



# LAW OF MASS COMMUNICATION

MMC 4200, Class No. 18230

Fall 2020



Tuesdays, 1:55 – 3:50 p.m. (Periods 7 – 8)

Thursdays, 1:55 – 2:45 p.m. (Period 7)

**Synchronous Online:** Live by Zoom During Scheduled Class Periods

## Prof. Clay Calvert

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### ***Reformatting the Class for the Covid-19 World:***

This class, as you know, originally was to be taught live and in person. It was, in fact, the only section of MMC 4200 that the College is offering in Fall Semester 2020 that was to be taught live and in person. That, of course, now has changed and, because it is a large class, it must be taught online.

Because you registered for the live, in-person version, I've chosen to teach this class live and synchronously via Zoom during the regularly scheduled class periods and to provide you with the best live experience I can. I fully recognize it simply is not possible to completely replicate that in-person feel on Zoom and that I can't read all of your faces at one time to see how you're understanding or reacting to items, but I promise I'll try my best under these Covid-19 circumstances. I hope, in turn, that you'll stick with me as we go through this semester together. Some of you (hopefully most of you) appreciate the structure and feel of live lectures, as compared to pre-recorded asynchronous ones.

Additionally, I anticipate there will many breaking issues this Fall – protests, marches, rallies, etc. – that implicate the First Amendment. We will be able to address these only because this class is live, which is great.

Throughout this syllabus, I'll describe some changes and adjustments I have made from my usual in-person version of this class. These changes were all made with the intent of helping you out, in terms of both the stress some of you may be feeling this semester from outside issues and the possibility of technological ones.

First and foremost, there will be five (5) quizzes instead of the usual four (4) that I have always given in the past. This reduces the pressure for each quiz (each counts for 20% of your overall grade rather than 25%) and provides you with more opportunities to do well (five rather than four).

Second, and assuming they record properly, I'll email you all Zoom recordings of each lecture, typically within 48 hours after it is completed. This will allow you to watch (and re-watch) them as many times as you like before each quiz. It's an advantage no other class I have taught has ever had. More details about the recording of lectures will follow later in this syllabus.

With this background in mind, let's move on to focus on specifics.

## *Course Goals:*

This course introduces you to First Amendment jurisprudence (jurisprudence is just a fancy word for a body of law), as well as to common law and statutory law as they affect journalists, the media and, more broadly, all citizens of the United States.

The course initially provides an introduction to the American legal system, including a discussion of sources of law and the federal and state court systems. It then covers the history of the First Amendment freedoms of speech and press, theories and rationales for protecting speech, and defamation law.

Furthermore, the course addresses a wide range of topics that affect everyone, not simply journalists. These include the regulation of broadcast indecency, obscenity, child pornography, hate speech (of particular relevance in 2020), fighting words, incitement, threats of violence, high school student speech, and the intellectual property domain of trademark law (trademark is especially important if you are either a public relations major or an advertising major).

## Advice:

Learning media law may be difficult for some of you. This class requires hard work to do well. Even with hard work, you may not do as well as you would like.

As juniors and seniors, some of you may no longer be in the habit of taking quizzes requiring detailed memorization. This course, however, requires you do so if you want to do well, so that's a friendly heads up that you really will need to study to do well.

Although attendance is not required (other than on the dates of the five quizzes, when attendance *is* required as you take your quizzes through Canvas with Honorlock proctoring), it is a very good idea for you to **regularly attend class via Zoom and to do the reading before class.**

Some quiz questions are drawn from material discussed solely in class, not from readings and handouts. Other questions are drawn directly from the readings, including the assigned textbook and handouts posted on Canvas. ***In brief, material from BOTH readings (handouts, cases, articles and the textbook) and lectures (including overheads and illustrations shown during lectures on Zoom) is subject to testing.***

To help you out, I will email you all through Canvas a link to the recordings of my live lectures, typically within 48 hours of the time that they end. You'll just need to log into UF Zoom to watch them. This is a change I'm making to help you out so that you can re-watch them as many times as you like in preparation for quizzes. The recordings are for your personal use only; they are not to be disseminated to anyone other than students in this class this semester.

## Notice of Recording of Lectures:

This serves as notice to you that all of my lectures will be recorded. If you do not want the image of your face captured during the recording process, that is perfectly fine with me. All you need to do is just mute your image on Zoom. In other words, please feel free to adjust it on your end via UF Zoom so that all that I (or anyone else) see is your name.

