Course Description

Explores the basic principles and terms of law in relation to fire protection and various legal actions against people or organizations charged with emergency services management duties. Contains court cases, statutes, and regulations that have an impact on emergency service organizations.

Prerequisites

None

Course Textbook


Course Learning Objectives

Upon completion of this course, students should be able to:

1. Discuss how the legal framework and structure of the U.S. Government and its agencies operate and interact with state and local governments and its citizenry during times of national, regional, state, and local emergencies, whether they are natural catastrophes or man-made events.
2. Compare and contrast how public health laws and state laws interact with emergency management personnel along with those of the private sector during states of emergency.
3. Analyze the Stafford Act and its implications during times of emergencies.
4. Evaluate the separation of powers in an emergency between the governors, legislature, courts, and local governments.
5. Develop a comprehensive response plan that includes participation of the National Incident Management System and the National Response Framework.
6. Discuss the uses and restrictions of searches, seizures, and evacuations along with the implications of sovereign, governmental, and individual immunity.
7. Evaluate the consequences of the terrorist dirty bomb attack in Washington, D.C. and the complications associated with a pandemic flu outbreak in New Jersey.

Credits

Upon completion of this course, the students will earn three (3) hours of college credit.

Course Structure

1. **Unit Learning Objectives**: Each unit contains learning objectives that specify the measurable skills and knowledge students should gain upon completion of the unit.
2. **Unit Summaries**: Each unit contains an overview, or summary, of the information to be covered.
3. **Reading Assignments**: Each unit contains reading assignments from one or more chapters from the textbook.
4. **Key Terms:** Key terms are intended to guide students in their course of study. Students should pay particular attention to key terms as they represent important concepts within the unit material and reading.

5. **Discussion Boards:** Discussion Boards are a part of all CSU term courses. Information and specifications regarding these assignments are provided in the Academic Policies listed in the Course Menu bar.

6. **Unit Assessments:** Units I-III contain assessments composed of multiple-choice and written response questions. Units IV, VI, and VII contain assessments composed of four written response questions. All sources used, including the textbook, must be referenced; paraphrased and quoted material must have accompanying citations. There is no specific word limit; however, responses are to be complete and succinct, and you must support your decisions. **Please note:** It is very important to get your professor's feedback to your written responses after taking the Unit I Assessment so that you might adjust your responses, if needed, in taking the remainder of the unit assessments. Therefore, it is strongly suggested that you wait until your professor grades your first unit assessment before you submit another unit assessment.

7. **Academic Essay:** This assignment is due in Unit V. Details and instructions can be found below.

8. **Final Exam (proctored):** Students are to complete a final exam in Unit VIII, which is composed of 20 written response questions regarding two case study scenarios. All final exams are proctored – see below for additional information. You are permitted four (4) hours to complete this exam, in the presence of your approved proctor. This is an open book exam. Only course textbooks and a calculator, if necessary, are allowed when taking proctored exams.

9. **Ask the Professor:** This communication forum provides you with an opportunity to ask your professor general or course content related questions.

10. **Student Break Room:** This communication forum allows for casual conversation with your classmates.

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**Academic Essay**

The assignment for Unit V is an Academic Essay. You are essentially asked to provide an academic argumentative essay dealing with the concepts and information presented in this unit. This essay is to be submitted in lieu of a traditional assessment and should be written following APA formatting guidelines.

This assignment requires that you write a five paragraph (or longer) argumentative/persuasive essay. The essay should include a thesis statement, a well reasoned argument to support the thesis statement, the use of background sources to support your arguments, and a conclusion. You must use in-text citations to refer to your reference sources, and it is required that you use APA formatting.

As part of the orientation course for graduate students into CSU, there was an exercise on how to develop and write an academic essay on a controversial topic. The “Refresher on Writing Essays” has been included in the syllabus of this course and is again contained here to refresh your memory and give you guidance in the formulation and writing of a true academic essay. There is no exact word count requirement, but the example essay in the "Refresher" document contains 706 words in its five paragraphs.

