Instructional Objectives and Student Learning Outcomes:

This course is designed to introduce students to the constitutional methods and legislative processes by which American state legislatures achieve public policy objectives. It examines the constitutional mandates, legislative organization, political influences and competing public priorities that impact the outcomes of state laws and regulations. It also examines how the concept of federalism shapes the relationships between states and the federal government in achieving these public policy outcomes.

The activities of state legislatures are closely followed by specific interested parties—stakeholders—but rarely capture the attention of the general public. Periodically an event occurs that captures the nation’s attention. The November 2020 national election was such an event. On November 3, 2020 nearly 160 million registered voters in 50 states, six territories and the District of Columbia elected 6,000+ members of state legislatures, 435 members of the U.S. House of Representatives, 50 members of the United States Senate and a President and Vice-President of the United States. This was the largest voter turn-out in U.S. history.

State election laws, passed in state legislatures and encoded in state statutes, determined the eligibility of citizens to participate in the above process. By state laws and regulations, the administration of this electoral process occurred under the supervision of Secretaries of State, Chief State Election Commissioners or Election Boards/Commissioners in 3,006 counties across the United States. State election laws define the process by which the outcomes of these elections are validated and certified.

Following the November 3, 2020 presidential election several states had their certified vote outcomes challenged by the losing candidate. Charges of massive voter fraud were levied against these states’ election officials. State legislatures were pressured to overturn the results certified by election officials. 60+ court challenges were mounted without success. Multiple recounts were required of several states and were conducted with no changes in outcomes.
The challenges by the losing presidential candidate continued and on January 6, 2021 thousands of disgruntled persons stormed the United States Capitol to prevent the final step in the election process—the certification of the presidential vote by the Electoral College, under the supervision of the Vice-President of the United States.

This semester provides an extraordinary opportunity for students in study how state legislatures make public policy with regard to a hallmark of American democracy – public elections. The Elections Clause of the U.S. Constitution grants to states the authority to enact a complete code of procedures for state elections including rules for public notice, voter registration, voter protection, fraud protection, vote counting and the determination/certification of election results based on their official election statutes. Likewise, the Fourteenth Amendment to the U.S. Constitution and the Voting Rights Act of 1965 protect the fundamental right of citizens eligible to vote and create mechanisms to challenge laws or practices that seek to over-ride those rights.

Given the above issues it is reasonable for citizens to ask: how durable are the state election laws that determine who is selected to serve in our national, state and local governments?

At the end of the semester students should be able to demonstrate a firm understanding of how state legislatures make policy, the key policy actors and legislative activities, the major influences in setting the legislative agenda, the impact of political organization on legislative outcomes and the role of public participation in the process.

**Attendance Policy**

This is an on-line class presented via zoom. Attendance will be tracked and recorded through the appropriate web-based technology. Students who miss class due to personal illness, COVID-19 related illness, a requirement that they isolate or quarantine, the need to care for a family member who is ill due to COVID-19, other significant medical or family emergencies, are responsible for contacting the instructor directly. Students who fail to meet the stated deadlines for any written mandatory assignments without a confirmed, acceptable reason may incur a severe grade deduction. Students who fail to turn in any mandatory assignment by the Midterm without an acceptable excuse will receive an “F” for the midterm and not be allowed to continue in the class. The due dates for recipient of assignments are listed in this syllabus in the appropriate sections.

**Grading Policy –**

Grades will be based on a four-part research paper that examines a current educational issue and a Final Examination as follows:

1. Research Paper, Part One 20%
2. Research Paper, Part Two 20%
3. Research Paper, Part Three 20%
4. Research Paper, Part Four 20%
5. Final Examination 20%
Grade values will be assigned as follows:

A=93-100   A-=90-92
B+=88-89   B=83-87   B-=80-82
C+=78-79   C=73-77   C=70-72
D-=68-69   D=63-67   D-=60-62
F=59 and below

**Required and Optional Readings**

There is not a required textbook for this course. You are required to utilize the following websites and on-line resources for your work during the semester:

3. The National Association of Secretaries of States
4. The National Association of State Election Directors
5. U.S. Election Assistance Commission
6. The Congressional Research Service (CRS)
7. The National Association of Counties (NACO)
8. The National Governors Association (NGO)
10. The on-line legislatures of states
11. Other reports, documents and readings as required during the semester.

