

**UNIVERSITY AT ALBANY, SUNY**  
**ROCKEFELLER COLLEGE OF PUBLIC AFFAIRS AND POLICY**

**AMERICAN LEGISLATURES**

Fall 2011    Political Science 331    Sec. 3939  
Social Science 116    Tuesdays and Thursdays 11:45-1:05  
Professor: Michael J. Malbin

**OFFICE HOURS:**    Tues 1:15–2:15 and Thurs. 10:30-11:30 in HU 16 (Pol. Sci. Contact Office)  
Additional times by appointment.

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**COURSE DESCRIPTION**

When public opinion polls ask people whether they approve or disapprove of public and private institutions in the United States, Congress typically has the lowest approval rating of all. Over the summer of 2011, those ratings fell to all-time lows. Yet the people in their districts or states typically approve of and reelect their own Representatives and Senators. This paradox is at the heart of much political science writing about Congress. We like our representatives individually, but not collectively.

In trying to explain this paradox, one well respected book blames the disparity on the fact that most people do not really understand how a legislature works. This course plans to put that claim to the test. By the end of the course, you will understand legislators and their institutions better than you do now. Whether you will like what you see is for you to decide.

The course will focus on the United States Congress, but the tools for understanding the Congress should transfer to other representative legislatures at other levels of government or in different settings.

**GOALS AND SUBSTANCE:**

The goal of the course is to help you understand Congress by getting you to think like a Representative or Senator (or senior staff strategist) who wants to win the passage of a major piece of controversial legislation through both chambers. This is a complicated objective, requiring strategies much more subtle than the ones involved in winning an election. To see a bill through to passage, issue leaders and party leaders have to understand what makes their colleagues tick. They have to put themselves in the shoes of their supporters, opponents, and potential fence-sitters, understanding these other Members' districts and their ambitions as well as their policy preferences. When they think about the next election – which they do all the time – it will be partly to think about its effect on their colleagues' support. In the same vein, they will weigh the President's influence, which will vary over the course of a two-year

cycle. They will have to know what the interest groups are trying to accomplish, and how those groups can affect their colleagues' decisions. Finally, they have to understand the way two different institutions (the US House and Senate) work to structure their own and their colleagues' choices.

To accomplish its learning objective, this course will follow the legislative path of the health care reform bill that President Obama signed into law on March 23, 2010. The course segments will track the bill's progress. They begin with the political and policy context and then work through early presidential-congressional negotiations, bill introduction, committee action, consideration by the full body, and cross-chamber negotiations. At each stage, you will immerse yourselves in the process by imagining that what happened did not have to turn out exactly as it did. The people in the process had to make choices. You will need to understand the reasoning behind their choices, and to consider alternatives.

To help you gain the knowledge and sensitivity to understand the institution, you will be reading political scientists who explain how they see each stage of the process. You will be reading this material at the same time as we reach the appropriate stage in the health care reform bill. The political science readings (articles on Blackboard or readings from the textbook) will include ones on the president's legislative role, committees, party leaders and rules. They also include selections by scholars who explicitly try to put themselves in the shoes of the members. To help place yourself in the role of the potential coalition leaders and followers, you will be expected to apply what you learn from the political science readings to the immediate bill and the people we are following.

Assignments (explained more fully below) will mix team based learning efforts with individual ones. Each student will be assigned to a team. Teams will produce various materials, make presentations and engage in other activities to help understand or replicate the roles of the main actors throughout the process. Individual papers will be written from the perspectives of specific Representatives and Senators, who will be assigned, as well as from the perspective of an assigned interest group. A final paper, given instead of a final exam, will require you to assimilate all of the perspectives in one complete whole that will assess how well the institution functions.

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### REQUIRED BOOK

Available in the Campus Center Bookstore or Mary Jane's.

Roger H. Davidson, Walter J. Oleszek and Frances E. Lee, *Congress and Its Members*, 13<sup>th</sup> edition (Washington, DC: CQ Press, 2011). ISBN 978-1-60871-642-5. \$61.95

All other required, common reading will be on Blackboard.  
Additional web-based research will be required.