**Refresher on Writing Essays**

**The Background:**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, commonly known as the Stafford Act, has long been considered the most important federal law in the area of disaster and emergency management. FEMA is the agency responsible for implementing the different aspects of the Act that will help communities respond to and recover from natural or man-made disasters. The textbook focuses on the definitions within the Act, the declaration process, eligibility for various types of assistance, and when the Act itself creates certain duties required on the part of the government.

While the Act is usually put into place dozens of times a year during the declarations of a major disaster or in times of emergencies, it is not without its detractors who have called loud and clear for a major overhaul to many of its provisions. The supplemental readings listed in this unit will provide you with more than sufficient background information to address the issue (topic) at hand.

**The Issue (Topic):**

In a five paragraph (or more) essay, compare and contrast the positions, issues, and possible reform measures to the Stafford Act to make it more functional in today's society in relation to major disasters and emergencies facing the U.S. public and its infrastructure.
In this essay, argue either for or against the reformation of the Stafford Act.

This one will require some critical thinking on your part. A number of cumbersome requirements and shortcomings within the language of the act are identified in the additional reference sources listed above and in the textbook itself. Some items to consider are listed below:

- The Stafford Act never anticipated situations as devastating to an entire city such as New Orleans.
- While the federal government can only pay out reimbursement of local expenditures, the infrastructure has been destroyed, and income streams have been lost.
- FEMA officials are often at odds with local officials on replacement costs of infrastructure (i.e., old for old versus old [and now lost] for new).
- Bureaucratic red tape requirements delay needed repair of or replacement of facilities.
- The Stafford Act lacks flexibility and is slow to provide cash quickly.
- The Act prohibits federal assistance to utilities except if those utilities are publically owned or non-profit. This affected communications, recovery, and security in the in the early stages after a disaster.
- The Act lacks catastrophic disaster housing plans to meet community needs.
- Would reformation of the Stafford Act help or hinder the clean up and recovery efforts in the Deepwater Horizon BP Oil Spill in the Gulf of Mexico?

APA Guidelines

CSU requires that students use the APA style for papers and projects. Therefore, the APA rules for formatting, quoting, paraphrasing, citing, and listing of sources are to be followed. A document titled “APA Guidelines Summary” is available for you to download from the APA Guide Link, found in the Learning Resources area of the myCSU Student Portal. It may also be accessed from the Student Resources link on the Course Menu. This document provides links to several internet sites that provide comprehensive information on APA formatting, including examples and sample papers.

CSU Grading Rubric for Papers/Projects

The course papers will be graded based on the CSU Grading Rubric for all types of papers. In addition, all papers will be submitted for electronic evaluation to rule out plagiarism. Course projects will contain project specific grading criteria defined in the project directions. To view the rubric, click the Academic Policies link on the Course Menu, or by accessing the CSU Grading Rubric link, found in the Learning Resources area of the myCSU Student Portal.

Final Examination Guidelines

Final examinations are to be administered to students by an approved proctor on a date that is mutually convenient. The student is responsible for selecting a qualified proctor that must be approved by the university.

A list of acceptable proctors is provided in the Examination Proctor Policy. To review the complete Examination Proctor Policy including a list of acceptable proctors, proctor responsibilities, proctor approval procedures and the Proctor Agreement Form, go to the MyCSU Student Portal from the link below.

http://mycsu.columbiasouthern.edu

Proctored Final Exams are taken online. To request your proctored final exam, select the designated links found in the online course. You are permitted four (4) hours to complete this exam, in the presence of your approved proctor. This is an open book exam. Only course textbooks and a calculator, if necessary, are allowed when taking proctored exams.

Communication Forums

These are non-graded discussion forums that allow you to communicate with your professor and other students. Participation in these discussion forums is encouraged, but not required. You can access these forums with the buttons in the Course Menu. Instructions for subscribing/unsubscribing to these forums are provided below.

