



## SPRING 2026 COURSE SYLLABUS

Course Number: Law 210-002

Course Title: Discrimination in Employment

Credit Hours: 2

Grading Mode: Letter

Meeting Time(s): MON 4:00-6:00 PM

Meeting Mode: ON CAMPUS

Exam Time(s): TAKE HOME

Exam Mode: TAKE HOME

Prerequisite(s): N/A

Corequisite(s): N/A

Instructor(s):

CHARLES M. HENTER

Contact Information and Office Hours:

[chenter@gmu.edu](mailto:chenter@gmu.edu)

Reading(s) & Supplement(s):

On the following pages is a proposed reading assignment schedule. As the class progresses, I may modify assignments as needed. Please keep in mind that each student will be responsible for reading any statute or regulation mentioned in the casebook or case readings, as well as those listed in the assignments below.

1. *Cases and Materials on Employment Discrimination* by Sullivan, Bornstein, and Zimmer (11th ed. 2026)
2. Supplement of additional cases in PDF format will be provided
3. Statutory and Regulatory Supplement in PDF format will be provided.
4. Additional materials may also be provided.

### Course Overview:

Examines the federal regulatory structure governing employment practices that make distinctions based on race, color, religion, sex, national origin, disability and age.

### Course Learning Outcomes:

By the end of the course, students should:

- Have an understanding of the basic principles of employment discrimination law;
- Be familiar with the causes of action, schemes of proof, prima facie elements, and defenses used in employment discrimination law; and
- Be able to analyze the complex factual situations inherent in employment discrimination cases and identify and understand the legal issues that are involved.

### Grading Policies:

A take-home final exam will be the basis for a student's grade. I reserve the right to bump a grade up or down as a result of a student's class participation during the semester.

### Classroom Policies:

**Attendance:** Per AR 3-1.4, "maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student's program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements."

**Absences:** Per AR 4-1.1, "if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session."

### Participation & Preparation:

Beginning on our third class, I will be assigning students to be the discussion leaders each week. These students, to whom advance notice will be given, should expect to volunteer to participate in class, so please prepare accordingly. Also, this participation is based on the class day, not the reading assignments in the syllabus, so please prepare for the entire class to the best of your ability.

Of course, I encourage and expect every student to be fully prepared to participate in class discussions as well—do not come to class unprepared or leave the discussion just to the day's leaders.

## NOTE ABOUT OFFENSIVE LANGUAGE AND MATERIAL:

We will be reading cases where offensive language is used, including racial and ethnic slurs, sexual stereotypes, acts of violence, and extremely crude and vulgar language. I may occasionally use offensive language or stereotypes in class in an effort to explore this subject properly (such as in hypothetical problems). Students must be willing to both read and listen to this material and discuss the offensive language in an academic and respectful setting

## Use of Technology & AI:

Generative AI tools can be useful in the study of employment law. However, such tools can also lead a student astray with incomplete or misleading information. In this professor's opinion, generative AI tools are here to stay and have the potential to increase a student's understanding and knowledge of the law. Accordingly, students may use generative AI tools in this course for the following purposes, and with the following guidelines. Students may use AI in this course to explore, study, and outline employment law information. Students may not use AI during class discussions or for any assessment (such as the take-home final exam). Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

## Use of Electronic Text Books During Exams:

Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's *written* exam instructions. Electronic text books (e-books) may be used during exams that are designated as open book by the instructor, and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E-books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e-book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

## Course Schedule & Assignments

### Week 1:

Date: January 21

Topic: Definitions of Discrimination; Review of Relevant Statutes; Overview of Three Basic Proof Structures; Begin Review of Individual Disparate Treatment

Assignment(s): xxi-xxii; xxv-xxix; 1-23 n4; 23 n6-26 n10

### Week 2:

Date: January 26

Topic: Continue to Review Individual Disparate Treatment; Evidence of Discriminatory Intent; Employer Liability; Meaning of Race in § 1981

Assignment(s): 28-35 n2; 37 n6-49; 53-66 n3

### Week 3:

Date: February 2

Topic: Continue to Review Individual Disparate Treatment; Adverse Employment Actions; Causation & Mixed Motives

Assignment(s): 67-84 n7; Case Supplement 1-7; 94 n1-100 n6; 106 n14-109

### Week 4:

Date: February 9

Topic: Continue to Review Individual Disparate Treatment; Begin Review of Systemic Disparate Treatment; Formal Policies of Discrimination; Patterns & Practices

Assignment(s): 111-22; 123 n4-125; 133-38 n2; 140-154 n6

### Week 5:

Date: February 16

Topic: Continue to Review Systemic Disparate Treatment; Defenses & BFOQ

Assignment(s): 155-59 n2; 174-83; 185-86; Case Supplement 7-14; 193 n1- 195 n5

### Week 6:

Date: February 23

Topic: Review Systemic Disparate Impact; Modern Structure after Civil Rights Act of 1991

Assignment(s): 205-218 n3; 220-225 n6; 227-32; 233-238

Week 7:

Date: March 2

Topic: Continue to Review Systemic Disparate Impact and Modern Structure;  
Necessity and Job-Relatedness Defense; Tension between IDT and SDI

Assignment(s): 241-49 n5; 265-70 n3; 291-308 n6

Week 8:

Date: March 16

Topic: Sex Discrimination; Dress and Grooming Standards; Pregnancy

Assignment(s): 326-30; Case Supplement 14-22; 359 n1-65 n8; 371 n1-376;  
390-93; 404-11

Week 9:

Date: March 23

Topic: Continue to Review Sex Discrimination; Harassment; Review Religious  
Discrimination

Assignment(s): 411-17 n5; 420-32; 435 n1-37 n3; 450-51; 452-59 n5

Week 10:

Date: March 30

Topic: Continue to Review Religious Discrimination; Review Retaliation

Assignment(s): 459-71 n4; 471 n7- 474; 477-87; 492 n1-93 n2; 511-16

Week 11:

Date: April 6

Topic: Continue to Review Retaliation; Disability Discrimination

Assignment(s): 516 n1-33 n5; 543 n7-44 n7; 547-61; 567-70

Week 12:

Date: April 13

Topic: Review Specific Types of Discrimination; Qualified Individual with a  
Disability; Reasonable Accommodations; Qualification Standards; Defenses

Assignment(s): 570-79 n5; 580-91; 608-16n4; Case Supplement 23-30

Week 13:

Date: April 20

Topic: Continue to Review Disability Discrimination; Review Damages & Relief

Assignment(s): 637-39; 660-68; 679-89 n4; 691-98

## Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing [titleix@gmu.edu](mailto:titleix@gmu.edu).

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)