

POLS 4020: Constitutional Law: Powers

Fall 2023

Tuesday, Thursday 12 – 1:15
LH 116

Professor Richard Price

Office: LH 146

Email: richardprice@weber.edu

Office Hours: Tuesday 10:30-11:30, Thursday 10:30-11:30 via Zoom or in person

Appointments available by request

Course Description

While we tend to talk about constitutional *law*, the U.S. Constitution is also fundamentally a *political* document. The framers of the Constitution sought to design a government powerful enough to serve the people's needs, but not so powerful that it would trample on their liberty. The framers developed three strategies for controlling governmental powers by (1) dividing power among multiple hands, (2) subjecting it to regular democratic elections, and (3) authorizing the judicial protection of individual rights. In this course we will explore the first two strategies and POLS 4030 will look at the third.

Our goal will not be to simply understand governmental powers, rights, and liberties through the decisions of courts. Instead, our goal will be to understand the development of constitutional law as a matter of constitutional politics. Law is not some neutral, apolitical entity. Law is shaped and changed by political regimes that periodically come to power throughout American history. In turn, political regimes are shaped by the law developed in prior periods. Through the historical study of American constitutionalism, we will examine the development and evolution of the U.S. Constitution over more than 200 years.

The most important goal of this course is to help you develop an enriched understanding of the principles embedded in the country's fundamental law. As such, the course addresses controversial topics that raise difficult questions about our personal and political beliefs. I expect everyone to be able and willing to engage in debate, show tolerance towards the views of others, and treat each other with concern and respect. This is especially important in historical studies where everyone needs to understand that this is a safe space where just because you argue about the original position of slavery in American constitutionalism does not mean you agree with slavery.

Learning Outcomes

Students should be able to demonstrate mastery of the Public and Constitutional Law subfield.

This course emphasizes the ability of students to demonstrate critical thinking skills or formulate and defend a thesis in a written or oral format.

Course Readings

There is one book required for this course; it is referred to as GGW in the syllabus. Additionally, there are supplemental materials available electronically on Canvas. These are required unless they are specifically listed as suggested.

Gillman, Howard, Mark A. Graber, and Keith E. Whittington. 2022. *American Constitutionalism Vol. 1: Structures of Government*, Third Edition. New York: Oxford University Press (ISBN: 978-0-19-752763-4).

Course Requirements

1. Participation (10%)

This course is highly participatory in nature. We deal in contested notions of American constitutionalism that have divided people for generations and one of the best ways to work through those ideas is through active class discussion and debate. This does not mean talking X% of the time but means that you regularly offer thoughts and ideas of your own about the material.

- At the end of the semester I will require you to submit a self-evaluation of your participation with an honest assessment of your participation and a suggested grade. I will take this self-evaluation into account when assigning your grade.

2. Final (15%)

This will be a comprehensive, closed book final exam. I will provide more details as the semester proceeds. A study guide will be provided 48 hours before the exam window opens.

3. The Papers (15% each, 75% total)

A substantial portion of your final grade will be determined by your completion of five out-of-class writing assignments. In completing these five assignments, you have a long list of topics from which to choose. Each topic has a different due date, as indicated in the course schedule below, and papers are due at the start of class and must be uploaded to Canvas. Each paper should be approximately 5 pages, double-spaced 12-point Times New Roman. More importantly, each paper should demonstrate your close reading of, and active engagement with, the readings that are assigned in the course schedule below. None of these papers requires any additional reading and I discourage you from doing any. What I am looking for is a clear argument of your own responding to the assigned question that also demonstrates a careful, detailed, and thoughtful discussion of the materials. This, of course, requires specific references and quotations to the readings, and you must provide page citations for each one.

As good writing comes from revision, I encourage you to discuss your papers with me before they are due. Papers are due, uploaded to Canvas, by the start of the class where we discuss that material. Everyone must turn in one paper by **Thursday 9/14** and at least two by **Thursday 10/5**. Each of the questions is large and challenging. I will not punish you if you go a little over, but you should try to boil the question down to its essence and to focus in on a central argument. You may do a sixth paper and I will drop the lowest grade; however, this **may not** replace a failure to turn in one of the papers required by **Thursday 9/14** and **Thursday 10/5**.

