



Course Title: United States and Arizona Constitution
Course #: POS-220-ONL

Credit Hours: 3
Semester: Spring 2021
Cap: 25

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Office: NTU Blue Office Building

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Office Hours: Tuesday, 9am-1pm. Other times by appointment.

Preferred Communication: Email. I will respond to all emails within 24-hours.

Class Location: Asynchronous Online Course - Blackboard

Class Meeting Times: Asynchronous Online Course - 24/7

Required Materials: Computer and internet access, note paper, writing utensils.

Per NTU policies regarding the pandemic, all students are **required** to have a laptop in order to complete the course.

This is a **reading and writing intensive course**. To be successful in this course, you need to put aside enough time each week to complete ALL of the required course readings. Since history involves narrative, the analysis of causation, continuity and change over time, context, and interpretation, reading is an absolutely essential activity in this course. If you do not read, and/or do not attend to our homework assignments, you will not be successful in this class. However, if you attend to our readings, engage in course activities and discussion, and make a decent effort at our homework assignments, you will indeed do well in this course. Since history is about the things stated above, and not about rote memorization, you don't need to be able to mindlessly regurgitate bald facts divorced from context and analysis in this course in order to succeed.

No allowances will be made for not having textbooks after Week 1. If you cannot purchase the textbook from the bookstore, it is available via instant download from Google Books or Amazon. You **MUST** have a copy of the book in some format in order to be successful in this course.

Textbooks: Jack N. Rekove, *The Annotated U.S. Constitution and Declaration of Independence*. (New York: Harvard University Press, 2009.) ISBN 978-0674066229.

Toni McClory, *Understanding the Arizona Constitution*, 2nd ed. (Tucson, AZ: University Of Arizona Press, 2010). ISBN 978-0816529445.



David J Bodenhamer, *The U.S. Constitution : A Very Short Introduction* (New York: Oxford University Press, 2018). ISBN 978-0195378320.

Mission Statement

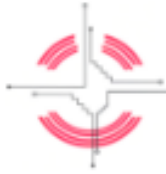
Navajo Technical University’s mission is to provide University readiness programs, certificates, associate, baccalaureate, and graduate degrees. Students, faculty, and staff will provide value to the Diné community through research, community engagement, service learning, and activities designed to foster cultural and environmental preservation and sustainable economic development. The University is committed to a high quality, student-oriented, hands-on-learning environment based on the Diné cultural principles: *Nitsáhákees, Nahátá, Íina, Siihasin*.

Course Description

From the catalog: Examination of the United States Constitution and the constitution and government of the State of Arizona.

From the instructor: This class exists primarily to satisfy requirements for candidates for licensure for an Arizona teaching license. However, those in the law enforcement program, as well as those who are interested in government and political science will also be interested in this course. This course will conduct a thorough examination of the United States and Arizona Constitutions, along with the governmental structures that these documents create. We will also examine how case law--the law created by appellate courts when they review the decisions of lower courts--has developed over time and affected the rights and responsibilities of American citizens and institutions. While much of the case law examined will relate to public schools, we will also spend time on criminal justice case law, cases that affect the civil liberties and civil rights of American citizens, and how the Constitution affects the rights of indigenous peoples. We will also spend some time examining Title 25 of the United States Code (often referred to as the “Indian Bill of Rights” as well as the Navajo Nation Code, and indigenous thought on Constitutionalism as it relates to the Navajo Nation itself.

Course Outcomes	Course Measurements
A strong understanding of the United States Constitution	Quizzes, discussion, final exam
A strong understanding of how the United States Government works	Quizzes, discussion, final exam
A strong understanding of the Arizona Constitution.	Quizzes, discussion, final exam
A strong understanding of how the government of Arizona functions.	Quizzes, discussion, final exam



A strong understanding of the legal foundations of Diné governance	Quizzes, discussion, case studies
A strong ability to analyze current political events in relation to the U.S. and Arizona Constitutions	Discussion, case studies, midterm project
A strong ability to compare similar U.S. Supreme Court cases	Quizzes, discussion, final exam, midterm project
A strong ability to judge how Constitutional rights affect public schooling	Discussion, quizzes, final exam
A strong knowledge of the texts and historical interpretations of the U.S. and Arizona Constitutions	Discussion, case studies
An ability to communicate how the Constitution affects local, state, and federal governance.	Discussion

