

PSPA 636: Public Administration and Law

Department of Public Administration • Northern Illinois University
Spring 2021, Second Eight Weeks

Meeting Time: Tuesdays 5:30pm

Meetings: Synchronous online via Zoom at

Instructor: Dr. Thomas Skuzinski

Email: tskuzinski@niu.edu

Office hours: Please schedule at <http://www.calendly.com/skuzinski/office-hours>. Be sure to follow all instructions (i.e., the purpose of the meeting, and a URL or phone number).

What will I learn in this course?

The official course description: *Understanding of law, and the legal processes that shape the law, for public managers. Study of the courts as a decision-making system and as a governmental entity making policy, and the intersection of the justice system and public administration. Uses decisions of the United States Supreme Court and decisions of the Supreme Court of Illinois.*

Several objectives are specific to successful completion of the course. You should be able to:

- Read with comprehension legal documents, such as cases, statutes, regulations, and contracts
- Identify and analyze key legal issues in factual scenarios
- Engage in basic legal research using publicly available sources
- Write descriptive and analytical documents about legal issues, including briefs and memoranda
- Describe historical and contemporary dynamics in the relationship between the legal system and public administration

The course also supports the following MPA competencies:

MPA Competencies	Week #							
	1	2	3	4	5	6	7	8
Evaluate public service issues in terms of...equity				X			X	X
Incorporate professional codes of ethics in public service decision-making to enhance integrity of public services				X		X		X
Communicate effectively...in writing (analytical and persuasive) for a public service organization and in the public policy process			X			X	X	X
Effectively participate in the public policy process in a role appropriate to a professional public manager			X			X	X	X
Conduct environmental scans and identify the windows of opportunity to influence decisions		X	X	X	X	X	X	

What will the instructional mode be for the course?

The course will be taught fully online, consistent with department guidelines, and will use both asynchronous (on your own outside of class, and roughly at your own pace within a given week) and synchronous (virtually together at the same time in an online meeting platform) learning. The synchronous meetings will be Tuesday evenings, with a hard start time of 5:30pm and a typical duration of three hours. This anticipated duration is highly dependent on your preparation and engagement. **Please note the class can run as late as 9:00pm, and you should not plan evening activities expecting an early finish.**

What if I need an accommodation for a disability?

Many students need accommodations for physical, mental, and other disabilities. I have had to make such requests as a student, and have afforded students many accommodations in prior courses. If you need an accommodation, please contact the Disability Resource Center as soon as possible. The DRC coordinates accommodations for students with disabilities. It is located in the Campus Life Building, Suite 180, and can be reached at 815-753-1303 or drc@niu.edu. Also, please consider working with me directly as soon as possible so we can discuss your accommodations. Please note that you will not be required to disclose your disability. The sooner you let me know your needs, the sooner I can assist you in achieving your learning goals.

How will the course accommodate the challenges of COVID-19?

I believe the policy regarding professionalism covers this fully, but I will emphasize it again here: I regard you as professional colleagues, and this means that your responsibility is communicating clearly with me (and with your colleagues in any group work) when adverse life events happen. Also, a note about anxiety. We are all living with unsettling uncertainty and it affects the way we perceive the world, ourselves, and others. Such feelings may be persistent or may come on suddenly. Let's all promise to be patient with each other and help support a healthy learning environment. If you or somebody you know is struggling with anxiety or other issues, do not hesitate to reach out. You can find resources at the following websites:

<https://www.niu.edu/counseling/>

<https://www.niu.edu/disability/index.shtml>

<https://www.niu.edu/helping-huskies-thrive/get-help-now/index.shtml>

Or you can call 815-306-2777. As always, **in the event of a crisis call for immediate help via 911.**

What are the ethical standards in the course?

If you present as your own work or ideas something you did not produce, this is a serious offense. Students are guilty of cheating if they copy the work of another. Students are guilty of plagiarism, **intentional or not**, if they copy material from books, magazines, or other sources without identifying and acknowledging those sources or if they paraphrase ideas from such sources without acknowledging them. **You will receive a grade of zero (no credit given) for any work tainted by cheating and/or plagiarism.** This may result in a grade of F for the course, and I reserve the option of reporting such violations to the department, college, and/or university. You can find Academic Integrity Tutorials at this link if you feel confused by these standards:

<https://www.niu.edu/academic-integrity/index.shtml>.

What are the expectations regarding communication?

- (1) Do **not** ask questions that are answered clearly by this syllabus or on an assignment prompt or in an announcement on Blackboard. This will cause a **deduction to your professionalism grade**.
- (2) You should communicate with me first about all other issues—questions not answered in the course materials, confusion about concepts, curiosity about anything, life issues that might affect your performance, and the like. Email usually receives a response within 24 hours, but if your message slips through the cracks you should email me again. Using a classmate, or a staff member or other instructor in the department, to relay to me a question or concern is not professional.
- (3) Generally, communication with me and with your classmates should be at the level one would expect to find in an employment setting.

