COURSE DESCRIPTION:

Modern society is growing at an exponential rate with regard to technical complexity, thus requiring greater reliance on expertise and an increasing bureaucratization of government. The lives of Americans are directly affected every day in a multitude of ways by an unelected bureaucracy at the local, state, and federal level. This bureaucracy operates in the context of a political system that affects the offices of administration and under the rule of law established by the Constitution. Within this context, a body of law, administrative law, which is rooted in the broader area of constitutional law, has developed that affects the functions and processes of administrative agencies as they make, implement, and enforce policies. This course is designed to inform you about this body of law.

LEARNING OBJECTIVES:

(1) Students will gain a better understanding of due process rights, the Administrative Procedure Act, and Supreme Court case law surrounding administrative law. The midterm exam will be primarily used to assess each student’s learning outcome related to this objective. However, the final exam will reemphasize this learning objective.

(2) Students should understand how Administrative Law highlights broader democratic values of participation, information, accountability, and reasoned decision making and how these values are embedded in the administrative process and Supreme Court case law. More generally, students should understand the implications of administrative law for administrators in a democratic society. The final exam will be used to assess each student’s learning outcome related to this objective.

(3) In this course, students will gain the skills necessary to read and understand Supreme Court decisions, administrative rules, and the Administrative Procedure Act of 1946. In doing so, you will also gain an understanding of how the law guides and affects administration. The case briefs and class presentation will be used to gauge student competency and skill level (outcome) on this objective.
The course syllabus provides a general plan for the course; deviation may be necessary because of unforeseen circumstances.

POLICIES:
Students are expected to act like adults in the classroom. Students causing disruptions will be asked to leave. TURN OFF ALL CELL PHONES AND PAGERS. Tobacco use is also strictly forbidden during class.

PLAGIARISM:
Students are expected to know what constitutes plagiarism (i.e., presenting the work, idea, argument, or illustration of another as your own without properly attributing it to the author or source. This also includes submitting work done for another class in this class for credit. Any student found to have plagiarized will receive an F for the course.

CHEATING:
THERE IS NO EXCUSE FOR CHEATING. Any student caught cheating or helping someone else cheat will receive an F for the course. For more information about academic dishonesty, including cheating and plagiarism, consult the Graduate Student Handbook, pgs. 15 – 18, “Academic Ethics and Conduct: Academic Integrity – Honor Code.”

EQUAL OPPORTUNITY AND NON-DISCRIMINATION POLICY:
UAB is committed to equal opportunity and a campus environment free of harassment and discrimination based on race, color, creed, religion, national origin, sex, age, disability, marital status, sexual orientation, or veteran status. If you feel you have been harassed or treated unfairly by either an instructor or another student, please contact the Non-academic Conduct Officer, Disability Support Services (for disability discrimination) or the Office of the Vice Provost for Student and Faculty Success. Visit http://www.uab.edu/handbook/f-policies-procedures/f-equal-opportunity for more information.

STUDENT EVALUATION:
1. Class Attendance: Students may miss a maximum of two classes. After two absences, students will lose one percent per additional absence off of their participation grade (maximum of 10 points). I will give one bonus point on the final grade for those who have perfect attendance. I do not distinguish between excused versus unexcused absences, so budget accordingly.

2. Participation: Participation by students is required. Participation includes having read the reading assignments prior to coming to class, bringing the required readings to class, and contributing to class discussions in a meaningful way. I will attempt to balance the discussion between students, but it is ultimately your responsibility to participate in class discussions. If you do not participate in class discussions you will not receive full credit. Participation is worth 10% of your final grade.
3. Briefs and Leading Class Discussion: 20% of your grade will come from leading class discussion for one class meeting. Starting on September 4th, there are 12 class sessions total where students can choose to lead discussion. Following lecture, students will lead class discussions in groups containing at maximum 2 students. No student may lead more than one session. Students who lead class discussion are expected to distribute copies of case briefs for their peers via Blackboard (email) for all assigned court cases by the Sunday preceding the Tuesday you are scheduled to lead by 10 pm. Briefs sent after this time will be considered late and points will be deducted. Case briefs will be graded on their quality with hand-written briefs receiving no credit. Each brief will be graded separately with the average of all briefs counting toward the total grade for the leading of class discussion. The proper method for briefing cases will be covered in the first class session and a copy of the grading rubric is provided on Blackboard for inspection. Although students not leading class discussion are not responsible for briefing cases, they should have read and familiarized themselves with all assigned cases prior to coming to class. The rest of this portion of your grade will be based on the quality of the class discussion. A good class discussion ensures that your peers understand the assigned material, particularly assigned court cases. This can be achieved by posing relevant questions about the readings and assigned cases, providing relevant background information when necessary, and facilitating a worthwhile discussion. Students leading class discussion will not be penalized for the failure of their non-leading peers to participate in class discussion unless such nonparticipation is due to a lack of quality in the questions posed. Briefs are due by 10pm on the Sunday proceeding the Tuesday you are scheduled to lead class discussion. Briefs should be distributed through Blackboard via email to all members of the class.

4. Exams: There will be two exams (mid-term and final) during the course of the semester consisting of multiple-choice, true/false, matching, and essay questions. Each test will count toward 35% of the final course grade and will cover only the material covered in that portion of the class. The final exam will be used for your portfolio management. Make-up examinations will only be given for serious emergencies that have been documented serious emergencies and must be taken within one week of the original exam date. The type of make-up exam is chosen at the instructor’s discretion. The final exam will be used to assess the primary learning outcome for evaluating one core objective of this course.

5. Learning outcome for evaluating one core objective of the course: The final exam will be used to evaluate one core learning outcome of the course. After the successful completion of the course we will save these under each student’s Student Learning Portfolio (SLP). All courses in the MPA program will have these learning outcomes. We will evaluate the SLP for each student at the end of their coursework.

5. Grading Scale:
   - 90 – 100 A
   - 80 – 89 B
   - 70 – 79 C
   - 60 – 69 D
   - < 60 – F
TEXTS AND READINGS: There is one text for the course which is available at the University Bookstore

- Additional reading can be located on Blackboard.
1. COURSE OUTLINE AND READING ASSIGNMENTS:

The Rule of Law in Public Administration


August 22  LAST DAY TO DROP AND RECEIVE A FULL REFUND

August 28  Why Administrative Law? Harrington and Carter, Chapter 1, pgs. 1 – 25 and


Elements of Modern Administrative Law


October 2

October 9

October 16
MIDTERM EXAM

October 23
the Time It Takes to Develop Rules” by Balla and Wright (Blackboard). “White House Review of Agency Rulemaking” by Demuth and Ginsburg (Blackboard).

October 26

October 30


November 6

November 13


November 20

November 27  

December 4  

December 11  
**FINAL EXAM, 7:00 – 9:30PM**