Eastern Illinois University
New Course Proposal
PLS 3553, Federal Indian Law and Policy

Please check one:  x New course       □ Revised course

PART I: CATALOG DESCRIPTION

1. Course prefix and number, such as ART 1000:  PLS 3553
2. Title (may not exceed 30 characters, including spaces):  Federal Indian Law and Policy
3. Long title, if any (may not exceed 100 characters, including spaces):  
4. Class hours per week, lab hours per week, and credit [e.g., (3-0-3)]:  (3-0-3)
5. Term(s) to be offered:  X Fall □ Spring □ Summer On demand
6. Initial term of offering:  X Fall □ Spring □ Summer  Year:  2010
7. Course description (not to exceed four lines):  An introduction to the complex body of Supreme Court rulings and legislative acts impacting indigenous people in the United States. Topics covered include sovereignty, land ownership, taxation, gaming, natural resources, criminal justice and the politics of tribal recognition.
8. Registration restrictions:
   a. Identify any equivalent courses:  There are no equivalent courses
   b. Prerequisite(s):  None
   c. Who can waive the prerequisite(s):  N/A
   d. Co-requisites:  N/A
   e. Repeat status:  x Course may not be repeated.
      □ Course may be repeated to a maximum of ______ hours or ______ times.
   f. Degree, college, major(s), level, or class to which registration in the course is restricted, if any:  N/A
   g. Degree, college, major(s), level, or class to be excluded from the course, if any:  N/A
9. Special course attributes  [cultural diversity, general education (indicate component), honors, remedial, writing centered or writing intensive] cultural diversity
10. Grading methods (check all that apply):  x Standard letter □ C/NC □ Audit □ ABC/NC (“Standard letter”—i.e., ABCDF--is assumed to be the default grading method unless the course description indicates otherwise.)
11. Instructional delivery method:  □ lecture □ lab □ lecture/lab combined □ independent study/research
    □ internship □ performance □ practicum or clinical □ study abroad  x other

The course is offered in an asynchronous technology-delivered format.

Agenda Item #10-04
Effective Fall 2010
Effective Fall 2011, with revisions
PART II: ASSURANCE OF STUDENT LEARNING

1. List the student learning objectives of this course:

   a. Students will identify the relationship between tribal, state and federal governments.
   b. Students will discuss key Supreme Court cases and their impact on indigenous people.
   c. Students will critically analyze court rulings and congressional acts in historical context and in terms modern impact.
   d. Students will better evaluate the ever-shifting legal/political position of indigenous nations in the United States over time, and where they sit today.

2. Identify the assignments/activities the instructor will use to determine how well students attained the learning objectives:

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<th>Students will understand the relationship between tribal, state and federal governments.</th>
<th>Response papers</th>
<th>Weekly discussions</th>
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3. Explain how the instructor will determine students’ grades for the course:

   7 response papers = 210 points
   15 Weekly discussions = 150 points

   Grades assigned as follows: 90-100%= A, 80-89% = B, 70-79%= C, 60-69% = D, below 60% = F

4. For technology-delivered and other nontraditional-delivered courses/sections, address the following:
   a. Describe how the format/technology will be used to support and assess students’ achievement of the specified learning objectives: The technology will be used to support student achievement by allowing them to interact with one another and the instructor at times which are convenient for
them. The technology will be used to assess student achievement by being the vehicle through which all student work is conducted.

b. Describe how the integrity of student work will be assured: The integrity of student work will be assured through writing, writing, and more writing. Given that students often have signature writing styles or voices, having someone else submit a single assignment will certainly register with the instructor. It is unlikely that a substitute would sit in and take the entire course for another (or at least as unlikely as having a surrogate sit in on a regular course). Finally, all assignments are checked through on-line mechanisms for plagiarism.

c. Describe provisions for and requirements of instructor-student and student-student interaction, including the kinds of technologies that will be used to support the interaction (e.g., e-mail, web-based discussions, computer conferences, etc.): Instructor-student and student-student interaction will be promoted through Email, web-based discussions, and feedback on individual assignments.

