### School: Law X MSB  YGCLA  Contact Name: Laurie Schnitzer  Phone: 4479

**Department / Division:** Law School

**Short Description of Proposal:** Advanced Topics in Constitutional Law Seminar

**Proposed Semester of Implementation:** Fall  X Spring  X Year: 2010

**Box 1: Type of Action**
- ADD(NEW)  X  DEACTIVATE  X  MODIFY  X  OTHER  X

**Box 2: Level of Action**
- Non-Credit  X  Undergraduate  X  Graduate  X  OTHER  X

**Box 3: Action Item**

<table>
<thead>
<tr>
<th>Action Item</th>
<th>Documents Required</th>
<th>Impact Reviews</th>
<th>Approval Sequence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Experimental Course</td>
<td>NOP</td>
<td>a, c, e</td>
<td>AC</td>
</tr>
<tr>
<td>2. Course Title</td>
<td>NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Course Credits</td>
<td>NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Course Number</td>
<td>NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Course Level</td>
<td>NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Pre &amp; Co-Requisite</td>
<td>NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Course Description</td>
<td>NOP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. New Course</td>
<td>NOP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Deactivate a Course</td>
<td>NO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Program Requirements</td>
<td>NO,5</td>
<td>a, e</td>
<td>ABCDEF</td>
</tr>
<tr>
<td>11a. UG Specialization (24 credits or less)</td>
<td>NO</td>
<td>a, b, c, d, e</td>
<td>ABCDEF</td>
</tr>
<tr>
<td>11b. Masters Specialization (12 credits or less)</td>
<td>NO</td>
<td>a, b, c, d, e</td>
<td>ABCDEF</td>
</tr>
<tr>
<td>11c. Doctoral Specialization (18 credits or less)</td>
<td>NO</td>
<td>a, b, e</td>
<td>ABCDEF</td>
</tr>
<tr>
<td>12. Closed Site Program</td>
<td>NOT</td>
<td>e</td>
<td>ABCDHIK</td>
</tr>
<tr>
<td>13. Program Suspension</td>
<td>NO,5</td>
<td>a, e</td>
<td>ABCDEFGHJK</td>
</tr>
<tr>
<td>14a. Certificate Program (ug/g) exclusively within existing degree program</td>
<td>NO</td>
<td>a, c, e</td>
<td>ABCDEFGHIK</td>
</tr>
<tr>
<td>14b. Certificate Program (ug/g) where degree programs do not exist or where courses are selected across degree programs (12 or more credits)</td>
<td>NOQR, 6</td>
<td>a, c, e</td>
<td>ABCDEFGHJL</td>
</tr>
<tr>
<td>15. Off-Campus Delivery of Existing Program</td>
<td>NO, 4</td>
<td>a, b, c, e</td>
<td>ABCDEFGHILL</td>
</tr>
<tr>
<td>15a. UG Concentration (exceeds 24 credit hours)</td>
<td>NO, 5</td>
<td>a, c, d, e</td>
<td>ABCDEFGHUL</td>
</tr>
<tr>
<td>15b. Masters Concentration (exceeds 12 credit hours)</td>
<td>NO, 5</td>
<td>a, c, d, e</td>
<td>ABCDEFGHJL</td>
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<tr>
<td>15c. Doctoral Concentration (exceeds 18 credit hours)</td>
<td>NO, 5</td>
<td>a, c, d, e</td>
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<td>16. Program Title Change</td>
<td>NO, 5</td>
<td>a, c, d, e</td>
<td>ABCDEFGHJL</td>
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<tr>
<td>17. Program Termination</td>
<td>NO, 10</td>
<td>d, e</td>
<td>ABCDEFGHJK</td>
</tr>
<tr>
<td>19. New Degree Program</td>
<td>NOQR, 3,8</td>
<td>a, c, d, e</td>
<td>ABCDEFGHJL</td>
</tr>
<tr>
<td>20. Other</td>
<td>Varies</td>
<td>Varies</td>
<td>Varies</td>
</tr>
</tbody>
</table>

**Box 4: Documentation**

- N. This Cover Sheet
- O. Summary Proposal
- P. Course Definition Document
- Q. Full 5-page MHEC Proposal
- R. Financial Tables (MHEC)
- S. Contract

