COURSE SYLLABUS

PROFESSOR

Professor: Dr. Adam Brewer  
Office: LAW #145  
Email: adam.brewer@umontana.edu  
Office Phone: (406) 243-4155  
Office Hours: Tuesday 2-3pm, Wednesday 10-11am, Thursday 2-3pm (for Fall semester 2018)

(The Course Calendar is at the top for your convenience. Please refer to it and Moodle frequently throughout the semester for all due dates, assignments, and class objectives)

COURSE CALENDAR

Module 1: Foundations of the Legislature

Week #1: Introduction to Lawmaking (Class Discussion Week)  
Preliminary Preparation - Ch.1 Huefner  
Watch Week 1 Lecture

Tuesday, Aug 28th  
Initial Posts due on Week 1 Class Discussion by 11:00pm

(You should be posting replies during the week)  
Zoom meetings with student groups throughout the week

Saturday, Sept 1st  
Finish Posting on Week 1 Class Discussion by 11:00pm

Week #2: Role of Lawmakers  
Preliminary Preparation - Ch. 2 Huefner  
Watch Week 2 Lecture

Week #3: Legislative Elections (Class Discussion Week)  
Preliminary Preparation - Ch. 3 Huefner  
Watch Week 3 Lecture

Tuesday, Sept 11th  
Initial posts due on Week 3 Class Discussion by 11:00pm

(You should be posting replies during the week)

Saturday, Sept 15th  
Finish Posting on Week 3 Class Discussion by 11:00pm

Week #4: Money and Campaign Finance (Book Club Week)  
Preliminary Preparation - Ch. 4 Huefner  
Watch Week 4 Lecture
Have all of Hamilton read by this week for you Book Club meeting

Saturday, Sept 22\textsuperscript{nd}       Book Club Assessment due 11pm

**Week #5: Project Week - Engage an Agency** *(Project Week)*

Preliminary Preparation - None

Saturday, Sept 29\textsuperscript{th}       Project Report 1 due 11pm

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**Module II: The Role of the Administrative State and the Courts**

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**Week #6 Inside the Legislature** *(Class Discussion Week)*

Preliminary Preparation - Ch. 5 Huefner

Watch Week 6 Lecture

Tuesday, Oct 2\textsuperscript{nd}       Initial Posts due on Week 6 Class Discussion by 11:00pm

(You should be posting throughout the week)

Saturday, Oct 6\textsuperscript{th}       Finish Posting on Week 6 Class Discussion 11:00pm

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**Week #7: Inside the Administrative State**

Preliminary Preparation - Ch. 6 Huefner

Watch Week 7 Lecture

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**Week #8: Textual Interpretation of Legislation** *(Class Discussion Week)*

Preliminary Preparation - Ch. 7 Huefner

Watch Week 8 Lecture

Tuesday, Oct 16\textsuperscript{th}       Initial Posts due on Week 8 Class Discussion by 11:00pm

(You should be posting throughout the week)

Saturday, Oct 20\textsuperscript{th}       Finish Posting on Week 8 Class Discussion 11:00pm

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**Week #9: Theories of Statutory Interpretation** *(Book Club Week)*

Preliminary Preparation - Ch. 8 Huefner

Watch Week 9 Lecture

Have Ch. 1-4 of Scheberle read by this week for your Book Club meeting

Saturday, Oct 27\textsuperscript{th}       Book Club Assessment due 11pm

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**Week #10: Engage an Administrator** *(Project Week)*

Preliminary Preparation - None

Saturday, Nov 3\textsuperscript{rd}       Project Report 2 due 11pm
**Module III: Interpretation of Legislation**

**Week #11: Intrinsic Tools for Interpretation** *(Class Discussion Week)*
Preliminary Preparation - Ch. 9 Huefner
Watch Week 11 Lecture

