

University of Wisconsin-Green Bay
Pol Sc/PuEnvAf 306/506: Regulatory Policy and Administration
Spring 2010
Tuesday: 5-8p.m.

Three (3) credit hours

Room: MAC 103

Instructor: Dr. Sara Rinfret

Office: MAC B Wing, Room 321

Phone: 920-465-2758

Email: rinfrets@uwgb.edu

Office Hours: Monday and Wednesday: 9:00 a.m.-10:00 a.m.; Tuesday: 1:00-2:00 p.m. or by appointment

(*Email is the most reliable way to contact me)

Course Description and Objectives: In introductory courses on American government, students are taught that the business of politics takes place within the legislative branch, with minimal mention of the stakeholders and processes that represent the implementation of policy. Most people are unaware of the critical role played by administrators in activities such as rulemaking and the writing of regulations. Regulation is an important and pervasive force in American life. Government regulation affects nearly every aspect of modern society. Regulation in insurance, transportation, and communication affect the prices we pay for goods and services and the quality we get. Regulation of consumer products, workplace safety, food and drugs affect the risks we face from different products and activities. Environmental regulations affect the quality of the water we drink, the air we breathe, and the existence of wetlands. In short, in almost every aspect of your life, regulations have an impact.

This course will examine the many aspects of regulatory policy and administration including the history of regulation, economic and political concepts of regulation, approaches to regulatory decision-making, legal and institutional aspects of administering regulations, and the impacts of regulatory agencies and programs.

Course Organization and Requirements

This course will use various methods such as attendance, participation, in-class assignments, written assignments, exams, simulation, and class discussions to become better acquainted with regulatory policy and administration. Students are expected to follow the weekly course schedule. The readings will be used for weekly discussions, assignments, and in-class activities. In order that we maximize mutual learning experiences, you are required to complete the assigned readings according to the weekly schedule.

Textbooks and Required Materials:

- Cornelius Kerwin, *Rulemaking: How Government Agencies Write Law and Make Policy*, 3rd edition (2003), Congressional Quarterly Press.
- Marc Eisner, Jeff Worsham, and Evan Ringquist, *Contemporary Regulatory Policy* (2000), Lynne Rienner Publishers.
- Skrzycki, Cindy. *The Regulators: Anonymous Power Brokers in American Politics*, Roman and Littlefield (2003).
- Additional **required** readings can be found on D2L
 - Please use “content” on D2L for list of other required readings
- Books may be purchased from the University Bookstore. Cheaper versions might be available on amazon.com**
- For students that are unable to afford textbooks, I strongly suggest using the library’s interlibrary loan system (it’s free!)

Lap Top Computers and Cell Phones: NOT ALLOWED unless you have a medical excuse.

- *Cell Phones:* If students are caught texting during class, you will be asked to leave and will receive zero points for the day (participation). If cell phone use is a constant occurrence, this will damage your overall grade. If you cannot live without your cell phone, then do not take this class.
- *Laptops:* Students should be able to take notes without laptops, and studies have shown that taking your own notes, with a pen and paper increases your likelihood to do well in the classroom. Please note, however, that on the course syllabus I have included “laptop activity days.” During these class sessions ONLY, I ask students to bring their own laptops to class for fun and exciting in-classroom assignments. These dates are TBD, if not specified on the course outline. Some students do not have a laptop. This is fine and you can still participate in these activities.

Using D2L:

This semester each student is enrolled in D2L for this course. On D2L students can find additional copies of the course syllabus, web assignments, grades, and class announcements.

Cofrin Library: During the 2nd week of class Renee Ettinger is presenting information to our class to help with your major group project. She has created a course site to help with your case study research project: <http://libguides.uwgb.edu/polisci306> Please make sure to utilize this information!