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## TEACHING METHODS AND ASSESSMENTS

### Instructional Strategy

This will be a team-based learning course in which the students will work in teams during class to answer questions on quizzes and work on problems described below and then more fully as the semester progresses. (There is also plenty of individual work, also described below.) With an estimated enrollment of about forty students, the class will be divided into approximately seven teams with five to seven students on each team. The teams will be permanent. The idea behind team-based learning is that students learn best from actively engaging in small groups and applying knowledge to real world problems. Team-based learning will reduce the amount of passive lecturing in the classroom by the instructor and increase the amount of student-to-student engagement. Team-based learning shifts significant responsibility for learning to the students and requires teams to arrive in class well prepared for applying knowledge from assigned readings. There is a one-page on TBL attached to the back of this syllabus. You should read it. We will have a practice quiz on the whole syllabus, including this reading, during the first class of the semester.

### Papers, Exams and Grading

Individual and Team RATs: Most sections of the course will *begin* with Readiness Assessment Tests (RATs) based on the assigned reading. These tests come at the beginning of a work unit because we do not plan to spend class time repeating what you have read. Our time is better spent working in teams, applying the reading. The RATs give everyone a graded incentive to make this happen. Each pair of RATs is made up of an individual RAT (iRAT), with each student getting a grade for his or her performance. The iRAT is followed immediately by a team RAT (tRAT) in which the team works together on the same set of questions and is graded.

Individual mid-semester student papers: Each student will write three short (three-page) papers during the middle of the semester (in lieu of mid-term exams) as well as one longer paper (ten pages) at the end (in lieu of a final). The mid-semester papers will include one on an assigned interest group (during Unit 3 in the schedule below), one on one or more assigned Members of the House (drawing on units 4 and 5) and one on an assigned Senator (drawing on units 6 and 7).

Each person's House members and Senator will include people of different political parties. Students in the class will naturally have varied opinions about the merits of the bill we are studying, but these opinions will not generally be relevant to the class. Your job is to understand the members and the forces that shape their decisions. This is what any political leader has to do to build a majority on either side of any controversial issue.

Team portfolios, assignments, and class presentations: During each of the major segments of the course, you will be working in teams to assemble material and plan strategies for action. Some of the course units may end with public presentations by teams. In each of these cases, the presentations will be guided by a specific question, problem or task to which you be expect to respond. (These might take the form of a hypothetical question – one that that could easily begin with a phrase something like: "Imagine you are Speaker of the House Nancy Pelosi and you want to ....") The exact scenarios or questions will be announced as the semester progresses. In addition to the assigned dates indicated in

the syllabus, you should also expect your teams to be called on to gather information, think through, present and defend positions on a variety of issues almost every class period.

Individual end-of-semester paper: Each student will be expected to submit a ten-page paper during final exam week (in lieu of a final exam). The paper will ask you draw upon all of the individual and group work you have done for the full semester to enter the debate offered by the final week's reading assignments assessing Congress's performance as a democratic legislature.

How the various grades will be weighted:

Individual work (Total of 60%):

15%: Top 5 of 6 iRATS (3% each.)

15%: Three individual 3-page papers (5% each.)

25%: Final paper, ten pages

5%: Professor's assessment of contributions to group and class discussions + Attendance.

Team work: (Total of 40%)

15%: Top 5 of 6 tRATs (3% each.)

25% total: Team presentations, portfolios, and other activities. Peer Assessment grades used to weight group grades

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## POLICIES

**Internet + Laptops:** Internet research will be required to complete the assignments in this course. On many days, teams will be doing Internet research together and reporting the results. Each team will be responsible for assuring that one or more laptops are available for team use in class every day. Distributing students who have WiFi capability on their laptops will be a consideration in forming teams.

**Academic Honesty:** Students are expected to be familiar with and adhere to the university's regulations concerning academic honesty. A copy of those policies is summarized at the end of this syllabus, where you will also find a link to the full set of policy guidelines. Violation will result in a penalty that may include a failing grade in the course and referral to the appropriate university judicial authority.