Connections to Program Assessment (course-embedded measures)

List program outcomes to be measured

General Education Assessment

- Evaluate personal and social justice issues
- Develop strategies for creating just, sustainable systems
- Compare ethical perspectives
- Deduce factors that hinder or support solutions

Course Activities

Week	Date	Chapters/Reading	Assignments	Assessments
1	01/18 - 01/22	Bluhm et al, "Political Science and the Humanities: A Report of the American Political Science Association," <i>PS</i> 18:2 (Spring 1985): 247-259; Porter, "Decolonizing Indigenous Governance: Observations on Restoring Greater Faith and Legitimacy in the Government of the Seneca Nation," <i>The Kansas Journal of Law and Public Policy</i> 8:2 (Winter 1999): 97-141.	Reading Reflection One	Syllabus Quiz
	01/21	Last day to add/drop		
2	01/23 - 01/29	Rekove, "Introduction," (1-72); Bodenhamer, "The revolutionary Constitution," (1 - 21).	Reading Reflection 2	



3	01/30 - 02/05	Entirety of the U.S. Constitution; Bodenhamer, "Federalism," 22-35, "Balance of Powers," 36-45.	Reading Reflection 3	U.S. Constitution Quiz
4	02/06 - 02/12	Bodenhamer, "Property," 45-59; "Representation," 60-75.	Reading Reflection 4	
5	02/13 - 02/19	Bodenhamer, "Equality," 76-91.	Reading Reflection 5	
6	01/20 - 02/26	Bodenhamer, "Rights," 92-108; review Bill of Rights; Title 25, United States Code, Chapter 15, "Constitutional Rights of Indians" [pdf].	Reading Reflection 6	
	02/25	Graduation Petition Due		
7	02/27 - 03/05	"How Laws are Made," [web]	Reading Reflection 7	
8	03/06 - 03/12	A School Law Primer Curricular Control: Legal Pointers for Public Schools 2016 [pdf]	Reading Reflection 8	Midterm Project Due 03/08 @ 11:59pm.
9	03/13 - 03/19	Spring Break	No Homework	
10	03/20 - 03/26	Arizona Constitution; McClory, "The Arizona Constitution," 1-9; "Origins of the Arizona Constitution," 11-33; "Direct Democracy," 80-102	Reading Reflection 9	Arizona Constitution Quiz
	03/31	Last day to withdraw with a "W"		
11	03/27 - 04/02	McClory, "The Legislative Branch," 35-78.	Reading Reflection 10	
12	04/03 - 04/09	McClory "The Executive Branch," 104-133; "The Judicial Branch," 135-162.	Reading Reflection 11	
13	04/10 - 04/16	McClory, "Local Government," 164-191; Arizona Revised Statutes regarding municipalities, counties, and special districts.	Reading Reflection 12	



14	04/17 - 04/23	Indian Reorganization Act; Navajo Nation Constitutional Feasibility and Government Reform Project Report, 3-68. 25 USC 15 Constitutional Rights of Indians [pdfs]	Reading Reflection 13	25 USC 15 Quiz
15	04/24 - 04/30	Major Crimes Act; Law Enforcement Authority in Indian Country [web].	Reading Reflection 14	
16	05/01 - 05/07	Federico Lenzerini, "Sovereignty Revisited: International Law and Parallel Sovereignty of Indigenous Peoples," Texas International Law Journal 42, no. 155 (2006): 155-89; "United Nations Statement on the Rights of Indigenous Peoples" (New York: United Nations, 2007); James Anaya, "Report of the Special Rapporteur on the Rights of Indigenous Peoples" (New York: United Nations, August 30, 2012).	Reading Reflection 15	
17	05/08 - 05/12	Final Exams		Final Exam due 05/10 @ 11:59pm.
	05/13	Grades are due to the Registrar		

Grading Plan

Homework	25%	A = 100 - 90%
Mid-term Project	20%	B = 89 - 80%
Final Exam	25%	C = 79 - 70%
Quizzes	20%	D = 69 - 60%
Class Participation	10%	F < 60%

Grading Policy

Each student must do his or her own homework and case studies. Discussion among students on homework and cases is encouraged for clarification of assignments, technical details of using software, and structuring major steps of solutions - especially on the course's website. Students must do their own work on the homework and exam. Cheating and Plagiarism are strictly forbidden. Cheating includes but is not limited to: plagiarism, submission of work that is not the student's own, submission or use of falsified data, unauthorized access to exam or assignment, use of unauthorized material during an exam, supplying or communicating unauthorized information for an assignment or exam.



