

# SYLLABUS

## Political Science 495 Fall 2022

**Section:** 001 (10:00am-10:50am, MWF, PH0302)  
**Instructor:** Tim Kalinowski  
**Office:** PH 0416  
**Office Hours:** 9:00-9:55am, M&F;  
9:00-9:30am, T&Th;  
4:00-5:00pm, via Zoom (link posted in Blackboard)  
or by appointment  
**Office Phone:** 650-3865 or 650-3572  
**Email:** tkalino@siue.edu (put POLS495 in your subject line)  
**Website:** www.timski.com\POLS495  
**Texts:** Sullivan & Feldman, 2016, *Constitutional Law*, 19th Edition

### COURSE DESCRIPTION:

This course analyzes Supreme Court decisions regarding judicial, legislative, and executive power and the relationship between the state and national governments (federalism) in a range of policy areas.

### PREREQUISITES:

Passing grade in American Government (POLS112)  
Sixty or more hours of college credit

### COURSE OBJECTIVES:

Students who complete this course should be able to:

- Understand the Powers of Governments as designed by the United States Constitution as interpreted by the Judicial System.
- Critically analyze constitutional language and judicial decisions

### COMMUNICATION:

You may communicate with me via the email address above, during office hours, or by appointment.

### BLACKBOARD:

The use of Blackboard in this course will be limited to providing documents to students and making announcements to the class. Grades will not be posted to Blackboard. Keeping up with your grades to gauge your progress in this course is your responsibility. Blackboard will not be used to turn in any papers. Follow the instructions that will be provided with your exams.

### READING ASSIGNMENTS:

The basic reading assignment for this course is the text. Please consult the schedule in this syllabus. There will be additional assigned readings which will include court opinions. You may find it necessary and/or useful to read the text through more than once. Readings should be completed prior to the day scheduled. Please recognize that this is a tentative schedule and be aware that additional readings or omitted readings maybe be announced in class.

**OTHER COURE MATERIALS:**

Some material may be posted in Blackboard. These may include instructional material and more recent Supreme Court cases. See above.

**LECTURES:**

The lectures in this course will follow the same general topics as in the text, but sometimes with different emphasis or viewpoint. You are expected to participate in class discussions. You are expected to know and understand lecture materials thoroughly. This class involves the improvisational discussion of controversial material. If you have concerns about being "triggered" by particular topics, you should be aware that such a topic may come up in any class without warning, and you should prepare accordingly.

**EXAMINATIONS:**

**Exam** – There will be three exams as indicated on the syllabus. Each exam will be in an essay format where fact situations are presented and you are expected to identify and discuss how the cases covered in class may be used to explain or control the legal outcome of the scenario presented.

Final Exam Schedule: see the Registrar's final exam schedule for Fall 2022.

You will download your exams from Blackboard, and return them via email to the address above.

**COURSE FORMAT:**

The format of the course will be primarily face-to-face discussion. Relevant questions are always in order. The lectures will stress, emphasize, and reinforce the importance of key matters mostly also covered in the text. Current events will also be the basis of discussion at more or less regular intervals.

**GRADES:**

Your final grade will be determined on a percentage basis roughly as follows:

90-100% = A

80-89% = B

70-79% = C

60-69% = D

below 60% = F

The course grade will be determined as follows:

20% - Exam 1

30% - Exam 2

40% - Exam 3

10% - Participation in classroom discussions

**CLASSROOM EXPECTATIONS:**

The usual restrictions and/or regulations in university classes will apply in this course:

1) Cheating (including plagiarism) will not be tolerated; those who are caught cheating will fail the course.

2) Subject to other university policy, attendance is required, and students may be penalized for missing class.

3) Tests are to be taken when scheduled. Make-up exams will be given only for compelling reasons.

4) This class involves the improvisational discussion of controversial material. Based upon more than 15 years of teaching this type of material, the instructor has found that many students will not discuss such controversial material when they are being recorded. This results in a situation where all students are limited in observing how to critically analyze the constitutional and judicial interpretations. **No photographing, recording, or otherwise capturing the image or voice of students or faculty is allowed without permission. Anyone who does so will be removed from the class and receive a grade of F.**

5) Because this class involves the improvisational discussion of controversial material, sometimes a position is inelegantly stated. Each person in the class deserves the benefit of a good faith interpretation of what was stated.

