

# Science and Law

University of Oklahoma College of Law  
Fall 2018

Wednesdays 2:30 - 4:20 p.m.  
Classroom CLC

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## SYLLABUS

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**1. GOALS AND LEARNING OUTCOMES:** My primary goals for this seminar are for you to have the chance to explore the intersection of science and law (and in the process think more deeply about the law and its place in society), to develop the ability to act comfortably in the role of law teacher and law scholar, and to create a strong paper that will be helpful in establishing your career.

The following are key particular learning outcomes:

1. Be able to insightfully analyze readings and arguments concerning the intersection of science and law.
2. Be able to develop, research, write, and refine a strong scholarly paper on the law.

While it is not required that you publish your seminar paper or that it be of publishable quality, it is my strong hope that most of you will seek publication for the product you produce. You will be putting in a lot of work – why not maximize the return on your investment by taking it all the way to publication? And please keep in mind that after the semester is done, I can still be a resource for you in advising you to help you develop your paper further and to help you strategize about publication.

**2. COURSE STRUCTURE:** Most sessions will consist of two parts: (1) a writing portion, where we will function like a “writers group,” talking about scholarly writing and the progress being made on papers, and (2) a reading-discussion portion, where we will function like a “readers group,” having discussions on the day’s reading (or viewing, as applicable). For most classes, the

readers-group portion will be led by teams of students. How this will work out is that each student will be on two discussion-leader teams, thus leading discussion on two separate days. Discussion leaders have the discretion to structure their time according to their judgment. They could prepare questions for discussion in a traditional way, or they can get creative, asking people to play roles, do exercises, use technology, debate, or what have you. The key is to engage the rest of the class in the topic and the readings.

**3. CLASS WEBSITE:** The central repository for class materials and information is the class website. It is not password protected. Go to [ericejohnson.com](http://www.ericejohnson.com) and find the link on the upper left. The direct URL is: [http://www.ericejohnson.com/courses/science\\_and\\_law\\_18/](http://www.ericejohnson.com/courses/science_and_law_18/). We may also make some use of Canvas.

**4. MATERIALS:**

**4-1. Required Books to Purchase:**

Please have physical copies of the following books:

*Law and Science* by Steven Goldberg & Lawrence O. Gostin (Foundation Press 2006)

*Academic Legal Writing: Law Review Articles, Student Notes, Seminar Papers, and Getting on Law Review (5th Edition)* by Eugene Volokh (Foundation Press 2016)

**4-2. Other Materials:**

We will also have supplemental readings that will be available for free download, available using Westlaw or other databases to which students have access, or that will be distributed directly to students, perhaps by Canvas.

**4-3. Technology Expectation:**

I would encourage you to bring an internet-connected/web-browsing-capable laptop, tablet, or other portable general computing device to class for use in interactive polling, on-the-fly research, drafting exercises, participation in certain discussion formats, etc. It is my hope is that all students will be able to do so without incurring any additional expense; if you don't already have such a device you can bring to class, please let me know so we can discuss it.

**5. ASSIGNMENTS:**

**5-1. Posting:** Reading assignments will be posted to the Chart of Assignments, which may be accessed from the class webpage.

**5-2. Out-of-Class Workload Expectation:** ABA standards<sup>1</sup> indicate that the vast majority of a person's law-school education is meant to take place outside of class – at a minimum, roughly twice the amount of time you spend in class. In reality, given the requirement of the paper and the readings in this seminar, you will probably need to do more. But when planning your semester in terms of employment, volunteer obligations, commuting, or other demands on your time, you should at least keep the minimum expectation in mind.

**5-3. Approach to Reading:** Don't take anything you read for granted. Be critical. Try to read like a scholar: Instead of avoiding mushiness, confused explanations, or glossed over analytical steps, confront them. Welcome thoughts going through your head such as, "Mmmm, interesting!" "Ah ha! That makes sense!" "What is wrong with this writer?!?!?" or "That connects to this other thing we read ..." Use the reading as the raw material for coming to class filled with things to say, insights to share, and compelling questions to pose.

## **6. GRADING:**

**6-1. Overview:** Your grade will be based on a paper component (75 of 100 points) and a class-participation component (25 of 100 points). In addition, as discussed below, your grade might be adjusted upward based on exceptional classroom performance or downward based on attendance, lateness in turning things in, or misconduct.

**6-2. Initial Assigning of Grades and Grade Distributions:** I will add up the paper-component points and the class-participation points, and I will use the sum to make an initial assignment of grades. This initial assignment of grades will not be done on a curve or to correspond to a pre-determined grade distribution or pre-determined grade point average. This means you are not in competition with your fellow students for a limited pool of grades. (Thus, please favor cooperation and generosity with your classmates!) To make the initial assignment of grades, I will look at the total points and use my discretion to draw grade cut-offs based on natural breaks and clumps that occur in the point totals, a developed sense of how a given letter grade corresponds to levels of performance and achievement, and precedent set by grade distributions in various courses in prior semesters. But I treat precedent lightly. If the whole class does well, then the grade point average can skew higher. Of course, the reverse could be true. Bottom line, I aim for grading that is fair, so the grading should neither be harsh nor an easy A. Then, after the initial assignment of grades, I will retain the discretion to adjust grades upward one or two steps, as discussed below. Grades can also be affected by severely or profoundly deficient attendance and by academic dishonesty, as discussed further below.

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<sup>1</sup> The American Bar Association (ABA) is the accrediting body for American law schools. Regarding the out-of-class workload expectation, see Standard 310 at [https://www.americanbar.org/content/dam/aba/publications/misc/legal\\_education/Standards/2017-2018ABASStandardsforApprovalOfLawSchools/2017\\_2018\\_standards\\_chapter3.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2017-2018ABASStandardsforApprovalOfLawSchools/2017_2018_standards_chapter3.authcheckdam.pdf).

### **6-3. Alternative Minimum Grading:**

(a) In addition to the method of the initial assignment of grades discussed in §6-2, I will also calculate an alternative minimum grade for each student in terms of a percentage of possible points for the exam, according to this schedule:

A+	97% to 100%
A	93% to 96.99%
A-	90%to 92.99%
B+	87%to 89.99%
B	83%to 86.99%
B-	80%to 82.99%
C+	77%to 79.99%
C	73%to 76.99%
C-	70%to 72.99%
D+	67%to 69.99%
D	63%to 66.99%
D-	60%to 62.99%

If the alternative minimum grade according to this schedule is higher for any student than the assignment of grade under the method disclosed in §6-2, that student's initial assignment of grade shall be the alternative minimum grade.

(b) Note that through the alternative minimum grading approach described here, it is possible that one or more students' grades might end up higher than they would have been otherwise. But nothing in this §6-3 can work to make a student's grade lower than it would be otherwise.

