

MMC 4200 LAW OF MASS COMMUNICATIONS
SPRING 2021 ONLINE

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COURSE OVERVIEW

As future journalists and communication professionals, it is essential to develop an appreciation of how laws influence and shape media and society. Someday you may find yourself attending a trial, reporting on legal aspects, or confronting an ethical issue involving the intersection of law and communications. The course is primarily designed to introduce you to communication law, with emphasis on how that body of law applies to "the press" as well as individuals.

After completing this course, you should be able to understand and apply the principles of laws of freedom of speech and press, including the right to dissent, to monitor and criticize power, and to assemble and petition for redress of grievances. During the semester we will review the protections and limitations of the First Amendment and other laws that apply specifically to journalists and communication professionals. In short, this class attempts to provide you with the necessary tools to stay out of trouble and not run afoul of laws and unduly trample the rights of others, while at the same time giving you protections to exercise your own journalistic freedoms and responsibilities to complete the necessary questioning, information gathering and reporting of the news or produce public relations materials and advertisements.

This course will enhance your skills as a media professional and citizen by enlightening your comprehension of the interplay between free expression, the judicial process and mass communications. You will also gain insight on how culture plays a significant role in shaping the perceptions and applicability of law, as well as the daily practices of media professionals. A range of topics will be discussed to further comprehension, including:

- the basic structure of the U.S. legal system
- free speech theory
- First Amendment jurisprudence
- hate speech and diversity
- defamation, libel and protection of opinion
- privacy
- access to records, meetings & courtrooms
- copyright
- obscenity and sexually explicit material
- commercial speech and regulation of advertising
- regulation of broadcasting and cable
- emerging legal issues concerning digital media & the Internet

Because avoiding legal problems often involves invoking principled decision-making, you will find MMC 3203 Ethics and Problems in Mass Communications, complementary to this course.

LEARNING OUTCOMES

- Demonstrate an understanding and application of laws of freedom of speech and press that affect the communication professions.
- Demonstrate an understanding of gender, race, ethnicity, sexual orientation and, as appropriate, other forms of diversity in society and its relationship with the First Amendment and communication law.

- Demonstrate an appreciation of the range of systems of freedom of expression, including the right to dissent, to monitor and criticize power and to assemble and petition for redress of grievances.
- Demonstrate an understanding of the historical development of communication law. All of the above outcomes will be assessed through examinations and discussion boards during the semester.

FORMAT

The class features video lectures that are presented by Frank LoMonte, J.D. who is the Director of the Brechner Center in the College of Journalism and Communications at UF and former executive director of the Student Press Law Center. The lectures attempt to highlight important key concepts and follow the textbook chronologically, chapter by chapter in modules format. In no way are the lectures meant to be comprehensive. Rather, the onus is on you to thoroughly read each chapter of the text to obtain a solid understanding of media law.

While there will at times be a reliance upon lectures and readings, we will make every effort to be as interactive as possible. Part of this interaction will be encouraged through mutual discussion and your response to hypotheticals and real-life questions as prompted through discussion board assignments. Because this is a course related to the freedom of expression, I encourage you to voice your opinions and concerns. In addition, the Internet (via Canvas) will be used to enhance communication and supplement your understanding of the material.

Because I am not on UF's campus and teaching from afar, it is important for you to reach out to me virtually so I may help you succeed in this course if you are having difficulty. This includes using Zoom to video conference with you if needed.

COURSE REQUIREMENTS

Required Text & Readings

Mass Media Law (21st Edition) by Clay Calvert, Dan V. Kozlowski and Derigan Silver. While a substantial amount of material will come from the text, you may also be expected to review note shells, hypotheticals and other materials throughout the semester as distributed online. **Reading the assigned material is extremely important for comprehension and success on exams and discussion board assignments.**

This course is participating in the UF ALL ACCESS program for the Spring 2021 Semester.

The ALL ACCESS program will allow you to gain access to the required materials for the course at a significantly discounted price.

Go to <https://bsd.ufl.edu/allaccess> to log into your GatorLink account.

You will see a list of classes in which you are enrolled that are participating in UF All Access, with the prices. Click the **Opt-in check box** next to the appropriate class. You may have more than one class that you are taking participating in the program. Students then need to click the button below to authorize the charges.

*For Connect Users: The access code is now displayed **Note: Copy this code now. You will use this code to register for McGraw-Hill Connect, which is required for this course. You can open a new tab and log into Canvas for your course then follow the instructions below to register for Connect.*

For digital eBooks: After opting-in, you'll receive an email at your @ufl.edu within 24 hours of opting in, which will provide you with access to your bookshelf

The charge for the materials will be posted directly to your student Bursar account and is eligible to be paid automatically by qualifying financial awards. If you drop the course during the add/drop period, no charges will appear. The classes that you opted into will continue to be displayed at <https://www.bsd.ufl.edu/AllAccess/OptIn> through January 28th. Be sure to register the access code before this deadline. Contact your Bookstore on campus with any questions at allaccess@bsd.ufl.edu.

