

MMC 4200 Fall 2021 Section 16972

Law of Mass Communications

Tuesday, Period 7-8 (1:55 to 3:50 p.m.) / Thursday, Period 7 (1:55 to 2:45 p.m.)

1064 Weimer Hall

Prof. Frank LoMonte

**Instructor: Frank LoMonte, 3208 Weimer Hall (office)
flomonte@ufl.edu; 352-392-2273 (land line, don't text)
Office Hours: Tuesdays 9:30-11 a.m. or by appointment**

ABOUT THE COURSE

This is an unusual time and environment, in which students and their families have especially significant health concerns. If something is going on with your health or the health of a family member that interferes with your ability to complete coursework, please say something. I am happy to work with you.

CLASS SESSIONS: We will meet during Periods 7 to 8 each Tuesday. My plan is not to meet class on most Thursdays; instead, on most weeks, you will be asked to watch a video conversation with a prominent media lawyer or journalist addressing a contemporary legal topic we deal with in class, followed by a short quiz. Please check the Canvas course site regularly for any updates.

COURSE COMMUNICATIONS: Please use either the Mail tool within Canvas or my direct email for any questions relating to the curriculum or course mechanics – if the question has broader usefulness, I'll post an update for everyone in Canvas.

REQUIRED TEXTBOOK: *Mass Media Law*, 21st Edition, ISBN: 9781260838619 by Clay Calvert, Dan V. Kozlowski and Derigan Silver. (You're really going to need to buy and read the book – this is complex stuff that can't all be covered in a lecture.)

COURSE DESCRIPTION: The law influences many of the choices that go into the media you read, hear and see. This course will make you a more educated creator and consumer of information. You will learn the full range of legal concepts relating to how news is gathered and distributed across all platforms, from the First Amendment to the reporter's privilege to freedom-of-information laws to FCC regulation of broadcasting. The most important takeaway from the course is not to memorize legal trivia but to understand how, and why, legal concepts are applied to modern-day situations that you'll encounter in any profession that involves creating or distributing content.

COURSE GOALS AND/OR OBJECTIVES: By the end of this course, students will be able to spot opportunities, and anticipate problems, in which the law may affect the ability to gather and share information, in all forms and across all mediums.

INSTRUCTIONAL METHODS: This course is taught through a combination of assigned textbook readings, lectures hitting highlights from the assigned readings, and periodic assignments that will gauge how well you understand those materials. My approach is to test your reasoning and thinking skills more than your “trivia memorization” skills: Do you understand how the law works and why it works that way?

CLASS POLICIES

DIVERSITY, EQUITY AND INCLUSION: The University of Florida’s College of Journalism and Communications 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 courses to help foster an understanding of the diversity of peoples and cultures and of the significance and impact of mass communication in a global society.

I consider this class to be a place where you will be treated with respect. People of all backgrounds, beliefs and identities are welcomed, and should feel fully comfortable that their participation is valued. All members of this class are expected to contribute to a respectful, welcoming and inclusive environment for every other member of the class.

We will confront some challenging ideas in this course – you can’t study freedom of speech without encountering some rough language – and if anything in the curriculum makes you uncomfortable, please just say so. I don’t take criticism of the course personally, and I certainly don’t hold it against anyone. These courses are dynamic and can, with the benefit of your honest feedback, always be improved.

If experiences outside this class are interfering with your performance in the class, please let me know; I’d like to help connect you with appropriate resources for dealing with any such issues. And if you prefer to speak with someone outside the course, Joanna Hernandez, the College’s director of inclusion and diversity, is an excellent resource. You can reach her via email at jhernandez@jou.ufl.edu.

MISSING DEADLINES OR ASSIGNMENTS: If you believe you have an exceptional reason for missing a deadline for an assignment, please discuss it with me as soon as the problem arises, not after-the-fact. All assignments are due at the times specified in Canvas. If you fail to turn in an assignment on time, unless you’ve arranged with me in advance for an extension, I will deduct one letter grade for each 24-hour delay. Vacations or volunteer activity are *not* an exceptional reason that excuses assignment deadlines.

