

## General Studies Gold Request Form

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Consult the [General Studies Request FAQ](#) for more information and quick answers.

New permanent numbered courses must be submitted to the workflow in [Kuali CM](#) before a General Studies request is submitted here. The General Studies Council will not review requests ahead of a new course proposal being reviewed by the Senate.

### Submission Information

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College/School

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New College of Interdisciplinary Arts and Sciences (CAS)

Department/School

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School of Humanities, Arts, and Cultural Studies (CHUMARTCLT)

Submission Type

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New Request

Requested Effective Date

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Fall 2025

ASU Request

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Is this request for a permanent course or a topic?

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Topic

Subject Code

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AMS

Course Number

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412

Units/Credit Hours

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3

Topic Information

If your request is approved:

1. Topics on [omnibus courses](#) only carry designations for three consecutive semesters (excluding summer), whether or not they are scheduled. Once expired, a new request must be submitted.
2. Topics on permanent courses require mandatory review every five years.

Topic Title

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The Bill of Rights and the US Supreme Court

List all other undergraduate courses where this topic exists and the sections will be combined in the schedule.

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Topic Description

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The Bill of Rights articulates specific guarantees of personal freedoms as well as limitations on the power of government upon those rights. The articulations of these rights and limitations, however, were seldom stated in a clear and straightforward manner for all to understand and agree upon. Further, language and concepts change over time, as do the fundamental conditions of society in which those rights operate. This course will probe key rights articulated in the Bill of Rights, the

history of the US Supreme Court, and explore how American rights have been interpreted over time by different generations through major Supreme Court decisions. This course will also explore the theories and controversies behind the question of how to interpret the Constitution and the intentions of its framers.

If this course or topic already carries a General Studies Gold (not Maroon) designation, please check this box.

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### General Studies Gold Designation Request

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#### Requested Designation

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American Institutions (AMIT)

Attach a representative syllabus for the course, including course learning outcomes and descriptions of assignments and assessments.

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[AMS412Syllabus AMIT GS.docx](#)

American Institutions (AMIT)

In each American Institutions course, students will discuss people, ideas, institutions, movements and structural forces that have created and transformed the United States. Students will analyze struggles over the meaning of America's constitutional democracy. Throughout the course, students will analyze a wide range of sources drawn from both past and present and contemplate American history, ideals, and institutions in global as well as national contexts. In doing so, students will refine their ability to make and evaluate reasoned arguments, engage in civil debate, and participate constructively in civic life.

In an American Institutions course, students must be exposed to the following knowledge or sources:

AMIT Element 1: Principles of American constitutional democracy and how they are applied under a republican form of government.

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1. Identified Topic or Source

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We examine and discuss Congressional debates and efforts made to enshrine or prevent interpretations of the law made by the US Supreme Court.

1. Location in Syllabus

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The module on Freedom of Religion, particularly the Religious Freedom Restoration Act (1993) and related court cases; the module on Civil Rights, particularly in the fight over the application of the Equal Protection clause of the 14th Amendment found in the efforts to desegregate and the opposition to it.

2. Identified Topic or Source

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In the US Supreme Court cases reviewed, we discuss the tension between the Judicial and the Legislative in determining American law that arise in many of the dissenting opinions (and occasionally in the majority opinions).

## 2. Location in Syllabus

In the module for Freedom of Religion, we explore the US Supreme Court case Employment Division, Oregon Department of Human Resources v. Smith, 494 U.S. 872 (1990), and the Congressional act passed in response to the court's decision, Religious Freedom Restoration Act of 1993. Also, in the section on penumbral rights in the final weeks of the course, we explore Congressional debates on and efforts to define marriage in the Defense of Marriage Act (1996) and its related court cases.

## AMIT Element 2: The US Constitution and major American constitutional debates.

### 1. Identified Topic or Source

We explore the creation of the Bill of Rights and the national debates that both prompted these amendments to the Constitution and the opposition to these amendments.

#### 1. Location in Syllabus

The first and second weeks specifically explore the Constitutional Convention, the debates within that convention, and the national debates between federalism and anti-federalism that framed the ratification of both the Constitution and the Bill of Rights.

### 2. Identified Topic or Source

Throughout the course we continue exploring how the central tensions between federalism and anti-federalism continue to play out in how various political configurations of the US Supreme Court justices influence the outcome of majority and dissenting opinions.

#### 2. Location in Syllabus

In the module that explores the legal idea of equal protection and how the courts transformed in reading the Fourteenth Amendment, we explore the Brown decisions of 1954 and 1955, and the opposition to this effort to strike down segregation laws with the 1956 Southern Manifesto on Integration and subsequent efforts of the states to resist federal enforcement of desegregation.

## AMIT Element 3: Founding documents that have shaped American institutions.

### 1. Identified Topic or Source

Declaration of Independence

#### 1. Location in Syllabus

In the beginning module of the course and throughout the semester.

### 2. Identified Topic or Source

The Federalist Papers as they relate to the role of the US Supreme Court.

## 2. Location in Syllabus

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In the beginning module of the course.