(c) For clarity, note that this alternative minimum grade applies prior to any adjustments made upward or downward, including for lateness, attendance, misconduct, etc.

### **6-4. Grading the Class-Participation Component:**

(a) Class participation will count as one-quarter of the points for the initial assignment of grades. In talking about class participation, I mean to refer to that part of the class that is not the paper. Thus class participation for grading purposes is generally in-classroom discussion, discussion leadership, and presentations.

(b) **Quantum point system:** Based on my evaluation of your class participation, I will assign points on a "quantum" basis at one of four discrete levels: 25 points, 20 points, 13 points, or 0 points. I will not assign any intermediate amounts. (For instance, I will not assign 23 points, 8 points, or 19.593 points.)

(c) For full credit for class participation, it is not necessary that the student give the “right” answers to questions. First of all, this class is much more about asking questions, offering opinions, and looking for insights than it is about right answers. But to the extent answers might be right or wrong, consider that wrong answers are part of the learning process, and class participation is about furthering the learning process.

(d) Negatives for class participation include exhibiting visible disengagement in the classroom, being unprepared for class, disruptive behavior (including, but not limited to, a pattern of appearing distracted by a computer or phone), conduct contrary to the Classroom Conduct Rules (listed below), conduct contrary to other admonitions communicated in the syllabus or otherwise, and any conduct that detracts from the educational process.

(e) **A rough guide / rubric for assigning point values:** In addition to the guidance disclosed above and further below, I will use the following as a general guide in making class-participation point assignments:

25 points      The student participated in class with alacrity, showing consistent preparedness and willingness to engage. It is evident that the student made a genuine effort to do all or very nearly all the assignments at a reasonably high level. The student read deeply and critically and wrestled with the puzzles presented. The student never or almost never seemed disengaged from class or discussion, such as being absorbed in a phone, working on e-mail, etc. The student showed energy and full effort in the role of a discussion leader and showed good faith in doing the presentation and using it as an opportunity to try to better her or his paper.

20 points      The student participated consistently and was generally well-prepared and engaged with the class in good faith, but the student came up short of the level of participation described as appropriate for 25 points. As judged against the bulk of the other students, it would seem inappropriate, perhaps even unfair, to give this student full credit for class participation. Perhaps, for instance, there were multiple classes in which the student appeared not fully prepared, perhaps the student sometimes seemed visibly disengaged.

13 points      The student’s participation and engagement was notably lacking. The student was, however, prepared more often than not, and is thus deserving of more

than half the points for the class-participation component.

0 points      The student's participation was substantially lacking, and the student does not, in my discretion, seem deserving of more than half the points for the class-participation component. Note that this level of zero points is the appropriate level of points for any student who comes up short of the 13-point level. So if, under a "non-quantum" system, one student would appropriately be awarded 12 points, and another student would appropriately be awarded one point, both those students would be awarded zero points under this "quantum" system.

#### 6-4. Grading the Paper Component:

(a) *In general:* Your paper will count as three-quarters of the points for the initial assignment of grades – thus, 75 possible points.

(b) *Points for the progress deliverables:* Of the 75 points for the paper, 10 points are for the five "progress deliverables," i.e., the deliverables prior to the final paper. Described in greater detail below, they are: (1) paper proposal, (2) abstract, (3) outline and research notes, (4) rough draft, and (5) comment draft. These progress deliverables will not be assessed for grading purposes beyond meeting the threshold requirement that they are complete, submitted on time, in adherence to the required format, and show good-faith effort. For each progress deliverable that meets this threshold, the student earns two points. This is meant to be on an all-or-nothing basis, but if a progress deliverable does not meet this standard, but comes close, I may in my discretion award one point or some fraction.

(c) *Penalties for lateness:* There are no separate, additional penalties for lateness of any the first four progress deliverables other than losing out on the points described above. But **there are special lateness penalties for late submission of the comment draft, and there are special lateness penalties for late submission of the final paper**. The penalties are the same for both the comment draft and the final paper: Late not more than one hour, 1% will be deducted from the paper-component grade. (This means, for instance, that if a paper earned an A+, which translates to 65 out of 65 possible points for the course grade, an instance of less-than-one-hour lateness on the comment draft or the final paper would require 0.65 points off.) Late not more than two hours, 2% will be deducted. Late not more than three hours, 3% will be deducted. And so on up to a maximum of 5% for the first calendar day. If the paper is turned in the next day (after 11:59 p.m. on the due date), an additional 5% will be deducted for a total of 10% deducted. Each additional day late will result in a further 10% deduction. **Note that such penalties are cumulative** with regard to the comment

draft and the final paper. If a student turned in both the comment draft and the final paper each a day late, then that is a total of 20% off the paper component. Please note that **if you going to be late with turning in a physical copy on paper, at least try to get it submitted electronically on time.**

(d) *Special extenuating circumstances justifying amelioration of negative grading consequences of lateness:* Please submit everything on time. But if something unforeseeable crops up that keeps you from submitting something on time, I may consider that as special extenuating circumstances that ameliorate negative grading effects from lateness – including loss of progress-deliverable points and special lateness penalties, as described above. If you or your wife, girlfriend, or roommate suddenly goes into labor, if a family member suddenly becomes ill, if your house catches on fire, etc., these can be considered under the rubric of special extenuating circumstances. I'd obviously rather you not miss the birth of your child to get something in on time. Yet it doesn't have to be that dramatic. Let's say there's an accident on the freeway that causes a traffic jam that makes you late in turning in your paper. Honestly, that's a terrible excuse – but I'd rather you be late than be unsafe weaving through traffic on surface streets. **To the extent you have special extenuating circumstances you wish to claim, you must submit an End-of-Semester Mitigation Statement, as described below in §9-6.** Also, keep in mind what I said above – if you are going to be late with the paper copy, try to at least get the electronic copy submitted on time – that's helpful in the context of claiming extenuating circumstances.

(e) *Minimum requirements:* The final paper must meet the minimum requirements set out below. Note that if the final paper does not meet these minimum requirements, the student cannot receive a passing grade for the course.

- The paper must be original work that makes a claim about a legal subject within the broad scope of the seminar – meaning it relates significantly to the intersection of law and science.
- It must have meaningful organization and the citation must correspond to legal citation style in either the most recent edition of *The Bluebook: A Uniform System of Citation* or *ALWD Citation Manual*.
- It is at least 7,125 words for the body – i.e., including the footnotes, but not including the abstract, and not including any table of contents, bibliography, or appendix, if present. The body without the footnotes is at least 5,000 words.<sup>2</sup>
- It includes an abstract.