Rewriting papers. If you wish, you may rewrite a paper. A rewrite means a substantial effort to correct the issues with the original paper and not simply adding a few lines. Rewrites will be due

to me via email no later than one week after the relevant paper is returned to you. A rewritten paper may earn up to one letter grade higher than the original paper (so a C+ can become a B+).

See Canvas for a note on my paper grading

Grade Scale

A = 93% or above	A- = 90 – 92 %	B+ = 87 – 89%	B = 83 – 86%
B- = 80 – 82 %	C+ = 77 – 79%	C = 73 – 76%	C- = 70 – 72 %
D+ = 67-69%	D = 63 – 66%	D- = 60 – 62%	E = 0 – 59%

Course Schedule

The following is an approximate schedule that I reserve the right to alter, with notice, at any time.

I. Origins of American Constitutionalism

The U.S. Constitution is a document of principle and compromise. It was drafted with a long history of British and Colonial governance, as well as the early state constitutions and the Articles of Confederation. Evaluate the interests and goals that went into the creation of the final Constitution.

Tuesday Aug. 29, Introduction

Thursday Aug. 31, A Democratic Revolution? These materials focus on constitutional development before the Constitution was written. How can a constitution develop before it exists?

- GGW 31-47

Tuesday Sept. 5, Drafting the Constitution: Now we look at the actual drafting of the constitutional text itself. Did the Constitution abandon the democratic nature of the Revolution?

- GGW 49-56, 65-83, 755-761

Paper Option: Compare James Madison's Virginia Plan with the actual 1787 Constitution (before any amendments were added). Would it have been better if Madison's plan had been adopted without change? In other words, did the members of the Philadelphia convention improve on Madison's initial proposal or did they make things worse? How so? Be specific.

II. The Federalist and Jeffersonian Eras

As you read the assigned material on how the early Constitution actually operated, note the frequency of conflict over the Constitution's meaning. Is this amount of conflict surprising, especially given the fact that these disputes came so soon after the ratification of the Constitution and often involved those who drafted and ratified it?

Thursday Sept. 7, Presidential Power in the Early Republic. Why do we have a president? In other words, when the framers drafted Article II of the Constitution, what goals were they trying to accomplish?

- GGW 83-99, 158-171

Paper Option: The early Republic saw significant debate over executive power. Evaluate these debates and what they focused on? In other words, what did the founding generation want from the president? Is there an obviously correct legal answer to these early disputes, or is it just a matter of early party politics? Is it surprising to see the founding generation split so deeply over fundamental constitutional meaning?

Tuesday Sept. 12, Judicial Power in the Early Republic. Our focus for today is *Marbury v. Madison* (1803) and the question of constitutional review. Should this important power be vested in the courts or do all branches share in it as Jefferson argued?

- GGW 56-61, 99-116, 155-158

Paper Option: Elaborate on why Chief Justice Marshall believed in the power of judicial review. (Do not get bogged down in the facts of *Marbury*, though). Evaluate this argument. How persuasive does it seem to you? After all, the text lacks any mention of judicial review. Should the Court's constitutional authority be exclusive of the other branches? In other words, are alternatives such as departmentalism or state review acceptable?

Thursday Sept. 14, Congressional Power in the Early Republic. Today, we will be talking primarily about *McCulloch v. Maryland* (1819), the most important decision issued by the Marshall Court.

- GGW 117-136, 142-147

Paper Option: Read Chief Justice Marshall's opinion in *McCulloch v. Maryland* (1819). On what basis did he conclude that the federal statute authorizing the creation of a national bank was constitutional? In your opinion, between the strict and liberal schools of constitutional interpretation, who had the better argument?

Everyone must submit one paper by 9/14

III. The Jacksonian Era

We turn now to the era named after President Andrew Jackson, a period where many of our governmental institutions became significantly more democratic, but the institution of Southern slavery became ever more entrenched. Our focus will be on the shifting power and authority of state and federal legislative institutions and the sharpening of the constitutional conflict over slavery.