## **Zoom & Scheduling of Class Meetings on Zoom:**

As noted above, all lectures will occur through Zoom and will be recorded. You will need to use UF Zoom. You can find information about it, as well as download Zoom free of charge, at:

<https://ufl.zoom.us>

<https://elearning.ufl.edu/zoom/>

<https://video.ufl.edu/conferencing/zoom/>

**I will schedule Zoom meetings every Sunday for the upcoming week's classes.** For example, on Sunday, September 6, I will schedule Zoom meetings for classes on both Tuesday Sept. 8 and Thursday Sept. 10.

I also will email you the links and passwords on Sundays, so **please check your email regularly.**

I will **not** be using Zoom through Canvas. Rather, I'll be using UF Zoom separately, so **be sure you are logged into UF Zoom before classes start.**

**NOTE:** Zoom allows the scheduling of meetings on quarter-hour, 15-minute increments, rather than every five minutes. Thus, as this affects this class:

- **Tuesday classes will be scheduled on Zoom from 1:45 p.m. to 4:00 p.m.**

[I won't start lecturing until 1:55, but you can log in at 1:45;  
I will stop lecturing at the regular class end time of 3:50]

- **Thursday classes will be scheduled on Zoom from 1:45 p.m. to 3:00 p.m.**

[I won't start lecturing until 1:55, but you can log in at 1:45;  
I will only lecture until 2:45, with the extra 15 minutes being a buffer]

**Please “mute” your audio upon entering Zoom.** Please raise your “**blue hand**” in the participants section if you have a question. I will try to call on people after I finish discussing a unit – rather than in the middle of it – to preserve the flow of the lectures.

## Using Honorlock:

This is **hugely important**. I recommend familiarizing yourself with it during the first week of class if you are not already familiar with it.

**All quizzes will be proctored by Honorlock; you will need to enable it.**

You will need to download the **Google Chrome** browser to use it **AND** to install an **extension** on it for your quizzes (see the instructions below).

You will need to carefully follow these instructions when taking your quizzes. I have created a practice quiz to help you (see later in this syllabus). **There are a lot of details and things you must do for Honorlock to work, so please be prepared in advance.** You must review the following to ensure it works successfully:

<https://dce.ufl.edu/media/dceufledu/pdfs/Honorlock-Student-Guide-UF-Update.pdf>

<https://dce.ufl.edu/media/dceufledu/pdfs/Honorlock-Student-Exam-Preparation-Information.pdf>

**IMPORTANT:** Beginning July 1, 2020, Honorlock updated its Minimum System Requirements and it no longer supports Windows 8, Windows 8.1, Mac OSX 10.11, or Mac OSX 10.12.

**I have also included in the “Files” folder Honorlock’s “Getting Started with Honorlock Guide.”**

**Here is Honorlock’s video to help you understand the process. Please watch it and then take the practice quiz in the Quizzes tool for my course to give it a try:**

<https://www.youtube.com/watch?v=wRWE-9PUquo&feature=youtu.be>

**Here is Honorlock’s own set of instructions for you on how to use it. Please read and follow these instructions very carefully for all quizzes:**

Honorlock is available 24/7 and all that is needed is a **computer, a working webcam, and a stable Internet connection.**

To get started, you will need **Google Chrome** and to download the **Honorlock Chrome Extension**. You can download the extension at [www.honorlock.com/extension/install](http://www.honorlock.com/extension/install)

**When you are ready to test, log into Canvas, go to your course, and click on your exam.** Clicking “**Launch Proctoring**” will begin the Honorlock authentication process, **where you will take a picture of yourself, show your ID, and complete a scan of your room.** Honorlock will be recording your exam session by webcam as well as recording your screen. Honorlock also has an integrity algorithm that can detect search-engine use, so please do not attempt to search for answers, even if it’s on a secondary device.

Good luck! Honorlock support is available 24/7/365. If you encounter any issues, you may contact them by live chat, phone (844-243-2500), and/or email ([support@honorlock.com](mailto:support@honorlock.com)).

### **Here is Honorlock’s list of Frequently Asked Questions for Students:**

#### **What do I need to know before taking my exam?**

Ensure your computer is charged and has a strong internet connection. You can check your system at [honorlock.com/support](https://honorlock.com/support). Make sure to use Google Chrome when you log in to take your test. We recommend students take their exam in a quiet private location to limit potential flags and distractions.

#### **Why do I need a photo ID? What forms of ID are acceptable?**

We verify the photo and name on your ID to ensure you are the correct test taker. You can use any government issued (i.e. driver license, passport) or a student ID that has your photo.

#### **What if something goes wrong during my exam?**

Don’t worry, Honorlock offers technical support 24/7 to assist students before, during, and after their proctored tests. If you need any assistance, contact our support agents by via live chat.