**Attendance:** Attendance in class, on time, is expected. All teams will be working on material that will cumulate into graded group projects. Team members suffer when someone fails to contribute. The assessment of your performance by your peers is part of your grade. In addition, your attendance will be factored in with the instructor's evaluations of your performance in group and other class activities.

**Attendance at exams, RATs and other graded exercises:** There will be no makeup RATs or other in-class assessments. This includes team assessments that are not announced in advance. Excuses will be accepted only for an *adequately documented* illness or emergency. In the event of an appropriately documented excuse, the assessed activity will not be calculated as part of the student's grade.

**Late papers and assignments:** All papers and assignments are due on the date assigned. Students who turn in their papers on the assigned date will be eligible to receive a grade of up the letter grade of A. Students who choose to turn in their papers late will be deciding to have their grade reduced by one notch (for example, from a B to a B minus) for every day, up to a maximum of five calendar days. As with exams, excuses will be accepted only for an *adequately documented* illness or emergency. Days begin and end with the precise time required for submission – not a few minutes later. Because many

people often try to log in at the end, when access to the servers may jam up, you would be well advised to be early. Assignments turned in six or more days after the due date will not be accepted. Papers will be submitted on Blackboard, which will automatically put a date and time stamp on the submission.

**Electronic and hard copy submission of papers:** Papers will be submitted on Blackboard. Except for the final paper, hard copies will also be submitted in class.

**Blackboard:** All readings and other assignments (except the textbook) are posted on Blackboard and papers will be handed it through Blackboard. Chat rooms or lists will also be established for each of the learning teams. Change your email address on Blackboard to reflect the one you use. Blackboard can also forward all Blackboard messages to another email account.

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## SCHEDULE

NB: Everything (other than *Congress and Its Members*) is on electronic reserve on Blackboard.

“CQ” = Congressional Quarterly Weekly.

NOTE: Additional articles may be added during the semester.

### **INTRODUCTORY CLASS**

**Aug. 30**

[Practice RAT with temporary teams.]

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### **Unit 1: HEALTH CARE REFORM AS OF INAUGURATION DAY, 2009 (63)**

**Sept. 1, 6**

Sept. 1 (Form permanent teams)

Starr, “What Happened to Health Care Reform [in 1993-94]?” (1995) (12)

*[Reading question: Paul Starr was a significant “player” in the Clinton Administration’s team on health care reform. The lessons he and others took from that experience affected members of the Obama Administration, including chief of staff Rahm Emanuel who was in the Clinton White House. What were the relevant lessons and how, if you were a player in the Obama White House, would have the lessons affected your strategies for 2009?]*

Washington Post, *Landmark*, Introduction by Dan Balz (8)

CQ – Health Care in the 2008 Presidential Election, Oct. 6, 2008 (4)

Kaiser Family Fdn, “2008 Presidential Candidates’ Proposals: Side-by-Side Summary” (3)

National Exit Poll, 2008 (Health and Economic Issues highlighted on page 6ff.)

Blendon et al. “Voters and Health Reform ....”, *New England Journal of Medicine*, Nov. 6, 2008 (16)

Ceaser and DiSalvo: “Magnitude of Obama’s Victory” (10)

CQ – Health Care – [Post-election] Issue Preview, Nov. 24, 2008 (7)

CQ: House Vote Caps Long Legislative March, 03/29/2010. [Retrospective Two-Year Sequence. Shown in intro class. Read now to get a sense of the flow of events to come.] (3)

Sept. 6:

Class discussion will continue the above. You should be reading ahead (55 pages) to prepare for Sept. 8 RAT.

