

# SAMPLE SYLLABUS

## NYU DC

### POL-UA933 DC1 / HIST-UA933 DC1

## American Constitution

### Blended

### Spring 2021

We know that you may be taking courses at multiple locations this semester. **Please contact your instructor or the site academic staff ([dc.academics@nyu.edu](mailto:dc.academics@nyu.edu))** if you have trouble accessing the NYU Classes site.

If you are attending in person, you will be assigned a seat on the first day and are expected to use that seat for the entire semester due to NYU COVID-19 safety protocol.

### Instructor Information

- Dr. Marvin L Astrada
- Office hours: By appointment via Zoom
- Email:

### Course Information

- AMERICAN CONSTITUTION
- Mondays, 6:15 – 9:15 PM, Room: Auditorium
- Zoom Link: Join URL: <https://nyu.zoom.us/j/98423405206>
- NYU DC [academic calendar](#)
- POL-UA933 DC1 / HIST-UA933 DC1: Course Description

“It is not important whether or not the interpretation is correct – if men define situations as real, they are real in their consequences.” William I. Thomas

“Just what our forefathers did envision or would have envisioned had they foreseen modern conditions, must be divined from materials almost as enigmatic as the dreams Joseph was called upon to interpret for Pharaoh.” Justice Robert Jackson, U.S. Supreme Court

Welcome to the seminar on the American Constitution. This course provides a general yet intensive legal and theoretical survey of the American Constitution.



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The U.S. Constitution, as textual artifact, has endured for over two centuries as a touchstone for defining (in large part) the U.S. as a sociocultural, economic, and political unit. As a textual and ideational construct, the U.S. Constitution continues to profoundly impact the fabric of American identity, political culture, representative democracy, and the socioeconomic and political actuality of those that reside under its aegis and jurisdiction.

The relative brevity of the Constitutional text conceals an intricate political and legal architecture for a “proper” or “correct” definition, interpolation, of government and governance. The U.S. Constitution – as text, as political, social, and economic ordering mechanism, as an expression of an historical moment, as a repository of culture and ideology, as a philosophy of government and governance – is considerably complex.

The Constitution, in its original as well as amended form, is, among other things, a legal document which sets out the structure of the federal government, defines the legal authority of said government (and, to a lesser extent, State governments), and puts forth sundry constraints on the exercise of government power. The Constitution lays out the legal relationship between the federal government, State governments, and all persons subject to their respective jurisdictions. Additionally, and more controversially, the plasticity of text and the penumbras within which interpretation of texts takes place gives rise to a multitude of issues, problems, and challenges that beset the interpretive enterprise of “finding” (manufacturing?) Constitutional “truth(s).”

Since the Constitution’s inception, various political actors have put forth competing interpretations of the “true” or actual meaning and purpose of the Constitution. The Constitution – as well as the variegated components informing the document’s interpretation, e.g., historical documents and political philosophy – has been a site of intense contestation. It has provided the fulcrum, a context, for conflict surrounding the “correct” interpretation of the Constitution. The Executive, Legislative, and Judicial branches of the federal government, as well as State governments, have each claimed the right to legitimately be the “true” expounder of Constitutional truth at some point in the Constitution’s history. The federal courts, in particular the U.S. Supreme Court, have produced a distinct constitutional discourse that, in modern history, proffers a singular, “correct” interpretation of the Constitution.

The Constitution is thus central to American government, from the mechanics of government and governance to political identity, thought, and culture. Every aspect of a citizen-subject’s being – e.g., rights, freedoms, responsibilities, duties, obligations, and most importantly, the notion of a democratic political system based on representation – is directly affected and effected by interpretation of the Constitution’s provisions. Myriad interpretations of the Constitution have surfaced over the past two centuries, spawning distinct theoretical, political, and ideological perspectives concerning the meaning and purpose of the Constitution in ordering the American polity.



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In light of the profound impact that the American Constitution has and continues to have on defining the potential and actuality of political, social, and economic affairs for its citizen-subjects, this course will provide students with an introduction to select theoretical perspectives and cases that seek to explain and understand the American Constitution. The course thus provides a select survey of approaches to interpretation (and the various issues that arise in the course of interpretation) when seeking to determine the meaning of the Constitution.

