



LAW OF MASS COMMUNICATIONS

MMC 4200, Class No. 16695

Fall 2018



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

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

New Physics Building (NPB), Room 1001

Prof. Clay Calvert

Office: 2060 Weimer Hall
Office Hours: Mondays, noon – 5:30 p.m. (and by appointment)
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Email: ccalvert@jou.ufl.edu Please do not email me through Canvas

Course Goals:

This course introduces you to First Amendment jurisprudence, 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 covers the historical underpinnings of the First Amendment freedoms of speech and press, theories and rationales for protecting speech, and the laws of prior restraint, libel, privacy, trespass, hidden cameras, newsroom searches and other situations that journalists confront. Furthermore, the course addresses a wide-range of topics that affect everyone, including broadcast indecency, obscenity, child pornography, fighting words, incitement, threats of violence, advertising (commercial speech and FTC regulation), high school student speech rights, copyright and trademark.

Advice:

Learning media law may prove difficult. This class requires hard work to do well. Even with hard work, you may not do as well as you would like. Without it, you certainly will not do well.

As juniors and seniors, some of you may no longer be in the habit of taking exams requiring detailed memorization of material. This course requires you do so if you want to do well.

Although attendance is not required (other than on exam dates, when attendance *is* required) **you would be wise to regularly attend class and to do the reading in advance of coming to class.** If you miss a class, I will not re-lecture to you in office hours (I also don't lecture from notes, so please do not ask for them – they don't exist). Some exam 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 in-class handouts. ***In brief, material from BOTH readings (handouts, cases, articles and the textbook) and lectures (including overheads and PowerPoints) is subject to testing.***

Book:

There is only one required textbook:

Mass Media Law, 20th Ed. (McGraw-Hill 2018).
Clay Calvert, Dan Kozlowski & Derigan Silver.

In addition to the textbook, I will distribute a number of cases, articles and other handouts either during class or in Canvas. If you are not present on a day that a case, article or other handout is distributed, you are still responsible for its content and any discussion about it, and you should try to obtain a copy from a classmate or see me in office hours to pick one up. Material contained on handouts (as well as readings in the textbook) is subject to testing. ***If you use an older version of the textbook, you do so at your own risk. The 20th 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 **five suggestions** I highly recommend for all students in the course, **in addition to doing the reading *before* coming to class**:

- 1) **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 an exam.
- 2) 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.
- 3) Find a reliable **study partner** to meet with to go over your outlines and notes.
- 4) **Come to office hours** to discuss specific questions you have about material covered in class or in the textbook. I prefer to meet to 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 office hours with your questions so that we can discuss them.
- 5) **Flow Chart Your Outlines** to visualize how concepts and cases link together.

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.

Reading Assignments:

Assignments are contained in the “**Reading Schedule & Study Suggestions**” packet distributed on the first day of class and posted in Canvas. They should be completed ***prior*** to the day on which they are assigned. Do the reading *before* class.

Attendance:

Attendance is not required (except on exam dates) but is strongly encouraged. Material covered in class that is not assigned in the readings and/or in handouts may be tested. Put differently, I will not ask for excuses from you if you miss a class, and I will not accept or tolerate excuses from you if you don't earn the grade you wish. This is my twenty-third year of teaching undergraduate mass communication law courses, and it is clear to me that students who attend class

after having done the readings tend to do better than those students who do not attend class and do not do the readings. ***If you miss a class, I will not re-lecture to you in office hours, and I do not have notes to give out.*** Bottom line: Come to class!

Dates When Class Does Not Meet

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

- Thursday, September 27, 2018
- Thursday, November 8, 2018
- Thursday, November 15, 2018
- Thursday, November 22, 2018 (Thanksgiving Day)

Examinations:

1. **Number of Exams:** Four (4) examinations.

2. **Weight of Exams:** Each exam counts equally for 25% of your overall grade.

