

Mercer County Community College

Course Outline

POL 122
Course Number

Constitutional Law
Course Title

3
Credits

3
Class Hours

0
Laboratory Hours

15 weeks
Length of Semester

Text: Title: TBA
Author:
Publisher:
Edition:

Catalog Description:

An introduction to the basic principles of U.S. constitutional law including the constitutional basis for the federal system; powers of national government; the rights against national and state government; and the process of judicial review and the role of constitutional interpretation.

Prerequisites: None

Corequisites: None

James F. Rowe
Course Coordinator

Instructor's Name _____

Time/Location _____

Office Hours _____

Telephone Number(s) _____

E-mail _____

Method of Instruction:

A combination of lecture and discussion will be employed to acquaint the students with the basic principles of U.S. constitutional law.

Method of Evaluation:

The course will be divided into three units and each unit will be followed by an examination. There will be a comprehensive final exam during the final exam week.

Exams and one's final course grade will be based on the following scale:

- A = 90-100
- B = 80 – 89
- C = 70 – 79
- D = 60 – 69
- F = below 60

Classroom Environment:

Mercer welcomes all students who wish to be part of a learning community. The faculty and staff strive to maintain an environment of pride in our diverse community and mutual respect among all persons within it.

An important responsibility is to respect the rights of your classmates to learn. Your instructors are authorized to establish reasonable rules of conduct within their courses, and to require you to leave any class session in which your behavior disrupts the learning environment. (Please note that there are many forms of potentially disruptive behavior, ranging from “acting out” to engaging in side conversations to receiving cell phone calls or audible beeper messages.)

The college welcomes all students into an environment that creates a sense of community of pride and respect; we are all here to work cooperatively and to learn together.

Violations of Academic Integrity:

A student will be guilty of violating ACADEMIC INTEGRITY if he/she (a) knowingly represents work of others as his/her own, (b) uses or obtains unauthorized assistance in the execution of any academic work, or (c) gives fraudulent assistance to another student. The college recognizes the following general categories of violations of Academic Integrity, with representative examples of each. Academic Integrity is violated whenever a student:

1. Uses or obtains unauthorized assistance in any academic work.
 - copying from another student's exam
 - using notes, books or other aids of any kind during an exam when prohibited
 - stealing an exam or possessing a stolen copy of an exam.
2. Gives fraudulent assistance to another student.
 - completing an academic activity or taking an exam for someone else
 - giving answers to or sharing answers with another student during an exam
 - sharing answers during an exam by using a system of signals
3. Knowingly represents the work of other as his/her own, or represents previously completed academic work as current.
 - submitting a paper or other academic work for credit which includes words, ideas, data or creative work of others without acknowledging the source.
 - using another author's words without enclosing them in quotation marks, without paraphrasing them or without citing the source appropriately
 - presenting another individual's work as one's own
 - submitting the same paper or academic assignment to another class without the permission of the instructor
4. Fabricates data in support of an academic assignment.
 - falsifying bibliographic entries
 - submitting any academic assignment which contains falsified or fabricated data or results
5. Inappropriately or unethically uses technological means to gain academic advantage.
 - inappropriate or unethical acquisition of material via the Internet
 - using hidden devices for communication during an exam

Each instructor is authorized to establish specific guidelines consistent with this policy.

CONSEQUENCES FOR VIOLATIONS OF ACADEMIC INTEGRITY

For a single violation, the faculty member will determine the course of action to be followed. This may include assigning a lower grade on the assignment, assigning a lower final course grade, failing the student in the course, or other penalty appropriate to the violation. In all cases, the instructor shall notify the Chairperson of the Academic Standards Committee of the violation and the penalty imposed. When two (or more) violations of academic integrity are reported on a student, the Academic Standards Committee may impose disciplinary penalties beyond those imposed by the course instructors. The student shall have the right to a hearing before the ASC or a designated subcommittee thereof.