## 3. Identified Topic or Source

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The text of the US Constitution as well as the first 10 amendments.

## 3. Location in Syllabus

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Specific focus on the Constitution in the opening module of the course, and then each module is devoted to the different first 10 amendments.

## AMIT Element 4: Landmark policy achievements and Supreme Court cases.

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### 1. Identified Topic or Source

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This entire course reviews all the landmark cases regarding the guarantees of the Bill of Rights.

### 1. Location in Syllabus

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Freedom of Religion cases: *West Virginia Board of Education v. Barnette* (1943), *Engle v. Vitale* (1962), *Lemon v. Kurtzman* (1971), *Wallace v. Jaffree* (1985), *Lee v. Weisman* (1992), and so on.

### 2. Identified Topic or Source

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Equal Protection clause of the Fourteenth Amendment

### 2. Location in Syllabus

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Civil Rights Cases (1883), *Plessy v. Ferguson* (1896), *Brown v. Board of Education* (1954), *Heart of Atlanta Motel v. US* (1964), *Frontiero v. Richardson*, *United States v. Virginia* (1996), *Mississippi University for Women v. Hogan* (1982)

### 3. Identified Topic or Source

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Freedoms of Speech and Assembly

### 3. Location in Syllabus

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*Brandenburg v. Ohio* (1969), *R.A.V. v. City of St. Paul* (1992), *Texas v. Johnson* (1989), *US v. Eichman* (1990)

## AMIT Element 5: Economic knowledge necessary to assess policy options affecting both the public and private sectors.

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### 1. Identified Topic or Source

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This course does not specifically engage economic knowledge per se, unless consideration is allowed for how cases involving indigent citizens have shaped American law. If so, *Gideon v. Wainwright* (1963) played a key role in the development of the public defender system that we have today.

### 1. Location in Syllabus

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Module on Rights of the Accused, Gideon v. Wainwright (1963)

2. Identified Topic or Source

Module on Rights of the Accused.

2. Location in Syllabus

Miranda v. Arizona (1966), Furman v. Georgia (1972), Roper v. Simmons (2005)

AMIT Element 6: International context of American institutions and the evolution of America's role in international affairs.

1. Identified Topic or Source

The international intellectual influences on American law and the creation of the founding documents.

1. Location in Syllabus

The first and second week of the course that explore the creation and text of the Declaration of Independence, the US Constitution, and the creation of the Bill of Rights.

2. Identified Topic or Source

Module on the rights of the accused as it relates to how the concept of "cruel and unusual punishment" is defined by "evolving standards of decency" which include international views about corporal and capital punishment.

2. Location in Syllabus

Furman v. Georgia (1972) and Roper v. Simmons (2005)

## AMIT Learning Outcomes

**Instructions:** In the fields below, state the assignment, project, or assessment that will measure each learning outcome, and provide a description. The description should provide enough detail to show how it measures the learning outcome. If needed, more than one can be identified.

The proposal does not need to include all course assessments that measure a given learning outcome. The provided assessment should include sufficient detail to allow the subcommittee to make their evaluation. When appropriate, the same assessment can be listed for more than one learning outcome (e.g., a culminating project).

You may provide links to a document (Google Drive or Dropbox) that includes the relevant details for the assessment. Do not provide links to Canvas shells.

AMIT Learning Outcome 1: Demonstrate how ideas and groups have historically shaped the creation of and change in U.S. institutions.

After completing the first module that explores the US Supreme Court decisions that have shaped our understanding of Freedom of Religion, the first paper assignment asks students to carefully

review the US Supreme Court decision of *Hamilton v. Regents of the University of California* (1934) and write a judicial opinion assuming that the year of the case is now, in 2024. Based on student knowledge of judicial reasoning in other cases involving conflicts between religious beliefs and the law, students are asked to write the majority opinion as they were an Associate Justice of the Supreme Court. This assignment is to include references to all relevant Freedom of Religion cases (which range from plural marriage, school prayer, creationism, state funds for religious education, etc.), an exploration of legal tests that may apply (again, based on relevant previous court rulings), and a justification of why *Hamilton's* religious liberty as a Methodist and a Christian pacifist student may be compromised, or why his liberty takes precedence over state interest served by a university's compulsory military training.

AMIT Learning Outcome 2: Identify key institutions in U.S. politics and their impacts on social, economic, or political outcomes. This will include differential impacts on disparate communities.

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After completing the module on Civil Rights, students are asked to write a judicial opinion on race-based university admissions policies, based on a careful review of the Fourteenth Amendment's Equal Protection Clause, Title VI of the Civil Rights Act of 1964, and two US Supreme Court cases: *Regents of the University of California v. Bakke* (1978) and *Grutter v. Bollinger* (2003). Students are to argue whether the 2003 US Supreme Court decision was a departure from, or a reaffirmation of, the court's previous decision in *Bakke*. Further, student are asked to consider if the University of Michigan Law School had used gender preferences in their admissions policy instead of race, whether that would have affected the outcome of this case (and this is considering US Supreme Court cases that reviewed gender in university admissions). Finally, students are asked to provide and "ideal" undergraduate university admissions policy that would include one other factor beyond the standard measurements that would be constitutionally sound.

