



SACRAMENTO
STATE

Course Change Proposal Form A

CRJ 08-09#12



Academic Group (College): Health and Human Services	Academic Organization (Department): Criminal Justice	Date: February 18, 2008
Type of Course Proposal: New <input checked="" type="checkbox"/> Change <input type="checkbox"/> Deletion <input type="checkbox"/>	Department Chair: Dr. Will Vizzard	Submitted by: Timothy A. Capron
Does this course fulfill a requirement for single-subject or multiple subject credential students? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	For Catalog Copy: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> CCE (Extension): Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Semester Effective: Fall <input type="checkbox"/> Spring <input checked="" type="checkbox"/> 2009

Prefix and No. CrJ 177, Administrative Law for Public Safety Personnel	
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JUSTIFICATION:

This is proposed as an elective for the Criminal Justice Major and a requirement in the Fire Service Management special major administered by the Division of Criminal Justice. (no form B required for change in special major)

This course addresses the increasingly complex area of rules and regulations that impact public safety. These rules and regulations are promulgated on a regular basis by the federal government, regional and state agencies and local government and apply to a variety of public safety agency functions including employment: licensing: seizure, forfeiture and condemnation of property; management of prisoners, parolees and probationers and exercise of the general police and regulatory powers. It will include administrative law, rule making and hearings at the federal, state and local levels and serve as an elective for criminal justice majors. Existing courses in business and employment law do not address public agency functions or the unique requirements for public safety agency personnel actions. No course on administrative law currently exists on this campus.

NEW COURSE DESCRIPTION: (Not to exceed 80 words, and language should conform to catalog copy. See <http://www.csus.edu/acaf/univmanual/crspsl.htm> - Guidelines for Catalog Course Description)

Administrative law is the study of the adjudicatory and law making processes that take place within administrative agencies of the executive branches of government. Further, it is a study of the legal relationship between those agencies and the legislature, the courts, and private parties. Particular attention will be paid to the Federal Administrative Procedures Act, and the California Administrative Procedure Act.

Note:

Prerequisite: CrJ 175 and CrJ 174A
Enforced at Registration: Yes No

Corequisite:
Enforced at Registration: Yes No

CAN (California Articulation Number): None

Graded: Letter Credit/No Credit **Instructor Approval Required? Yes No**

Course Classification (e.g., lecture, lab, seminar, discussion):
C02 **Title for CMS (not more than 30 characters)**
Administrative Law

Cross Listed?
Yes No **If yes, do they meet together and fulfill the same requirement, and what is the other course.**

How Many Times Can This Course be Taken for Credit? 1 No more than two times.

Can the course be taken for Credit more than once during the same term? Yes No

FOR NEW COURSE PROPOSALS OR SUBSTANTIVE CHANGES ONLY:

Description of the Expected Learning Outcomes: Describe outcomes using the following format: "Students will be able to: 1), 2), etc."
See the example at <http://www.csus.edu/acaf/example.htm>

By the end of this course the student will be able to:

1. Demonstrate an understanding of the procedural requirements against arbitrary action in administrative law.
2. Discuss and explain judicial safeguards against arbitrary actions in administrative law.
3. Describe principles regarding delegations of legislative power and evolving trends.
4. Demonstrate an understanding of the basic principles and concepts of the administrative law system.
5. Identify and define the concepts and major terms of an administrative law system.
6. Distinguish among the primary elements in the administrative law system.
7. Understand the organizations and relationships among the various agencies.
8. Determine and articulate administrative law history, patterns and trends.

**Attach a list of the required/recommended course readings and activities [Note: it is understood that these are updated and modified as needed by the instructor(s).] This attachment should be forwarded only to your Dean's office, not Academic Affairs.

Assessment Strategies: A description of the assessment strategies (e.g., portfolios, examinations, performances, pre-and post-tests, conferences with students, student papers) which will be used by the instructor to determine the extent to which students have achieved the learning outcomes noted above:

Examinations, multiple choice, true/false, matching, account for 80 % of the grade and homework assignments, short answer, case briefs, analysis of pending regulations, open book, take home assignments account for 20% of the grade.

For whom is this course being developed?