The course employs materials primarily from constitutional law to explore the Constitutional interpretative enterprise.

Note: Although there are no formal prerequisites, it is ***strongly recommended*** that students have taken classes in American government and history, judicial politics, law, political theory, philosophy, and political science.

## Course Overview and Goals

The general aim of this course is for students to become conversant with, critical of, and have an appreciation for select theories of and approaches to Constitutional interpretation.

### Upon Completion of this Course, students will be able to:

- Develop a sophisticated analytical perspective of the U.S. Supreme Court and Constitutional interpretation.
- Identify and apply critical theoretical concepts/perspectives that seek to explain and understand the Constitution's meaning.
- Critically analyze and evaluate select approaches to Constitutional interpretation through leading a class discussion, active participation, and exams.
- Facilitate thoughtful and respectful debate, question and deconstruct preexisting ideas and beliefs about what the Constitution means or should mean, and why.
- Develop the skill to actively read, listen, and evaluate truth claims.
- Critically assess the relationship between the Constitution, democratic politics, representation, and Constitutional law.

## Course Requirements

### Class Participation

*Active and substantive class participation*, in the form of leading one class discussion, as well as ongoing participation, is expected and required throughout the semester: **25% of Final Grade**

### Written Assignment 1

Mid-Term Exam: **35% of Final Grade**



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## Written Assignment 2

Final Exam: [40% of Final Grade](#)

## Description, Guidelines &amp; Suggestions for Course Requirements &amp; Grading

1. The Instructor reserves the right to alter the syllabus as needed.

2. ***THIS IS A READING-INTENSIVE SEMINAR***: The assigned readings for this seminar are substantial, volume-wise. The readings are necessary in order to provide sufficient material to effectively engage the subject matter. Please note that the readings reflect the fact that each session is comprised of two (2) classes. Also, and more importantly, the required readings are dense, complex in nature. It is assumed that the student has, at the very least, knowledge of American government, politics, and the judiciary. If you are unfamiliar with reading Court opinions, you most likely will find the readings to be quite challenging. I would suggest that you begin looking through the materials before the first session.

3. ***THIS IS AN INTERACTIVE SEMINAR***: You are expected to actively and substantively participate in all class discussions, activities, debates, and presentations. Each student will be responsible for formally introducing and leading a class discussion.

4. ***PRESENTATION & PARTICIPATION***: The purpose of participation, very broadly construed (to include debate and discussion as well as being on call), is to develop and hone analytical, reasoning, presentation, and argumentation skills based on reason, logic, and evidence. It is also geared toward developing the crucial ability to listen carefully and respond to the arguments of others which you may not agree with. *To encourage the development of these skills, every student is subject to being on call each class and will be expected to have read the assignments and to participate on the basis of the readings.* On call includes being able to state case facts, holdings, and your views on Court reasoning, logic, and judicial politics and power. Also, in the context of leading class discussion and class debates, students will be asked to respond to the claims and arguments made in the readings and by fellow students. ***Being unprepared more than three times during the course of the semester may result in the loss of 10 points off the final grade.***

For the formal presentation, which constitutes your formal participation grade, provide a PPT for the class. Email the PPT to the class and Instructor **before** class begins. PPT is mandatory. Use the PPT to structure and guide your presentation. **Do NOT read off PPT or make it too detailed.** Rather, use it for discussion questions, highlights of concepts and theories, questions, class exercises, and/or your own critical reactions to the readings. Provide a **very short summary** of readings. You can create small and large group exercises for discussion, present brief media to facilitate discussion/explore subject matter. The purpose of presentation is for you to lead the class. You should plan on presenting for 45 minutes; however, experience has shown that discussion usually consumes the majority of class time.

When leading a class discussion, **DO NOT** regurgitate readings. You should introduce and explore critique/analysis of the proffered thesis/argument, philosophy, methodology, etc., employed. Discussion should not paraphrase material; rather, it should highlight critical analysis of some major aspect(s) of the reading's thesis/hypothesis, implications, and/or methodology, effectively engaging the assigned topic/reading. Most importantly, it should engage the audience; i.e., you are not simply presenting information to a passive audience. Active class



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participation is to be facilitated, e.g., through group activities, posing, answering, and debating questions, etc.