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### **Unit 2: PRESIDENTIAL POWER + NATURE OF THE DOMESTIC POLICY PROCESS**

**Sept. 8, 13, 15**

**Sept 8:**

**RAT ON THE FOUR ITEMS BELOW + WHAT WAS ASSIGNED FOR Sept. 1-6**

Congress... Members, ch. 10, pp. 301-10; 312-14, 324-328 (Presidency) (18)

Hargrove, "Presidential Power and Political Science", *Presidential Studies Quarterly* (2001) (15)

[*Reading question: What do the theories summarized as the "Power to Persuade" and "Going Public" tell you about the uses (and limits) of the tools available to the President in the battle for health care reform?*]

Congress... Members, ch. 1, pp. 1-4; ch. 14, pp 415-22; 424-28 (Domestic Policy) (18)

T. Birkland, "James Q. Wilson: Concentrated and Diffuse Costs and Benefits", pp. 142-45 (4)

[*Reading Question for the above two items: Where did the 2008 candidates' proposals fit in the policy typologies? What do the typologies say about the likely legislative politics President Obama's position would provoke and what it would take for his positions to prevail?*]

Sept. 13:

Poll results: Times series since Jan 2009:

Presidential Job Approval:

[http://realclearpolitics.com/epolls/other/president\\_obama\\_job\\_approval-1044.html](http://realclearpolitics.com/epolls/other/president_obama_job_approval-1044.html)

Congressional job approval:

[http://www.realclearpolitics.com/epolls/other/congressional\\_job\\_approval-903.html](http://www.realclearpolitics.com/epolls/other/congressional_job_approval-903.html)

Direction of Country: Right Direction/Wrong Track:

[http://www.realclearpolitics.com/epolls/other/direction\\_of\\_country-902.html](http://www.realclearpolitics.com/epolls/other/direction_of_country-902.html)

Health Care – Early Phase: (33)

Washington Post, *Landmark*, ch. 1: "The Call of History", pp. 11-27 (16)

CQ Articles: (14)

1/19/2009: Early Negotiations (3)

2/09/2009: Daschle Withdraws (2)

Sept. 15

White House Documents:

2/24/2009: Presidential Address to a Joint Session of Congress. Note highlighted section on health care + indicators of other subjects covered. (1)

3/05/2009: President's Remarks at the Opening of the White House Forum on Health Reform (4)

3/05/2009: White House Forum on Health Reform: Attendees and Program Schedule (7)

Articles:

3/02/2009: Obama's Budget – Big Plans (6)

3/09/2009: Health Care Summit (3)

**GROUP WORK:** On Sept. 13-15, and most other days, you may expect some form of group work, the successful completion of which will presuppose that you have done and thought about the reading before class.

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**Unit 3. COMMITTEES + INTEREST GROUPS**

**Sept. 20, 22, 27, (No class Sep. 29), Oct, 4, 6**

**Sept. 20:**

**RAT ON THE THREE ITEMS BELOW.**

Congress... Members, ch. 7 (Committees) (36)

Fenno, *Congressmen in Committees*, Introduction and ch. 1 ("Member Goals") (19)

Congress... Members, ch. 13 (Interest Groups) (25)

**Sept. 22, 27: Interest Groups**

CQ:

4/06/2009: Second Opinion (9)

6/01/2009: Health Care Mandates – A Sleeper Issue (4)

6/15/2009: Underwriting the Overhaul (4)

Other News articles on Interest Group Activity: (26)

- 06/08/2009 E.J. Dionne “Harry and Louise Have Changed” WP (1)
- 08/16/2009 K. Seelye, “Competing Ads on Health Care Plan Swamp the Airwaves.” (NYTimes) (3)
- 11/02/2009 Health Care – A Matter of Mandates (8) [Insurance industry]
- 11/13/2009 “Interest Groups Redouble Efforts” (1)
- 11/18/2009 “\$600 Million Spent to Influence Health Care Debate” (2)
- 01/06/2010 “How Interest Groups ... Are Financed ... Often Unclear” (3)
- 02/27/2010 “Interest Groups Rally for Big Finish” (3)
- 03/19/2010 “Interest Groups Play Health Hardball” (Politico) (5)

**INDIVIDUAL PAPER:** Due Sept. 27, beginning of class. Three-page interest group strategy papers (requiring research on interest group(s) to be assigned).