1. Approval of experimental course automatically lapses after two offerings unless permanently approved as a new course.
2. Codes: a) Library Services (Langsdale or Law)  b) Office of Technology Services  c) University Relations  d) Admissions
3. Letter of Intent is required by USM at least 30 days before a full proposal can be submitted. Letter of Intent requires only the approval of the dean and the provost and is forwarded to USM by the Office of the Provost.
4. One-page letter to include: Program title & degree/certificate to be awarded; resources requirements; need and demand; similar programs; method of instruction; and oversight and student services (MHEC requirement)
5. One-page letter with description and rational (MHEC requirement)
6. One or two-page document that describes: centrality to mission; market demand; curriculum design; adequacy of faculty resources; and assurance program will be supported with existing resources. (MHEC requirement)
7. Learning objectives, assessment strategies; fit with UB strategic plan
8. Joint Degree Program or Primary Degree Programs require submission of MOU w/ program proposal. (MHEC requirement)
9. Temporary suspension of program to examine future direction; time not to exceed two years. No new students admitted during suspension, but currently enrolled students must be given opportunity to satisfy degree requirements.
10. Provide:
   a. evidence that the action is consistent with UB mission and can be implemented within the existing program resources of the institution.
   b. proposed date after which no new students will be admitted into the program;
   c. accommodation of currently enrolled students in the realization of their degree objectives;
   d. treatment of all tenured and non-tenured faculty and other staff in the affected program;
   e. reallocation of funds from the budget of the affected program; and
   f. existence at other state public institutions of programs to which to redirect students who might have enrolled in the program proposed for abolition.

11. University Council review (for a recommendation to the President or back to the Provost) shall be limited to curricular or academic policy issues that may potentially affect the University’s mission and strategic planning, or have a significant impact on the generation or allocation of its financial resources.

### Box 5: IMPACT REVIEW

<table>
<thead>
<tr>
<th>SIGNATURES (see procedures for authorized signers)</th>
<th>DATE</th>
</tr>
</thead>
</table>
| **a. Library**
   - No impact
   - Impact statement attached
   - Director or designee: |
| **b. OTS**
   - No impact
   - Impact statement attached
   - CIO or designee: |
| **c. University Relations**
   - No impact
   - Impact statement attached
   - Director or designee: |
| **d. Admissions**
   - No impact
   - Impact statement attached
   - Director or designee: |
| **e. Records**
   - No impact
   - Impact statement attached
   - Registrar or designee: |

### Box 6: APPROVAL SEQUENCE

<table>
<thead>
<tr>
<th>APPROVAL SIGNATURES</th>
<th>DATE</th>
</tr>
</thead>
</table>
| **A. Department / Division**
   - Chair: |
| **B. Final faculty review body within each School**
   - Chair: |
| **C. College Dean**
   - Dean: |
| **D. Provost and Senior Vice President for Academic Affairs**
   - Provost: |
| **E. Curriculum Review Committee (UFS subcommittee)**
   - Chair: |
| **F. University Faculty Senate (UFS option)**
   - Chair: |
| **G. University Council (see #11 above)**
   - Chair: |
| **H. President**
   - President: |
| **I. Board of Regents – notification only**
   - |
| **J. Board of Regents – approval**
   - |
| **K. MHEC – notification only**
   - |
| **L. MHEC – approval**
   - |
| **M. Middle States Association notification**
   - Required only if the mission of the University is changed by the action |

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**Advanced Topics in Constitutional Law Seminar**
**O-1: Briefly describe what is being requested:**

Addition of Advanced Topics in Constitutional Law Seminar Course.

**For new courses or changes in existing courses (needed by Registrar)**

<table>
<thead>
<tr>
<th>OLD Title:</th>
<th>Course # / HEGIS Code:</th>
<th>Credits:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

| NEW Title: Advanced Topics in Constitutional Law Seminar | Course # / HEGIS Code: Law 852A | Credits: 3 |

**O-2: Set forth the rationale for the proposal:**

Many students begin to understand the intellectual rationale of Constitutional Law only toward the end of the introductory course sequence. Those two courses of necessity emphasize case coverage and overall doctrinal familiarity, necessary for general legal background and Bar passage. However, constitutional law is an intellectual discipline with its own rules, history and techniques and some students display both the willingness and the capacity to engage in the game at a higher level. Indeed, a significant minority of students have come to law school in large part because of their love for the Constitution and the questions it raises. This seminar will offer an opportunity for those students to engage deeply in a given area of constitutional law, to engage in discussion with professor and peers at a level that a large college class cannot offer, and to complete their required writing for graduation. Emphasis will be on learning and generating constitutional arguments—and on understanding the difference between a constitutional arguments and a general lawyer’s argument on the one hand and a policy argument on the other. The class will consist almost entirely of assigned classroom exercises on the reading and on small-group and classwide discussion of the ideas generated. Dean Closius has said that he wants the Law School experience to resemble a small liberal-arts college education in law; this course will further that goal by offering a pure intellectual challenge while honing high-level legal skills.