Supplemental Materials

You may resort to several different websites as additional study aids and resources. There is an online supplement to the Calvert, Kozlowski and Silver text through book's Connect platform that contains many helpful links on topical areas involving communications law. Within this platform, McGraw Hill has also made summaries, eFlashcards and practice quizzes available for each chapter of our text.

It is also recommended that you refer to the Reporter's Committee for Freedom of the Press (<http://www.rcfp.org/RCFP>) and the various links contained on important legal topics like access, libel and privacy issues. Their online Guides (at <https://www.rcfp.org/browse-legal-resources/guides>), including the First Amendment Handbook and Digital Journalist's Legal Guide contain a great general overview of the law.

We will cover the "general" media law that applies to the nation; however particular laws do vary between different states and we'll highlight any important laws that apply to Florida. The Florida Bar provides a free Reporter's Handbook at <https://www.floridabar.org/news/resources/rpt-hbk/>. For more information about sunshine law (open meetings and records) in Florida, visit the First Amendment Foundation at <http://www.floridafaf.org/> as well as the Office of the Attorney General of Florida sunshine page at <http://www.myflsunshine.com/> (look at open government links). Another good resource specific to Florida's open meetings and records law is the Brechner Center for Freedom of Information at <http://www.brechner.org/>.

GRADING

Item	Percent
Exam 1	20
Exam 2	20
Exam 3	20
Discussion Boards	40
Total	100

Semester Grade	Percent
A	94-100
A-	90-93.9
B+	87-89.9
B	84-86.9
B-	80-83.9
C+	77-79.9
C	74-76.9
C-	70-73.9
D+	67-69.9
D	64-66.9
D-	60-63.9
F	0-59.9

Exams

A majority of your class grade is based upon exams. Exams will be curved if needed to reflect their difficulty. There will be a total of three exams. Each exam will contain multiple choice items and take place online. Exam material will be based from video lectures and readings from the text, handouts and other on-line materials. **A study guide will be issued to help you focus on important legal concepts, tests and cases one week prior to each exam.** Effectively if an item is not indicated on the study guide, it will not be asked on the test.

All exams are to be completed online. Absolutely NO make-up exams will be given without prior approval AND documentation of a medical excuse or other personal emergency.

Discussion Boards

There will be nine different discussion board assignments on various topics emerging within media law that require a well-informed and applied contribution of at least 250 words. These boards provide an opportunity to facilitate dialogue with one another in discussing areas of law that do not necessarily have a right or wrong answer. **The best 8 of 9 contributions count toward your overall grade.** More details will be provided within Canvas. **Like exams, NO make-up discussion boards will be given without prior approval AND documentation of a medical excuse or other personal emergency.**

Attendance & Participation

This is an online course so in theory no daily attendance is taken. However, this course works best when lively discussion of ideas, laws and situations are discussed online. We will be exploring very complex law and issues together as a virtual community. Your input and active participation on discussion boards are encouraged to ensure the success of the course and to help you and others learn more effectively. Likewise, it is important you stay on track with the dates listed for completing the chapter readings, online lectures and modules so you do not fall behind.

Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with university policies that can be found at: catalog.ufl.edu/UGRD/academic-regulations/attendance-policies/

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, dso.ufl.edu/drc) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester

ACADEMIC INTEGRITY

UF students are bound by The Honor Pledge which states, "We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor 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." The Honor Code (sccr.dso.ufl.edu/process/student-conduct-code/) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor in this class.

PLAGIARISM

Plagiarism is a serious offence. You must attribute information used in your writing assignments to a source. If you decide to use information from a publication, whether in print or online, you must credit the publication. Making up information is strictly forbidden in this class. Copying a classmate's work, failing to attribute information to the source and making up quotes all are forms of plagiarism and will result in a zero for the assignment.

DIVERSITY STATEMENT

The University of Florida's College of Journalism and Communications Department of Journalism embraces a commitment toward an intellectual community enriched and enhanced by diversity along a number of dimensions, including race, ethnicity and national origins, gender and gender identity, sexuality, class and religion. We expect each of our journalism courses to help foster an understanding of the diversity of peoples and cultures and of the significance and impact of mass communications in a global society.

This online classroom environment is a place where you will be treated with respect as a human being – regardless of gender, race, ethnicity, national origin, religious affiliation, sexual orientation, political beliefs, age, or ability. Additionally, diversity of thought is appreciated and encouraged, provided you can agree to disagree. I expect that ALL students consider the class Canvas site to be safe environments and to do their best to make it that way.

ONLINE COURSE EVALUATIONS

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at gatorevals.aa.ufl.edu/students/. Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via ufl.bluera.com/ufl/. Summaries of course evaluation results are available to students at gatorevals.aa.ufl.edu/public-results/.