## 5. EXAMS

- A. MID-TERM EXAM: Take home exam. 2.5 hours. Combination of identification, short/long essay questions based on the readings – case holdings/significance in particular. **Automatic point reduction, i.e. -5, for each hour late.**
- B. FINAL EXAM: Take home exam. 2.5 hours. Combination of identification, short/long essay questions based on the readings – case holdings/significance in particular. Final exam is comprehensive. **Automatic point reduction, i.e. -5, for each hour late.**
- C. Formatting – Title page, one-inch margins, double-spaced, 12-font Times New Roman, Word doc (**please no PDF**), consecutively numbered pages. Proper grammar, citation, style, etc., is expected and required. Clear, coherent prose is expected.
- D. Loss of points per entry will occur when: 1., Improper formatting (please follow proper formatting), unclear/incoherent grammar/prose, no citations; 2., Insufficient critical thought/reflection, insufficient engagement with materials; Missing due dates/deadlines for assignments.

6. NOTE: The bulk of this seminar is theoretical; the seminar is devoted to students becoming proficient and conversant with theory and conceptual analysis.

7. DISCUSSION AND EXAM PREP: Actively engage the readings (rather than passive reading). Maintain a critical awareness about what you are reading, e.g., justifications for interpretations, methods, philosophical and political underpinnings of reasoning and holdings, ideological perspectives, etc. It is highly recommended that you maintain an ongoing class summary/outline of notes major points/themes/concepts in readings, and to brief all cases. Briefing, employed in law school, is a way of succinctly summarizing cases. Examples are provided below as to how to brief a case (attached to the syllabus). You may use any format you wish. Your text book should provide access to online content that features a briefing and note taking tool if you wish to use it. We will not be concerned with technicalities, so adapt briefing to your needs, which is to have a brief summary of case facts, issue, holding and any interesting aspects of a case you wish to note. Bring your working notes and briefs to every class so that you can edit as we go along. This will provide you with a valuable exam prep tool as well as a basis for active and substantive participation.

## 8. SUGGESTIONS FOR TAKING COMPREHENSIVE/WEEKLY NOTES:

- A. Purpose & Substance – The overall purpose of note taking and briefing cases is to record the development of your perspective(s) on interpreting the American Constitution. Notes should reflect critical thought and analysis. Each weekly notes entry should engage the materials; critical reflection and analysis on theories, e.g., on the concepts, principles, issue-areas etc., covered in materials and class discussion. An outline for note taking may be as follows:
  - One paragraph addressing any unique findings or interesting aspects of the reading.
  - At least one paragraph proffering your questions, issues, concerns, etc.



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- Your view/opinion/critique of specific argument(s)/ contention(s) made using reason and evidence.
- B. Actively and substantively engage the materials. Notes do NOT have to cover every single aspect of every reading. Formulate an opinion. Deconstruct it. Evaluate your and others' opinions, views, etc., in light of class materials and discussion. You will be engaged in an evolving thought process.
- C. Preparation for Presentations/Class Discussions: You will maximize your learning experience if you actively engage the materials and the class. The presentation format includes ample time for substantive participation by all students in discussions. (You will find that most of class time will likely be spent on discussion). You should critically explore the content of the assigned readings in your presentations and notes. Questions that may guide your note-taking and presentation points/questions could be:
  - How does the interpretation/analysis of a text measure up to those offered by others we are reading in this seminar (or arguments made in other texts you have read)? With your own lived experience?
  - How well do the theory and/or findings apply outside of the text, i.e., are they helpful if we want to understand important questions or phenomena beyond the text?
  - Do you find the argument compelling? What are its strengths and weaknesses?
  - Identify the author's argument, and try to summarize it in one or two sentences. For instance, what are the logical steps of the argument? Does the author propose a theory? An interpretation? Can you identify normative assumptions or philosophical foundations of the argument?

Be prepared to engage and discuss the materials with such questions in mind.