Oct. 4-7 Committees:

Membership Lists of the Senate HELP and Finance Committees  
Membership Lists of the House Committees on Energy and Commerce; Rules; Ways and Means

CQ:

- 6/22/2009: Senate HELP Committee Chairman Dodd (5)
- 6/22/2009: Senate HELP Committee – Rocky Start (3)
- 7/20/2009: House and Senate Committee Markups (5)
- 7/20/2009: Bills (so far) compared (1)

**GROUP WORK:** Groups will be doing detailed research on the relevant committees and their members before and during class. They will be expected to respond and make a presentation on Oct. 7 on a common task or problem, to be distributed as the time approaches.

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**Unit 4. HOME STYLES; PUBLIC OPINION; AUGUST RECESS**

**Oct. 11, 13, 18**

Oct. 11:

**[RAT ON THE FOLLOWING FOUR ITEMS]**

- Congress... Members*, pp. 1-4 and 125-46. (26)
- Gelman, Lee and Ghitza. “Public Opinion on Health Care Reform” (13)
- B. Nyhan, “Why the ‘Death Panel’ Myth Wouldn’t Die.” (16)
- CQ: 11/02/2009: Health Care Polls: The Question Helps Define the Answer (2)

Oct. 13:

CQ: August

- 8/03/2009: Debate Put Off Until Fall (5)
- 8/10/2009: White House Leadership [Is] Hands-Off (4)
- 8/10/2009: Overhaul Bill Struggles on Hill and at Home (2)
- 8/26/2009: Sen. Kennedy and Health Care (3)
- 9/07/2009: Fall Outlook (2)

Non-CQ Coverage of the August Recess:

- Charlie Cook, “Town Halls in Danger”, Aug. 11, 2009 (2)
- “Health Care Reform Emails Swamp Congressional Website”, Aug. 13, 2009 (1)
- Brownstein, “Thunder on the Right”, NJ, Aug. 21, 2009 (2)
- Anti-Reform Group Takes Credit for Helping ‘Gin Up Town Hall Rallies, Aug. 4, 2009
- 2011: Most House Members Not Holding Town Hall Meetings (NPR)

You Tube Clips of August Town Hall Meetings:

Barney Frank at Town Hall Meeting, August 2009 <http://www.youtube.com/watch?v=nYIZiWK2ly8>

ABC News Aug. 7, 2009 <http://www.youtube.com/watch?v=w4G9RGxahTM>

Petaluma, CA meeting. Aug. 31, 2009 (Rep. Lynn Woolsey) <http://www.youtube.com/watch?v=fZHTJaQuE-Y>

Read ahead. Next RAT covers 79 pages.

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**Unit 5. LEADERSHIP + FLOOR ACTION IN THE HOUSE**

**Oct. 20, 25, 27, Nov. 1, 3**

Oct. 20:

**[RAT ON THE FIRST FOUR OF THE FOLLOWING ITEMS]**

*Congress... Members*, ch. 6, House Leadership, pp. 157-77 (21)

*Congress... Members*, ch. 8, Rules and Procedures, (only pp. 245-58) (14)

*Congress... Members*, “Deliberation”, pp. 271-99 (30)

R. Douglas Arnold, “Strategies for Coalition Leaders” (14)

List of House and Senate Leaders, 111<sup>th</sup> Congress

Oct. 25

J. Kingdon, Decision Tree (1)

*[Reading question: How does this decision tree apply to your Members?]*

**Due date for Individual three-page papers on assigned representatives. Further description to come.**

Oct. 27: Party Unity and Division: (45)

CQ: 7/27/2009: Blue Dog Democrats (5)

D. White – “Blue Dog House Democrats, 2009-2010” (About.com)

CQ: 11/02/2009: Overhaul Package Heads to House Floor (4)

CQ: 11/02/2009: Highlights of the House Health Care Bill (1)

CQ: 11/07/2009: Roll Call Vote on Abortion Funding Ban (240-194)

CQ: 11/07/2009: Roll Call Vote on House Passage (220-215)

You Tube: 11/07/2009: Health Care Reform Bill Passes the House <http://www.youtube.com/watch?v=m9R33VNZC1g>

WSJ: 11/08/2009: Why Some Democrats Voted Against the House Health Bill (2)

Nov. 1: What is Legislative Leadership? (57)