Assessment of Student Learning Outcomes:

Attendance and Participation (100 points possible): According to UW-Green Bay official policies, “students are expected to attend class. In the event of illness or death of a family member, the Dean of Students Office will assist with notification of instructors. The instructor **may drop** students who do not attend classes during the first week of the semester unless they notify the instructor in advance of the reason for nonattendance and indicate intentions to complete the class. **The instructor, prior to the drop deadline, may also drop students who attend classes the first week but not thereafter.**”

- ✓ *Attendance:* You are expected to attend ALL class sessions. Since we meet once a week, missing more than 2 unexcused or excused class sessions will result in a 30 point deduction to your overall participation/attendance grade.
- ✓ *During case study presentations days, attendance will be taken* and 30 points will be deducted from total participation grade if a student is absent.
- ✓ *Participation:* Each student is expected to participate in classroom discussions and assignments. Questioning, probing, making judgments, wondering about “what ifs” – these are all part of a healthy learning process. To participate effectively you should read the scheduled assignment BEFORE coming to class. Throughout the semester the class will work on in- classroom assignments that pertain to the week’s assigned readings. These activities should be fun and a way for students to apply the textbook to real world scenarios. These assignments cannot be made up if you miss class so please do not ask.

Note: If student attendance begins to drop, the instructor reserves the right to add additional points to the course and have in-class pop quizzes—these are unannounced and based on the reading for the day.

Mid-Term Examination (100 points possible): On Tuesday, March 2nd the class will take an in-class examination based upon the materials for this course (lectures, discussion facilitators, guest speakers, readings). The format will be short essay and I will provide each student with one note card that you can bring to the exam period. This note card is turned in with your exam. Also, students will receive a study

guide one week prior to the exam. **Make-up exams are not an option unless a student provides written documentation 72 hours before the exam.**

Case Study Analysis (4 @ 50 points apiece = 200 points possible): One of the most important skills that you can learn in undergraduate school is the application of theory to practice. Appropriately, the most important assignment you will complete in this course is an analysis of a particular regulation (case study). On the first day of class, students will form groups of 3-4 and select one of the rules/cases the instructor has provided for the semester. Keep in mind that the information about your case on the first day is just a snapshot of the rule. It is your group's responsibility to use our course's library information to complete the four assignments for this project:

<http://libguides.uwgb.edu/content.php?pid=88288&sid=656741>

More specifically, this assignment follows the Kerwin text (stages of the rulemaking process). The elements of the paper and presentation will be completed in lieu of a final examination. Each element of your case analysis is due on a separate date as indicated in the course outline. **Please Note: Detailed instructions for each assignment for this project can be found at the end of this syllabus. In addition, on the D2L content page students can find samples of a former student that received an "A" on assignments for stages 1-4 for this project. Late assignments will not be accepted.**

If you are a graduate student, this assignment will be completed on your own.

Discussion Facilitation (100 points possible): Students will work in groups of 4-5 and are responsible for leading a portion of a class session (at least 30 minutes) through a facilitated discussion of an assigned reading/topic from the Skyrzcki book or D2L reading for the class. For example, on Tuesday, February 2nd, the discussion facilitation group will inform students about what happened with Bridgestone/Firestone and the mounting number of deaths that NHTSA linked to tread separation in tires. Basically, the short reading under "discussion" facilitation on the course outline is to help students to start to investigate this particular area. Students in the past have collected outside research to complete this assignment and have created PowerPoint presentations, trivia, skits, music, or movie clips to engage classmates in learning about a particular aspect of regulatory policy. *A sample handout* can be found on D2L course content page from a former student that received an "A." **Please note:** If you are a graduate student, you will lead 1 discussion facilitation on your own (see instructor).

How Will You Be Evaluated?

Your group will be graded on a **one-page** handout (50 points) you will prepare for the class (make enough copies for each student and instructor, if this is too costly, let the professor know) and your ability to engage your classmates in learning about a new aspect of regulatory policy (presentation) (50 points). In this handout, you should include: origins of the problem, what's the conflict/controversy, the role of actors, where does this issue fit into the regulatory process, and concluding thoughts/recommendations for the future. This handout should be clearly organized and grammatically correct. It is up to student groups in the selection of your presentation format, but the point is to engage students and increase their understanding about a particular issue. Please make sure to pay attention to the course schedule. Failure to present = 0 points.

Regulatory Negotiation (reg neg) Simulation (100 points): On Tuesday, March 9th, you will select your role for our classroom regulatory negotiation simulation which will be held: **Tuesday, April 13**. The topic of the negotiation is the Environmental Protection Agency's attempt to regulate woodstove emissions. For the simulation, 1-2 students serve as the facilitators, 5-6 students as EPA representatives, 5-6 students as the NRDC committee (environmental organization), 5-6 students as representatives for the state of Oregon, and 5-6 students as the Wood Heating Alliance (industry organization). Please note that an additional group could be added or deleted to accommodate class enrollment. Additional materials for the simulation will be handed out to students, Tuesday, April 6th during the mandatory work session to clarify specific roles and duties. If students have a laptop, please bring to the work session.