## Assigned Readings

- Primary Text – Paul Brest et. al, *Processes of Constitutional Decision-Making: Cases & Materials* 7th ed. (Wolters Kluwer, New York 2018). ISBN-13: 978-1-4548-8749-2 (Bring text to each class).
- Supplemental PDF Readings to be posted on NYU Classes

## Grading of Assignments

The grade for this course will be determined according to the following formula:

Assignments/Activities	% of Final Grade
Class participation	25%
Mid-Term Exam	35%
Final exam	40%



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**Letter Grades**

Letter grades for the entire course will be assigned as follows:

<b>Letter Grade</b>	<b>Points</b>	<b>Percent</b>
<b>A</b>	4.00	94-100
<b>A-</b>	3.67	90-93
<b>B+</b>	3.33	87-89
<b>B</b>	3.00	84-86
<b>B-</b>	2.67	80-83
<b>C+</b>	2.33	77-79
<b>C</b>	2.00	74-76
<b>C-</b>	1.67	70-73
<b>D+</b>	1.33	67-69
<b>D</b>	1.00	65-66
<b>F</b>	.00	Below 65

**View Grades**

Grades will be available on the NYU Classes site.

**Course Schedule**

**Topics and Assignments**

<b>Week/Date</b>	<b>Topic</b>	<b>Reading</b>	<b>Assignment Due</b>
Session 1 Mon, Feb 1	<b>I. Overview: Contextualizing the Constitutional Order &amp; Interpretive Enterprise—The</b>	<i>1. Federalist Papers: # 2, 10, 26</i> available <a href="#">The Avalon Project Documents in Law, History, and</a>	1. Before we begin the semester, consider beginning your notes/outline with the following: What is your view, what do you believe (or have been socialized to believe) about the character and content of the Constitution and the



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	<b>People &amp; the Politics of Liberty v. Government</b>	<u>Diplomacy.</u>  2. <i>Casebook: US Constitution, Text &amp; Background:</i> <b>pp. 1 – 25</b> (*Focus on <i>Articles I §8, II, and III</i> ).  3. <i>Anti-Federalist Papers: # 1, 78, 79, 80</i>	Supreme Court – what does each embody, and why? Who or what are the People of the US?  2. <u><i>Come prepared to discuss your views of Court power and its relationship to democratic representational politics and what or who are the People. We will be discussing and examining representation, the people, and Court power throughout the semester.</i></u>  3. Overview of seminar, theoretical frameworks, and questions will be discussed.  Suggestion: It is <i>highly</i> recommended that you maintain a working summary/outline of major points/themes/ concepts in readings, and to brief all cases.
Session 2 Mon, Feb 8	<b>II. Continuity &amp; Change – The Enduring Problem of Locating &amp; Limiting Power in the Constitutional Order</b>	1. <i>Casebook: McCulloch v. MD</i> & materials:  <b>pp. 27 – 71</b>  2. <i>Federalist Papers: # 78</i>	Carefully read the arguments provided by Madison and Hamilton for enhancing/restricting federal power, and Marshall’s Methods of Interpretation (pp. 55-62), as these are considered the primary modalities of Con interpretation. Consider the problems that attach to each in light of the cases we will read throughout the semester.
No Class – President’s Day Mon, Feb 15			
Session 3 Thurs, Feb 18 (Monday Class Schedule)	<b>III. The Problem of the Court’s Place &amp; Role in the Interpretive Enterprise</b>	1. <i>Casebook: Chisholm v. Georgia; Marbury v. Madison</i> & Note 3; Judicial Review materials:  <b>pp. 85 – 91, 120 – 135, 144 – 154</b>  2. <i>Anti-Federalist Papers: # 81 &amp; 82</i>	1. Consider the problem of an unelected, elite, life-tenured Court making policy for 300 million + people in a democratic society.  2. What is your view of the counter-majoritarian difficulty?
Session 4 Mon, Feb 22	<b>IV. Sources of Constitutional Knowledge &amp; “Truth” – HISTORY</b>	1. <i>Casebook: The 14<sup>th</sup> Amendment; Slaughterhouse Cases; &amp; U.S. v. Cruikshank:</i>	1. Pay close attention the politics, economy, and ideological underpinnings of history, and how it is deployed in the Court’s opinion.  2. Note how the Court reimagines the historical context of the 14 <sup>th</sup>



