

SYLLABUS  
**ADMINISTRATIVE LAW**  
SPRING 2020  
3 CREDIT HOURS

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**PART 1: COURSE DETAILS**

**CONTACT INFORMATION**

**INSTRUCTOR**

**Instructor:** Professor Roxana Bell

**Office Hours:** By appointment

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**Best way to contact:** Email

**TECH SUPPORT**

For technical support, please contact the Helpdesk at:

**Phone:** 800-472-8899

**Email:** [support@lawstudentonline.com](mailto:support@lawstudentonline.com)

**COURSE DESCRIPTION**

Administrative law represents a substantial area of law practice in the United States. Legal matters covered under some administrative processes range from the suspension of children from public schools to the regulation of additives placed in the food supply. This course explores the foundations of administrative practice relevant to administrative processes at all levels of government. To accomplish this, the class will

explore the federal administrative law—the primary model upon which most other administrative procedures are based. Though not a substantive area of law like environmental protection, securities, or tax, mastering administrative law is essential for achieving success in each of these and many other areas of law.

## COURSE LEARNING OUTCOMES

Upon completion of this course, students will be able to:

- Explain to clients:
  - The role that administrative law plays in regulating all government related activities.
  - The time, place, and means they have to comment on proposed government rules.
  - The options they have to bring administrative challenges to governmental rulemaking and the mechanisms to do so.
  - The options they have to bring administrative challenges to administrative agency adjudications.
  - The rights they are entitled to in a governmental hearing or adjudication.
  - Represent clients in an administrative hearing on a subject within their legal expertise.
  - Advise clients on the standing requirements to file a judicial challenge to agency actions.
  - Counsel clients on the relative advantages and availability of administrative challenges to governmental actions over civil judicial suits.

## PART 2: MATERIALS AND COURSE REQUIREMENTS

### READINGS

#### REQUIRED TEXT

Administrative Procedure and Practice (5th Ed.) by Funk, Shapiro and Weaver, ISBN-13: 978- 0314286949

#### RECOMMENDED TEXTS AND OTHER READINGS

Aman and Mayton's Hornbook on Administrative Law (3rd edition 2014) by Alfred Aman Jr., and William Mayton, ISBN-13: 978-0314279415

### TECHNOLOGY REQUIREMENTS

Students are expected to meet basic technology requirements to successfully participate in this online course. Failure to meet these requirements may result in problems accessing the course materials. It is the student's responsibility to ensure all requirements are met prior to the start of the course.

- Access to the Internet is required. While any browser can be used, Firefox and Chrome are recommended.
- Access to the learning management system (D2L) and Zoom Meetings. See [Part 4: Accessing the Course](#) for more details.

- You will need the capability to speak and hear so you can watch videos and participate in the live online office hours. Make sure that the devices you plan to use have a microphone and speakers or that you have access to a headset. A webcam is optional but not required.

## PART 3: COURSE SCHEDULE

Any change related to the course schedule will be communicated to the students through an announcement and by modifying this document.

Each module and the related discussion board will open at 12:00 am ET on the Saturday before the week in which the module is covered.

### Assignments and Discussions

There will be at least one discussion question and one assignment for most modules.

- Assignments:** All Assignments are due by Sunday at 11:59 pm ET of the assigned week.
- Discussions:** The initial postings must be completed by Friday at 11:59 PM ET and the responses to your classmates' must be posted by Sunday at 11:59 PM ET and the discussion board will close at this time.

Week	Dates	Module	Topics	Readings	Assignments Due Dates
Week 1	1/11-1/19	Welcome Module	Welcome to Administrative Law	None	<ul style="list-style-type: none"> <li>Post to the Welcome Discussion</li> </ul>
		Module 1	Introduction: The Federal Government and the Administrative Procedures Act	Chapter 1 pages 1-33	<ul style="list-style-type: none"> <li>Post to M1 Discussion due <b>1/17</b></li> <li>Respond to M1 Discussion due <b>1/19</b></li> <li>Module 1 Assignment due <b>1/19</b></li> </ul>
Week 2	1/18-1/26	Module 2	An Overview of Agency Rulemaking	Chapter 2 pages 51-90	<ul style="list-style-type: none"> <li>Post to M2 Discussions due <b>1/24</b></li> <li>Respond to M2 Discussions due <b>1/26</b></li> <li>Module 2 Assignment due <b>1/26</b></li> </ul>
Week 3	1/25-2/2	Module 3	Informal Rulemaking	Chapter 2 pages 97-128	<ul style="list-style-type: none"> <li>Post to M3 Discussions due <b>1/31</b></li> <li>Respond to M3 Discussions due <b>2/2</b></li> <li>Module 3 Assignment due <b>2/2</b></li> </ul>
Week 4	2/1-2/9	Module 4	Formal and Hybrid Rulemaking	Chapter 2 pages 90-96 and 128-145	<ul style="list-style-type: none"> <li>Post to M4 Discussions due <b>2/7</b></li> <li>Respond to M4 Discussions due <b>2/9</b></li> <li>Module 4 Assignment due <b>2/9</b></li> </ul>
Week 5	2/8-2/16	Module 5	Judicial Review of Rulemaking	Chapter 2 pages 145-187	<ul style="list-style-type: none"> <li>Post to M5 Discussions due <b>2/14</b></li> <li>Respond to M5 Discussions due <b>2/16</b></li> <li>Module 5 Assignment due <b>2/16</b></li> </ul>

