

DEPARTMENT OF POLITICAL SCIENCE
UNIVERSITY AT BUFFALO

PSC 401 Advanced
Civil Liberties
Spring 2016

COURSE SYLLABUS

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Advanced Civil Liberties is designed for highly-motivated upperclass students considering law school. The first half of the course is devoted to school desegregation; the second half covers housing discrimination and segregation. The linkage between these two areas of law is clear: if housing segregation did not exist, most school segregation would not exist.

Learning Outcomes	Assessment Measures
Read one to two judicial decisions before each class and understand the steps in the legal reasoning used by the judges.	Question-and-answer interactions in class; two examinations.
Critique judicial decisions in light of existing precedents.	Question-and-answer interactions in class; two examinations.
Gain basic experience reading statutory law.	Reading and analyzing in class at least two federal statutes.
Develop public speaking skills.	Participation in class discussions and volunteering to brief a case in class.

Readings: Two volumes of photocopied judicial decisions are used this semester. They are available at The UPS Store in the Commons at the University. The total cost of these two volumes should be roughly \$80.

Class Procedure: Students ***must*** read and brief cases ***before*** they are discussed in class to develop the ability to do that in law school. Most cases during the semester will be briefed by the instructor, followed by questions and comments, but ***students will be called on at random*** to discuss cases for that class. In addition, you will select one case to brief in class without any assistance from me. Your grade on that brief will constitute **10%** of your final course grade. If you fail to brief your case and do not have an acceptable excuse, you will receive a zero for that **10%** of the course grade. Provide a copy of your brief (1 to 3 single-spaced pages) to each member of the class.

Examinations and Grades: It is completely the student's responsibility to take exams when they are scheduled. ***Exams are given on March 23 and May 4.*** Each exam will count **30%** of your final grade. Of the remaining 40% of your grade, 20% will be based on your individual class participation throughout the semester, 10% will be based on a research exercise (to be conducted after the first exam), and 10% will be based on your brief presented in class. ***Because class participation will amount to two letter grades for each student, you need to join our class discussion on a class-by-class basis. There is no extra credit in this course. However, grades for exams will be rounded up so that the highest grade for each will be 100.***

Failure to take a regularly scheduled exam may be subject to penalty. Permission for make-up exams will normally be warranted only for serious medical reasons certified in writing by a physician. The student or a member of his/her immediate family must have suffered a serious physical illness that clearly prevented the taking of the exam. Permission to take a make-up will normally be granted, moreover, only where there is prompt notification to the instructor for the reason for the absence. If one or more students miss the first exam, one make-up will be administered within two or three weeks of the regularly scheduled exam; make-ups for the second exam will be scheduled during the following semester. A make-up exam may be of a very different nature, content, and structure than the scheduled exam. And, importantly, there will be only one make-up for a missed exam; if you miss it in addition to the exam originally scheduled, you will receive a grade of zero for the exam! No passing grade for the course can be achieved without taking both exams.

University Policy on Incomplete Grades: Note the University's policy on "Incompletes": "A grade of 'Incomplete' (I) may be given a student who has not completed all of the assigned work in a course, if he/she has a passing average and there exists a well defined means by which the course requirements can be completed. The grade of 'I' must be removed within a period of fifteen months. At the time an 'I' is given, the instructor must specify the default grade that the student will receive if no grade change is filed by the instructor before the expiration of the grade period. The default grade is the grade that the student will receive as a course grade if the additional work is not completed. Individual instructors may set shorter time limits for removing an 'Incomplete' within the time limits specified. Students may not graduate with an 'Incomplete' on their record." Also note that, for this course, all "Incompletes" for missing the third exam must be removed through the taking of an exam during the following semester. It is the student's responsibility to find out from the instructor when the make-up exam will be administered.