Academic Integrity and Performance:

ACADEMIC INTEGRITY refers to the “integral” quality of the search for knowledge which a student undertakes. The work a student produces, therefore, ought to be wholly his or hers; it should result completely from the student’s own efforts.

1. An academic institution is committed to guiding each student in his or her search for knowledge. That search must be the student’s own and no one else’s.
2. Students are required to perform all work specified by the faculty. They are responsible for the content and integrity of all academic work submitted such as papers, reports, and examinations. When that work has been influenced in any way by the work of others, such influences must be documented or credited according to accepted practices.
3. Students are responsible for maintaining established standards of academic performance with some uniformity for each course section in which they are registered. However, through the orderly procedures of the college, students will have protection against prejudiced or capricious evaluation.
4. Students are expected to attend all classes for every course and are not to absent themselves except for illness or other serious cause. It is the prerogative of each faculty member to excuse absences for valid reasons, should he/she feel that any student may satisfactorily fulfill all course requirements.

Appeals:

The student has a right to appeal the decision of the instructor, or the Academic Standards Committee. Judicial procedures governing violations of Academic Integrity are contained in the Student Handbook.

UNIT I

General Objectives:

The student will demonstrate a knowledge of general constitutional law principles dealing with the federal government and the federal system. Unit I will be followed by Exam I.

Specific Objectives Related to the Federal Government:

1. Understand the judicial power as established in Article III.
2. Describe the power of judicial review.
3. Distinguish between the various limitations on the exercise of federal jurisdiction.
4. Understand the legislative power as established in Article I.
5. Distinguish between the enumerated and implied powers of Congress.
6. Understand the concept of delegation of legislative power.
7. Understand the executive power as established in Article II.
8. Distinguish between the domestic powers and power over external affairs.
9. Discuss executive privilege, immunity, and the impeachment process.

Specific Objectives Related to the Federal System:

1. Distinguish between the relative spheres of federal and state powers including exclusive federal powers, exclusive state powers, and concurrent federal and state power.
2. Understand the concept of intersovereign litigation.
3. Distinguish between the different forms of intergovernmental taxation.
4. Explain the significance of the privileges and immunities clauses.
5. Understand the concept of regulation of foreign commerce.
6. Understand the concept of regulation of interstate commerce.
7. Understand the power of states to tax interstate commerce.
8. Explain when states have the power to tax foreign commerce.

Unit II

General Objectives:

The student will demonstrate a knowledge of individual guarantees against government or private action including first amendment freedoms. Unit II will be followed by Exam II.

Specific Objectives Related to Individual Guarantees Against Government or Private Actions:

1. Understand the constitutional restrictions on power over individuals including the bill of rights, thirteenth, fourteenth and fifteenth amendments and the commerce clause.
2. Distinguish between procedural due process and substantive due process.
3. Explain the purpose and scope of the “takings” clause.
4. Understand the concept of equal protection and the various classification systems.
5. Understand the various fundamental rights including the right to privacy, the right to vote, and the right to travel.
6. Explain principles of freedom of speech and assembly including time, place, and manner restrictions; unprotected speech; prior restraints; and freedom of the press.
7. Describe freedom of association and belief protections.
8. Understand the freedom of religion free exercise and establishment clauses.

Unit III

General Objectives:

The student will demonstrate a knowledge of the various constitutional restraints on criminal procedure established in the Bill of Rights. Unit III will be followed by Exam III.

Specific Objectives Related to Criminal Procedure:

1. Understand constitutional requirements binding on the states and those rights not binding on the states.
2. Describe the scope and limitations on the exclusionary rule.
3. Understand the application of the fourth amendment as it relates to arrests and other detentions, search and seizure, and methods of evidence that shocks the conscience.
4. Explain the fifth amendment privilege against self-incrimination.
5. Understand the sixth amendment right to counsel.
6. Distinguish between the various practical procedures including bail, grand juries, and speedy trial.
7. Understand what constitutes the right to a fair trial.
8. Distinguish between plea bargaining and guilty pleas.
9. Understand constitutional rights in relation to sentencing, punishment, and appeals.