INSTRUCTOR
Dr. Bernard W. Becker III, DBA, MS, EFO, CFO, MIFireE
Director, Center for Emergency Preparedness

INTRODUCTION
Welcome to the Political and Legal Foundations of Fire Protection course. As your instructor, I would like to stay in close contact with you. Please feel free to call me any time for assistance at my office @ 216-875-9860. If I am not in, you may e-mail me at b.becker64@csuohio.edu. I will be happy to return your call.

COURSE DESCRIPTION
This course examines the legal aspects of the fire service and the political and social impacts of legal issues. This course includes a review of the American legal system and in-depth coverage of legal and political issues involving employment and personnel matters, administrative and operational matters, planning and code enforcement, and legislative and political processes with regard to the fire service.

COURSE PREREQUISITES
NONE

COURSE DELIVERY METHOD
The Applications of Fire Research course is an ONLINE program, utilizing the Cleveland State University BLACKBOARD system.

COURSE GOALS
At the end of this course, you should understand how to be an effective risk manager by recognizing legal and political issues affecting public safety, finding and applying appropriate legal rules and/or political constructs, and articulating supportable conclusions and recommendation.
THE COURSE IS DIVIDED INTO THE FOLLOWING CORE MODULES:

- Module I: Overview of the Law
- Module II: Employment and Personnel Issues
- Module III: Operational and Managerial Issues
- Module IV: The Fire Official as Rule-maker and Enforcer
- Module V: Legislative and Political Foundations

COURSE OUTCOMES
Upon completion of this course, students will be able to:

1. Identify potential legal and political issues in fire and emergency services.
2. Describe legal lessons learned from recent cases, and identify best practices in the fire service to avoid legal liability.
3. Analyze and apply legal rules and political issues to manage risk.
4. Formulate political and legal conclusions and recommendations based on the analysis.
5. Locate and apply recent legal and legislative online resources.

COURSE OBJECTIVES
Upon completion of this course, students will be able to:

Module 1: Overview of the Law

- Describe the differences between different types and branches of law.
- Identify classes of actions such as tort, contract, and property.
- Explain the system of law and its functions.
- Explain the importance to the fire service of the due process clause of the Fourteenth Amendment.
- Define criminal and administrative warrants.
- Describe the circumstances requiring warrants and exceptions.
- Define sovereign immunity and Good Samaritan protection as they relate to the fire service.

Module 2: Employment and Personnel Issues

- Explain U.S. constitutional law as it affects employment and personnel issues in the fire service.
- Explain the impact of the First, Fourth, Fifth, and Fourteenth Amendments on personnel and employment laws.
- Describe how Federal, State, and local laws affect personnel and employment issues in the fire service.
- Analyze issues and provide supportable conclusions by applying appropriate federal, state, or local law concerning: labor relations, employee performance, employment discrimination, employee privacy, compensation, workers' compensation, and employee benefits.
- Recognize and identify behaviors and situations that may lead to or contribute to claims of violations of constitutional protections.
Module 3: Operational and Managerial Issues

- Articulate and explain the legal duties of fire departments and the department members.
- Identify and find local and state cases and laws that affect operational and managerial issues in your fire department.
- Explain specific impacts of federal law and existing federal decisions on operational and managerial issues in the fire service.
- Identify behaviors and practices that may extend liability or increase the likelihood of litigation.
- Evaluate and describe policies and procedures for potential legal impact.

Module 4: The Fire Official as Rule-maker and Enforcer

- Identify common model fire codes and determine applicable State and local codes in use in a specific location.
- Describe the process of code creation and adoption.
- Explain the legal basis for code enforcement action.
- Describe legal issues that define and affect the enforcer's role.
- Explain how fire officers can facilitate code adoption and modification processes.
- Develop legally sound policies and procedures for the administration of code enforcement activities.

Module 5: Legislative and Political Foundations

- Explain how public opinion and political culture affect fire service law enforcement functions.
- Identify allies and adversaries in the legislative process as it affects fire service interests.
- Describe ways the fire official can effectively influence the budgeting process.
- Explain the legal concerns regarding acquisition and public records.

COURSE READINGS AND MATERIALS

The course texts we will be using are:


CLASS PARTICIPATION/COURSE DISCUSSION GUIDELINES

In addition to readings and projects, you are expected to participate in class by responding to discussion questions. These questions are a useful way of formulating an understanding of the material you are reading that goes beyond simply being able to fill in a blank or recite a sentence.

Discussion should be more than just giving an opinion or saying whether you agree or disagree; a good discussion response indicates that you read the material assigned and you have processed what you read. To get credit for participating in the discussion you must post a response to the original topic or question. Response must be at least 250 words. You must also follow up by responding to at least two of your colleagues in 125-word responses. Your postings must always combine your original thinking and opinion with authoritative references.

In addition, you should cite your sources where appropriate and check your spelling and grammar.

COURSE RULES

I appreciate that you are a very busy person. I am a busy person as well. One of the things you should be learning in college is time management. I have planned the course to ensure that you have plenty of advance notice about when assignments are due. Therefore, I expect you to complete work on time and to turn your papers in on time. I work hard to get you feedback on things with a short turnaround and that is something you can expect from me.

