

POL 530W AMERICAN POLITICAL INSTITUTIONS

Semester: Fall 2007
Time: Wednesday night 6:00-8:50
Location: University Center
Professor: Dr. John C. Domino
Office: AB1, Room 315E
Office hours: TTH: 9:00-9:30; 11-12:30; and by appointment
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Course Description:

In this graduate seminar we will study administrative law – a body of law that governs regulatory agencies, shaping the manner in which public administrators and other executive branch officials formulate, implement, and enforce public policy. The study of administrative law touches on the politics of regulation and intersects with constitutional law. To do so we must read cases, but we will also examine the social, economic, political, and constitutional factors that shape (and are shaped) by administrative law.

Required Books and Materials:

Lief H. Carter and Christine B. Harrington, *Administrative Law and Politics: Cases and Comments*. 3d edition.

Cases and Scholarly Commentary (online) to be assigned.

Course Requirements and Policies:

Exams: There will be two exams – a “midterm” and a final. Make-up exams will be given only if the student has a legitimate excuse (illness, family problems, death) and can provide a written documentation of that excuse. However, if you do not have a legitimate excuse, you will receive a 0 for that exam which will be averaged into your final grade.

Weekly Case Briefs and Discussion Papers: Since our discussions and exams will be largely based on the court opinions, you will brief a large number of opinions.

However, a portion of these 1-2 page (10 point max.) briefs will be handed in for credit and you will receive a cumulative grade for the body of your work at the end of the semester. Note that on the course outline you are informed which of these case briefs must be turned in for a grade by the word “**hand in for grade**” after the case name. The briefs will be turned in on the day that they are covered in class. You will also be required to hand in brief discussion of commentary found in the Carter book and other sources.

Research Paper: You will receive the specifics of this assignment in a separate handout during the second week of classes. The topic will be fairly open so that students can explore a subject relevant to their individual focus.

Grades: The final grade in the course will be based on an average of three grades: 1. an exam grade (average of two exams); 2. Briefs/discussion papers grade; and 3. research paper grade. No extra credit or grading curves are used. No re-grades or dropping of grades. The following scale will be applied:

A=90-100 B=80-89 C=70-79 D=60-69 F=0-59

Attendance:

In accordance with University Policy regular attendance is required. Students will be allowed three *unexcused* absences, after which the final grade will be dropped by one letter grade.

Academic Dishonesty :

All students are expected to maintain complete honesty and integrity in the academic experiences in and out of the classroom. Copying answers from another student's exam, collaborating on projects, or using unauthorized notes, "cheat sheets," or electronic devices during an exam constitutes academic dishonesty and will result in swift disciplinary action by the professor. The professor may give a failing grade to the student for that assignment or exam or the course and report such action to the University and its official representatives who may initiate further disciplinary proceedings against a student who is accused of academic dishonesty.

Disruptive Conduct:

Any rude behavior in the classroom that intentionally or unintentionally disrupts the learning process (including ringing cell phones, IPODs, etc) thus, impedes the mission of the university, will be reported to the Dean of Students for disciplinary action in accordance with written university policy. If someone is disturbing you please tell me rather than being cool and suffering in silence. Students will often wait to the last day of class or on the evaluations to proclaim that others were bothering them. Tell them to be quiet, put the phone away, etc. After all you are paying for your education.

Americans with Disabilities Act

Student requests for accommodations must be initiated by the student. A student seeking accommodations should go to the Counseling Center and Services for Students with Disabilities (SSD) in a timely manner.

Religious Holidays

University policy states that a student who is absent from class for the observance of a religious holy day shall be permitted to take an examination or complete an assignment scheduled for that day within a reasonable time after the absence. Not later than the 15th calendar day after the first day of the semester, or the 7th calendar day after the first day of a summer session, the student must notify the instructor of each scheduled class that he/she would be absent for a religious holy day.

Visitors in the Classroom

Unannounced visitors to class must present a valid SHSU ID to be permitted in the classroom and should not disrupt the educational process.

Instructor Evaluations

All students will be asked to complete a course/instructor evaluation form toward the end of the semester.

Other Concerns: Use of any kind of tobacco product in the classroom violates university policy and state law. Guns or weapons of any kind may not be brought into the classroom; University police will be contacted immediately if this violation of university and state policy occurs.

Course Outline (subject to revision)

- 8/22: Introduction to course requirements, case briefing, a case study.
- 8/29-9/5: Introduction to the Study of Administrative Law and the Rise of Regulatory Politics, Carter/Harrington (C/H), Chapter 1; Origins of Administrative Law, C/H: Chapter 2.
- 9/12-26: Constitutional Framework of the Administrative State/ The Delegation of Congressional Authority, C/H: Chapter 3; Statutory Authority and Limits of Agencies, C/H: Chapter 4.
- 10/3-10: Administrative Investigations/Access to Governmental Information, C/H: Chapter 5; The Judicial and Legislative Side to Public Administration, C/H: Chapter 6.

FIRST EXAM: TO BE ANNOUNCED

- 10/17-24: Elements of an Administrative Hearing/, C/H: Chapter 7; Administrative Rulemaking, C/H: 8.
- 10/31-11/7: The Last Step: Enforcement of Regulations, C/H: Chapter 9; and Judicial Review of Administrative Decisions, C/H: Chapter 10.
- 11/14-28: Practical Problems in Public Administration: Liability, C/H: Chapter 11; Licensing, C/H: Chapter 12; Personnel Matters: The Law and Public Employees, C/H: Chapter 13.
- 12/5: Recent Issues in Administrative Law: C/H: Chapter 14.
- 12/12: FINAL EXAM