**Accommodations for students with disabilities**

The College abides by Section 504 of the Rehabilitation Act of 1974 and the Americans with Disabilities Act. If you have a documented disability that may have some impact on your work in this class and for which you may require special accommodations, please see an administrator at the Center for Disability Services (SNAP), (843)953-1431 or contact me so that such accommodations may be made.

**Honor Code and Academic Integrity**

Lying, cheating, attempting cheating and plagiarism are violations of the Honor Code that, when suspected, are investigated. Each incident will be examined to determine the degree of deception involved.

Incidents where the instructor determines that the student’s actions are related more to misunderstanding and confusion will be handled by the instructor who may design and intervention or assign a grade reduction to prevent the student from repeating the error. The response is recorded on a form and signed by both the instructor and the student. It is forwarded to the Office of the Dean of Students and placed in the student’s file.
Cases of academic dishonesty will be reported directly by the instructor and/or others having knowledge of the incident to the Dean of Students. A student found responsible by the Honor Board for academic dishonesty will receive an XXF in the course, indicating failure of the course due to academic dishonesty. This status will appear on the student’s transcript for two years after which the student may petition for the XX to be expunged. The F is permanent.

Students can find the complete Honor Code and all related processes in the Student Handbook at: http://studentaffairs.cofc.edu/honor-system/studenthandbook/indepth.

**Program-Specific Elements:** This course consists of On-Line lectures and discussion, a four-part Policy Research paper and a Final Take-Home Examination.

**Required assignments to assess student learning outcomes**

**Mandatory Legislative Policy Research Assignment:** Can State Legislatures usurp (take over) the roles of Secretaries of State and other designated election officials in determining the validity of federal and state elections?

This semester you are required to research and write a four-part policy paper on the ongoing debate between the legislative and administrative branches of state governments on who has the constitutional authority to make three decisions regarding the outcome of elections: (1) Are elected Secretaries of State and/or designated state election commissions the final authority in certifying the validity of vote counts in federal and state elections? Do state legislatures have the authority to determine how state election officials administer federal and state elections at the state level? Can state legislatures pass laws giving them the constitutional authority to change election results once they have been certified by authorized election officials?

Since the November 2020 national elections at least 40 of our 50 state legislatures have passed legislation to change or amend laws that affect the outcome of elections. While most of the public attention has been on laws that expand or restrict access to voting, an equally important concern is what agency has the final authority to certify election results – and whether state legislatures have the constitutional authority to make this determination. Your research paper will explore this issue by researching the activities of the following state Legislatures that have been most active in pursuing this issue with the intent of invalidating the November 2020 election results:

- Arizona
- Georgia
- Michigan
- Pennsylvania
- Texas and
- Wisconsin

To this list of states, you will add

- California
- Massachusetts
- North Carolina and
- Ohio
**Paper One – Issue Definition** - Identify and describe (a) the official roles, (b) the stated responsibilities and (c) the principal election activities of each of the following agencies involved in election administration: (1) The U.S. Election Assistance Administration; (2) The National Association of Election Officials; (3) The National Association of Secretaries of State; (4) The National Association of State Election Directors and (5) The National Association of County Recorders, Election Officials and Clerks.

**Paper Two - Issue and Data Analysis** - Provide the following information for each of the states listed above: (1) the demographic composition of the state’s voters; (2) The partisan balance in the State Legislatures (Senate and House of Representatives) of each of the above states; (3) the “Trifecta status”, if any, of each Legislature; (4) the current certified vote for President in each of the states listed and (5) the certifying officer or agency for each. (6) Determine any change in the overall legislative balance in each state’s chamber following the November 2020 elections.

**Paper Three – Legislative actions and outcomes** - For each state, (1) identify the specific challenge issued by legislators to the 2020 election results for President; (2) specify if lawsuits were filed to overturn the elections (3) if so, identify the specific complaint described in the lawsuits and (4) provide the Court decision in each, if applicable. (5) Specify if the legislative election results were included in the challenges or were they assumed to be valid, thereby declaring the legislators duly elected in the same election in which fraud is alleged and the request is being made to the state election officials and/or the Courts to overturn the results. (6) Identify the specific legislative initiatives currently filed in each state- and state the changes they are seeking to voter eligibility in the next election.