6) **Masks.** Unless and until otherwise specified, the decision to wear a mask in this class is left to the individual. Moral opprobrium should not be extended to anyone for their decision to mask or not to mask. Health reasons may exist for either decision.

### **GRADUATE CREDIT**

In the first week of class, graduate students must meet with the instructor to determine the topic of the report that must be written to get a grade in the course. The report should be 15-25 pages, and must be of graduate level quality: well organized, free from errors, and citations & form should be as customary in the student's field of study. The report is not incorporated in the student's grade, but if the instructor does not accept the rigor or quality of the report, the student will get an Incomplete (I) until the instructor is satisfied. The student will only get 30 days to revise the report, at the expiration of which the Incomplete will become a failing grade (F). If the report is sufficient, then the graduate student will receive the grade earned as stated above.

This course is not required by any graduate program. Presumably, any graduate student taking this course has an interest related to the student's thesis. Most students should be writing a report covering the knowledge to be used to support the thesis. Graduate students taking the course for general interest must write a report over a topic approved by the instructor.

## TENTATIVE SCHEDULE

All material, assignments, and deadlines are subject to change. Your responsibility is to stay in touch with your instructor, review the course site regularly, or communicate with other students, to adjust as needed if assignments or due dates change. Highlighted material in flux.

Aug 22	Introduction - read <i>How to Brief a Case</i>
Aug 24	Ch 1 - Judicial Review 1-9; 16-20
Aug 26	Ch 1 - Judicial Review - Limits 34-58
Aug 29	Ch 1 - Judicial Review - Limits 60-74
Aug 31	Ch 6 - Separation of Powers 303-314
Sep 2	Ch 6 - Separation of Powers 314-330
Sep 5	<u>Holiday</u>
Sep 7	Ch 6 - Separation of Powers 380-407
Sep 9	Ch 6 - Separation of Powers 415-434
<b>Sep 12</b>	<b>Exam 1 (8/22-9/9) - no class; take home</b>
Sep 14	Ch 2 - Federalism 77-95 (Gamble - dual sovereigns)
Sep 16	Ch 2 - Federalism 95-109 (Ok. v. Castro; McGirt, Denezpi)
Sep 19	Ch 3 - Commerce Clause 115-124
Sep 21	Ch 3 - Commerce Clause 124-137
Sep 23	Ch 3 - Commerce Clause 137-149
Sep 26	Ch 3 - Commerce Clause 149-160
Sep 28	Ch 3 - Commerce Clause 161-169
Sep 30	Ch 3 - Commerce Clause 169-177
Oct 3	Ch 3 - Commerce Clause 177-186
Oct 5	Ch 5 - Dormant Commerce Clause 227-236
Oct 7	Ch 5 - Dormant Commerce Clause 237-244
Oct 10	Discuss - could the U.S. require the university to be closed today
Oct 12	Ch 5 - Dormant Commerce Clause 245-258
Oct 14	Ch 5 - Dormant Commerce Clause 258-267
Oct 17	Ch 5 - Dormant Commerce Clause 267-277
Oct 19	Ch 5 - Privileges & Immunities 278-285 (US v. Shinn - Q.Imm; Tahlequah)
Oct 21	Ch 5 - Preemption 285-297 (Kansas v. Garcia) Arizona v. U.S.
Oct 24	Ch 4 - Tax & Spend 195-212
Oct 26	Ch 4 - Tax & Spend 212-225
Oct 28	discuss state laws regarding firearms manufacturing
<b>Oct 31</b>	<b>Exam 2 (9/14-10/28) - no class - take home</b>
<b>Nov 2</b>	<b>no class</b>
Nov 4	Ch 8 - Economic Liberties 483-493
Nov 7	Ch 8 - Economic Liberties 493-499
Nov 9	Ch 8 - Economic Liberties 499-508
Nov 11	Ch 8 - Economic Liberties & Takings 602-609
Nov 14	Ch 8 - Takings 609-621
Nov 17	Ch 8 - Takings 621-635
Nov 19	Ch 8 - Contracts 635-643
Nov 21-23-25	<u>Thanksgiving Break</u>
Nov 28	Ch 9 - Economic Regulation 643-658
Nov 30	Ch 7 - Incorporation of Rights 441-449 (Ramos v. Louisiana - jury)
Dec 2	Ch 7 - Incorporation of Rights 449-462 (Timbs v. Indiana - fines; NY gun case)
Dec 5	Ch 7 - Incorporation of Rights 462-473
Dec 7	Ch 7 - Incorporation of Rights 473-482
<b>Dec 9</b>	<b>Exam 3 (11/2-12/7) - no class - take home</b>
<b>Finals Week</b>	<b>Attendance is Mandatory</b>