University Policy on Classroom Distractions: According to the University, classroom "etiquette" expectations should include:

- *Attending classes and paying attention. Do not ask an instructor in class to go over material you missed by skipping a class or not concentrating.
- *Not coming to class late or leaving early.
- *Not talking with other classmates while the instructor or another student is speaking. If you have a question or a comment, please raise your hand, rather than starting a conversation about it with your neighbor.
- *Showing respect and concern for others by not monopolizing class discussion. Allow others time to give their input and ask questions. Do not stray from the topic of class discussion.
- *Not eating or drinking during class time.
- *Turning off the electronics: cell phones, pagers, and beeper watches.
- *Avoiding audible and visible signs of restlessness. These are both rude and disruptive to the rest of the class.
- *Focusing on class material during class time. Sleeping, talking to others, doing work for another class, reading a newspaper, checking email, and exploring the internet are unacceptable and can be disruptive.
- *Not packing bookbags or backpacks to leave until the instructor has dismissed class.

Instructor's Office Hours: Mondays, Wednesdays, and Fridays 11-12 (unless announced otherwise in class). Office: 503 Park Hall (enter through 501 Park Hall).

Schedule: The following is our agenda for the semester. Specific cases will be assigned each class for our next meeting. **EXAMINATIONS WILL BE GIVEN ON March 23 and May 4.**

(Note: Class will not be held on April 6 and 8 because of the annual Midwest Political Science Association Conference in Chicago.)

I. School Desegregation

Plessy v. Ferguson (1896)

Missouri ex rel Gaines v. Canada (1938)

Sipuel v. Regents of University of Oklahoma (1948)

Sweatt v. Painter (1950)

McLaurin v. Oklahoma State Regents (1950)

Brown v. Board of Education I (1954)

Bolling v. Sharpe (1954)

Brown v. Board of Education II (1955)

Cooper v. Aaron (1958)

Griffin v. School Bd. of Prince Edward Co. (1964)

Green v. County School Bd. of New Kent Co. (1968)

Alexander v. Holmes County Bd. of Education (1968)

Swann v. Charlotte-Mechlenburg (1971)

Keyes v. School District No. 1, Denver (1973)

Milliken v. Bradley (1974)

Pasadena City Board of Ed. v. Spangler (1976)

Dayton Bd. of Ed. v. Brinkman I (1977)

Columbus Bd. of Ed. v. Penick (1979)

Dayton Board of Education v. Brinkman II (1979)

Runyon v. McCrary (1976)

Washington v. Seattle School District 1 (1982)

Crawford v. Board of Ed. of Los Angeles (1982)

Missouri v. Jenkins I (1990)

Board of Ed. of Oklahoma City v. Dowell (1991)

Freeman v. Pitts (1992)

United States v. Fordice (1992)

Parents Involved in Comm. Schools v. Seattle School Dist. (2007) (Note: Parents Involved in Community Schools is not reproduced in the class readings available from Great Lakes Graphics and Printing because of its length (185 pages) and the cost of reproducing it. To save students that cost, I recommend that you print this decision off of www.supremecourt.us.gov or another law-related source on the Web.)

3/23/16 FIRST EXAMINATION

II. Housing Discrimination

Buchanan v. Warley (1917)

Shelley v. Kraemer (1948)

Hurd v. Hodge (1948)

Barrows v. Jackson (1953)

Reitman v. Mulkey (1967)

Jones v. Alfred H. Mayer Co. (1968)

Hills v. Gautreaux (1976)

Young v. Pierce (1985)

U.S. v. City of Yonkers (1988)

Hunter v. Erickson (1969)

James v. Valtierra (1971)

City of Eastlake v. Forest City Enterprises (1976)

Village of Belle Terre v. Boraas (1974)

Kennedy Park Homes Association v. Lackawanna (1971)

U.S. v. City of Black Jack (1974)

Village of Arlington Heights v. MHDC (1977)

Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project (2015)

Huntington Branch NAACP v. Town of Huntington (1988)

U.S. v. Parma (1981)

Otero v. New York City Housing Authority (1973)

U.S. v. Starrett City Associates (1988)

Trafficante v. Metropolitan Life Insurance Co. (1972)

Warth v. Seldin (1975)

Havens Realty Co. v. Coleman (1982)

Soules v. HUD (1992)

Krueger v. Cuomo (1997)

Southern Burlington NAACP v. Town of Mt. Laurel (1975)

Suffolk Housing Services v. Town of Brookhaven (1987)

5/4/16 SECOND EXAMINATION (covering all fair housing cases and any education cases not covered on the first exam) (IN OUR REGULAR CLASSROOM, AT OUR REGULAR TIME.)