actions of which students need
to be aware. These include:
• Submitting Grade Replacement Contracts, Transient Forms, requests to withhold directory
  information, approvals for taking courses as Audit, Pass/Fail or Credit/No Credit.
• Receiving 100% refunds for partial withdrawals. (There is no refund for these after the
  Census Date)
• Schedule adjustments (section changes, adding a new class, dropping without a “W” grade)
• Being reinstated or re-enrolled in classes after being dropped for non-payment
• Completing the process for tuition exemptions or waivers through Financial Aid State-
  Mandated Course

The Census Date for this semester is Monday, January 29, 2018.

State Mandated Course Drop Policy
Texas law prohibits a student who began college for the first time in Fall 2007 or thereafter from
dropping more than six courses during their entire undergraduate career. This includes courses
dropped at another 2-year or 4-year Texas public college or university. For purposes of this rule,
a dropped course is any course that is dropped after the census date (See Academic Calendar for
the specific date). Exceptions to the 6-drop rule may be found in the catalog. Petitions for
exemptions must be submitted to the Enrollment Services Center and must be accompanied by documentation of the extenuating circumstance. Please contact the Enrollment Services Center if you have any questions.

Social Security and FERPA Statement
It is the policy of The University of Texas at Tyler to protect the confidential nature of social security numbers. The University has changed its computer programming so that all students have an identification number. The electronic transmission of grades (e.g. via e-mail) risks violation of the Family Educational Rights and Privacy Act; grades will not be transmitted electronically.

Emergency Exits and Evacuation
Everyone is required to exit the building when a fire alarm goes off. Follow your Professor’s directions regarding the appropriate exit. If you require assistance during an evacuation, inform the Professor in the first week of class. Do not re-enter the building unless given permission by University Police, Fire department, or Fire Prevention Services.

UT Tyler Resources for Students
• UT Tyler Writing Center (903.565.5995), writingcenter@uttyler.edu
• UT Tyler Tutoring Center (903.565.5964), tutoring@uttyler.edu
• The Mathematics Learning Center, RBN 4021, this is the open access computer lab for math students, with tutors on duty to assist students who are enrolled in early-career courses.
• UT Tyler Counseling Center (903.566.7254)

Changes to the Syllabus
The information contained in this syllabus, other than the grade and absence policies, may be subject to change with reasonable advance notice, as deemed appropriate by the Professor.

Course Outline and Reading (subject to change)

Week 1 (January 17)
1/17 – Class Begins (online)!!!

Introduction to the course
• Review the syllabus and familiarize yourself with Canvas
• From the home screen, you can find a link to the syllabus, a link to the course modules, and an overview of the module and assignments schedule.
• To access module content, click on the Modules link on the left-side menu. From there, please read/view all content in the Introduction to the Course Module.
  o You will be unable to proceed to Module/Unit 1 content until you have done so.
• Your first assignment is listed in this module, as you are expected to introduce yourself using the FlipGrid prompt provided.
• Students are expected to email the Professor to confirm that they have read the syllabus and understand the assignments/requirements for this course (if any questions should arise during your review of the syllabus, please do not hesitate to email me for clarification).

Read:

View:
• Zoom Video Lecture: Welcome to the Course

Unit 1: Development of the U.S. Constitution

Week 2 (January 22 – January 24)
1/22 & 1/24 – Formation of the Constitution

Read:
• Articles of Confederation (Canvas)
• Federalist #’s 1, 10, & 51 (Canvas)
• Paulsen et al. pgs. 19-31 (Canvas)
• Benedict ch. 4 (Canvas)

For 1/24, View:
• Zoom Video Lecture: Federalist Papers (Canvas)

Week 3 (January 29 – January 31)
1/29 – FYI: CENSUS DATE
1/29 & 1/31 – The U.S. Constitution

Read:
• Paulsen et al. pgs. 32-47 & pgs. 827-831 (Canvas)
• Federalist # 39 (Canvas)
• The Constitution of the United States (Canvas)
• OPTIONAL:

For 1/31, View:
• Zoom Video Lecture: The U.S. Constitution and its Interpretation (Canvas)
• OPTIONAL:
1/31 – Reflection Paper 1 Distributed
• Due on 2/5 at the beginning of class

Unit 2: Early Constitutional Conflicts and Questions

Week 4 (February 5 – February 7)
2/5 – Reflection Paper 1 Due (Turn in at the beginning of class)
2/5 & 2/7 – Early Disputes: Judicial Review

Read:
• *Federalist* #78 & 81 (Canvas)
• Paulsen et al. pgs. 123-155 (Canvas)
• *Marbury v. Madison* (1803) (Canvas)
• Justice Gibson’s dissent in *Eakin v. Raub* (1825) (Canvas)
• OPTIONAL:

For 2/7, View:
• Zoom Video Lecture: *Marbury and a Critique of Judicial Review* (Canvas)

Week 5 (February 12 – February 14)
2/12 & 2/14 – Early Disputes: Scope of Congressional Power

Read:
• Benedict chs. 5 & 6 (Canvas)
• Paulsen et al. pgs. 53-68 (Canvas)
• *McCulloch v. Maryland* (1819) (Canvas)
• *Gibbons v. Ogden* (1824) (Canvas)
• Kentucky and Virginia Resolutions (Canvas)