Code of conduct (borrowed from Dr. DeGarmo but with minor edits):

### **STUDENT CONDUCT IN CLASS:**

Political Science is a field of debate and disagreement - that is what is so exciting about this field. But given that Political Science can be a contentious subject, some simple rules of behavior will be required. First, no behavior that manifests a lack of respect for others or their learning objectives will be tolerated. Should you engage in disrespectful, hostile, racist, demeaning or disruptive behavior, you will be removed from class immediately. Everyone must feel comfortable stating and defending his or her own views.

You may use a laptop in class to access online coursework or to type your own notes. **You may not use your laptop to surf the internet or check your email. You are expected to close your computer when we are involved in class discussion. Additionally, please turn your cell phones off and stow them in a backpack for the duration of the class. If you fail to follow these few simple rules, all student electronic devices will be banned from the classroom and the entire class may be penalized up to one-letter grade in their final course grade.**

### **ACADEMIC HONESTY AND INTEGRITY:**

Academic honesty and integrity are the keystones of education. Genuine learning can only occur in an atmosphere of honesty and integrity. Honesty and integrity also provide the foundation to good citizenship. You should consult the SIUE policy on honesty and integrity before taking this class. In regard to academic dishonesty: No kind or degree of academic dishonesty (i.e. cheating or plagiarism) will be tolerated. Any such behavior on any assignment will result in failing the course and additional measures taken through official channels. There are no exceptions to this rule – you plagiarize and you fail the course.

Please review the Student Academic Code: <https://www.siue.edu/policies/3c2.shtml>

Feel free to ask me questions you may have about academic honesty. The core principle behind the student academic code is one in which students represent original work. When you plagiarize or cheat, you violate the expectation of honesty and trust between teacher and student and student and student. Students who work hard to complete assignments are being violated by those who take shortcuts to complete the same assignment; plus cheaters and plagiarizers cheat themselves of the opportunity to learn. Therefore, I expect that not only will you use appropriate citation, but that the work for the course is your own and it is original.

## **UNIVERSITY POLICIES:**

### **SPECIAL ACCOMMODATIONS:**

*Students needing accommodations because of medical diagnosis or major life impairment will need to register with Accessible Campus Community & Equitable Student Support (ACCESS) and complete an intake process before accommodations will be given. Students who believe they have a diagnosis, but do not have documentation, should contact ACCESS for assistance and/or appropriate referral. The ACCESS office is located in the Student Success Center, Room 1203. You can also reach the office by emailing us at [myaccess@siue.edu](mailto:myaccess@siue.edu) or by calling [618-650-3726](tel:618-650-3726).*

## **COVID-19 Pandemic Policies Related to Classroom Instruction (Fall 2022)**

### **Health and Safety**

The measures outlined below are required and any student who does not comply may be in violation of the *COVID-19 People-Focused Health and Safety Policy*, as well as the University's *Student Code of Conduct*.

The full text of the *COVID-19 People-Focused Health and Safety Policy* can be found here:

<https://www.siue.edu/policies/Covid.shtml>

### **Classrooms, Labs, Studios, and Other Academic Spaces**

Under current University policy, SIUE will only require masking in campus healthcare settings. See, <https://www.siue.edu/about/announcements/coronavirus/safety-guidelines-support/index.shtml>.