Participation

Students are expected to attend and participate in all class activities- as listed above, as it **is 10% of the grade**. Points will be given to students who actively participate in class activities including field trips, laboratories, and ask questions of guest speakers and other presenters.

Attendance Policy

Students are expected to regularly attend all classes for which they are registered. A percentage of the student's grade will be based on class attendance and participation. Absence from class, regardless of the reason, does not relieve the student of his/her responsibility to complete all course work by the required deadlines. Furthermore, it is the student's responsibility to obtain notes, handouts, and any other information covered when absent from class and to arrange to make up any in-class assignments or tests if permitted by the instructor. Incomplete or missing assignments will necessarily affect the student's grades. Instructors will report excessive and/or unexplained absences to the Counseling Department for investigation and potential intervention. **Instructors may drop students from the class after three (3) absences unless prior arrangements are made with the instructor to make up work and the instructor deems any excuse acceptable.**

Study Time for Online Courses

For an online course of one (1) credit hour, a student is expected to spend four hours (4) per week studying the course materials.

Academic Integrity

Integrity (honesty) is expected of every student in all academic work. The guiding principle of academic integrity is that a student's submitted work must be the student's own. Students who engage in academic dishonesty diminish their education and bring discredit to the University community. Avoid situations likely to compromise academic integrity such as: cheating, facilitating academic dishonesty, and plagiarism; modifying academic work to obtain additional credit in the same class unless approved in advance by the instructor; failure to observe rules of academic integrity established by the instructor. **The use of another person's ideas or work claimed as your own without acknowledging the original source is known as plagiarism and is prohibited.** Plagiarism is plagiarism even if it is not intentional. I will report all cases of plagiarism to the administration of the University.

Diné Philosophy of Education

The Diné Philosophy of Education (DPE) is incorporated into every class for students to become aware of and to understand the significance of the four Diné philosophical elements, including its affiliation with the four directions, four sacred mountains, the four set of thought processes and so forth: Nitsáhákees, Nahát'á, Íina and Siih Hasin which are essential and relevant to self-identity, respect and wisdom to achieve career goals successfully.



Students with Disabilities

The Navajo Technical University and the School of Arts and Humanities are committed to serving all enrolled students in a non-discriminatory and accommodating manner. Any student who feels he/she may need an accommodation based on the impact of disability or needs special accommodations should inform NTU in accordance with the procedures of the subsection entitled “Students with Disabilities” under Section 7: Student Support Programs, NTU Student Handbook.

Email Address

Students are required to use NTU’s email address as a formal mode of communication.

Final Exam Date: Due by Tuesday, May 10th, 2022 @ 11:59pm.

Assignments and Assessment Descriptions and Policies

Throughout the course, in addition to our weekly reading, we will be engaged in a number of formative and summative assessments of your learning. In order to do well in the course, you **MUST** complete all of the weekly reading. Make sure to set enough time aside during the week to complete reading assignments and formative assessments. To be successful, you must also complete all formative assessments.

As a policy, I **do not accept late assignments** unless you have contacted me ahead of time to make prior arrangements. The reasons for asking for an extension on an assignment is not as important as timing. If you need an extension, please contact me at your earliest convenience, and at least 24-hours before the due date in question. In the case of a true emergency, I will consider taking late assignments on a case-by-case basis.

Reading Reflections - Due Saturdays by 11:59pm.

Reading Reflections will be one of the main homework components of this course. The reflection shall be a synthesis/summary of the assigned chapter for the day. In the reflection, you will summarize the content of the day’s reading. Then in one short, **separate** paragraph, you will ask one or more critical questions of the text, or otherwise respond critically to the reading. We will discuss critical thinking, reading, and writing during our first course session.