Tuesday Sept. 19, The Jacksonian Presidency. In an era of weak presidents, Jackson pushed an expansive vision of his presidential power. Consider the degree of constitutional authority he assumed in disputing the legitimacy of the national bank, the issue of Native American sovereignty, and the extent of the veto power.

- GGW 173-179, 189-194, 216-229

- “Note on the Censure of President Andrew Jackson”
- Harrison, “Inaugural Address”

Paper Option: President Jackson asserted a broad vision of presidential power, an unusual position for the Nineteenth Century. Explore the basis for his arguments and assess how convincing he was in particular with regards to the national bank (though you are not limited to that only). After the bank was legitimized by two different regimes (Federalists and Jeffersonians) and the Supreme Court, should the president have the authority to disagree?

Thursday Sept. 21, Federalism in the Age of Jackson. The federalism debates of the Marshall era—in cases like *McCulloch v. Maryland* (1819) and *Gibbons v. Ogden* (1824)—continued during the Jacksonian era. Today we will revisit the scope of federal power. Consider the nullification crisis and its relation to the Virginia and Kentucky Resolutions and the later secession arguments.

- GW 147-149, 208-215
- Webster “Speech on Nullification”
- Jackson, “Proclamation on Nullification”
- “South Carolina Exposition and Protest”
- Polk “Veto of Internal Improvements Bill”

Paper Option: Jacksonian politicians debated federal power extensively. This fact is evident in debates about state encroachment on commerce regulation. Critics of federal power argued for new methods of state resistance. Evaluate the argument for nullification and the federal response. Was nullification a plausible interpretation of the Constitution?

Tuesday Sept. 26, Slavery and the Constitution. Today we turn to the divisive issue of slavery and *Dred Scott v. Sandford* (1857). Was the original Constitution “a Covenant with Death, an Agreement with Hell,” as abolitionist William Lloyd Garrison described in 1844?

- GW 140-142, 179-182, 194-201, 203-208
- “Commonwealth v. Aves”
- “Ableman v. Booth”
- “Debates over Property Qualifications”

Paper Option: Read *Prigg v. Pennsylvania* (1842) and *Dred Scott v. Sandford* (1857). Did the increasingly bitter political and legal conflicts over slavery in the 1840s and ‘50s warp what was otherwise a fair and just Constitution? Or did they reveal fundamental defects in a Constitution that was pro-slavery from the start? Be sure to provide specific references to relevant provisions of the constitutional text and to one or more of the key slavery related debates from this time.

IV. Civil War and Reconstruction

The U.S. Constitution has faced many crises—historical moments at which it might have fallen apart—but the Civil War was by far the greatest. In what ways did the Constitution change as a result of this crisis?

Thursday Sept. 28, Secession and Reconstruction. Assertion of the right to leave the Union represents the ultimate expression of state sovereignty. Evaluate the material in light of our prior examination of federalism from the Founding era.

- GGW 231-235, 256-275, 293-296
- Jefferson Davis “The Right of Secession”

Paper Option: Evaluate the secession claims of southern states—not only the slavery justification but also the constitutional basis for arguments about secession itself unconnected to the morality of slavery. Are their constitutional arguments persuasive? Attention should be given to the previous material on federalism, national power, and popular sovereignty. Was the Constitution an act of “We the People” as a national entity or a contract agreed to by independent, sovereign states?

Tuesday Oct. 3, Presidential Power during War and Reconstruction. What was the military situation faced by President Lincoln when he took the oath of office? How did he respond? Would you have done anything differently in his shoes? What was the political situation faced by congressional Republicans when Lincoln was assassinated? How did they respond?

- GGW 235-241, 275-293
- *Ex parte Milligan* (1866)

Paper Option: A major debate in American constitutionalism is whether President Lincoln acted constitutionally when he suspended the writ of habeas corpus in 1861. Evaluate whether his actions were justified or not. If not, why did he do it? If so, why did the Chief Justice of the United States object so strongly to the president's actions? Is there even an obviously right answer to this unprecedented, and arguably unforeseen, situation?

