

# Teaching guide

## IDENTIFICATION DETAILS

Degree:	Law		
Field of Knowledge:	Social and Legal Sciences		
Faculty/School:	Law, Business and Government		
Course:	ADMINISTRATIVE LAW I		
Type:	Compulsory	ECTS credits:	6
Year:	2	Code:	7227
Teaching period:	Fourth semester		
Subject:	Administrative Law		
Module:	Public Law		
Teaching type:	Classroom-based		
Language:	Spanish		
Total number of student study hours:	150		

## SUBJECT DESCRIPTION

The subject of Administrative Law constitutes one of the most important branches of Public Law. The constant presence of Public Administration in our lives, as an instrument of permanent and general relationship between the State, whose purposes it assumes, and citizens, requires studying what Public Administration is and the basic principles of its regulatory law (the submission of the Administration to the Law; the guarantee against arbitrariness, the protection of the citizen, etc.).

The functioning of Public Administrations; their legal regime; the basic principles that govern their actions and relations with citizens; as well as the legal position they occupy with respect to them, their rights and guarantees, constitute the central core of this subject.

In Administrative Law I, we will study the origins of Administrative Law and its main characters; its condition and its sources, especially the regulatory norm; the basic principles that govern the actions of Public Administrations and their relations with citizens; public employment; the common administrative procedure, the administrative act, the legal-administrative guarantees and, finally, the system of financial responsibility of Public Administrations. In the sections of the agenda referring to sources and administrative organization, references to Comparative Law are included, with an explanation of administrative functioning and source systems in other systems in our environment.

## GOAL

That students know and understand:

The basic institutions of Administrative Law and the bases of the legal-administrative system;  
The Public Sector, its legal regime and the basic principles that should govern administrative action;  
The legal position of citizens with respect to Public Administrations; and  
Administrative defense mechanisms.

That the student is able to analyze and solve a problem that is affected by Administrative Law.

## PRIOR KNOWLEDGE

There are no prerequisites. The student will find the knowledge acquired in the subjects of Constitutional Law and Civil Law very useful

## COURSE SYLLABUS

Topic 1. PUBLIC ADMINISTRATION AND ADMINISTRATIVE LAW. The historical formation of Administrative Law; public administrations and administrative law; the relations of the citizen with the administration.

Theme 2. THE SOURCES OF ADMINISTRATIVE LAW The sources of Administrative Law; in particular, regulatory power; concept, characteristics and types of regulations; formal elements and procedural assumptions; invalidity and challenge of regulations.

Theme 3. ADMINISTRATIVE ORGANIZATION Principles of administrative organization; territorial administrations; the distribution of powers between territorial administrations; relations between territorial administrations; institutional administration; administrative bodies. Comparative Administrative Law: administrative organization in legal systems in our environment.

Topic 4. STAFF AT THE SERVICE OF PUBLIC ADMINISTRATIONS The public service in Spain; personnel management system in the service of the administration; career models; human resource planning; public employment offer and job relationships; the classification groups of civil servants; professional careers and internal promotion; access to public employment; acquisition and loss of civil servant status; selective systems or processes and selection bodies; the provision of jobs; situations administrative functions of public servants; rights and duties of public employees; responsibility of public employees.

Topic 5. ADMINISTRATIVE ACTS The principle of legality and the prerogatives of the Public Administration; the administrative act; administrative discretion and its forms of control; the invalidity of administrative acts; the formulas for validating administrative acts; the effectiveness of administrative acts; the principle of administrative self-protection; the inactivity of the Administration: administrative silence.

Theme 6. THE ADMINISTRATIVE PROCEDURE The administrative procedure; the principles of the development of the administrative procedure; the subjects of the administrative procedure; phases of the procedure; deadlines; termination of the procedure.

Topic 7. THE REVIEW OF ADMINISTRATIVE ACTS Administrative remedies: functions, procedures and classes; review and revocation of administrative acts.

Topic 8. THE PATRIMONIAL RESPONSIBILITY OF THE ADMINISTRATION Process of recognition of State responsibility; constitutional and legal provisions; liability assumptions; liability action; the effectiveness of reparation; personal responsibilities and return actions; liability for revoked or annulled administrative acts; liability of contractors and concession holders of the Administration; judicial responsibility and the legislator State.

## EDUCATION ACTIVITIES

Different evaluable teaching and learning tools will be used, such as: expository classes, individual and group research work (analysis of news, sentences or other texts of relevance to the subject) and subsequent presentation, debates, resolution of practical cases, tutoring and exams.

METHODOLOGY Throughout the course, the 'flipped classroom' and 'problem-based learning' methodologies will be used to address the explanation of different sections of the program

### 1. Face-to-face Activity:

It will focus on the analysis and study of the agenda and on the development of the competencies described in the previous sections.