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<sup>2</sup> If there is substantial conformance to the word count, but the paper is somehow below the threshold in a manner consistent with oversight or error, I reserve the right to not fail the student from the course but instead to negatively factor the deficiency into the paper grade.

- In terms of form and style, it is in standard written English and shows generally comprehensible spelling, grammar, and punctuation.
- The paper must be developed for this course, was not pre-existing, and cannot have been previously submitted, nor is simultaneously being submitted, for academic credit in another course. Any exception to this must be approved by me in writing, and would only be appropriate in a situation in which the additional content and value added corresponding to this course met or exceeded the productivity required of a fully autochthonous paper.

(f) *Substantive guide for grading the final paper:* Here is the substantive guidance or rubric for grading the final paper. References to “minimum requirements” are to those set forth in §9-6(e), *supra*.

- F A paper with a grade of “F” does meet one or more of the minimum requirements.
- D- The paper meets the minimum requirements.
- D The paper exceeds the minimum requirements in some meaningful way.
- D+ The grade of “D+” is appropriate for a paper falling between the C- and D standard.
- C- A paper with a grade of “C-” substantially exceeds the minimum requirements at least some important respects, shows in some portions a lawyerly quality of writing and argument, and evidences some meaningful engagement with sources. It is mostly organized in a competent manner.
- C A paper with a grade of “C” substantially exceeds the minimum requirements in at least some important respects, shows in substantial portions a lawyerly quality of writing and argument, and evidences substantial engagement with sources. It is organized in a competent manner. It displays good effort and evidences some meaningful learning from the course with regard to writing scholarship.
- C+ The grade of “C+” is appropriate for a paper that exceeds the C standard but falls short of the B- standard.
- B- The paper is a scholarly, well-documented and well-written paper that develops a thesis on a legal topic within the broad scope of this seminar’s subject matter. It makes a novel, nonobvious claim with sound reasoning and argument. It is fully researched and supported by authority. It has good organization. It exhibits strong spelling, punctuation, grammar, and citation style.



- B** In addition to meeting the B- standard, a paper for which a grade of "B" is appropriate has a claim that is compelling and, in a very broad sense, intellectually or practically useful to some extent. It displays a grasp of the relevant literature, doing at least some challenging/critiquing of assumptions or conclusions from that literature. It provides a clear background that serviceably situates a legally trained reader who has no special knowledge about the paper's topic. It substantially evidences incorporation of lessons about writing from the seminar, including the assigned reading regarding scholarly writing. It shows an economy of writing, and it does not appear to be padded in an effort to make the word-count minima.
- B+** A grade of "B+" is appropriate for a very good paper that substantially exceeds the B standards, evidencing a deep engagement with a considerable variety of sources, manifesting intellectual creativity and critical thought, and contributing meaningfully in some fashion within its chosen subject matter. Such a paper has strong, easy-to-follow organization, is clearly written, and is substantially free of grammar/spelling/punctuation problems. It shows admirable word economy. The manuscript shows some promise of publishability.
- A-** The grade of "A-" is appropriate for a paper falling between the B+ and A standard.
- A** A grade of "A" is appropriate for an outstanding paper that exhibits excellence in all or nearly all respects, going very substantially beyond the standard of a "B+" paper. The paper makes a claim whose substantial intellectual or practical utility to a legal audience is readily apparent. The paper shows a high degree of intellectual creativity and critical thought, and it indicates the author's expert command over the chosen subject matter. These qualities are evidenced with citation to a wide array of sources and exquisite, appropriately critical engagement with those sources. The argument is easily understood. The organization is strong, and the paper progresses logically and smoothly. The writing is clear, straightforward, and highly polished, virtually free of grammar/spelling/punctuation problems. Moreover, the paper unambiguously makes a new contribution to thought or understanding in its area. It evidences mastery over what was taught in the seminar with regard to scholarly writing, including what was communicated in class and in the assigned materials. It deserves publication.
- A+** A grade of "A+" is appropriate for a paper that goes substantially beyond the A standard. It would be considered strong work for a full-time professional legal scholar or well-published scholastically-active practitioner. It is not only publishable, it deserves particular attention

from relevant scholars and, depending on the topic, judges, lawyers, or lawmakers who are influential with regard to its subject matter.

For calculating the course grade, the above letter grades will be translated to points. The point value will be the highest whole-number percentage in the grading band for that letter grade according to the table in §6-3(a) multiplied by 65 (since the paper is worth a total of 65 of 100 points). So, a grade of A+ would be 100% times 65, which is 65 points; a grade of B+ would be 89% times 65, which is 57.85. The exception is F; a grade of F on the paper will presumptively be numerically translated as 0 points.

#### **6-5. Discretionary Step-Up Adjustments:**

(a) Subsequent to the initial assignment of grades by the means discussed above, I may, on the basis of class participation, add to one or more students' grades on a discretionary basis, with the result forming the grade for the course. Such adjustments, if made, will ordinarily be no more than one step, such as from a B to a B+. In extraordinary cases, I could make an adjustment of two steps. For instance, suppose a student's paper was such that it pulled the course grade down to a D despite that student having received 25 points for participation, and suppose that student was one of the strongest in class and showed truly extraordinary effort, creativity and engagement. In such a case I might consider a two-steps-up adjustment from the initial assignment of grades, such as from a D to a C-.

(b) Substantively, the rationale for a step-up adjustment will involve the quality of the student's responses. In contradistinction to the class-participation component, described above, which is more about effort than it is about offering outstanding responses, discretionary step-up adjustments *are* a matter of distinguishing one's self positively from one's fellow students, and it *would not* be appropriate to give all students in the class a discretionary step-up. Thus, for a discretionary step-up, I would be looking at both effort and quality – insight and perspicacity alongside habitual, diligent engagement. Also potentially important is my perception of a striking difference between the student's class participation and the student's initially assigned grade (as alluded to in the example in the preceding paragraph). It also may matter where a student's score falls within a grade band. For instance, I would be more likely to upwardly adjust an extraordinary class participator to an A- if that person already has the highest score among the B+ grades. Regarding the effect of attendance, see §6-6, *infra*.

**6-6. Attendance and Grading:** This is a seminar course, and it is built around participation. Moreover, it only meets once a week. These things together make attending every class very important. Thus, absences and tardiness can have a negative effect on your overall course grade. If attendance issues are severe enough, they can result in mandatory step-down adjustments of the final grade or the assignment of a failing grade or the imposition of involuntary

withdrawal. See §9 on attendance, *infra*. In addition, absences and lateness may figure into deciding whether to award a discretionary step-up adjustment for class participation – that is, even where absences have not accumulated such that they would cause an automatic step-down in grade (as described in §9), if there is more than one absence, attendance can be noticed in the context of overall class participation when I am considering step-up adjustments. As to whether and how attendance will be considered, factors will include the number of absences and partial absences, the student’s attendance record in comparison with the attendance records of others, courteousness and professionalism in dealing with attendance issues, and extenuating circumstances.