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		pp. 336-351, 359-377	Amendment—what are the consequences of the Court’s power to do so for law, the people and politics in a democratic society?
Session 5 Mon, Mar 1	Sources of Constitutional Knowledge & “Truth” - <b>PRECEDENT</b>	1. Casebook: <u>Roe v. Wade</u> and <u>Planned Parenthood v. Casey</u> and materials:  pp. 1414 -1428, 1447 - 1477	1. Pay close attention the emphasis and discussion on precedent – do you find the Court’s drawn out discussion and emphasis on precedent indicative of a disconnect from, problematic in light of, Roe?  2. Focus on the role of image and perception in the Court’s opinions –
Session 6 Mon, Mar 8	Sources of Constitutional Knowledge & “Truth” - <b>FEDERALISM</b>	1. Casebook: <u>U.S. v. Lopez</u> & Notes 1-3, 7, 9 & 10, <u>Nat’l Fed of Independ Buss. v. Sebelius</u> ; <u>U.S. v. Comstock</u> & Note 1:  pp. 659 – 695, 699 -702  2. <i>Anti-Federalist</i> #40 (Patrick Henry & Centinel only)	1. What do you think should be the power calculus between federal and state power? Why? What qualifies the Court to make this determination exactly? What is your view on Court power and democratic politics in light of federalism as the Court construes it?
Session 7 Mon, Mar 15	V. Interpreting the Constitution – Select Problems & Challenges:  Executive Power, Security, Emergency & the Constitution	1. Casebook: FDR Fireside Chat; <u>NLRB v. Jones &amp; Laughlin Steel</u> ; FDR Address; <u>Youngstown Sheet &amp; Tube v. Sawyer</u> & Note 1 <u>Korematsu v. U.S.</u> & Notes:  pp. 603 – 610, 936 – 953, 1054 – 1060	1. What does the Court’s opinion suggest about the nature of Constitutional order, viz., does Court privilege checks and balances and separation of powers over competing norms/values?  2. Do you find FDR’s logic and critique convincing?
Session 8 Mon, Mar 22	<b>Mid-Term Exam</b>		Sessions 1-7 material – Take Home Exam: Begin 6:15PM End 8:45PM (Due via email)
Session 9 Mon, Mar 29	Administration of the Welfare State & the Constitution	1. Casebook: <u>Goldberg v. Kelly</u> ; <u>Shapiro v. Thompson</u> ; <u>Saenz v. Roe</u> & materials:  pp. 1705 – 1731  2. PDF: <u>Jacobson v. MA</u> & Notes	1. What is the general welfare? Whose welfare? Who or what constitutes the metric(s) by which the general welfare is adjudged?



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		<b>pp. 1-9, 11-13</b>	
Session 10 Mon, Apr 5	<b>VI. Contextualizing the General Welfare</b>	1. Casebook: <i>Article I, §8 [1-18]; Language &amp; Purpose materials; <u>Harper v. VA Board</u>; <u>Dandridge v. Williams</u>; <u>DeShany v. Winnebago County</u>; <u>Castle Rock v. Gonzalez</u> &amp; materials:  <b>pp. 3 - 5, 201 - 215, 1649 - 1668, 1694 - 1701</b></i>	1. Consider: does general welfare as presented in the readings line up with what you thought or think it should be? Why doesn't/shouldn't housing, education, healthcare, employment qualify? Should they? Why or why not? What does the Court's interpretation suggest as far as what it prioritizes as constituting the general welfare?
Session 11 Mon, Apr 12	<b>The General Welfare: Race &amp; the Constitution</b>	1. Casebook: <u>Loving v. VA</u> & Notes; <u>Johnson v. CA</u> ; <u>Yick Wo v. Hopkins</u> ; <u>Ho Ah Kow v. Nunan</u> ; <u>U.S. v. Clary</u> ; <u>McCleskey v. Kemp</u> ; <u>Brown v. City of Oneonta</u> & materials:  <b>pp. 1061 - 1084, 1112 - 1128</b>	
Session 12 Mon, Apr 19	<b>The General Welfare: Sexuality &amp; Orientation</b>	1. Casebook: <u>U.S. v. Windsor</u> ; <u>Obergefell v. Hodges</u> & Note 1-2, 8-9, 12 & materials:  <b>pp. 1566 - 1601, 1604 - 1607</b>	1. Irrespective of your ideological beliefs and political orientation, consider the validity of Justice Scalia's critique of the decision in Lawrence and his opinion in Bowers - is the Court acting as a super-legislature?  2. If so, what happens when the Court makes decisions that you disagree with? If not, how do you justify non-democratic (elite) Court power in a democratic political system exactly?
Session 13 Mon, Apr 26	<b>The General Welfare: Education</b>	1. Casebook: <u>San Antonio School D. v. Rodriguez</u> ; <u>Plyler v. Doe</u> & materials  <b>pp. 1668 - 1694</b>	