**Paper Four - Summary and Recommendations** - (1) Summarize your principal conclusions regarding the intent and effect of the current legislative initiatives, including whether each state legislature has the constitutional authority to change, amend, or substitute the election decisions of the certifying officer or agency. (2) Provide your analysis as to whether, based on state law, custom and/or statutes, state legislators can, in the same vote, declare themselves duly elected but challenge the validity of the vote with regard to the President. (3) Give specific reasons for your conclusions and (4) Determine what protections, if any, the following federal proposals would provide in protecting the integrity of the vote in elections: (1) The John Lewis Voting Rights Advancement Act; (2) The For The People Act.

The maximum length for each paper is ten (10) single-spaced pages, excluding charts, graphs and appendices.

The MLA citation format should be used for works cited.

**OAKS**

OAKS will be used for this course throughout the semester to provide the syllabus, class materials and grades for each assignment which will be regularly posted.

**Recording of Classes via Zoom**

Class sessions will be recorded via both voice and video recording. By attending and remaining in this class, the student consents to being recorded. Recorded class sessions are for instructional use only and may not be shared with anyone who is not enrolled in the class.
**Inclement Weather, Pandemic or Substantial Interruption of Instruction**

If in-person classes are suspended, faculty will announce to their students a detailed plan for change in modality to ensure the continuity of learning. All students must have access to a computer equipped with a web camera, microphone and internet access, Resources are available to provide students with these essential tools.

**Center for Student Learning**

The Center for Student Learning (CSL) academic support services provide assistance in study strategies, speaking and writing skills and course content.

Services include tutoring, supplemental instruction, study skills appointments and workshops. Students of all abilities have become successful using these programs throughout their academic careers and the services are available at no additional cost. For more information, please visit the CSL website: [http://csl.cofc.edu](http://csl.cofc.edu). Or call (843) 953-5635.

**Semester Class Schedule**

**August 2021**

Tu 24    Semester Overview- Class Introductions
Th 26    Overview of semester assignments
Tu 31    Federalism and State Legislatures

**September 2021**

Th 2    Demographics of State Legislatures
Tu 7    Demographic of State Legislatures
Th 9    Snapshots: Legislative issues in 2020 elections
Tu 14    Snapshots: Legislative issues in 2020 elections
Th 16    2021 Legislative Session Calendars

**Paper One Due**

Tu 21    Legislative Organization – Constitutional Requirements
Th 23    Legislative Organization – Mason’s Manual of Procedures
Tu 28    Legislative Organization- Legislative Leadership
Th 30    Legislative Organization -The Committee System

**October 2021**

Tu 5    Legislative Organization- Staffing and Resources
Th 7    Influences in setting the Legislative Agenda
Tu 12  Setting the Legislative Agenda
       **Paper Two Due**

Th 14  Setting the Legislative Agenda

Tu 19  **Fall Break – No Classes**

**Wed. 20**  **Midterm Grades Posted**

Th 21  Setting the Legislative Agenda

Tu 26  Executing the Legislative Agenda

Tu 28  Executing the Legislative Agenda

**November 2021**

Tu 2   Executing the Legislative Agenda

Th 4   Elections and Reapportionment 2022 – Definition and impacts

Tu 9   Elections and Reapportionment 2022- Federal laws
       **Paper Three Due**

Th 11  Elections and Reapportionment 2022 – State administration

Tu 16  Elections and Reapportionment 2022- State administration

Th 18  Elections and Reapportionment 2022- Local impacts

Tu 23  COVID-19 Issues for States

Th 25  **Thanksgiving Holiday – No Classes**

Tu 30  COVID-19 Issues for states
       **Paper Four Due**

**December 2021**

Th 2   **Final Examination Issued via Drop-Box (Take Home Examination)**

Mon 6  **Last Day of Spring Semester Classes**

Tu 7   **Reading Day**

Th 9   **Final Examination due in Drop-Box - 5 P.M.**

**Wed. 15**  **Final Grades posted at Noon**