Majors in the Dept Majors of other Depts ___ Minors in the Dept ___ General Education ___ Other

Is this course required in a degree program (major, minor, graduate degree, certificate)? Yes No ___

If yes, identify program(s): Fire Service Management Special Major

Does the proposed change or addition cause a significant increase in the use of College or University resources (lab room, computer facilities, faculty, etc.)? Yes ___ No

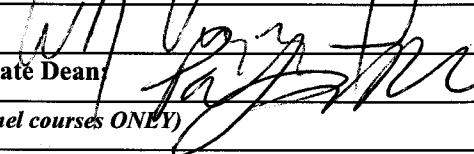
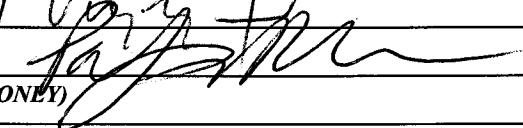
If yes, attach a description of resources needed and verify that resources are available.

Indicate which department or programs will be affected by the proposed course (if any). Special Major, Fire Service and Criminal Justice

The Department Chair's signature below indicates that affected programs have been sent a copy of this proposal form.

Approvals: If proposed change, new course or deletion is approved, sign and date below. If not approved, forward without signing to the next reviewing authority, and attach an explanatory memorandum to the original copy.

Signatures:

	Date
Department Chair: 	11/10/08
College Dean or Associate Dean: 	11/13/08
CPSP (for school personnel courses ONLY)	
Associate Vice President and Dean for Academic Programs	

Distribution: Academic Affairs (original), Department Chair and College Dean. Dean's office to send original after approval to Academic Affairs, at mail zip 6016. An electronic copy must also be sent.

California State University, Sacramento
Criminal Justice Department
Fall 2008
CrJ 177, Administrative Law for Public Safety Personnel

Course Description

Administrative law is the study of the adjudicatory and law making processes that take place within administrative agencies of the executive branches of government. Further, it is a study of the legal relationship between those agencies and the legislature, the courts, and private parties. Particular attention will be paid to the Federal Administrative Procedures Act, and the California Administrative Procedure Act.

Required Text

Administrative Law in the American Political System, Fourth Edition, by Kenneth F. Warren

In addition to the text, students will be assigned cases and administrative law statutes to read.

Required Website

<http://usgovinfo.about.com/library/bills/blapa.htm>

This site provides access to the Federal Administrative Procedure Act. Federal regulatory agencies must abide by this law when creating the rules and regulations necessary to implement and enforce major legislative acts.

www.oah.dgs.ca.gov/publications/gitpublication.htm

This site provides access to the California Office of Administrative Hearings and the California Administrative Procedure Act.

Prerequisites

Declared Criminal Justice Major or Fire Service Management Special Major

Course Objectives

By the end of this course the student should be able to:

9. Demonstrate an understanding of the procedural requirements against arbitrary action in administrative law.
10. Discuss and explain judicial safeguards against arbitrary actions in administrative law.
11. Describe principles regarding delegations of legislative power, and evolving trends.
12. Demonstrate an understanding of the basic principles and concepts of the administrative law system.
13. Identify and define the concepts and major terms of an administrative law system.
14. Distinguish among the primary elements in the administrative law system.
15. Understand the organizations and relationships among the various agencies.
16. Determine and articulate administrative law history, patterns and trends.

Reading Assignments

DATE	ASSIGNMENT
Week 1:	Warren, Chapter 1, pages 12-34 -Constitution, Articles I, II, and III