**6-7. Academic Misconduct/Dishonesty and Grading:** Cheating, dishonesty, or serious academic misconduct of any kind in this class will presumptively result in a failing grade (e.g., a letter grade of F) for the semester.

In any instance of misconduct, I reserve the right in my discretion to request involuntary withdrawal or award a lower grade other than a failing grade if I find there to be extraordinary mitigating circumstances. Despite my reservation of rights in this regard, however, do not expect leniency.

Please note that the awarding of a lower grade or a failing grade for misconduct is not to the exclusion of other sanctions, and I intend, in virtually all instances, to refer cheating or serious academic misconduct to the College of Law and/or the administration of the University of Oklahoma for being dealt with under applicable policies, including the Code of Academic Responsibility.

## **7. COMMUNICATIONS AND OFFICE HOURS:**

**7-1. Office and Office Hours:** My office is on the third floor, room number 3034. My phone is 405-325-2273. I post open office hours on my website at [ericejohnson.com](http://ericejohnson.com). I may post a sign-up sheet outside my office for students to reserve slots ahead of time. If office hours are not convenient, please do not hesitate to e-mail me to make an appointment to talk, and when you do, it helps if you include some suggested times that work for you. I am happy to meet students after the completion of the course, either by appointment or during open office hours, for review and consultation, including providing feedback on the final paper.

**7-2. E-mail:** My e-mail address is [eric.e.johnson@ou.edu](mailto:eric.e.johnson@ou.edu). Please note that I do not answer or discuss substantive questions about the law through e-mail. Why not? The answer to a substantive question is almost always, “It depends ...”, and thus it becomes very difficult to draft satisfying written responses to substantive questions. Answering those questions in person is much easier, because I can ask clarifying questions and we can go back and forth until there’s an answer you find satisfactory. So please bring substantive questions to class or to office hours.

Please do not ask questions for which the answers are clearly found in this syllabus. And if you miss class, please ask other students what you may have missed.

Any e-mail communications you have with me should be prepared in a professional manner, including the use of a meaningful subject line. Also please note that, perhaps unlike many students, I do not read e-mail on a constant basis. So please be patient for a reply.

### **7-3. Faculty Reporting Obligations; Lack of Confidentiality; No Legal Advice:**

(a) It is important for students to understand that faculty are subject to various mandatory reporting obligations stemming from federal law, state law, and university policies adopted to make our community safer. Information a student shares with me, that I may be obligated to report, may include, but is not necessarily limited to, that which relates to sexual harassment; gender-based discrimination; sexual-orientation discrimination; other forms of discrimination; sexual assault; stalking, dating or domestic violence; child abuse or neglect; and various crimes. This might include third-hand accounts of claims or allegations of these things. Mandatory reporting obligations can cover things that happened in the past, on or off campus, involving university-affiliated persons or not. The requirements can be complex. More information can be found here: <http://www.ou.edu/eoo/reporting-responsibilities>. Bottom line, **you should assume that nothing you tell me will be kept in confidence.**

(b) Please do not ask me for legal advice. I am not licensed to practice law in Oklahoma, and I cannot be your attorney. It is my job to prepare you eventually to give legal advice to others, and I am obviously happy to talk through hypotheticals with you, as that is a key way of exploring and learning the law. But giving legal advice upon which someone should be able to rely generally takes working up an in-depth understanding of the facts and taking a careful appraisal of the client's interests – all of which calls for working in the context of a confidential relationship. It also sometimes requires doing legal research. I'm not in a position to do any of that for you.

**7-4. Letters of Recommendation, Serving as a Reference:** It's important to me to do a good job as a reference for my students. So if you might wish for me to serve as a reference for you or write a letter of recommendation for you in the future, then I ask you to let me know that on the last day of class with an e-mail that attaches your résumé. This will allow me to file away some notes about my recollections of you, and then I can use those notes in the future as a basis for writing a letter for your or taking a telephone call on your behalf. I also refer you to a memo I've written about references and recommendations: Find the link on

the left side of my homepage.<sup>3</sup> If you review that memo, you can help me to do the best possible job in helping you. Please note that I strongly encourage you to consider using me as a reference. As a seminar teacher, I will likely have a better opportunity to get to know you and to attest to your talents and abilities than an instructor in a lecture class.

## **8. IN THE CLASSROOM:**

### **8-1. Classroom Conduct Rules:**

In general:

- (a) Avoid behavior that might disrupt class or distract your fellow students.

Some specifics:

- (b) Do not eat in class. Do not chew gum audibly or with your mouth open.
- (c) Refrain from any use of a digital device where such use could reasonably disrupt class or distract fellow students. All digital devices must be operated without audio volume. Screens must not display any distracting content, including, but not limited to, distracting images, indecent content, moving images (video), and animation or flashing graphics. (If you are being distracted by a classmate's digital device usage, please let me know! If you are being distracted, it is almost certain multiple people are being distracted at the same time. Once I know about this, I can then communicate with that student about issue – which I will seek to do tactfully, without causing anyone any embarrassment.)
- (d) You may use digital devices (including, without limitation, computers, phones, and tablets) in class; however, from the time of class's scheduled beginning until class ends: (1) You may not engage in any digitally enabled network communications with anyone else in class, including, but not limited to, e-mail, text messaging, and IM'ing. (2) You may not engage in any web publication or any live-updating/realtime digitally enabled network communications with anyone at all, including, but not limited to, live chat, Facebook (including, but not limited to, Facebook groups), Twitter, Snapchat, Instagram, What's App, and the like. The prohibitions of this subparagraph (d) are not limited by context and apply without regard to whether the activity in question can be characterized as disruptive or distracting. Any violation of the policy in this subparagraph (d) will presumptively

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<sup>3</sup> The direct URL is [http://ericejohnson.com/docs/Memo\\_to\\_Students\\_re\\_References.pdf](http://ericejohnson.com/docs/Memo_to_Students_re_References.pdf)

result in a lowered course grade and may also be referred for disciplinary action. The prohibitions of this subparagraph (d) do not apply if and when you are absent from class and not on campus, nor do they apply to communications with OU information-technology staff for technical-support purposes. Bottom line: Keep the discussion in class, where it is productive and beneficial for all.

## **8-2. Personal Circumstances Affecting Participation:**

This is a seminar, so participation is a crucial element. If you cannot participate fully for a particular class because of some personal circumstances (and there's no need to disclose anything in detail), please tell me before class, in person. Reasonable requests of this sort are entirely understandable.