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		2. PDF: Samuel S. Smith, <i>Selection from an Essay on Causes of Variety of Complexion in Human Species (1810)</i> (Excerpt)	
Session 14 Mon, May 3	<b>Liberty, Equality &amp; Fundamental Rights: Right to Self-Defense</b>	1. Casebook: <u><i>District of Columbia v. Heller</i></u> ; <u><i>McDonald v. Chicago</i></u> & Note 10-12  <b>pp. 1611 - 1645</b>	1. Irrespective of your ideological and political orientation, compare the Court's reasoning, logic, and case outcome to other cases we have read throughout the semester – what are your views on Court power and the American democratic political system/ representation?
Session 15 Mon, May 10	<b>Conclusion</b>	Wrap up, Class Discussion, Review	
Mon, May 17	<b><u>Final Exam</u></b>		Begin: 6:15PM End: 8:45PM (due via email)

## Tests and Quizzes

- Take Home Mid-Term Exam, Monday March 22, Begin 6:15PM, End 8:45PM (due via email)
- Take Home Final Exam, Monday May 17, Begin: 6:15PM, End: 8:45PM (due via email)

## Course Materials

### Required Textbooks & Materials

- Paul Brest et. al, *Processes of Constitutional Decision-Making: Cases & Materials* 7th ed. (Wolters Kluwer, New York 2018). ISBN-13: 978-1-4548-8749-2 (Bring text to each class).
- Additional materials in PDF format will be posted to NYU Classes.

### Optional Textbooks & Materials

- N/A

### Resources

- **Access your course materials:** [NYU Classes](https://nyu.edu/its/classes) (nyu.edu/its/classes)
- **Databases, journal articles, and more:** [Bobst Library](https://library.nyu.edu) (library.nyu.edu)



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- **Assistance with strengthening your writing:** [NYU Writing Center](https://www.nyu.edu/centers/writing-center/) (nyu.mywconline.com)
- **Obtain 24/7 technology assistance:** [IT Help Desk](https://nyu.edu/it/servicedesk) (nyu.edu/it/servicedesk)

## Course Policies

### Hygiene/Physical Distancing policies

- Students will be assigned/choose a seat on the first day of class. For NYU COVID-19 Safety protocols, please use the same seat for the duration of the semester.

### Attendance and Tardiness

Studying at Global Academic Centers is an academically intensive and immersive experience, in which students from a wide range of backgrounds exchange ideas in discussion-based seminars. Learning in such an environment depends on the active participation of all students. And since classes typically meet once or twice a week, even a single absence can cause a student to miss a significant portion of a course. **To ensure the integrity of this academic experience, class attendance at the centers or online through NYU Classes if the course is remote synchronous/blended, is expected promptly when class begins. Unexcused absences will affect students' semester participation grade. If you have scheduled a remote course immediately preceding/following an in-person class, you may want to discuss where at the Academic Center the remote course can be taken.** Students are responsible for making up any work missed due to absence. Repeated absences in a course may result in failure.

### Reporting Absences:

1. Report the absence to NYU DC Academics via the [online absence form](#).
2. Contact your instructor of the class(es) affected.
3. Follow up with NYU DC Academics ([dc.academics@nyu.edu](mailto:dc.academics@nyu.edu)) to provide any necessary documentation regarding the absence.

Absences can ONLY be excused if they are reported using the form above (this is a key step, but there may be other conditions—see below—such as providing documentation, as well).

