

US SUPREME COURT & SEXUALITY
Bluefield State College
POSC 490—SPRING 2014
CRN: 20879
Section: 001

Colin S. Cavell, Ph.D.
Class: R: 4:00 p.m.-6:50 p.m. [16:00 – 18:50]
Office Hours: TBA
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This topics course will examine major US Supreme Court cases dealing with various aspects of sexuality and their impact on society.

Grading Policy: 50% for Attendance & Participation*; and 50% for the Research Paper.

Grading Scale: 90-100=A; 80-89=B; 70-79=C; 60-69=D; 0-59=F. These numerical scores correspond to the following evaluations: “A” = Excellent; “B” = Good; “C” = Satisfactory (NOTE: A grade of “C” or better is required in major courses); “D” = Poor (passing, except in major courses); “F” = Earned Failure (removed only by repeating the course; upon successfully passing the course, the first grade is “excluded” from grade point average. The second grade is “included” in the recalculation of the grade point average); and “I” = Incomplete.

Learning Outcomes: Upon completion of POSC 490, students should be able to read and provide an immanent critique of texts; to articulate arguments and examine their flaws; be familiar with the basics of logical, ethical, and dialectical reasoning; understand the role sexuality has played in the US legal system and society and the various political struggles over such issues and their current legal status under the Constitution.

Academic Integrity Policy: Academic integrity is expected of all students. This means that all work for this class must be undertaken and completed by you alone without collaboration from others. Any dishonesty in the performance of course work, such as plagiarism or cheating in other forms, will be reported. In the event the student is charged with some form of dishonesty, the Student Discipline Policy will be followed. The full text of the BSC Academic Honesty Policy can be found at: <http://www.bluefieldstate.edu/academics/academic-honesty-and-proctoring>. In addition, students should be aware that research paper assignments must be submitted to [Turnitin](#) for the purpose of grading and checking for plagiarism. Submitted assignments will be included in the BSC dedicated database of assignments at Turnitin.

Attendance Policy*: Attendance in class is mandatory. It is the student’s responsibility to sign the attendance sheet each day of class; failure to sign the attendance sheet—even if in attendance—will be counted as an absence. “When the number of clock hours of willful absences exceeds the number of semester hours of credit, the instructor will notify the Registrar that the student has exceeded the permissible number of absences and should be withdrawn from class.” Students with Excused Absences must submit to me a hard copy of the campus publication *The Bulletin* announcing your allowed absence in order to get credit for the day(s) of your absence. “It is the responsibility of the student to...provide supporting documents for institutional and unavoidable absences” (*Bluefield State College Academic Catalog 2012-2014*, p. 55). As well, you are expected to follow the syllabus and accordingly be prepared for each day’s class. This means that you must read the pre-assigned readings before class so that you will be prepared to discuss and debate in class the subject matter scheduled for that day and answer questions related to the issues being covered.

* Absence from class may be made up by preparing a **two-page, typed** (i.e. using maximum 12 point font size and maximum double-spaced text with one-inch margin on all sides), **summary** on the missed material scheduled to be covered the day(s) of your absence. The summary must be in your own words and must **not** be copied material from the text(s), the internet, or any other source(s). **All summaries must be turned in to me by the last day of classes if you want credit for your absences.**

Cell Phone Policy:

Turn off all cell phones during class or put on vibration. If you absolutely must answer your phone, leave the classroom before answering your phone and return only after you have completed your conversation.

Withdrawal Policy: Academic Withdrawal from the course prior to the deadline date for withdrawal as published within the academic calendar is accomplished by securing a Change In Schedule form and having it signed by

appropriate persons. Blank copies of the change in schedule form are available in the offices of the Registrar, the Vice President for Academic Affairs, the Dean and the advisor. After obtaining the required signatures, the student must submit, prior to the deadline date, the change in schedule form to the Office of the Registrar.

Disability Services Statement: BSC is committed to full inclusion of all students. Students who, by nature of a documented disability, require classroom, equipment, testing or assignment accommodations should contact the Student Support Services at 304.327.4227 to request accommodations before the start of the semester. Your immediate attention to these arrangements is necessary to assure a positive learning experience.