A critical question or reaction is just that: it is **CRITICAL**. It is to critique something. To evaluate it, to find its flaws, and to suggest a better path. This class is about U.S. History, which you should know something about. And, if you are Diné, then you should have something to say about that history. Think about, for instance, how the historians we are reading talk about indigenous people? Are they correct in what they say? Are they wrong? Do they misunderstand



indigenous cultures and practices? Do they misrepresent what happened in favor of Europeans? Is their emphasis correct, or skewed? Do they interpret events and historical significance differently than you would? Do they ignore or underemphasize important events or topics? Do they fail to ask important questions? Do they view the world differently than you do? These are all valid topics for your critical question or reactions. Show me that you understand and are THINKING about what you read.

Things that are **NOT** critical questions and will not receive points: Posing “what if” scenarios. Noting how interesting you find something. Noting how much you learned from the chapter. Asking questions that are easily answered by reading the chapter. Asking a question without a critical purpose (“because I want to know,” instead of “why didn’t the author include **this?**”).

Each reflection paper should consist of at least 250 words (**before** your critical question or reaction), double spaced, 12 point type, with 1 inch margins. Each paper should have a header with the customary information, along with a word count of the actual essay.

During the first two weeks, I will be fairly lenient on grading critical questions. However, starting on Week 3, you will lose the full number of points listed on the Reading Reflection Rubric.

Discussion Boards

Each week, I will post a prompt for class discussion based upon our weekly readings. You will be required to post an original, thoughtful, substantive, and well-edited contribution that responds to the original prompt and that will help move the conversation forward.

DO NOT simply copy and paste text from our text as your answer. This is plagiarism and will be treated as such. If you wish to use short quotations from our text or another text, that is fine, but you must properly cite those texts in your post, and then analyze or otherwise respond to the text substantively.

Each initial post should be at least 100 words in length. For full credit, you will also be required to provide two substantive responses to your classmates' responses. Responses such as “good job,” or “I agree,” or even “I disagree” are not sufficient to meet the substantive standard. Go farther, ask a question, describe in detail and with evidence why you agree or disagree with your colleagues, or otherwise engage with their commentary. Your two responses to your colleagues should be long enough to substantively engage with their ideas. I will post our discussion board prompt each week by 6pm on Monday. **Your original response is due by 6pm on Wednesday, with replies due by Friday at noon.**

To keep the conversations going, please follow these steps:



1. Read my initial questions and any peer responses.
2. Find an interesting comment by one of your classmates and respond.
3. Address your post to your classmate (use their name) and briefly comment on their contribution.
4. Share new information from the assigned readings and apply it using critical thinking skills.
5. Sign your name and adjust the subject line before posting.
6. Repeat steps 1-5 twice more.

Quizzes

Over the course of the semester, we will have regularly scheduled quizzes over course content, specifically, over the contents of the United States Constitution, the Arizona State Constitution, and Title 25 of the United States Code, Chapter 15, also known as the Indian Bill of Rights.

Quizzes are due by Friday at 11:59pm of the day the week they are assigned.

Midterm Case Law Research Project

As part of our course, you will be asked to select a “landmark” court case of your choosing to research. Your choice of case must be approved by me before you begin research. After conducting thorough research on your case, you will then write a research report demonstrating your findings. You will then be required to either edit or create a wikipedia page entry for your case, in order to share your findings with the world. Your research report should be between 300 - 1000 words, and your contribution to Wikipedia must be, at a minimum, at least one hundred words. Your research report should contain the name and citation information for the case, the primary holding of the court, a short description of the facts of the case, as well as a discussion of the legal reasoning that led the court to the decision that it made. You should also discuss your reasons for selecting your case, and how it is related to the course concepts that we have learned so far. During the first half of the semester, our weekly SCOTUS case studies, which serve as formative assessments, will help you to build the skills and knowledge necessary to be successful in this summative assessment. **Due by Wednesday, October 14th @ 9pm.**

Final Exam

The final exam will provide you with the opportunity to demonstrate what you have learned throughout the course. The exam will consist of short-answer questions related to the U.S. and Arizona Constitutions, Title 25 of the United States Code, and case law settled by the U.S. Supreme Court. For the SCOTUS questions on the examination, you will be given two short excerpts of cases: one we have studied during the course, and one that we have not. Both cases will share similarities and differences. Each question will ask you to name the constitutional provision or amendment common to both cases, and then to analyze the two cases to come to an understanding of why the court ruled the way it did in one case versus a similar case. **Due by Wednesday, December 15th @ 9pm.**