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<tr>
<td>Tuesday, Nov 6th</td>
<td>Initial Posts due on Week 11 Class Discussion by 11:00pm (You should be posting throughout the week)</td>
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<tr>
<td>Saturday, Nov 10th</td>
<td>Finish Posting on Week 11 Class Discussion 11:00pm</td>
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**Week #12: Extrinsic Tools for Interpretation**
Preliminary Preparation - Ch. 10 Huefner
Watch Week 12 Lecture

**Week #13: Agency Interpretation of Legislation** *(Class Discussion Week)*
Preliminary Preparation - Ch. 11 Huefner
Watch Week 13 Lecture

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<tr>
<td>Tuesday, Nov 20th</td>
<td>Initial Posts due on Week 13 Class Discussion by 11:00pm (You should be posting throughout the week)</td>
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<tr>
<td>Saturday, Nov 24th</td>
<td>Finish Posting on Week 13 Class Discussion 11:00pm</td>
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**Week #14: Judicial Review of Agency Interpretation** *(Book Club Week)*
Preliminary Preparation - Ch. 12 Huefner
Watch Week 14 Lecture
Have Ch. 5-7 of Scheberle read by this week for your Book Club meeting

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<tr>
<td>Saturday, Dec 1st</td>
<td>Book Club Assessment due 11pm</td>
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**Week #15: Engage a Legislator** *(Project Week)*
Preliminary Preparation - None

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<tr>
<td>Saturday, Dec 8th</td>
<td>Project Report 3 due 11pm</td>
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**COURSE DESCRIPTION, OBJECTIVES, AND EXPECTATIONS**

**IMPORTANT COURSE INFORMATION**

This course is online, meaning we do not meet in person. You will need to access the course Moodle site frequently, and familiarize yourself with course materials that are organized by week. Understanding the Moodle course site is essential to completing this class successfully, so if you have questions, please ask the instructor. The nature of the class is highly interactive. I value your participation as we talk about policy analysis. It’s also designed to be reflective, as you consider how best to further develop your own skills and talents. Also, I usually respond to student emails promptly, but please allow for a 24 hour response time.
DESCRIPTION

This course is an introduction to lawmaking in the modern administrative state. It will examine how Congress, state legislatures and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the ways that implementing institutions – courts and administrative agencies – interpret and apply these laws. The course will consider the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, state legislatures, the agencies, and the courts.

EXPECTATIONS FOR STUDENT LEARNING IN THIS COURSE AND UM’S MPA PROGRAM:

1. Apply theory to practice (knowledge to inform your current or future career)
2. Demonstrate graduate level writing, public speaking, critical thinking, research, and analytical skills
3. Understand the major concepts or schools of thought driving lawmaking and regulation
4. Understand differences between public and private organizations
5. Develop a concept of what it means to manage, lead, and organize well
6. Develop an understanding of the lawmaking/regulation and how it fits into public administration

COURSE READINGS

4. Some readings will be supplied as links or files on Moodle

COURSE ASSIGNMENTS AND GRADES

USING MOODLE:

Since this is an online course, each student is required to check our course site once per day and participate in discussions often. Keep in mind that our online course site is organized by week – for example, each week contains links to brief lectures, discussions, assignment dropboxes, and other course materials.

PRELIMINARY PREPARATION

Course Readings:
I have provided you with course reading material that I believe will enhance your understanding of public policy analysis and provide you with real experience dealing with the challenges of policy analysis in public administration. The amount of reading I will assign you is not so extensive that you will have no time for anything else. As such, I expect you to complete ALL of the reading each week. It will be impossible to adequately complete the assignments without completing the reading and it will be easy to tell who has completed the reading and who has not given the nature of the assignments. You will complete the readings before Tuesday night with enough time to make your first discussion post. I suggest starting early to give yourself enough time.