Week	Dates	Module	Topics	Readings	Assignments Due Dates
Week 6	2/15-2/23	Module 6	Adjudication Overview	Chapter 3 pages 189-220	<ul style="list-style-type: none"> <li>• Post to M6 Discussions due <b>2/21</b></li> <li>• Respond to M6 Discussions due <b>2/23</b></li> <li>• Module 6 Assignment due <b>2/23</b></li> </ul>
Week 7	2/22-3/1	Module 7	Ex Parte Communications and On the Record Review	Chapter 3 pages 220-240	<ul style="list-style-type: none"> <li>• Post to M7 Discussions due <b>2/28</b></li> <li>• Respond to M7 Discussions due <b>3/1</b></li> <li>• Module 7 Assignment due <b>3/1</b></li> </ul>
Week 8	2/29-3/8	Module 8	Due Process Hearing Requirements	Chapter 3 pages 240-277	<ul style="list-style-type: none"> <li>• Post to M8 Discussions due <b>3/6</b></li> <li>• Respond to M8 Discussions due <b>3/8</b></li> <li>• Module 8 Assignment due <b>3/8</b></li> </ul>
*Week 9-10	3/7-3/22	Module 9	Judicial Review of Adjudications	Chapter 3 pages 278-294 and 304-311	<ul style="list-style-type: none"> <li>• Post to M9 Discussions due <b>3/20</b></li> <li>• Respond to M9 Discussions due <b>3/22</b></li> <li>• Module 9 Assignment due <b>3/22</b></li> </ul>
		Module 10	Judicial Review – Revisiting Judicial Deference	Chapter 4 pages 384-406	<ul style="list-style-type: none"> <li>• Post to M10 Discussions due <b>3/20</b></li> <li>• Respond to M10 Discussions due <b>3/22</b></li> <li>• Module 10 Assignment due <b>3/22</b></li> </ul>
		Module 11	Judicial Review – Standing Part 1	Chapter 5 pages 407-415	<ul style="list-style-type: none"> <li>• There is no discussion or assignment for Module 11.</li> </ul>
Week 11	3/21-3/29	Module 12	Judicial Review – Standing Part 2	Chapter 5 pages 416-452	<ul style="list-style-type: none"> <li>• Post to M12 Discussions due <b>3/27</b></li> <li>• Respond to M12 Discussions due <b>3/29</b></li> <li>• Module 12 Assignment due <b>3/29</b></li> </ul>
Week 12	3/28-4/5	Module 13	Judicial Review – Standing Part 2	Chapter 5 pages 454-455, 479-504	<ul style="list-style-type: none"> <li>• Post to M13 Discussions due <b>4/3</b></li> <li>• Respond to M13 Discussions due <b>4/5</b></li> <li>• Module 13 Assignment due <b>4/5</b></li> </ul>
Week 13	4/4-4/12	Module 14	Judicial Review – Timing	Chapter 5 pages 504-542	<ul style="list-style-type: none"> <li>• Post to M14 Discussions due <b>4/10</b></li> <li>• Respond to M14 Discussions due <b>4/12</b></li> <li>• Module 14 Assignment due <b>4/12</b></li> </ul>
Week 14	4/11-4/19	Module 15	The Non-Delegation Doctrine	Chapter 6 pages 543-575	<ul style="list-style-type: none"> <li>• Post to M15 Discussions due <b>4/17</b></li> <li>• Respond to M15 Discussions due <b>4/19</b></li> <li>• Module 15 Assignment due <b>4/19</b></li> </ul>
<b>FINAL EXAM</b>	The final exam must be taken during your school's final exam period. More information can be found in the Final Exam module in the course.				