## **8-3. Audio Recordings and Video:**

No one is permitted to make an audio or video recording or transmission (e.g., livestream) of class without my express, written permission. A key part of a seminar is open discussion. Students must feel free to try things out and think openly. Student recordings of class time would impede that. Now, that being said, it is possible I might record some classes or portions of classes. (Sometimes it's helpful for me in improving my teaching – for example, if I feel I've done something particularly well, I can go back and listen to it the following year to try to replicate it.) But to the extent I do make a recording, please don't ask me for a copy, because I don't want to distribute any audio that captures student voices. If I do record in class, you'll be aware, because I will use a clip-on mic or otherwise let you know.

# **9. ATTENDANCE AND DEALING WITH LATENESS IN DELIVERABLES:**

**9-0 Communications About Lateness with Deliverables, Asking for Deadline Extensions:** If you know well in advance that you will need a deadline extension, you are welcome to e-mail me about that. But my general preference, which is a strong one, is that you do not ask for deadline extensions. This is particularly the case with sudden unforeseen circumstances that prevent you from turning something in on time. Instead, I encourage you instead to turn in whatever it is as soon as reasonably possible and then apprise me of special extenuating circumstances through an End-of-Semester Mitigation Statement, as described below in §9-6. Please note that negative grading consequences for lateness in deliverables is described above in §6-4.

**9-1 Communications About Attendance:** I appreciate your letting me know by e-mail if you are or anticipate being absent. But there is generally no need for you to explain to me why you have been absent. The only reason I imagine that I would need to know why you are absent is if attendance is approaching a severely deficient level (discussed below) and it becomes

necessary to discuss extenuating circumstances, if your absence is excusable under university or college policy and you wish to have it excused, or if you will miss a class where you were scheduled to be a discussion leader or to give a presentation. (Please don't miss a class where you are scheduled to be a discussion leader or give a presentation!)

**9-2. In General:** My view is that punctual, regular attendance in class is an essential component of the educational experience. That is particularly the case in a seminar class. Moreover, OU College of Law policy states that "students are expected to attend all classes in those courses for which they are enrolled."

Notwithstanding the expectation that you will attend all classes, I expect that students may have occasional, isolated absences. But how does one draw the distinction between the well-meaning student who missed some classes with good reason and the student who is not making attendance a priority? It's not easy. Thus, I am providing this detailed attendance policy. I regret that it is so long. Nonetheless, seriously deficient attendance must incur serious consequences; therefore, I've erred on the side of particularity.

**9-3. Specifics Concerning Effects of Absence from Class:**

(a) **Late Arrivals and Early Departures:** As the expression goes, better late than never. But bear in mind that tardiness is disruptive. For purposes of determining the appropriateness of penalties discussed below, a late arrival or early departure will count as a quarter of a whole absence. In my discretion, however, a very late arrival or a very early departure may be counted as a half or a whole absence. (For recordation of late arrivals and early departures, see §9-4, *infra*.)

(b) **Comings and Goings; Intraclass Absences:** I understand that you may have an urgent need to leave class for a short time. Bear in mind that leaving and re-entering class is disruptive, so please do so only when necessary.

(c) **Attendance's Effect on Discretionary Aspects of Grading:** Be aware that absences and lateness may factor into my decision about whether or not to award a discretionary step-up adjustment for class participation. (See §6-5 and §6-6.)

(d) **Automatic Reduction in Grade for Severely Deficient Attendance:** Independent of and cumulative with any effects of attendance on the class-participation grading component, a student's grade will be automatically reduced as follows: **three (3)** or more absences will result in the dropping of a student's final grade by one step (e.g., from a B to a B-); **four (4)** or more absences will result in the dropping of a student's final grade by one step (e.g., from a B to a B-).

(e) **Involuntary Withdrawal or Failing Grade for Profoundly Deficient Attendance:** For a student with a profoundly deficient attendance record, I will presumptively have the student involuntarily withdrawn from the

course without credit and with a grade of F, have the student involuntarily withdrawn from the course without credit and with some other grade that may be appropriate under university or college policy, or award a failing grade at the end of the semester. For these purposes, I will presumptively regard as profoundly deficient attendance five (5) or more absences. Recall that partial absences (i.e., late arrivals, early departures) each will count as a quarter of an absence and may, in my discretion, be construed to constitute a whole absence. **It is your responsibility to keep track of your own absences, including with regard to the presumptive involuntary withdrawal or failing grade.** Thus, do not ask me to calculate your attendance record so that you can weigh whether to miss an additional class. And do not expect to get independent notice that you are approaching the threshold for failing or being involuntarily withdrawn. **This syllabus provision is your notice.**

(f) **Special Extenuating Circumstances:** In consultation with the Dean, or an associate or assistant dean, I may take account of special extenuating circumstances in deciding whether to drop a grade, award a failing grade, and/or request involuntary withdrawal. Special extenuating circumstances can include weather emergencies, personal illness, illness of a close family member, bereavement, etc. Extracurricular activities, job interviews, court appearances, or the like can be considered in this vein as well. (For absences caused by religious observances, see §9.3(g), *infra*.)

Notwithstanding the foregoing, it is expected that under almost all circumstances students will be able to keep absences within the numerical thresholds identified above – including absences caused by illness, storms, job interviews, etc. Giving students special dispensation on the issue of attendance will only be done if appropriate under the totality of the circumstances. As an example, suppose a student was absent from class a number of times because the student wanted to sleep in; then, at the end of the semester, the student was absent one or more additional times because of an out-of-town job interview. In such a case, if the job-interview absences takes the student over the threshold for an automatic reduction in grade, then the grade reduction is appropriate. If the student had been generally conscientious about attendance from the beginning, the student would not have created any issue with missing class for the job interview.

**If you wish for me to consider any special extenuating circumstances with regard to your attendance, then you must file an End-of-Semester Attendance Mitigation Statement,** as discussed in §9-6.

Note that you should not feel compelled to discuss with me reasons for absences or extenuating circumstances if your attendance is not approaching a severely deficient level.

(g) **Absences Resulting from Religious Observances:** In accordance with University of Oklahoma policy, I will excuse absences that result from



religious observances. To have an absence excused on the basis of a religious observance, **you must file an End-of-Semester Attendance Mitigation Statement**, as discussed in §9-6. You should also separately contact me as appropriate or useful during the course of the semester in regard to such absences.