5. For courses numbered 4750-4999, specify additional or more stringent requirements for students enrolling for graduate credit. N/A

6. If applicable, indicate whether this course is writing-active, writing-intensive, or writing-centered, and describe how the course satisfies the criteria for the type of writing course identified. (See Appendix *) N/A

PART III: OUTLINE OF THE COURSE

The class will meet 2.5 hours per week for fifteen weeks broken down as follows:

Week One – Overview of Course and perspectives on Indian Law
Week Two – Doctrine of Discovery (including Johnson v. McIntosh, Mabo v. Queensland, Oneida)
Week Three – Formative years (Worcester, Cherokee Nation)
Week Four – Shifting Policy (Crow Dog, Kagama, Sandoval)
Week Five – More shifting Policy (Lone Wolf and Sioux Nation)
Week Six – Reorganization and Termination (IRA, Menominee, Tee-Hit-Ton)
Week Seven – Self-Determination (Nixon, Morton v. Mancari, Rice v. Cayetano)
Selected Topics in Contemporary Federal Indian Law and Policy
Week Eight – Congressional plenary power (revisit Kagama, Dion)
Week Nine – Modern Trust Doctrine (Seminole, Navajo and Cobell cases)
Week Ten – Tribal control of the reservation Oliphant, Duro, Lara)
Week Eleven – Tribal/State jurisdictional issues (McClanahan, Nevada v. Hicks, Holyfield)
Week Twelve – Economic development (Cabazon, IGRA)
Week Thirteen – Religion and culture (Lyng, Smith)
Week Fourteen – Water rights (Winter’s Doctrine, Big Horn litigation)
Week Fifteen – Fishing and hunting rights (Mescalero Apache, Winans, Mille Lacs).

The content “units” are sufficiently equivalent to the traditional on-campus semester hour units of time described above because this is the same amount of material that I would cover in a traditional course and is similar to the content included in many similar courses across the country.

PART IV: PURPOSE AND NEED

1. Explain the department’s rationale for developing and proposing the course.

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The course was originally designed to help fill a need that was established when EIU entered into an agreement to offer certain courses to American Indian students through NAES (Native American Education Services). The course was also used as an elective by some students. After teaching the course, it became apparent that misunderstandings run rampant and that students could certainly benefit from such a course – especially in a state where the flagship institution field the “fighting illini.” In addition, the nature of the course lends itself to a fit within our overall curriculum in the legal category. Such an addition will offer students a broader range of perspectives when it comes to the law and will ease congestion for certain pre-law classes that have now been added to various minor programs across campus.

a. If the course or some sections of the course may be technology delivered, explain why.
The course was originally developed as a special topics course that would meet the needs of students working through Native American Education Services as part of an agreement with EIU. The course has to be technology delivered because the bulk of these students are non-traditional students taking classes from afar. In addition, offering a technology delivered course provides an additional option for students as they further their studies.

2. Justify the level of the course and any course prerequisites, co-requisites, or registration restrictions.
The 3000 level is in line with other legal courses in the major and is in line with where a similar course would be placed at other institutions.

3. If the course is similar to an existing course or courses, justify its development and offering.
N/A

4. Impact on Program(s):

a. For undergraduate programs, specify whether this course will be required for a major or minor or used as an approved elective. The course will be added as an option under the public law category.

If the proposed course changes a major, minor, or certificate program in or outside of the department, you must submit a separate proposal requesting that change along with the course proposal. Provide a copy of the existing program in the current catalog with the requested changes noted.

PART V: IMPLEMENTATION

1. Faculty member(s) to whom the course may be assigned: Jeffrey. S. Ashley or other qualified faculty members.

2. Additional costs to students: none

3. Text and supplementary materials to be used (Include publication dates):
Getches, Wilkinson and Williams, Federal Indian Law, 5th (St. Paul, Mn: Thomson-West, 2005). Students are also encouraged to incorporate outside sources such as Indian Country Today which are available on-line.
PART VI: COMMUNITY COLLEGE TRANSFER

N/A

PART VII: APPROVALS

Date approved by the department or school: December 4, 2009

Date approved by the college curriculum committee: December 11, 2009

Date approved by the Honors Council (if this is an honors course):

Date approved by CAA: January 21, 2010

*In writing-active courses, frequent, brief writing activities and assignments are required. Such activities -- some of which are to be graded -- might include five-minute in-class writing assignments, journal keeping, lab reports, essay examinations, short papers, longer papers, or a variety of other writing-to-learn activities of the instructor's invention. Writing assignments and activities in writing-active courses are designed primarily to assist students in mastering course content, secondarily to strengthen students' writing skills. In writing-intensive courses, several writing assignments and writing activities are required. These assignments and activities, which are to be spread over the course of the semester, serve the dual purpose of strengthening writing skills and deepening understanding of course content. At least one writing assignment is to be revised by the student after it has been read and commented on by the instructor. In writing-intensive courses, students' writing should constitute no less than 35% of the final course grade. In writing-centered courses (English 1001G, English 1002G, and their honors equivalents), students learn the principles and the process of writing in all of its stages, from inception to completion. The quality of students' writing is the principal determinant of the course grade. The minimum writing requirement is 20 pages (5,000 words).