If you encounter a problem during the semester, or know you have something coming up during this semester, please see me before the due date so we can work something out. I am not an unreasonable person, but I do expect that you will manage your time wisely.

Many of us are in the emergency services, myself included, and sometimes that means that we have unexpected events that come up and take up a substantial part of our day or week to resolve. I understand this but I recommend you save my office phone number in your cell phone so you can call me and tell me before the week is up.

If you do not come to me beforehand but instead just turn papers in late, please be aware that one full letter grade will be deducted from your score for the paper for each day beyond the due date. Papers 5 or more days late will not be accepted. If your work on the course is not complete when the semester ends, I will assume you have done all the work you are going to and I will enter your grade based on what has been done. If you anticipate a problem—please talk to me now—not 2 days after the due date!
**ACADEMIC INTEGRITY**

My expectation is that the principles of truth and honesty will be rigorously followed in all academic endeavors. All work submitted for this class must be done by you. You are free to discuss your work with others and incorporate their feedback but your writing must be your own. You may incorporate material from books or other sources if it is properly cited. In the Cleveland State University web site, you will find more information about academic integrity and a document you need to submit to me after you complete the review of the academic integrity materials.

I encourage you to seek help as needed from your supervisors, friends, colleagues, and me, your instructor. The work you submit for a grade must be your own. I will not tolerate any form of academic dishonesty, especially plagiarism. Simply put, plagiarism is taking credit for someone else's work; taking credit includes receiving some form of favorable compensation for the submitted work.

**GRADING INFORMATION AND CLASS ACTIVITY DESCRIPTIONS**

Your written assignment responses must follow the APA format and be at least 1500 words in length. You are required to use at least your textbook as source material for your response. All sources used, including the textbook, must be referenced; paraphrased and quoted material must have accompanying citations.

**ACADEMIC POLICIES**

In the Cleveland State University web site, you will find links to important academic policies and other information to help you as you complete your coursework:

- Academic Policies
- Policy and Procedures on Affirmative Action, Equal Opportunity, and Sexual Harassment
- Policy on Academic Integrity
- Policy on Academic Dishonesty and Plagiarism
- Policy on the Grade of Incomplete and Withdrawal
- Policy on the Code of Student Conduct
- Important Information and Procedures
- Course Evaluation Form Information
- Information on Disabled Student Service
- Information about Writing Resources

**UNIVERSITY/COLLEGE DEADLINES**

For the current semester, the deadline for dropping a course is January 27, 2017. The last day to withdraw from the course is March 31, 2017. The final examination week is May 6-12, 2017.
STUDENT GRADING
CSU uses the following letter grades with plusses and minuses. In the Levin College the letter grades follow this numeric scale:
A = 94-100%
A- = 90-93
B+ = 87-89
B = 83-86
B- = 80-82
C+ = 77-79 (there is no C+ grade for graduate students; C = 70-79 for grad students)
C = 70-76 for undergraduates, 70-79 for grad students
D = 60-69 (there is no D for graduate students)
F = 59 and below for undergraduates, 69 and below for graduate students

GRADES OF “I” AND “X”
X - The grade of "X" can be assigned by the instructor when an attending/participating student has stopped attending/participating without notification and has not completed all assignments for reasons that cannot be determined by the end of the grading period. An "X" automatically becomes an F if not resolved by the last day of instruction of the following semester. An "X" also will be assigned by the University Registrar when no grade is submitted by an instructor.

I - INCOMPLETE. The "I" grade is given when the work in a course has been generally passing, but when some specifically required task has not been completed through no fault of the student.

AN "I" GRADE CAN BE ASSIGNED BY THE INSTRUCTOR WHEN ALL THREE OF THE FOLLOWING CONDITIONS ARE MET:
1. Student is regularly attending/participating in the class and has the potential to pass the course;
2. Student has not completed all assignments and has stopped attending/participating for reasons deemed justified by the instructor; and
3. Student has notified the instructor prior to the end of the grading period.

STUDENTS WITH SPECIAL NEEDS
Educational access is the provision of classroom accommodations, auxiliary aids and services to ensure equal educational opportunities for all students regardless of their disability. Any student who feels he or she may need an accommodation based on the impact of a disability should contact the Office of Disability Services at (216)687-2015. The Office is located in MC 147. Accommodations need to be requested in advance and will not be granted retroactively. Students should notify the instructor as soon as possible if they have been granted an accommodation through the Office of Disability Services.
WRITING ASSISTANCE
Students with difficulty writing may contact the Writing Center located in Rhodes Tower 124 for assistance. Students should use the American Psychological Association (APA) format for citations and reference pages.

PLAGIARISM
Plagiarism is stealing and/or using the ideas or writings of another in a paper or report and claiming them as one’s own. This includes but is not limited to the use, by paraphrase or direct quotation, of the work of another person without full and clear acknowledgment.