#### **Why am I being prompted for an access code?**

If you are being prompted for an access code you are most likely not in [Google Chrome](#) or you do not have the [Honorlock Chrome Extension](#).

#### **What is the Honorlock Chrome browser extension?**

The Honorlock extension is a small program that modifies the Chrome web browser and not your computer. Nothing is installed on the computer. Students can remove the Honorlock Chrome extension as soon as their exam is submitted.

#### **What equipment is needed?**

You will need to have a working webcam, microphone, and either a laptop or desktop computer. Integrated or external USB will both work.

**How is my privacy protected?**

Honorlock is FERPA compliant and uses securely encrypted protocols to save and view all test taker assets. Honorlock's certified proctors and your institution's faculty are able to review test session videos until deleted based on the school's retention policy.

**What about accessibility and students with special needs?**

Honorlock is VPAT certified and fully accessible to students with special needs. Additionally, Honorlock works with screen readers if needed.

**Does Honorlock determine who is cheating?**

No. Honorlock simply reports back possible incidents. Ultimately, your instructor determines if cheating occurred by viewing the video recording.

Here is Honorlock's statement regarding privacy:

<https://dce.ufl.edu/media/dceufledu/pdfs/Honorlock-Student-Privacy.pdf>

## **Practice Quiz Using Honorlock:**

I have created a non-graded practice quiz. **It appears in the Quizzes tool** on Canvas. It is called "**Honorlock Practice Quiz.**" It is there to help you practice with Honorlock. You can take this quiz at any time. Please do so, however, before Quiz No. 1 to make sure you are familiar with Honorlock, including having the Chrome extension installed for you to use it.

## **Book:**

There is one required textbook:

**Mass Media Law, 21st Ed.** (McGraw-Hill 2020).

Clay Calvert, Dan V. Kozlowski & Derigan Silver.

You may use either a print (loose-leaf) OR an electronic version of the 21<sup>st</sup> edition. In brief, it doesn't matter to me what format of the book you use, as long as it is the 21<sup>st</sup> edition. It also doesn't matter to me if you rent or use a previously owned version of the 21<sup>st</sup> edition.

**In addition to the textbook,** I will post cases, articles and other handouts in Canvas. **They will appear in the "Files" folder.** You are responsible for those too. Material contained in cases, articles and other handouts (as well as readings in the textbook) posted on Canvas is subject to testing.

*If you use an older edition of the textbook, you do so at your own risk. The 21<sup>st</sup> edition includes much new material not found in older editions, and some of that new material will be tested.*

## **Study Tips: Outlines, Concept Lists & Study Groups**

The following are **seven suggestions** I highly recommend for all students in the course, **in addition to doing the reading *before* coming to the live Zoom classes**:

1) **Pay attention to cases, concepts and terms that are mentioned on the “Reading Schedule & Study Suggestions” document.** This is truly important. I’m telling you on this document what you should focus on when you are doing your reading. It is a study guide. As you do the reading, you might check off the concepts on your copy of the “Reading Schedule & Study Suggestions” document to make sure you understand them.

2) **Outline your notes on a computer each weekend** (imagine you were a paid note taker – only better!), updating them as the semester progresses and cross-referencing your notes with the corresponding readings in the textbooks and the concepts on the reading schedule. This should not take more than two hours per weekend. **Start outlining now.** Don’t wait until the weekend or day before a quiz. When you outline your notes, do *not* just retype them verbatim from your class notes; rather, try to organize and synthesize them into an outline that is easy to understand and remember. Crosscheck your outline with the assigned readings and study suggestions to fill in any gaps.

3) Make a **list (a concept inventory) of all concepts, rules, and cases** covered in class and/or listed on the reading schedule, and know what each means and how, where relevant, they relate to each other.

4) Find a reliable **study partner** to meet with (properly socially distanced, of course) to go over your outlines and notes.

5) **Come to virtual Zoom office hours** to discuss specific questions you have about material covered in class or in the textbook. I prefer to meet during virtual office hours address your questions rather than correspond via email about them; please do not email me with a list of questions. Instead, please come to my virtual Zoom office hours with your questions. Austin Vining, the TA for this course, also holds Zoom offices (see page one of the syllabus) and you should feel free to attend his hours as well as mine or in place of mine, whatever you prefer.

6) **Flow Chart Your Outlines** to visualize how concepts and cases link together. Drawing things out should help you to better see connections between concepts, terms and cases.

7) **Re-watch my Zoom lectures several times.** This is a luxury that you will have that no other classes previously have had that I have taught – the ability to watch a live lecture over and over again in preparation for quizzes.