**9-4. Attendance Record:** To avoid being distracted in class by constantly noting things like late arrivals and early departures, I generally require students to log their own attendance. Thus, it is of paramount importance that you deal with all attendance issues with utmost honesty, integrity, and care. Inaccuracies in marking an attendance log or late slip will presumptively be treated as academic misconduct and will presumptively result in a lowered grade or a failing grade. If an inaccuracy is inadvertent, prompt self-disclosure is encouraged and will be considered ameliorative.

(a) **Means of Taking Attendance:** Attendance may be taken by means of a log (paper sheet or card) for students to fill out during class, by roll call, by reference to the seating chart, or by some other method.

(b) **Indicating Attendance:** If attendance is taken by means of a paper log, then when the attendance log comes around to you, fill it out as instructed, indicating your attendance for the instant date. ("Instant date" means the current date as you are looking at the log.) Indicating your attendance this way is your responsibility. If the attendance log does not come around to you, then it is your responsibility to make sure you are marked as having attended; simply come up to me immediately after class and ask to fill it in. If you omit to fill in the log during class or immediately afterward and before I leave the room, you will be counted as absent.

This is very important: You may only fill out the attendance log on behalf of yourself and for the instant date. You may not mark the log on behalf of another person, even if that person is in attendance, and you may not permit another person to mark the log on your behalf. You may not make any mark indicating your attendance for any other date other than the instant date, even if you were or will be in attendance on that date.

(c) **Self-Reporting Partial Attendance:** If an attendance log is used, and if you will need to depart class early and not return, then you must make an appropriate notation of that on the attendance log. Alternatively, if you have a change of plans requiring you to leave early despite not having indicated that in advance on the attendance log, then you must inform me by e-mail as soon as reasonably possible afterward to correct the record.

(d) **Filling Out of Late Arrival Slips:** If you arrive late to class, you must legibly and completely fill out a late arrival slip before you sit down. If a blank late arrival slip is not available for you, then before you take your seat you

must hand to me a letter-size sheet of paper providing your name, the name of the class, the full date, the day of the week, and the time of your arrival.

(e) **Unrecorded Absences:** At my discretion, I may announce that for a particular class meeting I will not record attendance and that absences from such a class meeting will not count for purposes of the attendance policy. Situations in which I might deem this appropriate are: (1) if it is necessary to hold a make-up class at an irregular time or (2) if there is the occurrence of a disaster that implicates issues of safety or public necessity. It is also possible that I may omit to record attendance for a class. That being said, recordation of an absence is a distinct issue from the existence of an absence. And for the purposes of self-disclosures of profoundly deficient attendance under §9-5, *infra*, a student's self-disclosure obligation is not relieved by the fact that one or more absences (including partial absences) may be unrecorded. Toward the end of encouraging candor, I will exercise discretion with unrecorded-but-disclosed absences and may choose not to count them for purposes of grade penalties and administrative withdrawal. So err on the side of disclosure.

**9-5. Mandatory Immediate Self-Disclosure Statement of Accumulated Absences in Cases of Profoundly Deficient Attendance:** I do not add up and calculate accumulated absences on an ongoing basis during the semester. As mentioned previously, it is each student's responsibility to keep track of her or his own absences. In keeping with that: **Upon a student's accumulation of a record of profoundly deficient attendance (see §9-3(e), *supra*), that student is required to disclose such accumulation immediately in writing to me.** The disclosure must be made to me by e-mail (eric.e.johnson@ou.edu) with a paper copy handed to me in person, or, if in-person delivery is not practicable, to a faculty administrative assistant with an explicit explanation of the nature and urgency of the communication. The subject line of the disclosure e-mail must be "Self-Disclosure Statement of Accumulated Absences."

If the student hopes to avoid involuntary withdrawal or the awarding of a failing grade for the course, then the statement must explain the reasons for the student's absences, or at least a portion of the absences sufficient to avoid the profoundly deficient attendance, and must provide a rationale for why the student should be allowed to continue in the course notwithstanding the accumulated absences. Any supporting backup documentation that is to be considered must be provided with the statement. To this end, the student is referred to §9-3(f), *supra*, regarding special extenuating circumstances.

If a student has already submitted a disclosure under this section and then subsequently accumulates another absence (including a partial absence in the form of a late arrival or early departure), the student must submit a supplemental disclosure, like the original disclosure in form and substance.

For counting absences to determine the necessity of submitting a disclosure under this section, where there are any interpretive questions, a

student is instructed to err on the side of inclusiveness. That is, a student who is unsure of whether a given instance will count as an absence or partial absence should err on the side inclusion of that absence or partial absence in the quantification of deficient attendance. A student is advised to note such interpretive questions and the fact of the student's erring on the side of inclusiveness in the statement. Further to this regard, refer to §9-4(e), *supra*.

**9-6. End-of-Semester Mitigation Statement:** In order for me to consider absence excuses and extenuating circumstances (including with regard to attendance and lateness in turning in deliverables), I must be aware of them. It is crucial that this information is readily accessible to me at the moment I am putting together grades at the end of the semester, and, of course, I want to make sure that I don't miss anything. Thus, I require that students provide this information to me in a particular way: **To the extent a student wishes to make a claim of extenuating circumstances for any reason or seek excuse based on religious observance, the student must file an End-of-Semester Mitigation Statement** not earlier than the last day of class, nor later than the day after the last scheduled day of exams for the College of Law.

If you file an End-of-Semester Mitigation Statement, **it must consist of a single PDF document** containing all pertinent information and any supporting backup documentation you wish to be considered. If you want me to consider any previously sent e-mails in a claim for special extenuating circumstances, then you must include copies of those e-mails within the PDF document constituting with the mitigation statement. **The statement must be sent to me by e-mail (eric.e.johnson@ou.edu) with the subject line, "End-of-Semester Mitigation Statement."**

File just one statement – that is, just one e-mail with just one attached PDF document. Do not send multiple e-mails or multiple files. There is no prescribed format for the statement, but it should be prepared in a professional manner, along the lines of how you would prepare attorney work product for a client. Regarding the substance of what might qualify as extenuating circumstances or excuse, see §9-3(f) & (g), *supra*.

If you have already filed a mandatory disclosure for profoundly deficient attendance under §9-5, *supra*, then you should additionally file an End-of-Semester Mitigation statement, which should include copies of any previously filed disclosures made pursuant to §9-5.

**9-7. No Waiver:** No provision of this attendance policy can be waived by me orally. (See §12, *infra*). If you think I said something that relieved you of an obligation under this attendance policy, you misunderstood me. I also note that I cannot imagine a circumstance under which I would grant a written waiver: The policy is already built to be fair and to take into account varied circumstances: It must apply to everyone equally.