Theory and practice will be combined (expository classes; exhibition of research papers; debates; practical cases). In the expository classes, the teacher will explain to the students the different topics that make up the program so that they can correctly assimilate the content of the subject. The explanation may be made in the form of case studies or comments on current issues. Some of the content will be taught through two types of methodology: flipped classroom and problem-based learning. Discussion-dialogue between teacher and student will be encouraged.

For these purposes, prior preparation of the subjects by the students is essential so that the teacher can focus on the essential aspects of the subject. To prepare the different topics, the student must view the videos and study the documentation that the teacher posts on CANVAS.

In addition, the student must go to the bibliography recommended in this teaching guide and be fluent in the regulations applicable to each topic of study. The student must attend class with the legal texts or computer in order to search for regulations.

The classes will serve as a basis and guide for students' study of the different subjects that make up the program. Class participation is mandatory in those subjects that use the following methodologies: flipped classroom and problem-based learning.

Students should intervene in class by briefly presenting the topics and answering the questions that the teacher and other students ask them. Small working groups may be formed for the preparation and presentation in class of works of interest.

2. Non-face-to-face activity: The student will prepare the subject with the support of the reference manual, and the videos and readings that the teacher deems appropriate, with the possibility of consulting and tutoring with the teacher of the subject via email or any other means that can be established through the University platform.

Likewise, non-face-to-face students must access practical cases on the platform in order to apply the knowledge learned, within the deadlines indicated by the teachers.

## DISTRIBUTION OF WORK TIME

TEACHER-LED TRAINING ACTIVITIES	INDIVIDUAL WORK
60 Horas	90 Horas

## SKILLS

### Basic Skills

Students must have demonstrated knowledge and understanding in an area of study that is founded on general secondary education. Moreover, the area of study is typically at a level that includes certain aspects implying knowledge at the forefront of its field of study, albeit supported by advanced textbooks

Students must be able to apply their knowledge to their work or vocation in a professional manner and possess skills that can typically be demonstrated by coming up with and sustaining arguments and solving problems within their field of study.

Students must have the ability to gather and interpret relevant data (usually within their field of study) in order to make judgments that include reflections on pertinent social, scientific or ethical issues

Students must be able to convey information, ideas, problems and solutions to both an expert and non-expert audience

Students must have developed the learning skills needed to undertake further study with a high degree of independence

To be familiar with the substantive content of legal disciplines and all supplementary fields.

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To acquire an ability for analysis, synthesis, assessment and critical reasoning.

To communicate orally and in writing within different contexts, using technical language when the situation calls for it.

### General Skills

To be familiar with the substantive content of legal disciplines and all supplementary fields.

To apply theoretical knowledge in the solving of problems.

To research, manage sources and handle information.

To acquire an ability for analysis, synthesis, assessment and critical reasoning.

To communicate orally and in writing within different contexts, using technical language when the situation calls for it.

### **Specific skills**

Know the concepts, institutions and legal relationships and their basis.

To achieve the perception of the unitary nature of the legal system and of the necessary interdisciplinary vision of legal problems.

Analyze the historical, social, economic, political, philosophical, ethical, cultural and religious context of the different legal, economic and social institutions.

Identify the vocabulary specific to the legal, political, economic and philosophical fields.

Offer creative and imaginative solutions to legal, personal and professional problems, based on the approach or sources used.

Use constitutional principles and values to interpret the legal system.

Manage the legal sources (legal, jurisprudential and doctrinal) applicable to the case study.

Show a critical conscience in the analysis of the legal system, being able to identify the appropriateness of the norm to the ideal of Justice.

Develop habits of rigorous thinking, exercising the capacity for analysis and synthesis.

Reflect on their own learning with a self-critical sense, identifying aspects of improvement based on quality and excellence criteria.

Read and interpret legal texts.

### **LEARNING RESULTS**

It captures the importance of Public Administration as an instrument of permanent and general relationship between the State and citizens.

It includes the main characteristics of Administrative Law as the regulatory law of Public Administrations. Its basic principles.

Know the principles that should govern administrative action, their purposes and their legal regime.

Handles different legal sources, doctrine, case law and legislation.

He has the capacity to analyze texts and legal sources.

He has the capacity for legal argument.

Learn what an administrative act is, its main characters, classes, effects and the different means of challenge.

Know the legal position of citizens with respect to Public Administrations. Your rights and guarantees. Your Jurisdictional Guardianship.

Resolve basic case studies.

Understand the nature of the Administration as a subject with exorbitant common law prerogatives in the service of the general interest.