\*Includes Spring Break

## PART 4: ACCESSING THE COURSE

### TIME ZONES

Please note that this course is setup to run in the Eastern Time zone. Check your syllabus for all assignment deadlines. Modules close on Sundays at 11:59 PM ET.

Eastern	Central	Mountain	Pacific
11:59 PM	10:59 PM	9:59 PM	8:59 PM

Daylight Saving Time (DST): Daylight Saving Time may impact when your assignments are due.

As a student in a distance education course, it is your responsibility to learn and observe the time deadlines for assignments. Late work will not be accepted due to time zone differences.

### COURSE SITE (D2L)

The course will be taught entirely online in an asynchronous environment using the Learning Management System—Desire2Learn (D2L)

The course is designed to give students a dynamic online learning experience. Students will receive notice of a student orientation which will familiarize them with the basics of navigating this platform. Students will also receive their log in information (username and password) via email.

To access the course:

1. Go to <https://mycourses.lawonline.me>.
2. Enter the username and password you have been provided.
3. Locate and click on the course name under *My Courses*.

If you have trouble logging in, please contact the Helpdesk; 800-472-8899 or [support@lawstudentonline.com](mailto:support@lawstudentonline.com).

### OFFICE HOURS VIA ZOOM

Online office hours will be available through Zoom Meetings. Students will have the opportunity to speak with the instructor during these office hours. Students can also choose to share their web cam or share documents with the instructor via the online rooms.

To join the online office hours, you will simply need to click on the link located under the "Online Room" tab on the navigation bar.

## PART 5: COURSE STRUCTURE

### OVERVIEW

This course is structured in 15 modules covered over the course of 13 weeks. The week will begin each Saturday at 12:00 AM ET and end on Sunday the following week at 11:59 PM ET. Any assignments for a given topic will normally be due at the end of the weekly period unless otherwise indicated.

### CONTENT DELIVERY

#### *COURSE LECTURES*

There will be roughly 60-90 minutes of course lecture videos to watch each week. These videos will be linked to from the course site.

#### *READINGS*

These may be readings from the text or supplemental readings linked out to from the course site. You should expect to spend 5-6 hours completing the readings each week.

### ASSIGNMENTS AND ACTIVITIES

#### *ASSIGNMENTS*

Each week, there will be 1-2 individual written assignments. All assignment must be submitted within the course using the assignment dropbox tool. You should expect to spend at least 2-4 hours per week on these assignments. **Please reference the “Course Schedule” for deadlines.**

#### *DISCUSSION BOARD*

At least one discussion question will be posted to the discussion board each week. You are expected to add at least two contributions each week. They may either be in direct response to the question or a response to a classmate’s contribution to a discussion question. Review the grading criteria and “Discussion Board Guidelines” to ensure maximum credit. You should expect to spend at least 2-3 hours per week on the discussion boards. **Please reference the “Course Schedule” for deadlines.**

#### *FINAL EXAM*

The exam may be taken at any time during exam period designated on the course schedule. It will consist of essay questions and multiple choice. The exam and will be open book and notes. More information is available in the Exam Information Module of the course.

## PART 6: STUDENT RESPONSIBILITIES

### MANAGING YOUR STUDIES

The following attributes will greatly contribute to your success in this course.

- *Be self-motivated.* You should be able to manage and direct your own learning environment and methods to fulfill course requirements and achieve individual academic success.
- *Be an independent learner.* Successful online students are self-starters. They work well with the flexibility that the 24/7 any time--any place format provides. You should be able to learn on your

own and at an accelerated pace without direct supervision.

- *Have a minimum level of computer literacy.* Although it is not essential to have advanced computer skills, you should possess a working knowledge of email, the Internet, as well as basic keyboarding skills.
- *Manage your time well.* You must be able to organize and plan your own best "time to learn." There is no one best time for everyone, but the key to success is to make the time to learn.
- *Acquire effective communication skills.* You must use email and discussions to communicate with your peers and me. The ability to read and to write clearly to communicate ideas and assignments is essential. Also, sharing reflections - of your own work as well as your coursemates' - is a crucial component of a successful experience. This method provides you with rapid feedback as well to inform me of any concerns or problems that you may be experiencing.
- *Be personally committed to successfully completing this online course.* Because of the flexibility in scheduling in this course, you must have a strong desire to learn and acquire knowledge and skills via online courses. Making a commitment to learn in this manner is a very personal decision and requires a strong desire to perform to achieve academic success.

## RESPECTING THE ACADEMIC COMMUNITY

Netiquette consists of the rules and guidelines for acceptable behavior in electronic communication.