## 10. PAPER PROGRESS AND DELIVERABLES:

You will not just turn in a final paper to me at the end of the semester. I will need to see your progress in the form of intermediate work product throughout the semester. **The purpose of this structure is to help you get your paper done, and to help me help you make the paper the best it can be.** I will need to get the following from you, in this order: paper proposal, abstract, outline / research notes, rough draft, comment draft, and final paper. These elements are discussed in further detail below.

**Turning in deliverables both electronically and on paper:** With the exception of the rough draft, you are to turn in each deliverable both electronically and on paper. I will later be providing more specific information on the specifics – the how, what, and where.

**Comments from me:** I will provide you with written comments on the “comment draft” of your paper. For other deliverables, I generally will not provide you with written comments. If you want oral feedback, please ask. I’m happy to go over any deliverable and any aspect of your writing in office hours or after class.

### **The deliverables:**

#### ***Paper proposal:***

The paper proposal is a brief, informal statement that sets out the claim you will be making and why you have selected this as a topic. It should preferably be one sentence, perhaps backed up with a sentence or two for context, if appropriate. If it is more than four sentences, it is almost certainly too long.

#### ***Abstract:***

The abstract should come to me in the form of a word document made from Volokh’s downloadable word-document template. You will keep building your paper from this document. Follow Volokh’s advice on how to write the abstract.

#### ***Outline and Research Notes:***

The outline and research notes should also come to me in the form of the word document made from Volokh’s downloadable template. The abstract should be kept in there, and you should add the outline in the form of section headers that can be used to generate a table of contents for your paper-to-be. Except for the introduction and conclusion, provide a one-sentence explanation in the form of body text under each heading along the lines of “In this part I will \_\_\_\_\_.” These one-sentence explanations should be things you could retain in the paper as introductions to the various parts. (Retaining them in this way is not

required, but it is a simple, straight-forward way to write and is often a good idea.)

For the research notes, add in a temporary section at the end of your paper with the heading “Research Notes.” Here, I'd like to see something on paper that reflects the fruits of your research. The purpose of the research notes is to push you along toward completion of the paper, as well as to let me know what's going on. Thus, the goal is not to show that you can write a “good” set of research notes. Rather the point is functionality. The content should be footnoted text that reflects substantial research you've done. Now, here's the really important part: This should all be text that you can plug-and-play into your completed paper. That is, I don't want you to write anything that is “extra work” done just for the research notes. It should all be material that is helping you get to your rough draft. It could be text that will go into your paper as the “background” section, or it could merely be a series of blockquotes and disconnected squibs that are footnoted. Although I am not looking for prettiness, per se, with these research notes, since the goal is making progress toward the final paper, I expect you to be using Bluebook- or ALWD-formatted footnote citation. Again, you want plug-and-play material, and since your paper will eventually need to have properly formatted citations, you should build them in as you go along.

### ***Rough Draft:***

The rough draft should be a fully-formed and complete paper, allowing for a few minor missing parts or similar small-scale loose ends. I will not review the rough draft other than to see that you've done it in good faith. The rough draft only needs to be turned in electronically – not on paper.

You should try to think of the rough draft as the “big deadline” of the course. It should mark the completion of the bulk of your work.

### ***Comment Draft:***

Having turned in your rough draft, look at it carefully again. Revise it. Refine it. Ferret out the little things you missed. Then submit it to me so that I can comment on it. This is the comment draft. It should represent the culmination of all your independent work over the semester. And it should be in polished in form and complete in substance.

I will review your comment draft and provide you with written comments, and I expect you to meet with me to discuss it.

The comment draft will not count for grading except as an in-progress deliverable worth two points for completing it in good faith on time.

But be aware that this is the last deliverable for which you will receive feedback. (I won't provide feedback on the final paper, unless you come to me after the semester is over.) So please understand that the better job you do with the comment draft, the more fine-grained comments I can give you, and the more I can help you to turn in a fantastic final paper. (And the final paper, of course, will be the bulk of your grade.)

At this point, you are definitely over the hump. So long as your comment draft is strong, going from the comment draft to the final paper should involve considerably less work.

### ***Final Paper:***

The final paper should reflect revisions made according to my comments on the comment draft. I will not provide you with feedback during the semester on the final paper, but I will use it as the basis for your grade. If you wish, I am happy to consult with you about the final draft after the semester is over, during office hours or an appointment. And if you are planning on eventually publishing the paper, I recommend that. Note that you can turn in your final paper before it is due – that is, before Monday, November 26, 2018.

## **11. GENERAL INFORMATION IN CONNECTION WITH UNIVERSITY POLICIES:**

**Disability Accommodation:** Students requiring academic accommodation should contact the Disability Resource Center for assistance at 405-325-3852 or TDD: 405-325-4173. For more information please see the Disability Resource Center website <http://www.ou.edu/drc/home.html>. The OU Faculty Handbook §5.4 states that the Disability Resource Center “is the central point of contact to receive all requests for reasonable accommodation and all documentation required to determine disability status under law. This center will then make a recommendation concerning accommodation to the appropriate administrative unit.”

**Religious Holidays/Observances:** The OU Faculty Handbook §3.13.2 states: “It is the policy of the University to excuse the absences of students that result from religious observances and to provide without penalty for the rescheduling of examinations and additional required classwork that may fall on religious holidays.”

**Title IX Resources and Reporting Requirement:** For any concerns regarding gender-based discrimination, sexual harassment, sexual assault, dating/domestic violence, or stalking, the University offers a variety of resources. To learn more or to report an incident, please contact the Sexual Misconduct Office at 405-325-2215 (8 to 5, M-F) or [smo@ou.edu](mailto:smo@ou.edu). Incidents can also be reported confidentially to OU Advocates at 405-615-0013 (phones are

answered 24 hours a day, 7 days a week). Also, please be advised that professors are required to report instances of sexual harassment, sexual assault, and discrimination to the Sexual Misconduct Office. (See §7-5, *supra*, in this regard.) Inquiries regarding non-discrimination policies may be directed to Bobby J. Mason, University Equal Opportunity Officer and Title IX Coordinator at 405-325-3546 or [bjm@ou.edu](mailto:bjm@ou.edu). For more information, visit <http://www.ou.edu/eoo.html>.

**Adjustments for Pregnancy/Childbirth Related Issues:** Should you need modifications or adjustments to your course requirements because of documented pregnancy-related or childbirth-related issues, please contact the Disability Resource Center at 405-325-3852 as soon as possible. Also, see <http://www.ou.edu/eoo/faqs/pregnancy-faqs.html> for answers to commonly asked questions.

**Final Exam Preparation Period:** Pre-finals week will be defined as the seven calendar days before the first day of finals. Faculty may cover new course material throughout this week. For specific provisions of the policy please refer to OU's Final Exam Preparation Period policy at <https://apps.hr.ou.edu/FacultyHandbook#4.10>.