Weekly Lectures:
I will provide brief weekly lectures that will provide additional insight into some of the issues and content introduced in your readings. I will do my best to make these presentations informational and engaging. You should watch these lectures after you complete the reading but before you begin your initial Class Discussion post. I expect you to incorporate insights from the lectures into your assignments. Normally, these lectures will be posted by Friday before the beginning of the next week.
TEACH EACH OTHER

5 Class Discussions: **(10 points each)** Students are expected to follow the weekly reading schedule (listed above). These readings should be used for weekly discussions and assignments. In order that we maximize mutual learning experience, you must complete the assigned readings according to the weekly schedule. Online learning generally provides considerable freedom, allowing students to often choose when and where they will participate in class activities. But at the same time, students have the same kinds of deadlines and structured responsibilities of a face-to-face class. In other words, flexibility must be balanced by responsibility. Although online learning is flexible, the expectation is that each student spends 3 hours per week in our discussions. Why 3 hours? This is the amount of time we would spend discussing materials in an in-person seminar. The goal is that you would spread these 3 hours across the week and as one former MPA student succinctly stated, “I love online discussions because I can participate for a ½ hour each evening after work while eating dinner.”

*Details for Discussion Leader:* For Week 1, I will serve as the discussion leader. For each week of the semester, multiple students will be assigned to be the discussion leader—please sign up for your week using the google doc provided on Moodle. Each student will serve as the discussion leader once. As the discussion leader, you “add a new topic” and pose your question to the class based upon the readings by 1 p.m. on Monday night. This means that for the week you are discussion leader, you will need to begin the reading material for that week earlier than normal. It is the student’s responsibility to post on time and failure to post your question(s) by 11 p.m. on Monday will result in zero points and forfeit your obligation to serve as a discussion leader for the semester. Please plan accordingly. Additionally, as the discussion leader, you will be expected to take a much more active role in facilitating the discussion among your classmates.

*Details for Discussion Respondent:* If you are not the assigned discussion leader (which is most of the time), you are the respondent and must respond to THREE question(s) posed by the discussion leaders by Tuesday night 11 p.m (keep initial post under 200 words please). This means that you must be completed with the reading materials and the weekly lecture before this deadline. After Tuesday and until Saturday night, students are expected to make multiple substantive posts to their classmates and carry on a discussion with them. While the class discussion board hours are open 24 hours, I require that students send comments early to provide ample time for the exchange of ideas. Thus, if you wait until 10 p.m. Saturday, to finally post your replies, your grade will reflect this. It should be noted that I do not have a set number of discussion posts that you must write in order to successfully complete this assignment. Such strident measures often stifle discussion. At the end of each week, I will look at your participation on the discussion board holistically. Your initial posts on Tuesday and multiple reply posts that you make subsequently during the week should be thoughtful and substantive. This is not to say that you can’t make posts that are less substantive but only that I should be able to see that you were an active participant throughout the week. Importantly, if someone comments on a post you previously made, you should respond as quickly as possible. One of the biggest issues I have seen on discussion boards in the past are students not replying back to comments made to them. This is not how a discussion would work in the “real” world and it should not be how a discussion works in the “digital” world. A lack of participation will result in a loss of points for that week. For more detail on what I am looking for, see the discussion board rubric document posted in Week 1 on Moodle. Lastly, the discussion boards show me how much you engaged with the readings for the last few weeks. You should consistently reference the readings in your comments and connect them with your own ideas and thoughts. However, avoid writing excessively long posts causing your classmates to overlook them.