V. The Constitution and the Rise of Industrial Capitalism

We turn now to constitutional development in the late Nineteenth and early Twentieth Centuries. GGW refer to this period as “the Republican era,” since the Republican Party dominated the federal government for most of this time. Historians often call it “the Gilded Age” to emphasize the extravagant wealth of the newly emerging capitalist elite. Whatever the label used, our primary focus here will be the myriad ways in which the Constitution was reshaped by the rise of industrial capitalism. In this context, we will consider the scope of state and federal authority to curtail corporate monopolies, to regulate wages and working conditions, to prohibit child labor, and the institutional changes adopted to better manage these changes.

Thursday Oct. 5, The Roots of Modern Presidential Power. While we tend to talk about the modern presidency as beginning with Democratic President Franklin Delano Roosevelt, many of the modern aspects of presidential power had their origin in the prior Republican era. Consider the debates over presidential authority at the turn of the 20th Century. Why did presidents at the time differ so strongly over the nature of their office’s power?

- GGW 298-305, 371-385
- “Presidential Appointment Power”

Paper Option: Today's readings provide an interesting contrast in views on presidential power from men who occupied the White House. Cleveland, Roosevelt, Taft, and Wilson offer dramatically different views of presidential responsibility with the debate between Teddy Roosevelt and Taft being the most famous and significant. In your view, which perspective represents the proper understanding of presidential power? Does earlier experience weigh in favor of one of these views?

Everyone must submit two papers by 10/5

Tuesday Oct. 10, Judicial Power and the new 14th Amendment. The 14th Amendment dramatically expanded the power of the Supreme Court to review state laws. Consider the *Slaughterhouse Cases* (1873) carefully. Did the Court abandon the civil rights goals of this fundamental constitutional change? How did the Court come to apply the 14th Amendment ultimately?

- GW 182-185, 306-321, 356-359, 365-370
- *Lochner v. New York* (1905)

Paper Option: During the Republican Era, states began to experiment with new forms of judicial power. Most importantly, many began to experiment with judicial elections and the popular recall of judges. Were these innovations an abandonment of judicial power or recognition that judicial power has to change with the more democratic times? Should such innovations be applied to the federal judiciary as well? Consider this question in light of the evolution of judicial power to this point.

Thursday Oct. 12, Congressional Power to Confront, Control, or Regulate Industrial Capitalism. The late 1800s saw the first real use of federal power to regulate interstate commerce. Consider carefully the congressional debates over the Sherman Anti-Trust Act. What exactly did Congress intend in the law? Evaluate the Supreme Court's response to it and other federal actions. Did the Court have a consistent approach to these disputes?

- GW 329-341, 349-355
- *In Re Debs* (1895)

Paper Option: Read *Hammer v. Dagenhart* (1918) and consider the justification for striking down a ban on child labor. What kind of Constitution is it that would prevent the people's elected representatives from outlawing child labor? Does this decision indicate some fundamental defect in our Constitution, at least in the Constitution of 1918? Was *Hammer* consistent with earlier interpretations of the commerce power?

Tuesday Oct. 17, Manifest Destiny. Territorial expansion was a constant of Nineteenth Century American experience. Beginning with the Louisiana Purchase, the seizure of much of the present West from Mexico, and continuing to the territories won after the Spanish-American War of 1898 the United States expanded from a smattering of relatively small states on the Atlantic Ocean to span a continent. This expansion is well known, but less often discussed are the constitutional difficulties. Read through the Constitution again. Where exactly does it say that Congress is allowed to acquire new territory?

- GW 136-142, 201-203, 355-356
- “Insular Cases [Downes v. Bidwell]”
- *Balzac v. Porto Rico* (1922)

Paper Option: Consider first the problem of whether Congress has the power to acquire territory in the first place. What provisions, if any, answer this question? Assuming Congress has the power to acquire new territories, what, if any, constitutional limits exist on the governance of those territories. If the Constitution applied to territories in *Dred Scott*—a conclusion no one seriously contested—what made the territories acquired from Spain so different? Consider the opinions offered from the extremes of this debate in *Downes v. Bidwell* by Justices Brown and Harlan and the more moderate position of Chief Justice Taft in *Balzac v. Porto Rico*. Who had the better argument?