What is the expectation regarding attendance?

Attendance is graded in your professionalism grade. Full credit for attendance requires the following:

- Functioning webcam (video) and microphone (sound)
- Having your video turned on at all times, except for temporary interruptions
- Comporting yourself as you would in a classroom in person (e.g., not falling asleep). Note: I **do allow eating** because the course bridges typical dinner time for many of you.

All excused absences will require supportive documentary evidence.

Pre-approved excused absences will be considered only for important professional or personal obligations. Professional or academic conferences, travel for work, and scheduled surgeries are examples of what has been approved in the past by me. **You must notify me a week in advance.** Serious physical or mental illness or a death or other crisis among your close friends or family that requires you to miss class may be excused.

What about late assignments?

Deadlines will continue to be very important in your professional lives. Therefore, you have **one** opportunity to submit work late with regard to the outline, draft, or final memo within 24 hours without any penalty. **A late submission of the final exam will receive an automatic zero and result in a failing grade for the course.**

What if I have concerns about my writing ability?

The University Writing Center is a resource available to all students at <http://www.niu.edu/uwc/>. Beyond this, I am your primary writing resource in this class. In much of your work, you will be required to write one or more draft versions. I will be grading for substance and professionalism, and the latter includes proper spelling, punctuation, capitalization, grammar, and syntax. One of my goals in this class is that you leave a much better writer than when you started—regardless of the level at which you entered. I hope you'll take advantage of this.

How will I be evaluated?

Component	Weight
Class lead (each student will be part of a class lead group twice; Weeks 2-7)	20%
Memorandum outline (Week 3)	10%
Memorandum draft (Week 6)	10%
Memorandum final (Week 8)	20%
Final exam (Week 7) (open materials, untimed, closed-ended + open-ended items)	25%
Professionalism (reading instructions 6%; attendance 1.5% per class in Weeks 2-7)	15%

What are the general grading standards?

I use a standard grading scale and do not curve except for some individual quizzes and exams: 94-100: A, 90-93: A-, 87-89: B+, ... , 60-63: D-, 59 or lower: F

A/A-: Written and oral communication consistently demonstrates a comprehensive and incisive command of course materials and a very high level of professionalism

A-/B+: Written and oral communication sometimes demonstrates a comprehensive and incisive command of course materials and a high level of professionalism

B+/B: Written and oral communication occasionally demonstrates a comprehensive and incisive command of course materials and/or a high level of professionalism

B/B-: Written and oral communication is sometimes A-B+ quality, but frequently demonstrates a partial or vague understanding of course materials and a low level of professionalism

C-range: Written and oral communication consistently demonstrates a partial or vague understanding of course materials and a low level of professionalism

D-range or lower: Minimal or no evidence of any understanding of course materials

I: A grade of incomplete is reserved for situations in which a student faces extenuating circumstances and is unable to complete the work for the course or unable to complete it to the standard of which the student is capable. The professor has discretion to award an incomplete, and may request supportive documentation. **NOTE: This is *not* a penalty and does *not* affect your standing in the program or your eligibility for your internship.** Work must usually be completed within six months of the end of the semester in which an incomplete is granted, at which time the grade of "I" changes to a standard letter grade.

Topical schedule

Note: each week's content will "go live" by 12pm on the Wednesday following class to allow adjustment of material depending on the pace of class progress.

Week	Class	Seminar title	Key content	Due dates
1	3/16	Introduction	Syllabus and course overview	
2	3/23	The legal system	Federal and state courts Judicial functions Justiciability Standards of review Practice: Writing a case brief	Group 1 on call (3/23)
3	3/30	Individual liberties and rights	Means and ends Speech, religion, assembly Substantive due process Privacy Property Practice: Writing local code	Group 2 on call (3/30) Memo outline (4/3) 10%
4	4/6	Equal treatment and procedural fairness	Procedural due process Open meetings and FOIA Equal protection Civil rights Practice: Writing a descriptive memorandum	Group 3 on call (4/6)
5	4/13	Federal (and state) administrative law	Administrative Procedures Act Rulemaking & adjudication Judicial review revisited Preemption (federal-state) Practice: Understanding federal and state regulations	Group 1 on call (4/13)
6	4/20	The state-local relationship	Local autonomy Preemption (state-local) Practice: Understanding statutes	Group 2 on call (4/20) Memo draft (4/24) 10%
7	4/27	Cross-jurisdictional and cross-sectoral relationships	Interlocal agreements Contracts fundamentals Nonprofit considerations Practice: Negotiating an agreement	Group 3 on call (4/27) Final exam (4/27-5/1) 25% [covers weeks 2-6]
8	5/4	Reserved for catch-up	Reserved for catch-up	Memo final (5/8) 20%