## Reading Assignments:

Assignments are contained in the “**Reading Schedule & Study Suggestions**” file posted in the “**Files**” folder on Canvas. They should be completed *prior* to the day on which they are assigned. If you do the reading *before* class, it should prove helpful. As noted above, this document is really a study guide designed to help you out – it identifies for you the cases, concepts, rules and terms on which you should focus when doing your readings.

## Attendance:

***Attendance is not required (except on quiz dates, when you will take them during the initial part of regular class hours via Canvas’s quiz function using Honorlock), but is strongly encouraged.***

Material covered in class that is not assigned in the readings and/or in handouts posted on Canvas may be tested. This is my twenty-fifth year of teaching undergraduate mass communication law courses, and it is clear to me that students who attend class after having done the readings before class tend to do better than those students who do not attend class and do not do the readings before class.

### ***Dates When Class Does Not Meet***

There is ***no class*** on the following dates:

- Thursday, October 15, 2020
- Thursday, November 26, 2020 (Thanksgiving Day)

## Quizzes:

1. **Number of Quizzes:** Five (5) quizzes.

Note: I used to give only four exams. Having five quizzes, rather than four, should reduce the pressure and stress you might feel for each quiz.

2. **Weight of Quizzes:** Each quiz counts equally for 20% of your overall grade. Although some quizzes may have more questions than others, each quiz counts equally toward your overall grade.

3. **Non-Cumulative Quizzes:** More good news: Quizzes are not cumulative, *unless* specific areas, topics, cases, rules and/or concepts are mentioned in class as being testable from material covered on an earlier quiz OR if that material is covered again in a new reading and/or in class.

The last quiz (Quiz No. 5 on December 8), which is non-cumulative, is NOT a comprehensive “final” exam. Rather, it is narrowly focused on material assigned or discussed after Quiz No. 4.

4. **Format of Quizzes:**

- All quizzes will be taken through Canvas and are *closed-notes, closed-books format*. You must *work alone* on quizzes. *No communication with others is allowed* during the quiz. *Giving or receiving aid of any kind during a quiz is not allowed*.

Honorlock will be used on all quizzes.

- All quizzes will consist of anywhere *from 15 to 33 questions, including any combination of multiple-choice and true-false questions*.

- All material from lectures, assigned readings, overheads, assigned cases, handouts and other documents posted in Canvas or shown lectures is subject to testing.

5. Quiz Dates & Start/End Times: ALL TIMES ARE [EASTERN TIME ZONE](#)

**Quiz No. 1:** Tuesday, September 22, 2020, starts @ 1:55 p.m., ends @ 3:15 p.m.

**Quiz No. 2:** Tuesday, October 6, 2020, starts @ 1:55 p.m., ends @ 3:15 p.m.

**Quiz No. 3:** Tuesday, October 27, 2020, starts @ 1:55 p.m., ends @ 3:15 p.m.

**Quiz No. 4:** Tuesday, November 17, 2020, starts @ 1:55 p.m., ends @ 3:15 p.m.

**Quiz No. 5:** Tuesday, December 8, 2020, starts @ 1:55 p.m., ends @ 3:15 p.m.

*Start time for availability for all quizzes is 1:55 p.m.* Be ready to go, with Honorlock enabled, your desk and room set up, and your ID ready.

*Seventy (70) minutes are allotted for the completion of all quizzes.* Quizzes thus all end at 3:15 p.m.

This is 20 minutes more than normal for my class. In Fall Semester 2019, I allowed for only 50 minutes.

I am providing you with an extra 20 minutes because quizzes are now administered through Canvas using Honorlock proctored for possible cheating and in case you experience temporary problems with internet connectivity.

*All of these policies regarding quizzes are hereby incorporated into all of the quizzes, including make-up ones, in this course by this reference.*

If you must miss a quiz due to a religious holiday, serious family emergencies, or your participation in an official University activity such as an athletic event, **you must notify me by e-mail at least 48 hours in advance of the quiz in question.**

Make-up quizzes without such prior notification will only be allowed due to clearly *documented* medical excuses or a death in your immediate family (spouse, sibling, parent, child, or grandparent). You will need to provide me with clear documentation and contact details to verify the excuse by email within 24 hours after missing a quiz.

### ***Make-Up Quiz Format***

To preserve academic integrity, make-up quizzes are not identical to the regular quizzes. Make-up quizzes may include **any combination of short-answer, fill-in-the-blank, multiple-choice and/or true-false questions.**

As with the regularly scheduled quizzes, all make-up quizzes are ***closed-notes, closed-books format.*** You must ***work alone*** on make-up quizzes. ***No communication with others is allowed*** during make-up quizzes. ***Giving or receiving aid of any kind during a make-up quiz is not allowed.***

Make up quizzes will be scheduled around my schedule as well as yours.