The penalties for plagiarism are found in full in the Student Handbook (Office of Student Life) under Academic Regulations (Policy on Academic Misconduct) at the following link:

https://www.csuohio.edu/sites/default/files/StudentCodeOfConduct.pdf
## COURSE WRITTEN ASSIGNMENTS, DISCUSSION QUESTIONS, AND PROJECTS:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Grade Point</th>
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<tbody>
<tr>
<td><strong>Module 1</strong></td>
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<tr>
<td>Discussion Question 1</td>
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<tr>
<td>Discussion Question 2</td>
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<tr>
<td>Written Assignment 1</td>
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<tr>
<td><strong>Module 2</strong></td>
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<td>Discussion Question 1</td>
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<td>Discussion Question 2</td>
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<td>Written Assignment 2</td>
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<td><strong>Module 3</strong></td>
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<td>Written Assignment 3</td>
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<td><strong>Module 4</strong></td>
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<td>Discussion Question 1</td>
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<td><strong>Module 5</strong></td>
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<td>Written Assignment 4</td>
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<td><strong>Final Project</strong></td>
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<td><strong>TOTAL</strong></td>
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Please note that the final project carries a huge grade in this course. Attention to detail, research, and articulating yourself in a written format is very important.
COURSE SCHEDULE

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<tr>
<th>Semester Week</th>
<th>Discussion / Assignment / Project</th>
<th>Discussion / Assignment / Project DUE DATE</th>
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<tbody>
<tr>
<td>Week 1</td>
<td>Module 1 Discussion 1</td>
<td>January 23, 2017</td>
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<tr>
<td>Week 2</td>
<td>Module 1 Discussion 2</td>
<td>January 30, 2017</td>
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<td>Week 3</td>
<td>Module 1 Assignment 1</td>
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<td>Week 4</td>
<td>Module 2 Discussion 1</td>
<td>February 13, 2017</td>
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<td>Week 5</td>
<td>Module 2 Discussion 2</td>
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<td>Week 6</td>
<td>Module 2 Assignment 2</td>
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<td>Week 7</td>
<td>Module 3 Discussion 1</td>
<td>March 6, 2017</td>
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<td>Week 8</td>
<td>Module 3 Discussion 2</td>
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<td>Week 9</td>
<td>Module 3 Assignment 3</td>
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<td>Week 10</td>
<td>Module 4 Discussion 1</td>
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<td>Week 11</td>
<td>Module 4 Discussion 2</td>
<td>April 10, 2017</td>
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<td>Week 12</td>
<td>Module 5 Assignment 4</td>
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<td>Week 13</td>
<td>Break Week</td>
<td>April 24, 2017</td>
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<tr>
<td>Week 14</td>
<td>Final Project</td>
<td>May 1, 2017</td>
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FINAL COURSE PROJECT
For your final exam, prepare a 5000 word / 10 pages (minimum), APA formatted research project, explaining the ROLE OF THE TRAINING AND SAFETY OFFICER

You have a number of pieces of material from the text, the internet, and this web site which to utilize. A minimum of FIVE (5) references must be utilized and all of the reference citations SHALL be placed within the project. The research project SHALL have an APA formatted cover page, an introduction page, a background and significance page, a Literature review page, a conclusions page, and a reference page.

All sources used, including the textbook, must be referenced, paraphrased and quoted material must have accompanying citations. Failure to meet the APA format and content guidelines will result in a reduction in grade.

YOU MAY BEGIN WORKING ON THE FINAL COURSE PROJECT IMMEDIATELY!
THIS PROJECT IS DUE NO LATER THAN
MAY 1, 2017

SUBMIT YOUR FINAL COURSE PROJECT TO
b.becker64@csuohio.edu, IN BOTH A WORD AND PDF FORMAT.
DISCUSSION QUESTIONS
Module 1
Discussion Question 1
Define and explain “Majority Rule”

Discussion Question 2
Compare and contrast CIVIL LAW AND COMMON LAW

Module 2
Discussion Question 1
Explain the First Amendment rights to freedom of speech as an ON DUTY Firefighter.

Discussion Question 2
Explain the Americans with Disabilities Act in Relation to Alcohol and Drug Issues

Module 3
Discussion Question 1
Explain the difference between Standard Operating Procedures and Standard Operating Guidelines

Discussion Question 2
What is the role of the Occupational Safety and Health Administration and emergency services?

Module 4
Discussion Question 1
Explain the intent and purpose of a MINI – MAXI Fire Code

Discussion Question 2
Who has the AUTHORITY OF JURISDICTION for fire and life safety issues in your community? How did they obtain such authority?

Module 5
NO DISCUSSION QUESTIONS
WRITTEN ASSIGNMENTS
Module 1
Assignment 1
Explain in detail what TORT LAW encompasses. Be specific.

Module 2
Assignment 2
Explain in detail what an AT-WILL EMPLOYEE classification is and how does this affect the Fire and Emergency Services.

Module 3
Assignment 3
Explain the differences between a public fire department, a private fire department, and a not-for profit fire corporation.

Module 4
NO ASSIGNMENT

Module 5
Assignment 4
Explain how POLITICS affects the Fire and Emergency Services