VI. The New Deal and a New Constitution?

In the wake of the Great Depression, the Constitution was again significantly altered. Unlike during Reconstruction, however, no formal amendments were enacted. How did the constitutional changes that have continued to define much of modern constitutional experience emerge?

Thursday Oct. 19, The New Deal Realignment and Constitutional Conflict: Focus on FDR’s vision of the Constitution as expressed in his speeches. What was the source of the intense conflict between FDR and the Court?

- GW 387-397, 399-406, 424-430, 446-450, 468-473

Paper Option: Read FDR's undelivered speech on the Gold Clause Cases and his fireside chat on the Court packing plan. Was the president's criticism of the Supreme Court justified? Why or why not? What implications do FDR's arguments have for conflicts about the role of the Supreme Court today? Be specific.

Tuesday Oct. 24, A New Constitution for a New Age. Once FDR finally had a chance to appoint some justices, the Court’s understanding of the Constitution started to shift dramatically. Once the Court substantially removed itself from the aggressive policing of federalism and property rights, it was an open question what role the Court would serve going forward. Some justices argued for a vision of near perfect deference to legislative bodies where others pushed for aggressive protection of other constitutional rights. Is one option better than another?

- GW 397-399, 430-437, 450-453
- *Ashwander v. TVA* (1936)
- *U.S. v. Darby* (1941)

Paper Option: Today’s readings show a major revolution in constitutional law. What does this change say about the role of the Supreme Court? Is this a rediscovery of a “correct” constitutional past or a new constitutional path? In other words, does this amount to simply overruling incorrect precedents that unfairly restricted federal power or is it an example of judicial constitutional amendments creating new powers? If the later, are judicial amendments legitimated by FDR’s political position?

Thursday Oct. 26, The New Constitutional Order at Work. Both the Supreme Court and Congress took an aggressive stance towards their powers in the New Deal era. What do civil rights laws have to do with commerce? What limits does the Court recognize on its own power? Should we revisit the lessons of the states and elect or recall justices?

- GW 406-423, 437-446

Paper Option: The Supreme Court adopted an expansive view of its own power in the post-WWII era. Outline the nature of this power and challenges presented to it. Does judicial review slip into judicial supremacy in this time period? In other words, is the expression of judicial power dramatically different from earlier periods? Should we think again about alternative means of selecting justices or other limitations on the Court?

Tuesday Oct. 31, War and the Modern Presidency. What are the chief impacts of war on the Constitution? Should our concern with war powers be different in the Cold War than in WWII or the Civil War?

- GW 457-468, 473-477, 505-511
- *Korematsu v. United States* (1944)

Paper Option: Read Justice Robert Jackson's concurring opinion in *Youngstown Sheet & Tube v. Sawyer* (1952). Evaluate Jackson's solution to war powers disputes. Does it make sense? Is it workable? Do any of the other justices offer a better solution? Provide specific examples, either historical or hypothetical, in support of your argument.

Thursday Nov. 2, No Class.

VII. The Modern Conservative Turn in American Politics

After FDR's and LBJ's Democratic Party dominated American politics for more than thirty years, the country took a right turn with the "Reagan revolution" of 1980, and reaching its peak during the era of Bill Clinton, Newt Gingrich, and George W. Bush. To what extent was this rightward electoral turn mirrored by a rightward constitutional turn?

Tuesday Nov. 7, The Reagan Revolution. Reagan sought to fundamentally reject the New Deal constitutional order, or at least elements of it, but faced limitations when he couldn't carry the House. So he endorsed an emerging justification for judicial activism: originalism. Consider the arguments for and against originalism. Given the course of our chronological study, are you convinced that a search for the original intent and/or meaning is objective?

- GW 483-485, 521-535, 564-565, 649-653
- "The Nomination of Bork"

Paper Option: The Reagan Administration officially endorsed originalism as the preferred constitutional theory of the Republican Party. Is this a decision based on law or politics; is there a way to honestly separate the two? Given the material we have studied so far, are you convinced that a search for original intent and/or meaning is objective, if even possible?