	-Review of California APA
Week 2:	Warren, Chapter 2, pages 49-68, 99-110 “The Growth of Administrative Power and its Impact on the American System” - <i>Chevron, USA v. National Resources Defense Council</i> (1984) 104 S.Ct.2778
Week 3:	Warren, Chapter 3 “Legislative Attempts to Achieve Democratic Accountability in the Administrative Process.” -Congressional Oversight (120-129) -Legal Challenges to the Civil Service System, <i>Merit v. Employee Rights</i> (134-142) -The APA (142-160) <i>Rutan v. Republican Party of Illinois</i> (160-165)
Week 4:	Warren, Chapter 4 , pages 173-211 “Protecting Administrators from Undue Interference and Harassment.”
Week 5:	Warren, Chapter 5 “Rulemaking: Agencies as Legislative Bodies” -Agency Rulemaking (213-237) -Motor Vehicle MFRs Ass’n versus State Farm Mutual (249-256)
Week 6:	Warren, Chapter 6 “The Public Policy-Making Tug-of-War Between Rulemaking and Ordermaking”
Week 7:	MIDTERM
Week 8:	Warren, Chapter 7 “Agency Hearings: How Fair are They?” -Serving Due Process (278-281) -Administrative Hearings versus Court Trials (282-288) -Bias and Due Process (288-295)
Week 9:	Warren, Chapter 7 (continued) -Procedural Due Process Issues Concerning Evidence (297-314) -Decision Making in Agency Adjudications (314-325) - <i>California v. Federal Energy Regulatory Commission</i> (326-336) - <i>Skelly v. State Personal Bd.</i> (1975) 15 Cal.3d 194
Week 10:	Warren, Chapter 8 “Administering Public Policy: Discretionary Agency Behavior” -Formal versus Informal Agency Actions (340-347) -The Court’s Role in Controlling Discretionary Agency Actions (362-395)
Week 11:	Warren, Chapter 9 “Judicial Review of Agency Behavior” -The Availability of Judicial Review (410-417) -Standing to Sue (417-423) -Exhaustion Of Administrative Remedies (423-425) -Ripeness (425-428) -Comity, Abstention, and Full Faith and Credit (428)
Week 12:	Warren, Chapter 9 (continued) “Judicial Review of Agency Behavior” -Scope Of Review (428-441) -Court Orders and Compliance (441-443) - <i>U.S. v. Mead Corporation</i> (444-453)

Week 13:	Warren, Chapter 10 "Suing the Government and its Administrators" -The Sovereign Immunity Doctrine (456-463) - <i>Bivens v. Six Unknown Federal Narcotics Agent</i> (468-471) -Section 1983 liability (471-483) - <i>Porter v. Nussle</i> (2002) 534 U.S. 516 (503-571)
Week 14:	Warren, Chapter 11 "An Administrative Law Challenge: Balancing Societal and Individual Rights" -Balancing (515) -Administrative Practices and the Bill of Rights (518-519) -Administrative Actions Under the 14 th Amendment (520-531) -The Right Against Self-Incrimination (547-549, 565-572)
Week 15:	Warren, Chapter 11 (continued) "An Administrative Law Challenge: Balancing Societal and Individual Rights" -Administrative Searches and Seizures since the Passage of the USA Patriot Act (572-589) - <i>Board of Education v. Earls</i> (589-600) REVIEW

Academic Dishonesty

I do not tolerate any form of academic dishonesty. A statement of what constitutes academic dishonesty is attached to the back of this syllabus. If you engage in any form of academic dishonesty, including but not limited to, copying, plagiarism, cheating, or any other form of misrepresentation, you will receive zero points for that assignment and other sanctions as deemed appropriate by the professor, including but not limited to, deduction of points from the final course grade or a grade of F in the course.

Grades:

	<u>Possible Points</u>	<u>Percentage of Final Grade</u>
1. Midterm	90	30 %
2. Research Paper	90	30%
3. Final Exam	120	40 %
TOTAL	<u>300</u>	<u>100 %</u>

Grading Scale

270-300 pts. 90-100 % = A- to A

240-269 pts. 80-89 % = B- to B+

210-239 pts. 70-79 % = C- to C+

180-209 pts. 60-69 % = D- to D+

Less than 180 pts. < 60 % = F

Research Paper

You will select a federal, California state or local agency for examination of how principles of procedural due process are manifested in the agency's administrative adjudication. You will compare and contrast the administrative hearing with due process in California Courts. I will provide a list of features of due process which I expect you to examine in the administrative hearing process. I will also provide a list of various agencies that you may choose to examine. However, you may select agencies other than the samples I have selected.

Each paper will be 6-8 pages in length, double spaced, using standard business typefaces.

Exams

There will be a midterm and a final exam. The examinations will be multiple choice, true/false, short answer or essay exams (in which you will be required to analyze factual scenarios and/or discuss legal principles). Make-up exams are at the discretion of the instructor and will be permitted only with prior approval of the instructor.

Students with Disabilities

If you have a disability and require accommodations, you need to provide disability documentation to SSWD, Lassen Hall 1008, and (916)278-6955. Please discuss your accommodation needs with me after class or during my office hours early in the semester.

Laptop and Cell phone Regulation

No photographing, recording, or text messaging is allowed without permission of the instructor. Cell phones will be turned off during class.