POSTLIMINARY REFLECTION

**Book Club Readings and Meetings:** This assignment is preliminary preparation, teaching each other, and postliminary reflection all wrapped into one. In addition to your normal textbook, you will be assigned to read two books that address legislation and regulation in a much more unique and interesting way. After completing an assigned portion of reading (following the course calendar), you will be required to meet synchronously with fellow classmates via Zoom three times over the course of the semester and discuss these books in discussion style. Thus, this assignment is called a book club meeting. If you have been a part of a book club before, then you know that this is an incredibly fun way to engage a book while others in your club
are also reading it. Then you meet together to analyze and discuss the reading in-depth thus promoting a wonderful learning experience for all involved. At the beginning of the semester, I will have you take a survey where you indicate times that you would be available to meet. I will then assign book clubs based on these times. For each meeting, each member of the group will come up with two questions that can be discussed by the book club members. These questions should be broad questions that promote thoughtful discussion, not fact questions. The book club meetings should be about 30 minutes but should go no longer than 45 minutes. After completion of the meeting, each member of the group will then individually fill out an assessment form where you will report on each member’s level of preparation and participation in the meeting. This form will include a self-assessment as well as an assessment of each group member. As such, in order to ensure you are scored well by your group members, you will need to complete ALL of the reading prior to the meeting and be an active participant during the meeting. Not being prepared for these meetings demonstrates a lack of respect for your book club members and is highly discouraged. Overall, the purpose of this assignment is to help you see legislation and regulation in a new way, to learn from the perspectives of your classmates, and to provide you with the opportunity as an online student to engage your classmates in real-time. In terms of the content, the two books will enhance your understanding of the legislative and regulatory process. They will cause you to see these issues in completely different ways and more fully understand how you can engage in these processes as a public administrator. The more effort you put into this assignment, the more you will guarantee positive outcomes. I will attend your first meeting and may pop my head into the second or third meeting depending.

**Project Reports:** This semester, you will complete three mini-projects that will force you to engage public administration like you never have before. You will have the opportunity to research an administrative agency, interview an administrator within that agency to see how they work with the legislature, and then interview a legislator (City Council member, County Commissioner, State House Rep, State Senator, US House Rep, or US Senate) to find out how they interact with that specific agency and the bureaucracy in general. For projects where an interview is required, you will come up with questions that are informed by the readings. Your questions must be approved by the instructor prior to the interview. You will then conduct a brief interview (in person is best but I will allow over the phone or via online communication) with the person and write a report where you summarize your findings and connect them to the course content. Keep in mind that these people are busy and thus you should respect their willingness to meet with you. More detailed assignment directions can be found in the corresponding week on Moodle.

**Grades and Weights**

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<th>Range</th>
<th>Component</th>
<th>Points</th>
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<tbody>
<tr>
<td>A</td>
<td>93%-100%</td>
<td>5 Online Class Discussions</td>
<td>50</td>
<td>33%</td>
</tr>
<tr>
<td>A-</td>
<td>90%-92%</td>
<td>3 Book Club Readings and Meetings</td>
<td>75</td>
<td>27%</td>
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<tr>
<td>B+</td>
<td>87%-89%</td>
<td>3 Projects Reports</td>
<td>150</td>
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<tr>
<td>B</td>
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**Class Policies**

**The Learning Model For This Course**

Following these process steps, the class will appear as such:
**Preliminary Preparation** - I will provide you with readings/other prep materials and assignments that give you a base knowledge for our lectures, discussions and class activities each day. Ideally, these materials will enable you to carry on an informed conversation.

**Teach Each Other** - In this course, you will have the opportunity to discuss your learning with classmates on a regular basis. I will give you opportunities to critically think about the course material and discuss it with a group of students who will act as your team for the semester. Additionally, we will have full class discussions where we will explore a variety of topics.

**Postliminary Reflection** - Upon learning about a topic, you will be given the opportunity to reflect upon your learning by completing several reflection case activities. These activities will assess your learning and allow you to demonstrate to me your newfound understanding.

**GUIDELINES FOR WRITTEN WORK**

All written assignments should meet the following criteria unless otherwise noted in the assignment instructions or the professor:

1. All work must be typed, double-spaced, utilize 12 point font, and have one inch margins.
2. Citations should follow a proper style guidelines such as, but not limited to, MLA, Chicago, or APA (in-text citations and a reference page are necessary).
3. Assignments are due on the date/time listed in the course schedule; late assignments will not be accepted.
4. All assignments must be turned in electronically via Microsoft Word. If the instructor cannot open the document, the student will not receive a grade. Submission of assignments via e-mail will not be accepted unless specific arrangements have been made.
5. Written work will be evaluated both in terms of content, following instructions, organization, and writing/grammar.
6. Student collusion is not allowed for individual assignments (unless working in an approved team) and will be treated as an act of plagiarism.