### You can use the online Absence Form to report absences for both medical and non-medical reasons (see below).

- Students should NOT approach their class instructor for an excused absence (you need to consult with a member of the Academics team instead). However, students should contact their class instructor to discuss catching up on missed work.
- Students are responsible for making up any work missed due to absence. This means they should initiate email and/or office hour discussions to address any missed lectures and assignments and arrange a timeline for submitting missed work.

### Medical Absences:

- If you are unable to attend a class due to ill health, you must provide details of your illness and class(es) missed to NYUDC staff using the online Absence Form WITHIN 24 HOURS of your first missed class.



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- Please do not use the form to report a medical emergency or to request urgent assistance. In a medical emergency, call 911 and ask for an ambulance. NYU DC staff are available and happy to offer additional support, whatever time of day, especially if you're hoping to make a doctor's appointment. If you would like to speak to a member of staff to request support with a medical problem, please call the NYU Washington, DC emergency phone.

### Non-Medical Absences:

- If you have to miss class for an unavoidable, non-medical reason you must provide use the online Absence Form at least SEVEN DAYS PRIOR to the date(s) in question.
- If in doubt about whether your reason might be approve-able, please speak to a member of the NYU DC Academics staff ([dc.academics@nyu.edu](mailto:dc.academics@nyu.edu)).
- NYU DC adheres to the [University Calendar Policy on Religious Holidays](#)

NYU DC staff carefully monitor student attendance and absence records. In most cases, full completion of the online Absence Form will be sufficient to excuse your absence. However, in certain circumstances (such as a missed examination/presentation or missing multiple days of class) you will need to provide additional information and arrange a meeting with a member of NYUDC academics team about your absence before it can be excused.

### Classroom Etiquette/Expectations

Things to consider:

- Please be mindful of your microphone and video display during synchronous class meetings. Ambient noise and some visual images may disrupt class time for you and your peers.
- If you are not using your cell phone to follow the lesson, cell phones should be turned off or in silent mode during class time.
- Make sure to let your classmates finish speaking before you do.
- Please do not eat during class and minimize any other distracting noises (e.g. rustling of papers and leaving the classroom before the break, unless absolutely necessary)
- If deemed necessary by the study away site (ie COVID related need), synchronous class sessions may be recorded and archived for other students to view. This will be announced at the beginning of class time.
- Students should be respectful and courteous at all times to all participants in class. Consider using the chat function or "raise hand" function in order to add your voice to class discussions especially if leaving the video on presents challenges.

### Final Exams

Final exams must be taken at their designated times. Should there be a conflict between final exams, please bring it to the attention of the site Academic representative as soon as this is known to facilitate alternate arrangements. Final exams may not be taken early, and students should not plan to leave the site before the end of the finals period.

### Late Assignment

- 1) Written work due in class must be submitted during the class time to the professor.
- 2) Late work should be emailed to the faculty as soon as it is completed.



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- 3) Late work will be reduced – 5 points for each hour late.
- 4) Students who arrive to class late/sign in late for an exam do not have automatic approval to take extra time to complete the exam.
- 5) Students who miss an exam (including the final) without previously arranged permission will receive a zero on that exam.

### Incomplete Grade Policy

An “incomplete” is a temporary grade that indicates that the student has, for good reason, not completed all of the course work. This grade is not awarded automatically nor is it guaranteed; rather, the student must ask the instructor for a grade of “incomplete,” present documented evidence of illness, an emergency, or other compelling circumstances, and clarify the remaining course requirements with the instructor.

In order for a grade of “incomplete” to be registered on the transcript, the student must fill out a form, in collaboration with the course instructor and the academic administration at the site; it should then be submitted to the site’s academic office. The submitted form must include a deadline by which the missing work will be completed. This deadline may not be later than the end of the following semester.

### Academic Honesty/Plagiarism

As the University's policy on "[Academic Integrity for Students at NYU](#)" states: "At NYU, a commitment to excellence, fairness, honesty, and respect within and outside the classroom is essential to maintaining the integrity of our community. By accepting membership in this community, students take responsibility for demonstrating these values in their own conduct and for recognizing and supporting these values in others." **Students at Global Academic Centers must follow the University and school policies.**

The presentation of another person’s words, ideas, judgment, images, or data as though they were your own, whether intentionally or unintentionally, constitutes an act of plagiarism.

