

**Introduction**

This course will begin by examining evidence that there is not equal environmental protection in this country and by analyzing why this inequality exists. Course participants will then review initiatives by activists, regulators and regulated polluters to respond to evidence of environmental injustice, with special attention to the perspectives of grassroots organizations, the U.S. EPA and its state counterparts, and businesses that operate where the problems are most severe. The course will also explore why civil and human rights have become increasingly important aspects of environmental protection activities across the globe. Throughout, this course will examine the often complicated relationship between three defining social justice initiatives of our times – the civil rights, human rights and environmental movements.

I am the Director of the Chicago Environmental and Energy Law Clinic, and teach environmental and energy law courses at Northwestern and Chicago-Kent College of Law. For several years, I've worked with Professors and students in Northwestern University's School of Engineering to devise strategies to solve urban environmental problems. I've practiced environmental law for more than 30 years, frequently on behalf of environmental justice organizations, and will bring this "real life" perspective to the course.

**Logistics**

**Class Hours:** Class meets in Tech classroom M128 on Fridays from 4:00-6:50.

**Office/Phone/Email:** I can be reached at the Chicago Environmental and Energy Law Clinic, 17 N. State, Suite 1710, Chicago, IL 60602. The phone number is (312) 726-2938. My email address is [kharley@kentlaw.iit.edu](mailto:kharley@kentlaw.iit.edu)

**Your Email:** You are responsible for checking your email on a regular basis. Email will be used every week to communicate important class information.

**Student Obligations and Grading**

Your grade will be based on the following scoring system, which is designed to allow you to control your final grade for the seminar.

Grade	Weekly Reflection Papers, 1-2 pages– 35 points	Attendance and Participation – 20 points	Final Paper, 10 pages – 45 points	Presentation, 10 minutes – 10 point bonus
A	7 weekly papers completed	consistent attendance and participation	an on-time final paper of good-to-excellent quality	a final presentation of good-to-excellent quality
B	6 weekly papers completed	good attendance and participation	an on-time final paper of fair-to-good quality	a final presentation of fair-to-good quality
C or below	5 or fewer weekly papers completed	inconsistent attendance and participation	a late paper and/or a paper of poor-to-fair quality	a final presentation of poor-to-fair quality

## Reading Assignments

Attached please find a class schedule and corresponding reading assignments for the entire semester. Most of the primary materials are available on our course Canvas site or freely available on the web.

You should purchase: *Environmental Justice (Key Issues in Environment and Sustainability)*, ed. Brendan Coolseat, Routledge, 2021.

## Syllabus Table

<b>Date</b>	<b>Topic</b>	<b>Reading</b>
3/31	Course Overview From the Grassroots	
4/7	EJ – A Brief History  Prompt – How Is EJ Defined?	Toxics Waste and Race (1987), 1-24 UCC (2007) 16-37, 84-108 Coolsaet 6-17  First Prompt Response Due
4/14	EJ and the Traditional System of Environmental Protection in the U.S.  Prompt - Select Steel Case Study	UCC (2007) 38-83 Coolsaet 21-36  <a href="https://www.epa.gov/ejscreen">https://www.epa.gov/ejscreen</a>  <a href="https://www.atsdr.cdc.gov/placeandhealth/eji/index.html">https://www.atsdr.cdc.gov/placeandhealth/eji/index.html</a>  Second Prompt Response Due
4/21	EJ and the Civil Rights Movement  Prompt - Camden Case Study	naacp.org/climate-justice/resources/  Fumes Across the Fence-Line. NAACP (2017) - <a href="https://www.naacp.org/climate-justice-resources/fumes-across-fence-line/">https://www.naacp.org/climate-justice-resources/fumes-across-fence-line/</a>  Coal Blooded: Putting Profits Before People. NAACP (2013) - <a href="https://www.naacp.org/climate-justice-resources/coal-blooded/">https://www.naacp.org/climate-justice-resources/coal-blooded/</a>  Third Prompt Response Due
4/28	Federal Responses to EJ  Prompt – U.S. EPA’s EJ Strategies: Real Progress or Blah, Blah, Blah?  Paper Topics Due	UCC (2007) 9-14  Executive Order 12898 and Title VI Memo  U.S. EPA EJ 2014 and 2020 Strategies  Fourth Prompt Response Due

5/5	<p>States, Local Units of Government and EJ</p> <p>Prompt - Flint Case Study – What Was The Primary Discriminatory Act?</p>	<p>Local Policies For Environmental Justice: A National Scan. Baptista (2019)</p> <p>NJ S232; CalEPA Environmental Justice Program; IL EPA Environmental Justice Program</p> <p>Weaknesses Delayed Response to Flint Water Crisis. U.S. EPA Office of Inspector General (2018)</p> <p>Fifth Prompt Response Due</p>
5/12	<p>EJ, Business Enterprises and Investors</p> <p>Prompt – Are Sustainability and ESG Enough to Address EJ? If Not, What Else Is Required?</p>	<p>Coolsaet, 107-117</p> <p><a href="https://www.era-environmental.com/blog/sustainability-management-triple-bottom-line">https://www.era-environmental.com/blog/sustainability-management-triple-bottom-line</a></p> <p>Rio Declaration on Environment and Development (1992)</p> <p>Principles of Responsible Investing: <a href="https://www.unpri.org/">https://www.unpri.org/</a></p> <p>ESG: <a href="https://www.investor.gov/introduction-investing/general-resources/news-alerts/alerts-bulletins/investor-bulletins-1">https://www.investor.gov/introduction-investing/general-resources/news-alerts/alerts-bulletins/investor-bulletins-1</a></p> <p>Sixth Prompt Response Due</p>
5/19	<p>EJ and the International Human Rights Movement</p> <p>Prompt – Is EJ the U.S. Version of the Environmental Aspirations of the International Human Rights Movement?</p>	<p>Coolsaet, 37-51, 132-147</p> <p>UCC (2007), 109-123</p> <p>Framework Principles on Human Rights and the Environment (2018); UNEP Factsheet on Human Rights and the Environment; UNEP Environmental Rights Initiative</p> <p>UN Resolution on Human Rights and the Environment, July 2022</p> <p>Seventh Prompt Response Due</p>

