Law and Public Administration– PAD 631, UST 731
Spring 2010
Tuesdays, 6:00pm - 8:50pm
UR 351

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Blackboard Help:
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Course Description:
Public law has the potential for great impact on public administration, yet many public managers are unaware of their responsibilities under the law. This course examines the sources of public law, the process of developing administrative law, and the influence of administrative law on public management.

Upon completing the course, you should gain an understanding of:
1) The foundations and the scope of administrative law
2) The distinctions between many sources of law including: the U.S. Constitution, case law, statutes, and agency regulations
3) The role of the Constitution in public administration
4) The administrative law process of agency rulemaking, agency adjudication, and judicial review
5) The interaction of law and politics in public administration
6) The force of law as both the foundation of public administration and a constraint on public managers’ behavior

Required Texts:


Additional readings as assigned will be posted on Blackboard

Recommended Reference:
All of your written assignments will be graded according to American Psychological Association (APA) style. APA style includes properly formatted citations in the text and on a separate references page. This link includes detailed information regarding APA compliance. http://owl.english.purdue.edu/handouts/research/r_apa.html
Course Requirements and Grading Policy:

*All written assignments should be submitted via Blackboard*

1)  **Preparation and Participation:** Each week you will have required readings as listed later in this syllabus. You will be expected to share your knowledge and opinions of these readings and related materials during weekly discussions. Participation will constitute ten percent of your course grade. The reading load will diminish in the second half of the semester so that you have additional time to focus on preparing your research paper. Please contact me in advance if you are unable to attend class. Unexcused absences from class will have a negative impact on your overall participation grade.

2)  **Case Memos:** Select four cases by signing up on Blackboard. For each case, you will be required to submit a two to three page memo **before** the start of the class session in which the case is scheduled to be discussed. You will also be asked to provide a brief overview of the case to the class.

   Your memo should detail the background, pertinent facts, ruling, and implications for public administration. Each student will be permitted to drop one of the four case memo grades. Each of the remaining three memos will constitute ten percent of your grade for a total of thirty percent. Expectations for the case memos will be discussed in greater detail following the instruction on legal research scheduled for the second week of class.

3)  **Research Paper:** You will select an administrative law topic from the assigned readings and thoroughly discuss the statutes, regulations, and cases that apply to that topic. The paper must be a minimum of ten but no more than fifteen pages in length. You may cite the course readings, but you must also cite other sources such as cases, regulations, statutes, and journal articles. All sources should include a complete APA style citation — in text and references page. I would be happy to evaluate drafts of the research paper that are submitted on or before March 23rd. The final paper will be due on April 16th.

4)  **Final Exam:** There will be a comprehensive, take-home, essay exam due on the scheduled final exam date of May 11th. The exam will be distributed twelve days before it is due. The exam is designed to test your ability to understand and critically evaluate the reading, lecture, and discussion material covered during the semester. Because the exam is a take-home format, accuracy, organization, clarity, grammar, and proper citation will all be considered in the overall exam grade. The exam is also intended as a solo exercise and any collaboration between students will result in each exam being rejected from consideration.

Students are expected to:

- Read all textbook chapters and other assigned readings **before** class;
- Participate actively in discussions and ask clarifying questions;
- Prepare and submit all written assignments on time;
- Send all written assignments through Blackboard;
- Log on to the course Blackboard site at least every other day to check for changes and/or additional information.
Grading
Final grades will be based on:

1) Performance on the final exam 30%
2) Quality of Research Paper 30%
3) Quality Case Memo One 10%
4) Quality Case Memo Two 10%
5) Quality Case Memo Three 10%
6) Weekly Participation 10%

Doctoral Students
Additional requirements for doctoral students include:

1) Develop and deliver a fifteen-minute presentation based on a theoretical question raised by one of the class topics.

2) The research paper should also address the public administration theory raised by the selected topic in administrative law and should be 20 – 25 pages in length.

3) Complete one additional essay question on the final exam.