NYU DC takes plagiarism very seriously; penalties follow and may exceed those set out by your home school. All your written work must be submitted as a hard copy AND in electronic form to the lecturer. Your lecturer may ask you to sign a declaration of authorship form.

It is also an offense to submit work for assignments from two different courses that is substantially the same (be it oral presentations or written work). If there is an overlap of the subject of your assignment with one that you produced for another course (either in the current or any previous semester), you **MUST** inform your professor.

For guidelines on academic honesty, clarification of the definition of plagiarism, examples of procedures and sanctions, and resources to support proper citation, please see:

[NYU Academic Integrity Policies and Guidelines](#)

[NYU Library Guides](#)



# SAMPLE SYLLABUS

## Religious Observances

Students observing a religious holiday during regularly scheduled class time are entitled to miss class without any penalty to their grade. This is for the holiday only and does not include the days of travel that may come before and/or after the holiday.

Students must notify their professor and the local Academics team in writing via email at least 7 days before being absent for this purpose.

## Inclusion, Diversity, Belonging and Equity

NYU is committed to building a culture that respects and embraces diversity, inclusion, and equity, believing that these values – in all their facets – are, as President Andrew Hamilton has said, “...not only important to cherish for their own sake, but because they are also vital for advancing knowledge, sparking innovation, and creating sustainable communities.” At NYU DC, we are committed to creating a learning environment that:

- fosters intellectual inquiry, research, and artistic practices that respectfully and rigorously take account of a wide range of opinions, perspectives, and experiences; and
- promotes an inclusive community in which diversity is valued and every member feels they have a rightful place, is welcome and respected, and is supported in their endeavors.
- The foregoing apply to ALL perspectives communicated in a civil and intellectual manner, irrespective of the “popular” or “unpopular” nature of perspectives and beliefs.
- Respect and civility is expected at all times.

## Moses Accommodations Statement

Academic accommodations are available for students with documented and registered disabilities. Please contact the Moses Center for Student Accessibility (+1 212-998-4980 or [mosescsd@nyu.edu](mailto:mosescsd@nyu.edu)) for further information. Students who are requesting academic accommodations are advised to reach out to the Moses Center **as early as possible in the semester for assistance**. Accommodations for this course are managed through the site sponsoring the class once you request it.

**Miscellaneous: Case-Brief Templates Models (be as economical as possible in briefing cases)**



## Brief Template 1

<p>➔ <u>Procedural History</u></p> <hr/> <hr/> <hr/> <hr/>
<p>➔ <u>Legal Issue</u></p> <hr/> <hr/> <hr/> <hr/>
<p>➔ <u>Facts of Case</u></p> <hr/> <hr/> <hr/> <hr/>
<p>➔ <u>Statement of Rule</u></p> <hr/> <hr/> <hr/> <hr/>
<p>➔ <u>Policy</u></p> <hr/> <hr/> <hr/> <hr/>



→ Dicta

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→ Reasoning

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→ Holding

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→ Concurrence

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→ Dissents

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### Brief Template 2

**NATURE OF CASE:** This is a brief statement of the legal character and procedural status of the case (e.g., "Appeal of a burglary conviction").

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**CONCISE RULE OF LAW:** A statement of the general principle of law that the case illustrates (e.g., "An acceptance that varies any term of the offer is considered a rejection and counteroffer").



# SAMPLE SYLLABUS

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**FACTS:** A synopsis of only the essential facts of the case, i.e., those bearing upon or leading up to the issue.

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**ISSUE:** A statement of the general legal question answered by or illustrated in the case. For clarity, the issue is best put in the form of a question capable of a "yes" or "no" answer. In reality, the issue is simply the Concise Rule of Law put in the form of a question (e.g., "May an offer be accepted by performance?").

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**HOLDING AND DECISION:** This section should succinctly explain the rationale of the court in arriving at its decision. In capsulizing the "reasoning"

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## **Brief Template 3**

Name of Case,

Facts of the case:



# SAMPLE SYLLABUS

History:

Issue:

Holding:

Court's Reasoning:

A. Rule:

B. Application:

C. Concurring and Dissenting Opinion(s) Reasoning