For 2/14, View:
• Zoom Video Lecture: *McCulloch v. Maryland & Gibbons v. Ogden*

Week 6 (February 19 – February 21)
2/19 & 2/21 – Early Disputes: Slavery
Read:
• Benedict ch. 8 & pgs. 179-183 (Canvas)
• Scott v. Sanford (1857) (Canvas)
• The Emancipation Proclamation (Canvas)
• **OPTIONAL:**
  o B.R. Curtis. 1862. *Executive Power*

For 2/21, View:
• Zoom Video Lecture: *Scott v. Sanford* (Canvas)

Week 7 (February 26 – February 28)
2/26 & 2/28 – Judicial Supremacy

Read:
• Paulsen et al. pgs. 159-170 (Canvas)
• *Aaron v. Cooper* (1958) (Canvas)
• **OPTIONAL:**
  o Segal and Spaeth chs. 7 & 8 (Canvas)

For 2/28, View:
• Zoom Video Lecture: *The Supreme Court and Decision-Making* (Canvas)

2/28 – Reflection Paper 2 Distributed
• Due on 3/5 at the beginning of class

Week 8 (March 5 – March 7)
3/5 – Reflection Paper 2 Due (Turn in at the beginning of class)
3/5 & 3/7 – Midterm Week

Instructions:
• 3/5 – Take-Home Midterm Distributed
  o You must be present in class to receive the Midterm
  o During class, any questions you have concerning the Midterm will be addressed
• 3/7 – Midterm Due
  o Due in my office by 4:00pm
Week 9 (March 12 – March 16) – SPRING BREAK 😊
9/12 & 9/14 – NO CLASS!!!

Unit 3: “The Second Founding:” The Civil War Amendments

Week 10 (March 19 – March 21)
3/19 & 3/21 – Constraints on State Power

Read:
• 13th, 14th, and 15th Amendments (Canvas)
• Benedict ch. 10 (Canvas)
• Paulsen et al. pgs. 1265-1271 (Canvas)
• The Civil Rights Cases (1883) (Canvas)
• Rosenberg pgs. 1-36 (Canvas)

For 3/21, View:
• Zoom Video Lecture: Constrained v. Dynamic Court (Canvas)

Week 11 (March 26 – March 28)
3/26 & 3/28 – The Civil Rights Movement

Read:
• Plessy v. Ferguson (1896) (Canvas)
• Benedict pgs. 311-319 (Canvas)
• Brown v. Board of Education (1954) (Canvas)
• The Southern Manifesto (Canvas)
• Aaron v. Cooper (1958) (Canvas)
• Heart of Atlanta Motel, Inc. v. U.S (1964) (Canvas)
• Begin Reading:
  o Rosenberg pgs. 39-172

For 3/28, View:
• Zoom Video Lecture: Commerce and Discrimination (Canvas)

Week 12 (April 2 – April 4)
4/2 – FYI: Last Day to Drop/Withdraw From Classes
4/2 & 4/4 – Expansion of the 14th Amendment: Substantive Due Process and Incorporation

Read:
Substantive Due Process
• Paulsen et al. pgs. 1463 – 1478 (Canvas)
• Lochner v. New York (1905) (Canvas)
• Washington v. Glucksberg (1997) (Canvas)
Incorporation
• Paulsen et al. pgs. 827-831 (Canvas)
• *McDonald v. Chicago* (2010), only pgs. 11-22 (Canvas)

For 4/4, View:
• Lecture on *Doctrine of Selective Incorporation*

4/4 – Reflection Paper 3 Distributed
• Due on 4/9 at the beginning of class

Unit 4: The Constitution and the Culture Wars

Week 13 (April 9 – April 11)
4/9 – Reflection Paper 3 Due (Turn in at the beginning of class)
4/9 & 4/11 – The Culture Wars: Privacy and the Right to Choose

Read:
• Benedict ch. 15 (Canvas)
• *Griswold v. Connecticut* (1965) (Canvas)
• *Roe v. Wade* (1973) (Canvas)
• *Planned Parenthood v. Casey* (1992) (Canvas)
• Justice Scalia dissent in *Planned Parenthood v. Casey* (1992) (Canvas)
• **Begin Reading:**
  o Rosenberg pgs. 173-268

For 4/11, View:
• Zoom Video Lecture: *The Current State of Abortion Jurisprudence* (Canvas)

Week 14 (April 16 – April 18)
4/16 – Research Paper Due (Turn in at the beginning of class)
4/16 & 4/18 – The Culture Wars: Protecting Dignity

Read:
• *Evans v. Romer* (1996) (Canvas)
• *Lawrence v. Texas* (2003) (Canvas)
• Justice Scalia dissent in *Lawrence v. Texas* (2003) (Canvas)
• *U.S. v. Windsor* (2013) (Canvas)
• Justice Scalia dissent in *U.S. v. Windsor* (2013) (Canvas)

For 4/18, View:
• Zoom Video Lecture: *U.S. v. Windsor* (Canvas)

4/18 - Reflection Paper 3 Distributed
• Due on 4/23 at the beginning of class
Week 15 (April 23 – April 25)
4/23 – Reflection Paper 3 Due (Turn in at the beginning of class)
4/23 & 4/25 – The Culture Wars: Same-Sex Marriage

Read:
• Obergefell v. Hodges (2015) (Canvas)

For 4/25, View:
• Zoom Video Lecture: The Dissents in Obergefell v. Hodges and Current Issues (Canvas)

Final Exam Week (May 1 – May 5)
5/2 – Final Exam (2:45pm – 4:45pm)