**NOTE ON TECHNOLOGY**

No “technology problem” excuses will be accepted in this class. That is, you cannot blame your failure to complete an assignment on time on “computer/internet/Moodle issues” (unless it was one that affected the whole class, in which case we will address the issue on a class-wide basis). This means that you must not wait until the last minute to complete your work such that if you do have computer issues, you have time to find a solution. Three hints: try a different web browser, try a different computer, try a different Internet connection. The exception is you get one “retry” if your computer kicks you off while you submitting a document. I highly suggest that you save your work in multiple places. It is so imperative that you make this a habit now that you are in graduate school. Many of you already have Microsoft OneDrive on your computers or use UMBox or Dropbox. If you happen to lose all your work because you made the choice to not back it up, you will have to start over and begin again. Furthermore, you cannot use the excuse that an assignment didn't show up on your Moodle calendar. It is your responsibility to utilize the course calendar in this syllabus for all due dates.

**NOTE ON LATE WORK**

Do not ask to submit an assignment late because the answer is already “No”. Never just plan on completing an assignment late. By doing so, you are taking a foolish, calculated risk of getting a zero. I only provide extensions in two circumstances. (1) If an emergency situation arises and you inform me BEFORE the due date, then I will consider your unique circumstances and make a decision. (2) If you have a disability AND have sent me an accommodation letter from Disability Services. Other than that, your work must be submitted on time. Your supervisor would not accept late and incomplete work. You should not expect your professor to do the same.
NOTE ON DEBATE ETHICS

Some of the issues we discuss in this class are controversial with multiple, and sometimes divisive points of view. Although you may already have an established opinion on a particular topic, you are encouraged to consider other points of view and the strengths/weaknesses of your own. You may be surprised how much you learn by adopting this tactic in your analyses. Additionally, as we discuss controversial topics, you are expected to respect the points of view of your fellow students. Respect is shown in the manner you address other students and the words you use to carry your point across. In an increasingly uncivil political environment in the U.S., civility will be maintained in this class so as to elevate the educational experience of all present. I reserve the right to remove any posts from the discussion board that I deem to be uncivil.

NOTE ON ACADEMIC HONESTY

Students must follow the University's policies for academic dishonesty. For detailed information, please view. As such, all work submitted must be your own; no duplicate work (work completed for another class) will not be accepted. Acts of cheating or plagiarism will result in a grade of zero (0) for the assignment. Moreover, acts of plagiarism will also be reported to the Academic Court. To avoid acts of plagiarism, cite each reference or source you use and give proper credit for the ideas, opinions, and findings of others. When you are using the exact words of others, you must use quotation marks and include the page number where you found the quote in your citation.

NOTE ON SEXUAL MISCONDUCT

UM prohibits sex discrimination against any participant in its education programs or activities. Prohibited sex discrimination includes incidents of sexual harassment (including sexual violence), dating violence, domestic violence, sexual assault, and stalking (collectively "sexual misconduct"). As an instructor, one of my responsibilities is to help create a safe learning environment for my students and for the campus as a whole. University policy requires that I report all incidents of sexual misconduct that come to my attention. If you encounter sexual misconduct, please contact the Title IX Coordinator at (406)243-5710. Additional information about sexual misconduct and available resources can be found at http://www.umt.edu/eo/titleix/.

NOTE FOR STUDENTS WITH DISABILITY RELATED NEEDS

The University of Montana assures equal access to instruction through collaboration between students with disabilities, instructors. The link for this is information: Disability Services for Students. If you think you may have a disability adversely affecting your academic performance, and you have not already registered with Disability Services, please contact Disability Services in Lommasson Center 154 or call 406.243.2243. I will work with you and Disability Services to provide an appropriate modification.