Late Assignments
Assignments should be turned in on the day they are due. Any late assignment will be reduced by ten points for each day it is late. Assignments turned in more than three days late will not be accepted.

Grades will be assigned as follows:

<table>
<thead>
<tr>
<th>Percent of total points</th>
<th>Letter grade</th>
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<tbody>
<tr>
<td>94 and above</td>
<td>A</td>
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<tr>
<td>90 to 93</td>
<td>A-</td>
</tr>
<tr>
<td>87 to 89</td>
<td>B+</td>
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<tr>
<td>83 to 86</td>
<td>B</td>
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<tr>
<td>80 to 82</td>
<td>B-</td>
</tr>
<tr>
<td>70 to 79</td>
<td>C</td>
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<tr>
<td>Below 70</td>
<td>F</td>
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Academic Honesty
The MPA Program expects students to follow the highest standards of academic and professional honesty. Plagiarism will result in an automatic grade of F. Please consult the CSU Policy on Academic Misconduct that appears in the Student Handbook. This handbook is available through the University’s website www.csuohio.edu.

Disabilities
Any student who believes that they are disabled under the criteria of the Americans With Disabilities Act is encouraged to contact the instructor to determine whether any special arrangements should be made to assist with the course content and requirements during the semester.

Syllabus Revisions
The course syllabus is a general plan for the course; deviations announced to the class by the instructor may be necessary.

Week 1 – January 19th – Introduction to the class

Cooper, Chapter One – “Defining the Field”
Cooper, Chapter Two – “The Law in Books: An Orientation to Legal Research”

Handout:

“Field Trip” to the Law Library for legal research instruction by Law Librarian Marie Rehmar

Week 3 – February 2nd – The Foundations of Administrative Justice, Part II
Cooper, Chapter Three – “The Law in Action” (Purposes of Law, Legal Decision Making)
Cooper, Chapter Four – “A History of Law and Administration”

Week 4 – February 9th – The Constitutional Context, Part I

Handout:

U.S. Constitution and Bill of Rights (link): http://www.archives.gov/exhibits/charters/charters.html
Week 5 – February 16th – The Constitutional Context, Part II

Posted on Blackboard:


Week 6 – February 23rd – The Formal Administrative Process, Part I

Cooper, Chapter Five – “Agency Rulemaking”

Week 7 – March 2nd – The Formal Administrative Process, Part II

Cooper, Chapter Six – “Administrative Adjudications”

Posted on Blackboard:


Week 8 – March 9th – The Formal Administrative Process, Part III

Cooper, Chapter Seven – “Judicial Review”

NO CLASS MARCH 16th – SPRING RECESS

**NOTE – March 23rd is the last day to submit research paper drafts for review**

Week 9 – March 23rd – Law, Politics, and Administration, Part I

Cooper, Chapter Twelve – “The Law and Public Employees”

Week 10 – March 30th – Law, Politics, and Administration, Part II

Cooper, Chapter Eight – “Informal Process: The Lifeblood of the Administrative Process”

Week 11 – April 6th – Law, Politics, and Administration, Part III

Cooper, Chapter Nine – “Administrative Discretion: Uses, Abuses, Controversies, and Remedies”

***NOTE – Research paper due April 16th***

Week 12 – RESCHEDULED for SATURDAY, April 17th, 9:00a – 11:00a – Law, Politics, and Administration, Part IV

Cooper, Chapter Ten (first half) – “Politics & Regulatory Agencies: Law & Politics in Administration”
Week 13 – April 20\textsuperscript{th} – Law, Politics, and Administration, Part V
Cooper, Chapter Ten (second half) – “Politics & Regulatory Agencies: Law & Politics in Administration”

Week 14 – April 27\textsuperscript{th} – Law, Politics, and Administration, Part VI
Cooper, Chapter Thirteen – “Administrative Responsibility”

NO CLASS MAY 4\textsuperscript{th} – WORK ON TAKE HOME FINAL EXAM

FINAL EXAM DUE – May 11\textsuperscript{th}