Remember, while working in an online course you are in an academic setting and should conduct yourself accordingly.

All students are expected to follow netiquette guidelines as outlined below:

- You are not text messaging friends. This means text message acronyms (such as LOL, IMHO, BCNU, etc.) are not acceptable. Express yourself with proper spelling, grammar, and punctuation.
- Out of respect for your fellow course mates' and instructor's time, keep your communications as clear, straightforward, and concise as possible.
- Use appropriate mixed case text; avoid using all lowercase or all uppercase text (SHOUTING).
- You are your words. Your communication in an online course represents you. Always review and edit your communication before submitting.
- Give respect to your course mates. Be courteous, respectful of other opinions, sensitive to diversity, and polite.
- Respect people's privacy. Do not share other individual's personal information (i.e., e-mail addresses, phone numbers, etc.) without permission.
- It's okay to disagree with someone's opinion or constructively criticize an idea. It is never okay to personally attack another student. Debate the idea; do not attack the person.
- Free speech is not an absolute right in an online course.
- Obey copyright laws and cite others' work appropriately

## INSTRUCTOR EXPECTATIONS OF STUDENTS

- Students are expected to keep up with the class, to read the required readings, to watch the required recordings, and to submit assignments and activities by the due dates indicated on the Course

Schedule.

- Students should log on to D2L at least every other day to check for announcements, tests, and the final exam.
- Students are expected to independently complete all activities, assignments, tests, and the final exam.
- Students are expected to read the required readings each week before reviewing the lectures and are encouraged to read the supplemental readings and to complete the assignments.
- To receive maximum points for questions, students need to follow the instructions carefully, follow word limits as instructed, and use Spell Check. There will be deductions if these guidelines are not followed.

## PART 7: GRADES AND GRADING POLICIES

### GRADED COURSE ACTIVITIES

The following formula will be used to calculate your final grade:

Points	Description
30	Discussion Questions
30	Assignments
40	Final Exam
<b>100</b>	<b>Total Points Possible</b>

### GRADING SCALE

Your grade will conform to your school's grading policy as to whether +s and –s is given to any applicable grading curve.

### GRADING POLICIES

Students are expected to submit assignments on time. Assignments submitted within 12 hours of the deadline will be penalized 10%. Assignments submitted within 24 hours of the deadline will be penalized 20%. No assignments will be accepted 24 hours beyond the deadline.

Deductions will occur when directions are not followed.

## PART 8: OTHER COURSE POLICIES

See school policies on matters of Academic Integrity and Student Conduct. Matters involving integrity or Honor Code issues will be transmitted to school administration.

### ATTENDANCE

This course is delivered asynchronously to accommodate students' other life obligations. Students must access



each lecture for an appropriate amount of time, participate substantively in the Case Problem Assignments, and complete the Final Exam by set due dates. Students' attendance responsibilities follow school policy. Any questions will be referred to school's administration.

## SPECIAL ACCOMMODATIONS

Contact school about requests for special accommodations and ask that they send granted accommodations to [support@lawstudentonline.com](mailto:support@lawstudentonline.com)

## PART 9: RESOURCES

### STUDENT AFFAIRS

Office of Student Affairs: You should contact your school.

### TECHNOLOGY RESOURCES

Technology Resources: Contact [support@lawstudentonline.com](mailto:support@lawstudentonline.com). The Helpdesk number is 800-472-8899.

## PART 10: COURSE TOPICS

The following is a list of topics which will be covered in the course. Please refer to the course schedule (a separate document) for details on topics, assignments, and due dates. Any change related to the course schedule will be communicated to the students through an announcement to all students or by modifying the course syllabus and notifying students of the modified syllabus.

<b>Module</b>	<b>Topics of Study</b>
<b>1</b>	Introduction: The Federal Government and the Administrative Procedures Act
<b>2</b>	An Overview of Agency Rulemaking
<b>3</b>	Informal Rulemaking
<b>4</b>	Formal and Hybrid Rulemaking
<b>5</b>	Judicial Review of Rulemaking
<b>6</b>	Adjudication Overview
<b>7</b>	Ex Parte Communications and On the Record Review
<b>8</b>	Due Process Hearing Requirements
<b>9</b>	Judicial Review of Adjudications
<b>10</b>	Judicial Review – Revisiting Judicial Deference
<b>11</b>	Judicial Review – Standing Part 1
<b>12</b>	Judicial Review – Standing Part 2
<b>13</b>	Judicial Review – Standing Part 2 (con't)
<b>14</b>	Judicial Review – Timing
<b>15</b>	The Non-Delegation Doctrine