President’s Speech of 9/9/2009: Either read full text on Blackboard (11 pp.) or view at this link (45 min):

<http://www.whitehouse.gov/video/President-Obama-Address-to-Congress-on-Health-Insurance-Reform>

Washington Post, *Landmark*, ch. 2 “The Land of Pelosi” (20)

LAT: 11/09/2009: To Pass Healthcare, Nancy Pelosi Dug Deep (LA Times) (3)

Politico: 11/09/2009: Tears, Tempers Fly (3)

CQ: 11/23/2009: A Speaker Learns to Live with Anger on Her Left (4)

2011 Comparison: “Activists on Both Sides Angry.” 2011-08-01 (2)

2011 Comparison: “Boehner Threads Needle” 2011-08-01 (Roll Call) (2)

Assessment: R. Peters and C. Rosenthal, *Speaker Nancy Pelosi ...*, “Energy and Health,” pp. 177-188 (12)

Nov. 3:

**GROUP PRESENTATIONS/ACTIVITIES ON LEADERS / LEADERSHIP. DETAILS OF ASSIGNMENT TO COME.**

Read ahead: RAT on Nov 8 covers 46 pages.

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**Unit 6. THE SENATE**

**Nov. 8, 10**

Nov. 8

**[RAT ON THE FOLLOWING FIVE ITEMS]**

- Congress... Members*, Senate Leadership, pp. 177-182 (5)
- Congress... Members*, Senate Scheduling and Procedures, pp. 259-266 (8)
- 2009-11-08: If Anything, the Senate’s Task is Trickier (NYT)
- Landmark*, ch. 3: The Power of One – Lieberman Blocks the Way (10)
- V. Moscardelli, “Harry Reid and Health Care Reform” (21)

Nov. 10:

Sept.–Dec. 2009 in the Senate

- 9/28/2009: Slow Going at Baucus Bill Markup (4)
  - 10/05/2009: Finance Nears Finish on Overhaul (4)
  - 10/19/2009: Assembly Required for Health Overhaul (4)
  - 11/02/2009: Broad Similarities in Health Care Bills
  - 11/16/2009: Rough Road Ahead (5)
  - 11/23/2009: Reid Unveils Health Overhaul Legislation (4)
  - 11/30/2009: Fresh Set of Hurdles (4)
  - 12/07/2009: Cat Napping for All-Night Sessions (1)
  - 12/14/2009: Despite a Deal, More Roadblocks Ahead (5)
  - 12/28/2009: Senate Passes Sweeping Health Overhaul (5)
  - 12/23/2009: Senate Roll Call Vote on Cloture
  - 12/24/2009: Senate Roll Call Vote on Passage
  - 12/28/2009: Highlights of the Health Bill
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**Unit 7. RESOLVING HOUSE-SENATE DIFFERENCES**

**Nov. 15, 17**

Nov. 15:

**Due date for Individual three-page papers on the Senate. Further description to come.**

Reading:

- Congress... Members*, ch. 8, “Resolving House-Senate Differences, pp. 266-269 (4)
- B. Sinclair, *Unorthodox Lawmaking*, ch. 1, How the Legislative Process Has Changed (7)
- Landmark*, ch. 4: The Rescue – Obama’s Last Chance (14)

Jan. – Feb. 2010

- 01/11/2010: Tentative First Steps toward a Deal (6)
- 01/18/2010: Deal Struck on Overhaul’s Funding (3)
- 01/18/2010: Nebraska’s Nelson Won More Than Medicaid Deal (1)
- 01/18/2010: Pelosi in Search of Democratic Converts (2)
- 01/25/2010: Election Upsets Overhaul Plans (2)
- 02/01/2010: Leaders Weigh Next Move on Health Care Overhaul (2)
- 02/08/2010: Could Health Care Be Reconciled? (1)

Nov. 17:

March, 2010:

- 03/01/2010: Tight Maneuvering on the Hill (4)
- 03/01/2010: Highlights of Obama’s New Proposal (1)
- 03/01/2010: Major Changes to Health Care under Reconciliation (1)