How Will You Be Evaluated?

For this assignment, each student, even if you represent a group, is *required* to attend/participate in the simulation. The instructor and facilitator(s) will begin the simulation (more details later in class). Then, groups have informal discussions with the agency and other groups. Next, groups will have 5-10 minutes to prepare and then present a 5 minute stance to the negotiation committee/EPA representatives. The EPA and other groups have the ability to ask other groups up to two questions. Lastly, groups deliberate on how a compromise can be achieved. The goal is to leave the simulation with consensus from all the groups and offer key points that the EPA can use to propose an NPRM.

Students will be graded on: participation and role playing in the simulation and a 1-2 page reflection paper. More specifically, after the completion of the simulation each student is required to turn in a statement on how he/she prepared for the simulation (i.e. what role did you carry out? What outside research did you do to prepare for this simulation? What did you learn from the simulation?). These reflections should be double-spaced, 12 point font, clearly organized, and grammatically correct. Students are required to turn in the 1-2 page assignment at the beginning of our class on Tuesday, April 20th (i.e. your grade consists of the paper (50 points) and participation (50 points) = 100). This assignment cannot be made up and failure to show up = 0 points.

Extra Credit: This is an upper level class with many points possible, no extra credit--please do not ask.

Totals Points for the Course:

Attendance and Participation	100 points
Mid-Term Exam	100 points
Case Study Analysis/Presentation	200 points
Reg Neg Simulation	100 points
Discussion Facilitation	100 points
Total	600 points possible (If no alterations to the syllabus)

93% or higher = A
88% - 92% = A/B
82% - 87% = B
78% - 81% = B/C
70% - 77% = C
60% - 69% = D
Less than 60% = F

Tentative Course Outline and Schedule of Assignments:

(The instructor reserves the right to change elements of the syllabus at her discretion. If changes occur, students will receive a syllabus addendum)

Bring textbooks to class

Date	Topic:	Reading/Assignments
Week 1: Tuesday, January 26	An Introduction: What is Regulatory Policy?	Read: Eisner: Chapters 1-3 (skim) Kerwin, Preface and Chapter 1 Skrzycki, Intro and Chapter 1 In Class Assignment: - Selection of case study for analysis - Signups for leading class facilitations
Week 2: Tuesday, February 2	The Process of Rulemaking and Library Session (Renee Ettinger)	Read: Kerwin: Chapter 2 Skrzycki: Chapter 2 Discussion Facilitators “Bridgestone/Firestone” (see Skrzycki, Ch 2): Class time to work on group project, bring materials
Week 3: Tuesday, February 9	The Regulators and Issues of Accountability (Dr. Scott Furlong)	Read: Kerwin: Chapters 4 and 6, Skrzycki: Chapter 2 Discussion Facilitators (Robert H. Dick: Chief Tea Taster, see pages 53-57 in Skrzycki): Due: Case Analysis Assignment #1
Week 4: Tuesday, February 16	Politics and Participation	Read: Kerwin: Chapter 5, Furlong (will read in-class), Golden (D2L Reading), Skrzycki: Chapter 3, Discussion Facilitator (GE and PCB Cleanup, see 120-123 Skrzycki): Class time to work on group project, bring materials

Week 5: Tuesday, February 23	Reform or Setbacks? Putting a Price Tag on Rulemaking (Analytical Tools)	Read: Skrzycki: Chapters 4 and 5, McGarity: D2L Reading Discussion Facilitator (Child Safety Seats and the FAA, see 192-194 Skrzycki): <i>Receive Study Guide for the Mid-Term</i> Due: Case Analysis Assignment #2
Week 6: Tuesday, March 2	Mid-Term Exam	
Week 7: Tuesday, March 9	Environmental, Energy, and Natural Resource Policy Concerns	Read: Eisner: Chapters 7 and 10 Discussion Facilitator (Dashing Through the Snow, See pages 218-219 in Skrzycki): In Class: - Signup for Regulatory Negotiation Roles Class time to work on group project, bring materials
Week 8 Tuesday, March 16	Spring Break!	
Week 9: Tuesday, March 23	Social Regulation and Consumer Protection (Food, Inc)	Read: Eisner: Chapters 8 and 9 In Class Assignment: Individual "Minute Paper" on the film, Food, Inc. Discussion Facilitator: USDA and GM Organisms (see D2L content page for short reading): <i>Signups for order of final group case study presentations</i>
Week 10: Tuesday, March 30	Regulatory Impact, Reform, and Alternatives	Read: Eisner: Chapter 11, Skrzycki: Chapter 6, Coglianese D2L Reading Discussion Facilitators (Mexican