AMIT Learning Outcome 3: Describe the impact of key ideas, people, events, institutions, or movements on the nature, history, and boundaries of American citizenship and the various forms of civic participation in a self-governing society.

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Students are asked to write a paper on evolving views of hate crime law in light of US Supreme Court cases regarding Freedom of Speech generally, Equal Protection, Civil Rights, and two particular cases that engaged hate crime law: *R.A.V. v. St. Paul* (1992) and *Wisconsin v. Mitchell* (1993). Students are asked to argue whether the development of special prosecutorial treatment of "hate crimes" or "hate speech" violates the equal protection clause of the Fourteenth Amendment and/or the guarantees of free expression in the First Amendment, and whether such special treatment is never constitutional, always constitutional, or constitutional in some circumstances.

AMIT Learning Outcome 4: Communicate coherent arguments using evidence drawn from qualitative or quantitative sources.

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As presented in the above assignments, this course requires students to write well-reasoned, evidence based papers on various debates on the meaning of American rights guaranteed by the Bill of Rights. Not only are they required to cite all relevant US Supreme Court decisions, they are required to as well as qualitatively engage relevant majority, concurring, or dissenting opinions in building their argument on whether current laws on various legal issues are constitutionally supported or not.

List all course-specific learning outcomes. Where appropriate, identify the associated AMIT learning outcome(s) in brackets (see below for example). Note: It is expected that a majority of course-specific learning outcomes will be associated with an AMIT learning outcome.

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Outcome 1: Students completing this course will be able to identify and articulate fundamental rights guaranteed by the Bill of Rights and the Fourteenth Amendment developed within historical context [AMIT 2].

Outcome 2: Students completing this course will be able to discuss historical perspectives on the role of the US Supreme Court in shaping our understanding of, and ability to exercise, those fundamental liberties [AMIT 1].

Outcome 3: Students completing this course will be able to analyze and articulate the current state of civil liberties and civil rights in the US through the examination of key Constitutional debates [AMIT 3].

Outcome 4: Students in this course will have the opportunity to develop skills in presenting and defending positions, individually and as teams, through in-class moot court [AMIT 4].

## Form Submission - Proposer

Submitted for Approval | Proposer

Eduardo Pagán - May 17, 2024 at 1:44 PM (America/Phoenix)

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## Department Approval

Approved

Morgan Johnson

James Corbeille - June 4, 2024 at 9:30 AM (America/Phoenix)

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## GSC Coordinator Review

Sent Back

Kaitlyn Dorson

April Randall - June 10, 2024 at 12:06 PM (America/Phoenix)

Please address the following: 1) "Topic" was selected, but the course catalog title was entered. Please put the topic title "The Bill of Rights and the US Supreme Court" in the Topic Title field, and a description/overview for the topic in the Topic Description field. 2) This course/topic does not already carry GS Gold; please uncheck the box underneath the Topic Description field. 3) Each AMIT element (i.e. each table) requires at least two sources, one source in each row. If you have questions on how to fill out the AMIT section, please reach out to [tamiko.azuma@asu.edu](mailto:tamiko.azuma@asu.edu).

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## Form Submission - Proposer

Submitted for Approval | Proposer

Eduardo Pagán - June 10, 2024 at 1:05 PM (America/Phoenix)

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## Department Approval

Approved

Morgan Johnson

James Corbeille - June 14, 2024 at 10:44 AM (America/Phoenix)

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## GSC Coordinator Review

Approved

Kaitlyn Dorson

April Randall - June 21, 2024 at 4:18 PM (America/Phoenix)



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## Assistant Vice Provost Review

Approved

Tamiko Azuma - June 25, 2024 at 11:20 AM (America/Phoenix)

All required components confirmed.

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## Pre-GSC Meeting

Approved

Kaitlyn Dorson

April Randall - August 12, 2024 at 1:45 PM (America/Phoenix)

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## American Institutions (AMIT) Subcommittee

Acknowledgement Requested

James Dupey

Susan Miller

Ruby Arjona

Mark Ramirez - August 30, 2024 at 11:23 AM (America/Phoenix)

Revise and resubmit.

All elements and category learning outcomes need to be included in the course. Specifically, elements 5 and 6 need to be reviewed to ensure economic/fiscal knowledge is apparent and that the course teaches 1) how US institutions compare to international institutions and 2) the influence the US has on the international community rather than vice versa.

Brent Scholar

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## General Studies Council Meeting

Waiting for Approval

Alicia Alfonso

April Randall

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## Registrar Notification

Notification

Courses Implementation

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## Implementation

### Approval

Rebecca Flores

Lauren Bates

Alisha Von Kampen

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## Proposer Notification

### Notification

Eduardo Pagán

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## College Notification

### Notification

James Corbeille

Morgan Johnson

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## DARS Notification

### Notification

Leticia Mayer

Peggy Boivin

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