Free Tutoring Services Available: BSC offers **free online tutoring for all BSC students** in the following subjects: Math; Accounting, Managerial; Accounting, Financial; Writing (all subjects); Grammar; Microeconomics; Macroeconomics; Statistics; Spanish. Chemistry, etc. This service is free and available 24 hours a day to all BSC students. Go to <http://www.smarthinking.com/> and follow these instructions.

Required Texts:

Epstein, Lee and Thomas G. Walker. 2012. *Constitutional Law for a Changing America: A Short Course, Fifth Edition*. Washington, DC: CQ Press. [ISBN-10: 160871697X, ISBN-13: 978-1608716975], 856 pages.

*****This class is web-enhanced and students will be able to access supplemental materials on the BSC BlackBoard website, including chapter outlines, chapter PowerPoint summaries, etc.*****

Mandatory LiveText Assessment Statement:

"An active LiveText account is a required resource for this course because at least one assignment *must* be submitted electronically using this online platform. LiveText is used by Bluefield State to demonstrate the quality of our academic programs, and to improve teaching and learning. As a student, you have the option to use your account for secure online storage of your academic work, and to create digital documents such as electronic portfolios or reflective journals, which can be shared with prospective employers or other audiences.

If you do not already have a LiveText account, one will be emailed to your Bluefield State email account. You will be expected to activate the account immediately. LiveText will be a required resource in many different courses throughout your program, and you can use the same account for any course that requires it for a full five years, so **you only need one account**. If you already have an active LiveText account, you do not need another one. After five years you can extend your membership if you continue to need it for additional coursework or would like to maintain it for your personal use."

— Tracey Anderson, Ed.D., BSC Director of Institutional Research and Effectiveness

Jan. 20 [Monday]: Martin Luther King, Jr. Day (College Closed)

January 21 [Tuesday]: Classes begin for Spring 2014 Semester

Jan. 23 [Thursday]: Introduction to US Supreme Court & Sexuality: Main Themes

Explain Syllabus: Go over class requirements, required books, class presentation, research paper, midterm and final exams.

Readings: Backhouse and Fontaine, Preface ix-x; Ch. 1 "Introduction", pp. 1-15

Jan. 30 [Thursday]: US Supreme Court & Sexuality

Main Themes: Discuss main themes and structure of course

Feb. 6 [Thursday]: Right to Privacy**Readings:** Epstein and Walker, *Griswold v. Connecticut* (1965), pp. 491-498**Feb. 13 [Thursday]:** Abortion Rights**Readings:** Epstein and Walker, *Roe v. Wade* (1973), pp. 498-508**Feb. 20 [Thursday]:** Sexual Harassment**Readings:** Epstein and Walker, *Clinton v. Jones* (1997), pp. 148-152**Feb. 27 [Thursday]:** Sodomy**Readings:** Epstein and Walker, *Lawrence v. Texas* (2003), pp. 515-522**Mar. 6 [Thursday]:** Search & Seizure**Readings:** Epstein and Walker, *Mapp v. Ohio* (1961), pp. 542-548**Mar. 13 [Thursday]:** Sexual Discrimination**Readings:** Epstein and Walker, *Bradwell v. Illinois* (1873), pp. 614-615; Reed v. Reed (1971), pp. 616-618**Mar. 17:** Mid-Semester grades due to Registrar**Mar. 17-21:** Spring Break (No Classes)**Mar. 27 [Thursday]:** Sexual Discrimination (cont'd.)**Readings:** Epstein and Walker, Reed v. Reed (1971), pp. 616-618**Apr. 3 [Thursday]:** Equality in Age of Legal Majority**Readings:** Epstein and Walker, *Craig v. Boren* (1976), pp. 618-622**Apr. 10 [Thursday]** Sexual Orientation**Readings:** Epstein and Walker, *Romer v. Evans* (1996), pp. 628-632**Apr. 17 [Thursday]:** Acknowledgement of Sexual Orientation**Readings:** *Liberace v. Daily Mirror Newspapers Ltd.* (1959)**Apr. 24 [Thursday]:** [Research Papers Due] (Research Papers must be submitted today)**Assignment:** Research Papers Due today. Hand in a hard copy of your Research Paper to me in class and upload an electronic copy to Turnitin.**May 1 [Thursday]:** Review**May 8 [Thursday]:** Review**May 9:** (Last day of classes. All course work MUST be completed by this date. No submissions will be accepted after this date.

May 19: Final grades due to Registrar electronically