**12. REVISIONS TO THIS SYLLABUS, WAIVERS OF STUDENT OBLIGATIONS:** This syllabus may be amended or revised, and if it is, the most recent syllabus will be posted to the class website. No student obligation under this syllabus can be waived by me orally. If you think I said something that allows you different treatment under this syllabus, you must have misunderstood me. The syllabus needs to apply to everyone equally.

**13. COURSE ORGANIZATION:** The planned organization of the course is below. "ALW" refers to *Academic Legal Writing*, 5th ed., by Eugene Volokh. "LAS" refers to *Law and Science* by Steven Goldberg and Lawrence O. Gostin. "<W>" refers to the writers group track and "<R>" refers to the readers group track.

Note that the structure below is subject to minor adjustment, and the readings are all subject to change. **Never rely on this list to know what to read next. Instead, use the always up-to-date Chart of Assignments online.**

## **1. Wednesday, August 22, 2018**

### **<W> Picking a Topic for Your Paper**

- Read all of ALW Introduction, pp. 5-8.
- Read ALW Part I through I.I., pp. 10-38.

### **<R> Introduction to Science and Law**

- Read LAS Ch. 1, pp. 1-5.
- Read LAS Ch. 3.I.D., pp. 129-140.

## **2. Wednesday, August 29, 2018**

### **<W> Zeroing in on a Claim**

- Read ALW Part II, pp. 40-46.
- Read ALW Part XXII, pp. 278-282.
- Engage in brainstorming and research (perhaps very meandering research) to get ideas for a claim for your paper.
- Bring to class at least two and no more than three ideas for claims for your paper. Please think in terms of formulating these as a claims (not merely vaguely stated topics). Aim for a brief statement of each. You will share these orally with the class, and the class will provide helpful feedback and ask constructive questions.

### **<R> The Body, Property Ownership, and Science**

- Read LAS pp. 50-52 (not including *Festo*), 55-59 (starting at §B and not including §C)
- Read *Moore v. U.C. Regents* as reproduced on pp. 256-276 of *Torts: Cases & Context*, Vol. 2, available for free download via <https://www.cali.org/books/torts-cases-and-contexts-volume-2>.
- Read pp. 658-667, of a portion of the Patentable Subject Matter chapter of *Intellectual Property Law and the Information Society Cases and Materials*, 4th Edition 2018 by James Boyle and Jennifer Jenkins, available for free download via <https://law.duke.edu/cspd/pdf/ipcasebook2018.pdf>

**\*\*\*\*\*DUE: PAPER PROPOSAL\*\*\*\*\***

**Tuesday, September 4, 2018 at 4:00 p.m.**

## **3. Wednesday, September 5, 2018**

### **<W> Writing Strategy**

- Read all of ALW Part III, pp. 47-59.

### **<R> The Trial of Galileo**

- *Reading to be posted.*

## **4. Wednesday, September 12, 2018**

### **<W> Writing the Introduction and Abstract**

- Read all of ALW Part IV, pp. 60-76.
- *Additional reading to be posted.*

### **<R> Agencies, Regulation, and Science**

- *Reading to be posted.*



**\*\*\*\*\*DUE: ABSTRACT\*\*\*\*\***

**Monday, September 17, 2018 at 4:00 p.m.**

**5. Wednesday, September 19, 2018**

**<W> Writing the Background, Argument, and Conclusion**

- Read all of ALW Part V, pp. 77-96.
- *Additional reading to be posted.*

**<R> Science at Trial, Expert Witnesses, Proving Causation**

- *Reading to be posted.*

**6. Wednesday, September 26, 2018**

**<W> Towards an Outline, Progressing with Research**

- Read ALW, pp. 97-101.

**<R> Scientific Consensus and Climate Change**

- *Reading to be posted.*

**\*\*\*\*\*DUE: OUTLINE AND RESEARCH NOTES\*\*\*\*\***

**Friday, September 28, 2018 at 4:00 p.m.**

**7. Wednesday, October 3, 2018**

**<W> Academic Ethics**

- *Reading to be posted.*

**<R> DNA Evidence in Criminal Trials and Exonerations**

- *Reading to be posted.*

**8. Wednesday, October 10, 2018**

**<W> Scholarly Paper Presentations**

- *Reading to be posted.*

**<R> Uncertain Experiment Risk**

- *Reading to be posted.*

**9. Wednesday, October 17, 2018**

**PRESENTATIONS ONLY**

**10. Wednesday, October 24, 2018**

**PRESENTATIONS ONLY**

**\*\*\*\*\*DUE: ROUGH DRAFT\*\*\*\*\***

**Tuesday, October 30, 2018 at 10:00 p.m. *by e-mail only.***  
**(You do not need to turn in the rough draft on paper.)**

**11. Wednesday, October 31, 2018**

**<W> Style, Clarity, Revising, and Rewriting**

- *Reading to be posted.*

**<R> Teaching Evolution**

- *Reading to be posted.*

**\*\*\*\*\*DUE: COMMENT DRAFT\*\*\*\*\***

**Friday, November 2, 2018 at 4:00 p.m.**

**12. Wednesday, November 7, 2018**

**<W> Logic, Rhetoric, and Evidence**

- *Reading to be posted.*

**<R> One vs. Many: Human-Subject Research, Vaccines, Public Health**

- *Reading to be posted.*

**13. Wednesday, November 14, 2018**

**<W> Paragraphs, Sentences, Words, and Phrases**

- *Reading to be posted.*

**<R> National Security and Science**

- *Reading to be posted.*

**\*\*\*\*\*DUE: FINAL PAPER\*\*\*\*\***

**Monday, November 26, 2018 at 4:00 p.m.**

Note that you may turn in the final draft early, i.e., prior to this date.

**14. Tuesday, November 27, 2018**

**<R> The Planetary Status of Pluto**

- *Reading to be posted.*

**<W> Wrap Up**

- *Reading to be posted.*

**14. FEEDBACK:** If you have feedback for me – suggestions, ideas, commendations, or criticisms – please do not hesitate to tell me in person or by e-mail. If sending something to me anonymously would make you feel more comfortable, then I invite you to do just that. I hope you enjoy the course!

© 2018 Eric E. Johnson. Konomark – Most rights sharable. Instructors wishing to use this or other course content without charge should feel free to ask. If it's helpful, I can send you a .doc version. Note that this syllabus incorporates material from other sources, including some material from other authors, in some cases verbatim or nearly verbatim, without specific notation. Although I will not attempt to catalog all such incorporation, I note that the grading standards are derived in various parts from the OU Law graduation writing requirement standards and also in some phrasing from the University of North Dakota School of Law upper-level writing requirements as they existed in Spring 2015.