It is your responsibility to contact me ***by e-mail*** at [ccalvert@jou.ufl.edu](mailto:ccalvert@jou.ufl.edu) no later than 24 hours following the start time of a missed quiz. ***You will not be allowed to take a make-up exam if I do not receive an email from you within 24 hours following the start time of a missed exam.*** Missed exams will result in a grade of zero unless all of these requirements are met.

### **Grading:**

Numerical grades in this course translate to the following letter grades:

A 93 – 100	C+ 77 – 79	D- 60 – 62
A- 90 – 92	C 73 – 76	E 50 – 59
B+ 87 – 89	C- 70 – 72	
B 83 – 86	D+ 67 – 69	
B- 80 – 82	D 63 – 66	

***There is no curve.*** The grades fall where they may within these cut-off points. Information on the assigning of grade points (for grade-point averages) as they affect your GPA is found at: <https://catalog.ufl.edu/UGRD/academic-regulations/grades-grading-policies/>

Quiz grades will be posted in Canvas.

## *Diversity and Inclusion:*

The First Amendment protects all viewpoints – majoritarian and dissenting, happy and sad – from government censorship. It is a viewpoint-neutral document – it does not allow the government to discriminate against a person or entity because of their views. Thus, all viewpoints and questions directly related to an issue under discussion in class are welcome from all students in the class.

If you want to ask a question, please raise your “**blue hand**” in the participants section on the right side of the screen in Zoom. I will try to call on people after I’ve finished my discussion of a unit (rather than calling on you immediately) in order to provide lecture continuity and flow.

We will be covering topics such as hate speech that are clearly relevant in today’s cultural and political environment. You will learn what the law actually is today as it relates to the First Amendment in areas such as hate speech. This is not an endorsement, however, of what the law should be or how it might be changed.

## *Offensive Language Alert:*

This class largely is about freedom of expression. You will be reading about (and we will be discussing in class) cases involving language that may offend some of you. This language will be used in class only to the extent that it is germane to the subject matter; it will not be used gratuitously.

The First Amendment, as you’ll discover from the cases of *Hustler Magazine v. Falwell* and *Cohen v. California*, protects a vast amount of speech that some people find offensive. The U.S. Supreme Court must (and does) address cases involving offensive speech, and so will we.

## **Academic Integrity:**

As noted above, all quizzes are proctored by Honorlock to try to ensure academic integrity.

The Student Honor Code and The Honor Pledge are applicable to this class and are hereby incorporated by implication into all five quizzes by this reference. They can be found online at:

<https://sccr.dso.ufl.edu/policies/student-honor-code-student-conduct-code/>

Among others, key provisions are The Honor Pledge:

***“We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity by abiding by the Student Honor Code.”***

On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied:

***“On my honor, I have neither given nor received unauthorized aid in doing this assignment.”***

## **Accommodations for Students with Disabilities:**

Students with disabilities requiring accommodations should immediately contact the Disability Resource Center Office for complete information at:

<https://disability.ufl.edu>

<https://disability.ufl.edu/students/get-started/>

All support services provided to and for University of Florida students are individualized to meet the needs of students with disabilities. To obtain individual support services, each student must meet with one of the support service coordinators at the Disability Resource Center and collaboratively develop appropriate support strategies. Appropriate documentation regarding the student's disability is necessary to obtain any reasonable accommodation or support service such as lecture notes. Procedures for obtaining accommodations are set forth at:

<https://disability.ufl.edu/services/accommodations/accommodated-testing-request/>

<https://disability.ufl.edu/services/accommodations/accommodation-letters/>

**Please notify me by email on the first day of class if you require special accommodations.** I will need to complete a testing contract and you, in turn, will need to complete an Accommodated Testing Request (ATR) for each exam.

## **Evaluations:**

Your voluntary feedback on the quality of instruction in this course is very important. Evaluations are typically open during the last two to three weeks of the semester. Your feedback is very important to me, as it not only goes to my department head for year-end evaluations, but also allows me to improve the course.

Advice about providing constructive feedback can be found at:

<https://gatorevals.aa.ufl.edu/students/>

Thank you very much in advance for taking the time to do this!

## **No Extra Credit:**

There are no extra credit projects, papers or quizzes. Please do not ask for any extra credit work. All students are treated equally based on their performance on five quizzes.

## **Addenda:**

The professor reserves the right to make reasonable changes to the lecture format, reading schedule, quiz schedule, quiz formats and other policies at any time during the semester.