Thursday Nov. 9, Congress vs. the Presidency in the Modern Era. The modern era has regularly seen divided government with an unusual degree of interbranch conflicts. When reading today's materials, give special attention to how the Court refereed these disputes. Did it show a particular bias towards one branch? If so, is this bias reflective of ideology or something else?

- GGW 548-562, 616-622, 644-647

Paper Option: With the rise of the New Deal state, Congress frequently found it more efficient to adopt broad guidelines and defer actual rulemaking to executive agencies. But Congress also wanted to maintain some influence over these decisions. Evaluate how the Court resolved these tensions between congressional oversight and executive power.

Tuesday Nov. 14, Presidents Bush, Obama, Trump, and Biden and their War on Terror. Evaluate the broad claims of executive authority claimed by President Bush in response to the 9/11 terrorist attacks. Has the interpretation significantly altered during President Obama's tenure? Is President Trump likely to differ from either?

- GGW 575-577, 623-640, 683-693

Paper Option: President Bush pushed an expansive interpretation of his authority over foreign relations, and seemed to do so with the tacit consent of Congress. Given our studies of the war powers, were these claims something new or just a continuation of prior trends? Is this interpretation a partisan issue? Meaning, have Presidents Obama, Trump, or Biden significantly differed from Bush on this issue?

Thursday Nov. 16, The Court vs. Congress: Abandoning the New Deal? One of the primary goals of the Reagan revolution was a fundamental shift in the balance of national and state power. Today's readings focus on these questions in relation to the commerce power.

- GGW 540-541, 585-599, 606-612
- *Gonzales v. Raich* (2005)

Paper Option: In *U.S. v. Lopez* (1995) the Court enforced limits on Congress' commerce power for the first time since the 1930s. Why did it do this? Is *Lopez* a major revolution in constitutional law or just a minor correction? What does *Gonzales v. Raich* (2005) add to this evaluation?

Tuesday Nov. 21, HOLIDAY BREAK

Thursday Nov. 23, HOLIDAY BREAK

Tuesday Nov. 28, The Court vs. Congress: Having Second Thoughts? Did the Court abandon the new federalism decisions of the mid-1990s and early 2000s? Or is it possible that the justices simply understand those limits differently in different areas of the law?

- GGW 658-667, 673-683

Paper Option: Where does federalism stand today? In the 1990s, many constitutional commentators thought that the conservative Supreme Court was about to dramatically

realign federalism back to the days of the 1930s. Did this happen? Is federalism much different from say the era of *Heart of Atlanta*?

Thursday Nov 30, Judicial Power in the Current Era. Consider the decision in *City of Boerne v. Flores* (1997). This seems like a rousing declaration of judicial supremacy. Does that conflict with calls for judicial restraint that are so common from the Republican party? Consider the debates over the “nuclear option.” Should the president be allowed to appoint whomever he wishes? Keep in mind that when Democrats eliminated the filibuster for executive appointments below the Supreme Court in November 2014, the parties reversed their positions from the Bush years.

- GW 567-574, 580-585, 653-658
- *Bush v. Gore* (2000) plurality opinion only
- “Senate Approves Change to Filibuster”
- “The big ideas from Biden’s Supreme Court Commission, explained” (Washington Post)

Paper Option: Consider the message sent by the Court in *City of Boerne*. Is there any limit to the Court’s power today? Is the increasingly partisan confirmation system an important part of this increased power? Given the wide degree of judicial authority, should the barriers in judicial appointments be limited so that new presidents have an easier time changing the Court? Given the Merrick Garland experience, is there any possibility that an opposition Senate allows the president a nomination?

Tuesday Dec. 5, Presidents Trump, Biden, and the Future of Constitutional Law. Evaluations of the 2016 election and its aftermath vary greatly. Some see the election as just another incremental step in our polarized politics. Others see it as a significant break with tradition but disagree over what that break means. Was it the start of something new or a continuation of prior decades? Where do you align yourself?

- Readings TBD

Thursday Dec. 7, Catchup day.

Course Policies

Attendance: Attendance is an important element to any class but especially this one. The readings and lectures will be complementary but not coextensive and you will be held responsible for all of the information from both lectures and assigned readings. While attendance alone is not sufficient for the participation element of your final grade, it is necessary.