*Note: Original syllabus shall be on file in the Office of the Academic Dean*
University of Baltimore
Document P: Required Format for Course Definition Document

1. Date Prepared: February 17, 2009
2. Prepared by: Professor Garrett Epps
3. Department: School of Law
4. Course Number(s), including HEGIS code(s): LAW 852A
5. Course Title: Advanced Topics in Constitutional Law Seminar
6. Credit Hours: 3
7. Catalog Description (Paragraph should reflect general aims and nature of the course):

This seminar will focus each year on one topic in Constitutional Law, with readings in caselaw and scholarship designed to direct the students’ attention to theoretical and practical issues in current doctrine and alert them to potential bases for change. Each student will research a paper suitable to fulfill the Law School’s writing requirement, including a complete draft and a rewrite of the paper and a rigorous in-class presentation on her topic. Students will be expected to complete substantial reading as assigned and to attend and fully participate in all class sessions. Sample topics might include: the framing and interpretation of the Fourteenth Amendment; the application of selected topics in constitutional theory to individual-rights decisions of the Supreme Court; the development and dimensions of judicially enforced federalism limits on the authority of Congress; and the scope and nature of executive authority under the Constitution.

8. Prerequisites: Constitutional Law I
9. Faculty qualified to teach course: Members of the faculty qualified to teach constitutional law topics to students. Profs. Epps, Samuels, Meyerson, Higginbotham
10. Course Type (check appropriate)
    Seminar: X
    Workshop: _____
    Advocacy: _____
    Scholarly Upper Level Writing Req: X
    Clinic: _____
    Perspective Course: _____
    Limited Enrollment: X
    Open Enrollment: _____
11. Suggested approximate class size: 15
12. Content Outline: Again, will vary with focus of seminar year to year. See above for potential topics. Works assigned will include (1) Supreme Court cases, briefs and transcripts of oral argument; (2) works of legal scholarship, either in anthologies (such as Modern Constitutional Theory: A Reader (Garvey, et al., eds.) or as individually selected by the instructor; (3) articles and books in Constitutional History (e.g., William Nelson’s THE FOURTEENTH AMENDMENT: FROM JUDICIAL DOCTRINE TO CONSTITUTIONAL THEORY); (4) news accounts, magazine articles and primary sources that may clarify and
enlighten the historical and legal background of cases and doctrines considered in the seminar.

13. Learning Goals:
   Increase the students’ ability to understand constitutional argumentation and differentiate it from arguments over policy or specific results;
   • Increase students’ understanding of how decisions made by individual litigants in landmark cases affects case results and subsequent doctrinal development;
   • Deepen students’ understanding of the process of constitutional change and of the process by which the three branches conduct a dialogue on constitutional interpretation and constitutional norms;
   • Provide historical background for specific lines of cases that may enrich contemporary constitutional argumentation..

14. Assessment Strategies (check appropriate)
   Examination ____
   Simulations ____
   Draft Documents/Complex instruments ____
   Short Assignments ____
   Other (explain) In-class presentation on research topic

15. Suggested Text(s) and Materials (example: textbooks, equipment, software, etc.):
   Texts will vary with subject covered each year

16. Concentrations (check appropriate)
   Business Law ___ Criminal Practice ___ Estate Planning ___
   Family Law ___ Intellectual Property ___ Int’l & Comp ___
   Litigation & Advocacy ___ Public Service ___ Real Estate Practice ___

17. A Full Rationale (include how the proposed course will benefit the students, the Law School and the University):
Many students begin to understand the intellectual rationale of Constitutional Law only toward the end of the introductory course sequence. Those two courses of necessity emphasize case coverage and overall doctrinal familiarity, necessary for general legal background and Bar passage. However, constitutional law is an intellectual discipline with its own rules, history and techniques and some students display both the willingness and the capacity to engage in the game at a higher level. Indeed, a significant minority of students have come to law school in large part because of their love for the Constitution and the questions it raises. This seminar will offer an opportunity for those students to engage deeply in a given area of constitutional law, to engage in discussion with professor and peers at a level that a large college class cannot offer, and to complete their required writing for graduation. Emphasis will be on learning and generating constitutional arguments—and on understanding the difference between a constitutional arguments and a general lawyer’s argument on the one hand and a policy argument on the
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