Apply general legal concepts to specific situations in procedural/process phases

## LEARNING APPRAISAL SYSTEM

### 1. ORDINARY EVALUATION SYSTEM

#### A) ORDINARY CALL

Final Exam: 70%

Papers, readings, presentations, resolution of practical cases, opinions, comments on legal texts, evaluation tests, or continuous evaluation tests: 25%

Active participation and class work: 5%

To calculate the 30% that does not correspond to the final exam, you must have passed the final exam with a minimum of 5.

#### B) EXTRAORDINARY CALL

Final Exam: 70%

Papers, readings, presentations, resolution of practical cases, opinions, comments on legal texts, tests or continuous evaluation tests: 30%

Students who fail the final exam will be examined in an extraordinary call for the entirety of the subject. The score of the continuous evaluation will be reserved for the extraordinary call. In the event that the student has not carried out any activity in the continuous evaluation, they can carry out a different practical case that they must submit on the dates established by the teacher. In this case, internships will only provide 10% of the final grade.

### 2. STUDENTS WITH ACADEMIC DISPENSATION and ERASMUS STUDENTS

#### A) ORDINARY CALL

Final Exam: 70%

Papers, readings, resolution of case studies: 30%

#### B) EXTRAORDINARY CALL

Final Exam: 70%

Papers, readings, resolution of case studies: 30%

Students who fail the final exam will be examined in an extraordinary call for the entirety of the subject. The score of the continuous evaluation will be reserved for the extraordinary call. In the event that the student has not carried out any activity in the continuous evaluation, they can carry out a different practical case that they must submit on the dates established by the teacher. In this case, internships will only provide 10% of the final grade.

### 3. REPEATING STUDENTS

Repeat students will take a final exam (70%) and a case study (30%), which they must write and submit in accordance with the instructions of the subject teacher.

### REGULATIONS FOR EVALUATION AND COEXISTENCE

All tests susceptible to evaluation will be subject to the provisions of the UFV Evaluation Regulations. Plagiarism, as well as the use of illegitimate means in evaluation tests, will be sanctioned in accordance with the provisions of the Evaluation Regulations and the University's Coexistence Regulations

Students are recommended to read these regulations carefully: <https://www.ufv.es/wp-content/uploads/2019/01/normativa-de-convivencia-UFV.pdf>

## ETHICAL AND RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE

1.- The use of any Artificial Intelligence (AI) system or service shall be determined by the lecturer, and may only be used in the manner and under the conditions indicated by them. In all cases, its use must comply with the following principles:

- a) The use of AI systems or services must be accompanied by critical reflection on the part of the student regarding their impact and/or limitations in the development of the assigned task or project.
- b) The selection of AI systems or services must be justified, explaining their advantages over other tools or methods of obtaining information. The chosen model and the version of AI used must be described in as much detail as possible.
- c) The student must appropriately cite the use of AI systems or services, specifying the parts of the work where they were used and describing the creative process followed. The use of citation formats and usage examples may be consulted on the Library website([https://www.ufv.es/gestion-de-la-informacion\\_biblioteca/](https://www.ufv.es/gestion-de-la-informacion_biblioteca/)).
- d) The results obtained through AI systems or services must always be verified. As the author, the student is responsible for their work and for the legitimacy of the sources used.

2.- In all cases, the use of AI systems or services must always respect the principles of responsible and ethical use upheld by the university, as outlined in the [Guide for the Responsible Use of Artificial Intelligence in Studies at UFV](#). Additionally, the lecturer may request other types of individual commitments from the student when deemed necessary.

3.- Without prejudice to the above, in cases of doubt regarding the ethical and responsible use of any AI system or service, the lecturer may require an oral presentation of any assignment or partial submission. This oral evaluation shall take precedence over any other form of assessment outlined in the Teaching Guide. In this oral defense, the student must demonstrate knowledge of the subject, justify their decisions, and explain the development of their work.

## BIBLIOGRAPHY AND OTHER RESOURCES

### Basic

VELASCO CABALLERO, F. and DARNACULLETA, M. Marcial Pons Administrative Law Manual (electronic and free)

(VELASCO CABALLERO, F. and DARNACULLETA, M. Marcial Pons Administrative Law Manual (electronic and free) , Open access electronic edition. Marcial Pons.  
<https://www.revistasmarcialpons.es/revistaderechopublico/issue/view/manual-de-derecho-administrativo>)

## **Additional**

PARADA VÁZQUEZ, José Ramón ADMINISTRATIVE LAW I. Editorial Dickinson Latest edition  
(PARADA VÁZQUEZ, José Ramón ADMINISTRATIVE LAW I. Editorial Dickinson Latest edition , ||ESTEVE  
PARDO, José Administrative Law Lessons 10th (2021) )