Grading Policy: Barring unforeseen crises, I will return graded assignments within two weeks of the due date. If you are unsatisfied with a grade assigned you may appeal that grade to me and I will reevaluate the assignment from scratch. This means that you could receive a higher, lower, or the same grade as initially given. To appeal you must send me a short statement explaining why you believe the grade is incorrect.

Late Assignments: Because the paper deadlines are so flexible I will not accept late submissions. Papers are due at the beginning of class on the day assigned. Please upload to Canvas.

Academic Integrity: As specified in PPM 6-22 IV D, cheating and plagiarism violate the Student Code. Plagiarism is “the unacknowledged (uncited) use of any other person’s or group’s ideas or work.” Students found guilty of cheating or plagiarism are subject to failure for the specific assignment, at a minimum, or failure for the whole course at the professor’s discretion. Students will also be reported to the Dean of Students.

NOTE: It is also a violation of this policy to submit work previously submitted in another course. You should speak to me if you have any concerns about where the line is for this policy.

Reasonable Accommodation: Any student requiring accommodations or services due to a disability must contact Services for Students with Disabilities (SSD) in Room 181 of the Student Services Center (or Room 221 at the Davis Campus). SSD can also arrange to provide course materials (including this syllabus) in alternative formats upon request. Please refer to SSD’s website for more information: <http://weber.edu/ssd>

Core Beliefs: According to PPM 6--22 IV, students are to “[d]etermine, before the last day to drop courses without penalty, when course requirements conflict with a student's core beliefs. If there is such a conflict, the student should consider dropping the class. A student who finds this solution impracticable may request a resolution from the instructor. This policy does not oblige the instructor to grant the request, except in those cases when a denial would be arbitrary and capricious or illegal. This request must be made to the instructor in writing and the student must deliver a copy of the request to the office of the department head. The student's request must articulate the burden the requirement would place on the student's beliefs.”

Emergency Closure: If the University is forced to close for any reason during the semester, please check the course Canvas page and your Weber email for updates on how this course will proceed. The University announces closures and other emergencies through its Code Purple emergency alert system. Students are encouraged to sign up for Code Purple: <http://www.weber.edu/codepurple/>

Office Hours and Communication: My regular office hours are listed above and I encourage you to avail yourself of them if you have any problems, questions, or simply want to discuss ideas. If you cannot make my office hours, I am available by appointment. If you have a quick question, please feel free to email me. Finally, I may regularly use email to contact you (in particular if I have to cancel a class meeting or change an assignment). This means that you will be responsible for regularly checking your WEBER email account and keeping it open to emails. I will not make any extra attempt to contact you if an email gets rejected because yours is full. Nor will I accept as an excuse that you do not use your Weber email account.

- Canvas Announcements: I will sometimes use Canvas to send you announcements. This has a few quirks. One is that while you will be notified via email (if you have notifications properly set up), any attachments will have to be obtained by logging into Canvas and going to the announcements section. Also, please never hit reply to such announcement notifications in your email. It is not sent to me; it is instead posted as a

reply to the announcement but Canvas does not notify me of this and I will not see it. If you need to contact me, always email or message me directly.

Note on Email: Please put the name and/or number of this class in the subject of any email message so I can easily sort them. I will try to respond to all emails within 24 hours, beginning on the next business day after receipt; please note that weekends are not business days.

A Note on the Canvas Gradebook

All of your grades will be available online in the Canvas gradebook. Please note a quirk of that system is that it only estimates your final grade based on the scores recorded. If you have not yet done an assignment, thus showing "--", Canvas treats it as nonexistent. So it may state that you have an 83% when you have only done 3 of 6 required assignments but that estimate will drop rapidly if you fail to do an assignment and a "0" is entered. Also, Canvas is not perfect and you need to remember the terms of the syllabus when it comes to weighting assignments. If Canvas has an error for some reason and improperly weights assignments you need to remember that the syllabus always controls and any Canvas error will be corrected even if your grade estimate is affected. For this reason I encourage you to let me know if anything in Canvas looks odd.