		Trucks, see 234-247 Skrzycki): Due: Case Analysis Assignment #3 @ the beginning of class, turn in one per group
Week 11: Tuesday, April 6	Regulatory Negotiations/ Mandatory Preparation for Simulation	Read: What is Negotiated Rulemaking? (D2L Reading) <i>Please bring laptops, materials to class for reg neg simulation prep</i>
Week 12: Tuesday, April 13	Regulatory Simulation	Bring materials to class, participation required by all students
Week 13: Tuesday, April 20	New Topics in Regulatory Policy Begin Case Study Presentations	Read: D2L Readings: Yackee, and Coglianese Begin Presentations (up to 3) Due: Regulatory Simulation Reflection, 1-2 page per student @ the beginning of class
Week 14: Tuesday, April 27 Tuesday, May 4 Tuesday, May 11	Case Study Presentations Case Study Presentations Final Exam Period (Snow Date for Case Study Presentations or class sessions) 6-8p.m in our normal classroom	5-6 presentations 2-4 presentations Due: Final Case Study Analysis, Assignment #4 (putting all the pieces together): hard copy, 1 per group

Classroom Policies

- **Extra Credit:** See policy listed above
- **Make-up Exams:** See policy listed under “exams”
- **Classroom Etiquette:** Students are expected to observe proper etiquette in class. Disruptions, such as talking to a classmate must be avoided. I expect all students to maintain a high level of professionalism in their classroom conduct with me, and with their fellow students. This means

coming to class on time, being respectful during class discussions, and in all communications with me and others.

- Rude behavior will not be tolerated. Any student who acts in an inappropriate manner will be asked to leave the class. Second offenders will have a meeting with the department chair and a complaint filed with the Office of Student Life.
- **E-mail Etiquette:** E-mail is a wonderful tool for you to contact me with questions, but it does not replace office hours. If you have involved questions about course material, you should come see me during office hours or during an alternate appointment. Office hours are the best opportunity to get your questions answered. Plus, you can get to know your professors.
 - **And, please DO NOT email the professor asking if you “missed anything” due to student failure to attend class** (ask a classmate).
- **Incompletes or Withdrawals “W” for the Course:** If for some reason the course is not working out for you please adhere to University policies for the last day to drop a class. If you need an incomplete for the course, you **MUST** come to my office hours or set up a meeting with me four weeks from the end of class in order to make this request. A written medical excuse or documentation will be needed for the professor to grant such a request.
- **Late Assignments:** Students are expected to submit all work on the date specified in the course calendar and be present for examinations. Any exceptions to this must be approved by the instructor 72 hours before the date in question. Students must complete all assignments to receive a grade for the course.
- **Miss a Lecture:** Lectures will not be repeated, and lecture notes will not be provided by the instructor. Ask a friend for their notes.
- **Plagiarism:** All work submitted must be your own; no duplicate work (work completed for another class) will not be accepted. Acts of cheating or plagiarism will result in a grade of ZERO (0) for the assignment. To avoid acts of plagiarism, cite each reference or source you use and give proper credit for the ideas, opinions, and findings of others. When you are using the exact words of others, you must use quotation marks and include the page number where you found the quote in your citation.
- **D2L:** This class is supported by D2L. Please refer to this site regularly for additional readings, announcements, or updates to the schedule.
- **Sensitive Course Materials:** If an instructor believes it is appropriate, the syllabus should communicate to students that some course content may be considered sensitive by some students.” University education aims to expand student understanding and awareness. Thus, it is necessarily involves engagement with a wide range of information, ideas, and creative representations. In the course of college studies, students can expect to encounter—and critically appraise—materials that may differ from and perhaps challenge familiar understandings, ideas, and beliefs. Students are encouraged to discuss these matters with faculty.”
- **Disability Assistance:** Consistent with federal law and the policies of the University of Wisconsin, it is the policy of UW-Green Bay to provide appropriate and necessary accommodations to students with documented physical and learning disabilities. If you anticipate requiring any auxiliary aides or services, you should contact the coordinator of the Disability Services Office, at 465-2849 as soon as possible to discuss your needs and arrange the provision of services.