03/08/2010: High-Speed Drive for Health Overhaul Votes (3)  
03/15/2010: Democrats Set for a Pivotal Week (4)  
03/22/2010: Slaughter Pays the Price of Power (1)  
03/22/2010: Bill in Hand, Holdouts Weight In (4)  
03/21/2010: House Roll Call Vote on Passage (220-211)  
03/22/2010: Overhaul and Reconciliation Details (2)  
03/25/2010: Senate Roll Call Vote on Reconciliation (56-43)  
03/25/2010: House Roll Call Vote to Concur in the Senate Amendments (220-207)  
03/29/2010: Obama Seals Legislative Legacy with Health Insurance Overhaul (6)  
03/29/2010: House Vote Caps Long Legislative March [Retrospective Two-Year Sequence] (3)

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**Unit 8. WHAT HAPPENS NEXT? + ASSESSING THE SYSTEM**

**Nov. 22, 29, Dec. 1**

Nov. 22: Reading and research day; no class. Read ahead for the RAT on Dec. 1.

Nov. 24: Thanksgiving

Nov. 29:

Implementation:

04/05/2010: Health – After the Win, No Time to Lose (4)

Political, through Election 2010: (14)

03/28/2010: Public Split on New Health Law (3)

10/11/2010: Health Care in the 2010 Election (CQ) (3)

11/02/2010: Exit Polls – Economy, Anger Fuel GOP victory (ABC) (3)

11/29/2010: Targeting the Health Care Overhaul (CQ) (5)

Dec. 1 -- Judicial:

**RAT ON THE READING FOR DEC. 1-6**

02/22/2011: Third Ruling Upholds Health Law

08/12/2011: Eleventh Circuit Court Strikes Down Health Insurance Mandate (SCOTUS blog) (3)

Epstein: Why Don't We Go Back to First Principles? (4)

Tribe: Responding to the Eleventh Circuit and to Richard Epstein (7)

Read ahead: Time will be set aside in class for group work previewing the important material for Dec. 6.

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**Unit 9. ASSESSING THE SYSTEM**

**Dec. 6**

Reading: (39)

E. Bayh – “Why I’m Leaving the Senate” (NYT) Feb. 2009 (4)

S. Binder and T. Mann: “Constraints on Leadership in Washington” (Brookings) (18)

N. Ornstein – “Worst. Congress. Ever.” (Foreign Policy, July 2011). (6)

B. Sinclair, “Question: What’s Wrong with Congress? Answer: It’s a Democratic Legislature.” (11)

(Groups will be expected to criticize and defend in debate all of the above authors’ arguments.)

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**Dec. 6 is the last day of class.**

**Dec. 8 is a University-wide reading day.**

**Dec. 16, 12 noon. Final paper due on Blackboard.**

**(No final exam. This is the scheduled time for the exam.)**

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## APPENDIX 1: ACADEMIC HONESTY

The following statement material on academic honesty is excerpted from the current undergraduate bulletin. Students are expected to be familiar with these policies and to adhere to them. Because you are writing papers for the course, I have copied the paragraphs on plagiarism and reproduced them below. The full policy on academic honesty, including a discussion of procedures and potential penalties, appears at [http://www.albany.edu/undergraduate\\_bulletin/regulations.html](http://www.albany.edu/undergraduate_bulletin/regulations.html)

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### Excerpted from: Standards of Academic Integrity

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It is every student's responsibility to become familiar with the standards of academic integrity at the University. Claims of ignorance, of unintentional error, or of academic or personal pressures are not sufficient reasons for violations of academic integrity.

....

**The following is a list of the types of behaviors that are defined as examples of academic dishonesty and are therefore unacceptable.** Attempts to commit such acts also fall under the term academic dishonesty and are subject to penalty. No set of guidelines can, of course, define all possible types or degrees of academic dishonesty; thus, the following descriptions should be understood as examples of infractions rather than an exhaustive list. Individual faculty members and the judicial boards of the University will continue to judge each case according to its particular merit.