5/26	EJ, Climate and the Just Transition  Presentations	Coolsaet, 148-160  Bali Principles of Climate Justice (2002)  <a href="https://yaleclimateconnections.org/2020/07/what-is-climate-justice/">https://yaleclimateconnections.org/2020/07/what-is-climate-justice/</a>  <a href="https://climatejusticealliance.org/just-transition/">https://climatejusticealliance.org/just-transition/</a>
6/2	EJ and the Pandemic and the Biden Administration  Presentations	<a href="https://www.hsph.harvard.edu/change/subtopics/coronavirus-and-pollution/">https://www.hsph.harvard.edu/change/subtopics/coronavirus-and-pollution/</a>  Executive Order on Tackling the Climate Crisis at Home and Abroad (January 27, 2021)  The Inflation Reduction Act of 2022

## Northwestern University, Office of the Registrar, Syllabus Statements

### ***Academic Integrity***

Students in this course are required to comply with the policies found in the booklet, "Academic Integrity at Northwestern University: A Basic Guide." All reports submitted for credit in this course must be submitted electronically unless otherwise instructed by the professor. Your written work may be tested for plagiarized content. For details regarding academic integrity at Northwestern or to download the guide, visit: <https://www.northwestern.edu/provost/policies-procedures/academic-integrity/index.html>

### ***Accessibility***

Northwestern University is committed to providing the most accessible learning environment as possible for students with disabilities. Should you anticipate or experience disability-related barriers in the academic setting, please contact AccessibleNU to move forward with the University's established accommodation process (e: [accessiblenu@northwestern.edu](mailto:accessiblenu@northwestern.edu); p: 847-467-5530). If you already have established accommodations with AccessibleNU, please let your instructor know as soon as possible, preferably within the first two weeks of the term, so you and your instructor can work together to implement your disability accommodations. Disability information, including academic accommodations, is confidential under the Family Educational Rights and Privacy Act.

### ***Diversity, Equity, and Inclusion***

This course strives to be an inclusive learning community, respecting those of differing backgrounds and beliefs. As a community, we aim to be respectful to all students in this class, regardless of race, ethnicity, socio-economic status, religion, gender identity, or sexual orientation.

### ***Prohibition of Recording of Class Sessions by Students***

Unauthorized student recording of classroom or other academic activities (including advising sessions or office hours) is prohibited. Unauthorized recording is unethical and may also be a violation of University policy and state law. Students requesting the use of assistive technology as an accommodation should contact AccessibleNU. Unauthorized use of classroom recordings – including distributing or posting them – is also prohibited. Under the University's Copyright Policy, faculty own the copyright to instructional materials – including those resources created specifically for the purposes of instruction, such as syllabi, lectures and lecture notes, and presentations. Students cannot copy, reproduce, display, or distribute these materials. Students who engage in unauthorized recording, unauthorized use of a recording, or unauthorized distribution of instructional materials will be referred to the appropriate University office for follow-up.

For details regarding Accessible NU, visit: <https://www.northwestern.edu/accessiblenu/>

For details on the University's Copyright Policy, visit:

<https://www.invo.northwestern.edu/invention-management/policies-forms/copyright-policy/index.html>

### ***Support for Wellness and Mental Health***

Northwestern University is committed to supporting the wellness of our students. Student Affairs has multiple resources to support student wellness and mental health. If you are feeling distressed or overwhelmed, please reach out for help. Students can access confidential resources through the Counseling and Psychological Services (CAPS), Religious and Spiritual Life (RSL) and the Center for Awareness, Response and Education (CARE). Additional information on all the resources mentioned above can be found here:

- <https://www.northwestern.edu/counseling/>
- <https://www.northwestern.edu/religious-life/>
- <https://www.northwestern.edu/care/>

### ***COVID-19 Classroom Expectations***

Students, faculty and staff must comply with University expectations regarding appropriate classroom behavior, including those outlined below and in the COVID-19 Expectations for Students. With respect to classroom procedures, this includes:

- Policies regarding masking, social distancing and other public health measures evolve as the situation changes. Students are responsible for understanding and complying with current University, state and city requirements.
- In some classes, masking and/or social distancing may be required as a result of an Americans with Disabilities Act (ADA) accommodation for the instructor or a student in the class even when not generally required on campus. In such cases, the instructor will notify the class.

If a student fails to comply with the COVID-19 Expectations for Students or other University expectations related to COVID-19, the instructor may ask the student to leave the class. The instructor is asked to report the incident to the Office of Community Standards for additional follow-up.

For details regarding COVID-19 Exceptions for Students, visit:

<https://www.northwestern.edu/communitystandards/about-us/northwestern-university-student-expectations-covid-19.html>

### ***Exceptions to Class Modality***

Maintaining the health of the community remains our priority. If you are experiencing any symptoms of COVID, do not attend class. Follow the steps outlined on this site for testing, isolation, and reporting a positive case. Next, contact your instructor as soon as possible to arrange to complete coursework.

Students who experience other personal emergencies should contact the instructor as soon as possible to arrange to complete coursework.

Should public health recommendations prevent in-person class from being held on a given day, the instructor or the University will notify students.