3. **Non-Cumulative Exams:** Exams 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 exam OR if that material is covered again in new reading and/or in class. The last exam (Exam No. 4), which is non-cumulative, is **NOT a comprehensive “final” exam** but rather is narrowly focused on material assigned, discussed and/or handed out after Exam No. 3.

4. **Format of Exams:**

a. All exams are ***closed-notes, closed-books format***. You must ***work alone*** on exams. ***No communication with others is allowed*** during the exam. ***Giving or receiving aid during an examination is not allowed***. No questions are allowed during examinations, with the exception of pointing out typographical errors or dropped or missing words. If you do not understand what a word means on the exam, please do the best you can with it.

b. All exams are Scantron consist of anywhere ***from 25 to 50 questions, including any combination of multiple-choice and true-false questions***. It is your responsibility to bring No. 2 pencils and erasures to the exam. They will not be supplied for you.

c. All material from assigned readings, in-class discussions/lectures, overheads, Powerpoints, assigned cases and handouts distributed in class and/or in Canvas is subject to testing.

5. Exam Dates:

Exam No. 1:	Thursday, September 6, 2018
Exam No. 2:	Tuesday, October 2, 2018
Exam No. 3:	Tuesday, October 30, 2018
Exam No. 4:	Tuesday, December 4, 2018

Fifty (50) minutes are allotted for the completion of all exams. All exams start at the beginning of the class period and end 50 minutes later. Do not be late for exams; no extra time is given if you arrive late. ***To preserve academic integrity, you will not be allowed to start to take an exam after any one person in the class has already turned in his/her exam. Do NOT be late.***

All of these policies regarding examinations are hereby incorporated into all of the examinations in this course by this reference.

If you must miss an examination due to a religious holiday, serious family emergencies, special curricular requirements 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 exam in question.**

Make-up exams 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.

Make-Up Exam Format

To preserve academic integrity, make-up exams are not identical to the regular exam. ***Make-up exams involve any combination of short-answer, fill-in-the-blank, multiple-choice and true-false questions.*** Make-up exams are scheduled based upon my schedule and my availability.

It is the responsibility of the student to contact me ***by e-mail*** at ccalvert@jou.ufl.edu (do ***not*** email me through Canvas; I do not check it and will not respond to emails sent through it) no later than 24 hours following the start time of a missed exam. ***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.

You are hereby advised that, among other things, job interviews, internship interviews, Fashion Week, graduate school interviews, weddings, projects or exams

in other classes, oversleeping, power outages, vacation plans, internships, jobs, airplane tickets, bus tickets, and other reservations are not sufficient reasons for taking make-up and/or early exams. This serves as your notice of this policy, distributed on the first day of class.

Important: No exceptions are provided for job interviews and graduate school interviews. It is *your responsibility to schedule those interviews around this schedule, which you received on the first day of class, with all exam dates clearly noted.*

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/>

Exam grades will be posted in Canvas.

Academic Integrity:

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

<https://sccr.dso.ufl.edu/students/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 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.”

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 to the extent that it is germane to the subject matter. The First Amendment, as you'll discover from reading *Cohen v. California* for class on Sept. 13, 2018, 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.

Accommodations for Students with Disabilities:

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

<https://drc.dso.ufl.edu>

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. Procedures for obtaining accommodations are set forth at:

<https://drc.dso.ufl.edu/accommodated-testing/accommodated-testing-request/>

Answers to Frequently Asked Questions (FAQs) for students regarding testing services are found at:

<https://drc.dso.ufl.edu/accommodated-testing/accommodated-testing-request/testing-faq-students/>

Please notify me 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).

Evaluations:

You voluntary feedback on the quality of instruction in this course is very important and can be completed online at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or 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. Thank you very much in advance for taking the time to do this!

No Extra Credit:

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

Addenda:

The professor reserves the right to make reasonable changes to the reading schedule, exam schedule & exam formats at any time during the semester.