**Plagiarism:** Presenting as one's own work the work of another person (for example, the words, ideas, information, data, evidence, organizing principles, or style of presentation of someone else). Plagiarism includes paraphrasing or summarizing without acknowledgment, submission of another student's work as one's own, the purchase of prepared research or completed papers or projects, and the unacknowledged use of research sources gathered by someone else. Failure to indicate accurately the extent and precise nature of one's reliance on other sources is also a form of plagiarism. The student is responsible for understanding the legitimate use of sources, the appropriate ways of acknowledging academic, scholarly, or creative indebtedness, and the consequences for violating University regulations.

Examples of plagiarism include: failure to acknowledge the source(s) of even a few phrases, sentences, or paragraphs; failure to acknowledge a quotation or paraphrase of paragraph-length sections of a paper; failure to acknowledge the source(s) of a major idea or the source(s) for an ordering principle central to the paper's or project's structure; failure to acknowledge the source (quoted, paraphrased, or summarized) of major sections or passages in the paper or project; the unacknowledged use of several major ideas or extensive reliance on another person's data, evidence, or critical method; submitting as one's own work, work borrowed, stolen, or purchased from someone else.

## APPENDIX 2: INSTRUCTIONAL FORMAT

(Adapted from a document prepared by ITLAL)

This course will be using a Team-Based-Learning (TBL) format ([www.teambasedlearning.org](http://www.teambasedlearning.org)). This instructional method aims to help develop your workplace learning skills and will be done in a way that will hold teams accountable for using course content to make decisions that will be reported publically and subject to cross-team discussion/critique. You will be assigned to a team with approximately 6 members, based on responses to the “getting to know you” survey you will complete prior to the first week of the course. Teams will be announced during the first week of the term. You will sit with your team during all classroom sessions.

**Phase 1 – Preparation:** You will complete **specified readings** for each module.

**Phase 2 – Readiness Assurance Test:** At the first class meeting of most modules, you will be given a **Readiness Assurance Test (RAT)**. The RAT test (10 multiple-choice questions) measures your comprehension of the assigned readings, and helps you learn the material needed to begin problem solving in phase 3. Once the test is over, the instructor gives a short mini-lecture to clarify concepts that are not well understood as evidenced by the individual test scores. The purpose of phase 2 is to ensure that you and your teammates have sufficient foundational knowledge to begin learning how to apply and use the course concepts in phase 3. **RATs are closed book and based on the assigned readings.**

- **Individual RAT (iRAT)** – You individually complete a 10 question multiple-choice test based on the readings. These tests use Scantron™ forms, so pencils are required.
- **Team RAT (tRAT)** - Following the iRAT, the same multiple-choice test is re-taken with your team. These tests use a “scratch and win” type answer cards known as an IF-AT. You negotiate with your teammates, and then scratch off the opaque coating hoping to reveal a star that indicates a correct answer. Your team is awarded 4 points if you uncover the correct answer on the first scratch, 2 points for second scratch, and 1 point for third scratch.
- **Appeals Process** - Once your team has completed the team test, your team has the opportunity to fill out an appeals form. The purpose of the appeals process is to allow your team to identify questions where you disagree with the question key or question wording or ambiguous information in the readings. Instructors will review the appeals outside of class time and report the outcome of your team appeal at the next class meeting. Only teams are allowed to appeal questions (no individual appeals).

IMMEDIATE FEEDBACK ASSESSMENT TECHNIQUE (IF AT)					
Name	TEAM #1			Test #	1
Subject				Total	31
SCRATCH OFF COVERING TO EXPOSE ANSWER					
	A	B	C	D	Score
1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4
2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
3.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4
6.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
7.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

- **Feedback and Mini-lecture** - Following the RATs and Appeal Process, the instructor provides a short clarifying lecture on any difficult or troublesome concepts.

**Phase 3 - In-Class Activities:** You and your team use the foundational knowledge acquired in the first two phases to make decisions that will be reported publically and subject to cross-team discussion / critique. We will use a variety of methods to have you report your team’s conclusions at the end of each activity. On some occasions, all teams or selected teams will report the findings from their research and analysis to the rest of the class.