PRIVACY-RELATED CONCERNS

Our class sessions may be audio visually recorded for students in the class to refer back and for enrolled students who are unable to attend live. Students who participate with their camera engaged or utilize a profile image are agreeing to have their video or image recorded. If you are unwilling to consent to have your profile or video image recorded, be sure to keep your camera off and do not use a profile image. Likewise, students who un-mute during class and participate orally are agreeing to have their voices recorded. If you are not willing to consent to have your voice recorded during class, you will need to keep your mute button activated and communicate exclusively using the "chat" feature, which allows students to type questions and comments live. The chat will not be recorded or shared. As in all courses, unauthorized recording and unauthorized sharing of recorded materials is prohibited.

ZOOM PROFESSIONALISM (JOU)

In the event we utilize Zoom or another online video platform, please be mindful of maintaining a professional appearance and conduct via any remote lecture meetings. Consider your wardrobe and hygiene just as you would if were all in the same room, as well as your audio and visual backgrounds.

ACADEMIC DEADLINES

Important academic deadlines such as course drop/add and withdrawal dates are available at: <https://catalog.ufl.edu/UGRD/dates-deadlines/>

ADDENDUMS & CHANGES

Based upon our progress, I reserve the right to amend and change the syllabus, reading schedules and exam dates in this course.

CAMPUS RESOURCES

Health and Wellness U Matter, We Care: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit umatter.ufl.edu/ to refer or report a concern and a team member will reach out to the student in distress.

Counseling and Wellness Center: Visit counseling.ufl.edu/ or call 352-392-1575 for information on crisis services as well as non-crisis services.

Student Health Care Center: Call 352-392-1161 for 24/7 information to help you find the care you need, or visit shcc.ufl.edu/.

University Police Department: Visit police.ufl.edu/ or call 352-392-1111 (or 9-1-1 for emergencies).

UF Health Shands Emergency Room / Trauma Center: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; ufhealth.org/emergency-room-trauma-center.

ACADEMIC RESOURCES

E-learning technical support: Contact the UF Computing Help Desk at 352-392-4357 or via e-mail at helpdesk@ufl.edu.

Career Connections Center: Reitz Union Suite 1300, 352-392-1601. Career assistance and counseling services career.ufl.edu/.

Library Support: cms.uflib.ufl.edu/ask various ways to receive assistance with respect to using the libraries or finding resources.

Teaching Center: Broward Hall, 352-392-2010 or to make an appointment 352-392-6420. General study skills and tutoring. teachingcenter.ufl.edu/

Writing Studio: 2215 Turlington Hall, 352-846-1138. Help brainstorming, formatting, and writing papers. writing.ufl.edu/writing-studio/

Student Complaints On-Campus: sccr.dso.ufl.edu/policies/student-honor-code/student-conduct-code/

On-Line Students Complaints: distance.ufl.edu/student-complaint-process/

UF All Access for digital course materials/eBooks: <https://bsd.ufl.edu/allaccess>

ONLINE COURSE CALENDAR (TENTATIVE)

DATE	TOPIC/MODULE	Completed READING/ASSIGNMENT MML = <u>Mass Media Law</u> textbook
Week 1 1/11-15	Overview of course Introduction to the Legal System	Review syllabus, obtain MML textbook MML, Ch. 1 Discussion Board 1 Due 1/15
Week 2 1/19-22	The First Amendment: Meaning of Freedom	MML, Ch. 2 Discussion Board 2 Due 1/22
Week 3 1/25-29	The First Amendment in Action	MML, Ch. 3 Discussion Board 3 Due 1/29
Week 4 2/1-5	Establishing a Libel Case & Proof of Fault	MML, Chs. 4, 5
Week 5 2/8-12	Libel Defense and Damages	MML, Ch. 6 Exam/Quiz 1 Online Due 2/12
Week 6 2/15-19	Privacy-Appropriation and Intrusion	MML, Ch. 7 Discussion Board 4 Due 2/19
Week 7 2/22-26	Privacy-False Light & Private Facts	MML, Ch. 8 Discussion Board 5 Due 2/26
Week 8 3/1-5	Freedom of Information & Access	MML, Ch. 9 Discussion Board 6 Due 3/5
Week 9 3/8-12	FOI and Access / State Law	MML, Ch. 9
Week 10 3/15-19	Protecting Sources	MML, Ch. 10 Exam/Quiz 2 Online Due 3/19
Week 11 3/22-26	Copyright and Intellectual Property	MML, Ch. 14 Discussion Board 7 Due 3/26
Week 12 3/29-4/2	Commercial Speech	MML, Ch. 15 Discussion Board 8 Due 4/2
Week 13 4/5-9	Obscenity & Indecency	MML, Ch. 13 Discussion Board 9 Due 4/9
Week 14 4/12-16	Broadcast & Online	MML, Ch. 16
Week 15 4/19-21(last day)	Review for Exam/Quiz 3	Exam/Quiz 3 Online Due 4/21