Click here for instructions on how to subscribe/unsubscribe and post to the Communication Forums.
Ask the Professor

This communication forum provides you with an opportunity to ask your professor general or course content questions. Questions may focus on Blackboard locations of online course components, textbook or course content elaboration, additional guidance on assessment requirements, or general advice from other students.

Questions that are specific in nature, such as inquiries regarding assessment/assignment grades or personal accommodation requests, are NOT to be posted on this forum. If you have questions, comments, or concerns of a non-public nature, please feel free to email your professor. Responses to your post will be addressed or emailed by the professor within 48 hours.

Before posting, please ensure that you have read all relevant course documentation, including the syllabus, assessment/assignment instructions, faculty feedback, and other important information.

Student Break Room

This communication forum allows for casual conversation with your classmates. Communication on this forum should always maintain a standard of appropriateness and respect for your fellow classmates. This forum should NOT be used to share assessment answers.

Grading

<table>
<thead>
<tr>
<th>Component</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Unit Assessments (6 @ 8%)</td>
<td>48%</td>
</tr>
<tr>
<td>Discussion Boards (8 @ 2%)</td>
<td>16%</td>
</tr>
<tr>
<td>Academic Essay</td>
<td>16%</td>
</tr>
<tr>
<td>Final Exam</td>
<td>20%</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
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</table>

Course Schedule/Checklist (please print)

The following pages contain a printable Course Schedule to assist you through this course. By following this schedule, you will be assured that you will complete the course within the time allotted.
By following this schedule, you will be assured that you will complete the course within the time allotted. Please keep this schedule for reference as you progress through your course.

<table>
<thead>
<tr>
<th>Unit I</th>
<th>Our Constitutional Structure of Government and the Constitution and Individual Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Review:</strong></td>
<td>☐ Unit Study Guide</td>
</tr>
<tr>
<td><strong>Read:</strong></td>
<td>☐ Chapter 1: Our Constitutional Structure of Government</td>
</tr>
<tr>
<td></td>
<td>☐ Chapter 2: The Constitution and Individual Rights</td>
</tr>
<tr>
<td><strong>Discuss:</strong></td>
<td>☐ Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)</td>
</tr>
<tr>
<td><strong>Submit:</strong></td>
<td>☐ Assessment by Tuesday, Midnight (Central Time)</td>
</tr>
</tbody>
</table>

Notes/Goals:

<table>
<thead>
<tr>
<th>Unit II</th>
<th>Congress and the Agencies and the Domestic Use of Military Troops</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Review:</strong></td>
<td>☐ Unit Study Guide</td>
</tr>
<tr>
<td><strong>Read:</strong></td>
<td>☐ Chapter 3: Congress and the Agencies</td>
</tr>
<tr>
<td></td>
<td>☐ Chapter 4: The Domestic Use of Military Troops</td>
</tr>
<tr>
<td><strong>Discuss:</strong></td>
<td>☐ Discussion Board Response: Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)</td>
</tr>
<tr>
<td></td>
<td>☐ Discussion Board Comment: Comment on another student's Discussion Board response by Tuesday, Midnight (Central Time)</td>
</tr>
<tr>
<td><strong>Submit:</strong></td>
<td>☐ Assessment by Tuesday, Midnight (Central Time)</td>
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<td></td>
<td>☐ Proctor Approval Form</td>
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</tbody>
</table>

Notes/Goals:
### Unit III: Federal and State Public Health Laws

**Review:**
- Unit Study Guide

**Read:**
- **Chapter 5:** Federal Public Health Law  
- **Chapter 6:** State Public Health Law

**Discuss:**
- **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)  
- **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, Midnight (Central Time)

**Submit:**
- **Assessment** by Tuesday, Midnight (Central Time)

**Notes/Goals:**

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### Unit IV: Contemporary Issues in Public Health Emergency Law and the Role in the Private Sector

