

## UEP Policy and Planning Competency Grid: Legal Frameworks of Social Policy

**Course Name/Number:**

**Instructor:** Alan Jay Rom

**Semester:** Spring 2009

<b>a) Knowledge Competencies</b>	<b>Specific sub-competencies or examples as developed in this course</b>
1. History, structure, function of urban and metropolitan settlements	I wove in the history of urban development and industrialization in the context of studying court cases relating to those issues.
2. Economic influences on policy and planning (e.g. 'market' and 'polis' relationships)	We discussed economic influences on court decisions.
3. Environmental, social and cultural influences on policy and planning	Social and cultural influences in court decisions were discussed to enable students to have a context for the decisions.
4. Understanding different roles in policy and planning	
i) Levels of government	There was a major emphasis on governmental structure, and in the levels of courts, both federal and state. As cases were discussed, there was a major emphasis on the concept of "checks and balances."
ii) Governance structures	Same as 4 i)
iii) Citizens and residents	
iv) NGOs	
5. History, theory and processes of policymaking	There was a heavy emphasis on the legislative process and its relationship to the judicial process ("checks and balances"). At every opportunity we discussed the ability of Congress to overrule Supreme Court decisions involving statutory interpretation as contrasted to constitutional interpretation and what it takes to change those decisions.
6. History, theory and process of planning	
7. Implementation of policy and planning	

8. Evaluation of policy and planning	
9. Administrative and legal aspects of policy	There was a major emphasis given to how legal challenges are brought, how the courts evaluate those challenges. Since students may be going into positions where policies will be developed, I wanted them to understand how policies could be challenged with the purpose being that the policies will be drafted that take into account legal considerations if those policies are challenged.
10. Administrative and legal aspects of planning	Same as No. 9
11. Politics of policy and planning	

<b>b) Skills Competencies</b>	<b>Specific sub-competencies or examples as developed in this course</b>
<b>1. Critical thinking</b>	
i) Defining problem	There was a major focus in this course of understanding legal analysis, e.g. levels of judicial scrutiny under the Fourteenth Amendment, through the study of court decisions. I used a 4 <sup>th</sup> Amendment hypothetical to have the students argue both sides of the case based on 4 <sup>th</sup> Amendment principles and then we deconstructed the arguments. We analyzed the reasoning of all cases we studied.
ii) Documenting the extent of a problem	
iii) Documenting the political and social context	
iv) Documenting the environmental and spatial context	
v) Identifying possible analysis strategies and their implications	See 1 i).
vi) Identifying criteria for proposing solutions	See 1 i)
vii) Identifying criteria for selecting solutions	

viii) Evaluating the development and results of policies and plans	
<b>2. Research skills</b>	
i) Understanding research design	A significant portion of this course was a 15 - 20 page research paper. Since the course is a survey of constitutional and civil rights laws, I wanted the students to pick a topic related to our study and dig deeper so they will understand their chosen topic and also understand that everything else we studied needs deeper study for a thorough understanding of the subject matter.
ii) Collecting relevant literature	See 2 i)
iii) Analyzing relevant literature	See 2 i).
iv) Identifying and assessing data sources and limitations	See 2 i).
v) Developing data collection instruments and tools	See 2 i).
<b>3. Data Analysis skills</b>	
i) Interpreting and synthesizing data	
ii) Drawing inferences from specific observations to make	
iii) More generalizable findings	
iv) Comparative analysis	
v) Longitudinal analysis	
vi) Recognizing and accounting for limitations to findings	
<b>4. Qualitative Analysis skills</b>	See 2 i).
i) Direct observation	
ii) Analysis of primary qualitative data	

iii) Analysis of secondary qualitative data	
<b>5. Quantitative Analysis skills</b>	
i) Descriptive statistics	
ii) Inferential statistics	
iii) Basic forecasting	
iv) Use of spreadsheets and statistical software	
<b>6. Spatial Analysis skills</b>	
i) Understand how to identify spatial problems and frame spatial questions for analysis and research	
ii) Use Geographic Information System for basic spatial analysis and mapping	
<b>7. Communication skills</b>	
i) Writing skills	See 2 i).
ii) Speaking skills	I encouraged class discussion and debate of issues through questions, including playing “devil’s advocate” when there seemed to be consensus. I wanted the students to learn how to think about viewpoints not their own.
iii) Graphic presentation skills	
iv) Presentation strategies and methods	During those discussions, I showed them how arguments are narrowed to what is necessary to prevail to show them that broadsides rarely win and victories are usually on narrow grounds. I pointed out exceptions along the way and we discussed how lawyers decide on what arguments to make or not make.

<b>c) Policy and Planning in Practice Competencies</b>	<b>Specific sub-competencies or examples as developed in this course</b>
<b>1. Collaboration skills</b> i) Negotiation	While we discussed cases that were decided, I emphasized that most cases are settled among the parties and that is why negotiation skills are important and we discussed several negotiation strategies.
ii) Group project management	
iii) Group problem solving	
iv) Perspective-taking	Important in consideration of any case is its perspective to the parties and to the issues affecting other people. Having a perspective is important in framing the issues and we discussed this in the context of the cases studied.
v) Adaptability, flexibility	Flexibility is the key to good lawyering and we discussed this in connection with how cases are brought to court, tried and argued, appeals, and in thinking about settlement. I told them that, in judging mock trials or moot court arguments, I could close my eyes and know if someone was reading; it is important to understand the issues on both sides and be prepared to argue both sides in order to have the adaptability needed for trials and appeals.
vi) Networking	I conveyed the importance of knowing who is out there in the field you are working in and the importance of sharing information and ideas to improve your own.
<b>2. Organizational management skills</b> i) Decision making	
ii) Strategic problem solving and adapting to change	
iii) Human resource development	
iv) Financial management and resource development	
<b>3. Political and economic power mapping skills</b> i) Understanding political and economic power structures and dynamics	Statutes and regulations are not written in a vacuum and it is important to understand how they got to read as they do. Statutory construction is an important aspect of court interpretation and courts' deference to the legislative process. The legislative history is used to defend or attack statutes' constitutionality and it is important to study the way laws are written to this end. We discussed this in the context of court analyses.
ii) Modes of influencing their use	

**4. Ethical and professional behavior skills**

i) Understanding and upholding the role of ethics and accountability in professional policy and planning processes, practices, and behavior

Ethical issues were invoked as often as possible in the context of weighing individual rights against the rights of governmental actions (minority rights versus majoritarian rule). Appropriate versus inappropriate strategies were evaluated whenever possible, e.g. adequacy of counsel in 6<sup>th</sup> Amendment cases.