Case Study Analysis: Group Project

Objective: This assignment provides an opportunity to apply theory to practice through an analysis of an actual regulation and its legislative history. Each student has selected a rule that has been proposed (NPRM) and finalized in the Federal Register.

Library site to help with your research: <http://libguides.uwgb.edu/polisci306>

Renee Ettinger is also our library contact person for this course: Ettinger@uwgb.edu

Assignment #1:

Due: February 9th

Points: 25

Timeline of your case

- ✓ Trace the historical development of your federal regulation
- ✓ Did this begin with policy adoption as legislation or as an executive order?
- ✓ Goal: write a 2-4 page outline of the history/timeline that lead to your final rule
 - Make sure to use the rulemaking stages in the Kerwin book
 - Please see the D2L content page for a sample timeline

Assignment #2:

Due: February 23rd

Points: 50

Using your own case study, write 3-7 pages of text that explains the background and context for your rule prior to any rulemaking action (use materials from your timeline). This section will be folded into the final paper. Basically, was there an event that triggered this legislative and rulemaking activity? In the case of the bald eagle, Rachel Carson's 1962 book "Silent Spring" captured the public's attention and led to the eventual ban on DDT because of concerns about the effect of the chemical on bird eggs. Later, lead poisoning in raptors that ate carcasses killed with lead shot served as the catalyst for scientific research and bans in some states.

Here are some examples of the types of questions you might address: What was going on politically during the period? Was the legislation part of an election campaign issue? Pressure exerted by environmental groups or a specific industry? Media coverage that put the problem on the government's agenda? Is there an individual or group behind the effort to get the federal government to take action?

- 1" margins, 12 point font, grammatically correct, in-text citations, works cited page included
- See D2L for sample of Assignment 2

Assignment #3:

Due: March 30rd

Points: 50

For your 3rd assignment, please explain the rulemaking processes for your case in 3-5 pages (i.e. when was it proposed, how many comments were received, what did the comments say, how did the agency respond, what does the final rule entail)

- 1" margins, 12 point font, grammatically correct, in-text citations, works cited page included
- See D2L for sample of Assignment 2

Assignment #4:

Due: May 4th

Points: 75

For your 4th and final assignment please make sure to incorporate what you have written for assignments 2 and 3. In addition, students are required to write a conclusion (some students may opt to describe post-rulemaking activities, but this is NOT required). More specifically, the final paper includes:

- 1) Clear introduction with a thesis statement (i.e. what is your argument)
- 2) Evidence (journal articles, the textbooks, web information, your rule, CFR, Federal Regulations) used to support thesis statement and to offer an analysis of the case study

- 3) In-text citations and reference page included, with proper format (MLA, APA, etc)
 - a. Contact the university writing center if you are unsure
 - 4) Grammatically correct, jargon free, and organized
 - 5) 12 point font, 1" margins, double spaced, 10-18 (**max**)
 - 6) Students that cite Wikipedia will receive a 0 for this assignment
- See D2L for sample of the written portion for Assignment 4
 - In addition, to submitting your final paper (1 per group) at the beginning of class on May 4, student groups are also required to present a 10 minute (max) presentation about the origins of your rule, who participated and why, actors involved, and what we can learn from this regulatory policy
 - Also, students will hand in a group/peer evaluation to assess the contributions made by each group member
 - 25 points (written portion) + 25 points (presentation) + 25 points (group evaluation) = 75 points possible for the last stage in your group's project

Notes on this assignment:

You are advised to secure a three ring binder with tabs that can be used to separate out the various elements of the legislative and rulemaking process, such as a copy of a statute, CFR section, Federal Register Notice, or press release. In order to protect natural resources, do not make copies of lengthy documents. Also, the course schedule reflects dates in which class time is set aside for student groups to work on their projects.