**Review:**
- Unit Study Guide

**Read:**
- **Chapter 7:** Contemporary Issues in Public Health Emergency Law  
- **Chapter 8:** The Role of the Private Sector  
  **Supplemental Reading:**
  - CDC: Emergency Preparedness and Response for all Hazards  
    ([www.bt.cdc.gov/planning/#topics](http://www.bt.cdc.gov/planning/#topics))  
  - National Conference of State Legislatures, Issues and Research  
    ([http://www.ncsl.org](http://www.ncsl.org))

**Discuss:**
- **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)  
- **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, Midnight (Central Time)

**Submit:**
- **Assessment** by Tuesday, Midnight (Central Time)

**Notes/Goals:**
<table>
<thead>
<tr>
<th>Unit V</th>
<th>The Stafford Act and the Powers of State and Local Governments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Review:</strong></td>
<td>□ Unit Study Guide</td>
</tr>
</tbody>
</table>
| **Read:** | □ **Chapter 9:** The Stafford Act  
□ **Chapter 10:** The Powers of State and Local Governments  
**Supplemental Reading:** □ Located below Unit Summary in the Study Guide |
| **Discuss:** | □ **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)  
□ **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, Midnight (Central Time) |
| **Submit:** | □ **Academic Essay** by Tuesday, Midnight (Central Time) |

**Notes/Goals:**

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<table>
<thead>
<tr>
<th>Unit VI</th>
<th>Who Does What and Searches, Seizures and Evacuations</th>
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<tbody>
<tr>
<td><strong>Review:</strong></td>
<td>□ Unit Study Guide</td>
</tr>
</tbody>
</table>
| **Read:** | □ **Chapter 11:** Who Does What  
□ **Chapter 12:** Searches, Seizures, and Evacuations  
**Supplemental Reading:** □ Located below Unit Summary in the Study Guide |
| **Discuss:** | □ **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)  
□ **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, Midnight (Central Time) |
| **Submit:** | □ **Assessment** by Tuesday, Midnight (Central Time) |

**Notes/Goals:**
## MSE 5101, Legal Aspects of Emergency Services Management

### Course Schedule

<table>
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<tr>
<th>Unit VII</th>
<th>Sovereign Immunity and Government Liability and Liability Issues for Individuals</th>
</tr>
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<tbody>
<tr>
<td><strong>Review:</strong></td>
<td>☐ Unit Study Guide</td>
</tr>
</tbody>
</table>
| **Read:** | ☐ Chapter 13: Sovereign Immunity and Government Liability  
☐ Chapter 14: Liability Issues for Individuals  
**Supplemental Reading:**  
☐ Located below Unit Summary in the Study Guide |
| **Discuss:** | ☐ **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)  
☐ **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, Midnight (Central Time) |
| **Submit:** | ☐ Assessment by Tuesday, Midnight (Central Time)  
☐ Request to take Final Exam |

**Notes/Goals:**

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<table>
<thead>
<tr>
<th>Unit VIII</th>
<th>Dirty Bomb Scenario in Washington, D.C. and A Pandemic Flu Outbreak in New Jersey</th>
</tr>
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<tbody>
<tr>
<td><strong>Review:</strong></td>
<td>☐ Unit Study Guide</td>
</tr>
</tbody>
</table>
| **Read:** | ☐ Chapter 15: A Dirty Bomb Explodes in Washington, D.C.  
☐ Chapter 16: A Pandemic Flu Outbreak in New Jersey  
**Supplemental Reading:**  
☐ Located below Unit Summary in the Study Guide |
| **Discuss:** | ☐ **Discussion Board Response:** Submit your response to the Discussion Board question by Saturday, Midnight (Central Time)  
☐ **Discussion Board Comment:** Comment on another student’s Discussion Board response by Tuesday, Midnight (Central Time) |
| **Submit:** | ☐ Final Exam by Tuesday, Midnight (Central Time) |

**Notes/Goals:**