Individual faculty of record may determine that masking will be required in their classrooms and are asked to communicate accordingly with students. Face masks may be required in other campus sites following guidance from governing regulatory agencies.

- Students who forget to wear a face covering when masking is required will be reminded of their obligation to comply with SIUE's *COVID-19 People-Focused Health and Safety Policy* and temporarily asked to leave the class until they are able to conform to the policy. Students who forget or lose their face coverings when masking is required may be able to obtain replacements from a friend, a faculty member, or a nearby departmental office. Face coverings are also available for purchase in the Cougar Store (MUC).
- Students who refuse to wear a face covering when masking is required will be asked to leave the classroom and referred to the Dean of Students for non-compliance with community health and safety protocols. Repeated non-compliance may result in disciplinary actions, including the student being administratively dropped from an on-ground/face-to-face course or courses without refund if no alternative course format is available.
- If a student has a documented health condition which makes wearing a face covering medically intolerable, that student should contact ACCESS to explore options with the understanding that ACCESS will not grant accommodations which excuse the need for a face covering while on campus or in the classroom. ACCESS will work with qualifying individuals to find reasonable alternatives, whenever such solutions are available. Please call or contact the ACCESS Office via email to schedule an online appointment to discuss potential alternatives. ACCESS office (Student Success Center, Room 1203, 618-650-3726, and [myaccess@siue.edu](mailto:myaccess@siue.edu)).

### **General Health Measures**

Students and employees are expected to review the [siue.edu/coronavirus](https://www.siue.edu/coronavirus) website

(<https://www.siue.edu/about/announcements/coronavirus/>) to better understand prevention strategies and safety expectations.

- Students and employees are expected to maintain healthy hygiene practices.
- Students and employees are expected to follow COVID-related guidelines and directions.

- Students and employees are expected to conduct a daily health self-assessment and isolate themselves if COVID-related symptoms are present. COVID-related symptoms include:
  - o Fever (100.4 degrees or above) or chills
  - o Cough
  - o Shortness of breath or difficulty breathing
  - o Fatigue
  - o Muscle or body aches
  - o Headache
  - o New loss of taste or smell
  - o Sore throat
  - o Congestion or runny nose
  - o Nausea or vomiting
  - o Diarrhea

### **Academic Integrity**

Students are reminded that the expectations and academic standards outlined in the Student Academic Code (3C2) apply to all courses, field experiences and educational experiences at the University, regardless of modality or location. The full text of the policy can be found here: <https://www.siue.edu/policies/3c2.shtml>.

### **Recordings of Class Content**

Faculty recordings of lectures and/or other course materials are meant to facilitate student learning and to help facilitate a student catching up who has missed class due to illness or quarantine. As such, students are reminded that the recording, as well as replicating or sharing of any course content and/or course materials without the express permission of the instructor of record, is not permitted, and may be considered a violation of the University's Student Conduct Code (3C1), linked here: <https://www.siue.edu/policies/3c1.shtml>.

### **Potential for Changes in Course Schedule or Modality**

As the COVID-19 pandemic continues, there remains a possibility that planned classroom activities will need to be adjusted. Depending on circumstances and following state-issued recommendations, potential changes include alterations to distancing requirements, course modality (e.g., transition from face-to-face to online, hybrid, or hy-flex, mask wearing, in-course activities, etc). These changes would be implemented to ensure the successful completion of the course while preserving health and safety. In these cases, students may be provided with an addendum to the class syllabus that will supersede the original version. If the course schedule or modifications significantly alter expectations, a new syllabus will be issued.

### **Student Success Coaches**

[Student success coaches](#) work across campus to serve the SIUE student population with the tools and resources to adjust to and meet the demands of the college experience. Success coaches provide direct services such as time management support and referrals to campus resources. If you find yourself in need of academic or personal support, or in a situation that is preventing you from being successful in the classroom, please utilize [Starfish](#) to connect with a coach as soon as possible. The sooner you engage, the sooner you can access the information or tools you need that may help you get back on track.