ACCOMMODATIONS: Students with conditions requiring accommodations should register with the Disability Resource Center (352-392-8565) with appropriate documentation. Once registered, students will receive an accommodation letter to present to me, which I hope you’ll do as close to the start of the term as possible, so we can design accommodations that assist you in getting the maximum benefit out of the class.

RECORDING LECTURES: Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

ACADEMIC HONESTY

Every student at the University of Florida is bound by the Honor Code, which demands that students do their own work, independent of unauthorized assistance. It is your responsibility to make certain you understand what constitutes plagiarism and to ensure that you give proper credit every time you draw on someone else’s writing.

If you have any uncertainty about what constitutes academic dishonesty, consult the free Poynter NewsU course called *Avoiding Plagiarism and Fabrication* or review the guide created by Prof. Mindy McAdams at <http://www.macloo.com/cheat/index.htm>. Please refer to the UF Office of Student Judicial Affairs website for definitions of academic dishonesty at <http://www.dso.ufl.edu/sccr/honorcodes/honorcode.php>. It’s fine to cite a reliable online source in a paper, if (1) you give proper credit and (2) you rewrite the material – substantially – into your own words.

Do not turn in for this class any work you previously have submitted to another instructor or that you plan to submit for any other class at UF or any other institution. The web is full of pre-written papers and assignments, and many of them are not very good, so do yourself and your GPA a favor and don't even think about cutting-and-pasting something you find on a random website.

ASSIGNMENTS AND GRADING

OFFICE HOURS AND AVAILABILITY: In addition to being in my office in 3208 Weimer Hall every Tuesday morning, I will happily set up (face-to-face or virtual) appointments at other times, even after 5 if you have work commitments. Please don't be shy about asking to talk over anything you find confusing – it's challenging material, but everyone here is capable of mastering it with a little effort.

CURRICULUM: Each week, you will be assigned a section of the Calvert/Kozlowski/Silver textbook, *Mass Media Law*. I may take the material a bit out of order toward the end of the course, so please do check the syllabus and don't waste your time.

Graded assignments will be posted to Canvas and you'll upload responses to Canvas – but if you have any difficulty getting Canvas to work, always use my email, flomonte@ufl.edu, as your backup. Don't assume that “technical difficulties with Canvas” will automatically be an excuse for being late.

Grading will be based on:

You can earn a total of 1,000 points over the course, to make the math easy.

Quizzes = 250 points (25 points per quiz x 10 quizzes)

Your lowest two grades out of 12 quizzes will be dropped; because of the free drops, there will be no makeup quizzes. If you are away or unavailable, that is one of your “free drops.”

Three standardized, non-cumulative exams over the course of the term = 750 points (250 points per exam x 3 exams).

The first two exams (Sept. 23 and Oct. 28) will be given online through Canvas during the regularly scheduled Thursday class meeting time.

The final exam will be given in-person as provided in the UF course schedule, on Friday, Dec. 17 from 12:30 PM to 2:30 PM.

Grades will be assigned based on the customary UF letter-grade scale. Note that you need a C-minus or better to be regarded as satisfactorily completing the class to advance in the College, so a D grade is not going to cut it. The grading scale is as follows:

	SCORE		SCORE		SCORE		SCORE
A	100-94	B	86-83	C	74-70	D	63-60
A-	93-90	B-	82-80	C-	69-67	D-	50-55
B+	89-87	C+	79-75	D+	66-63	F	Below 55

READINGS AND ASSIGNMENTS, MMC 4200, FALL 2021



WEEK 1 (week of Aug. 23) INTRODUCTION TO THE LEGAL SYSTEM

Textbook readings: Calvert/Kozlowski/Silver, Chapter 1

[No quiz Week 1, class WILL meet face-to-face both Tuesday and Thursday]

WEEK 2 (week of Aug. 30) FIRST AMENDMENT HISTORY / PRINCIPLES

Textbook readings: Chapter 2

QUIZ 1: The First Amendment online

WEEK 3 (week of Sept. 6) THE FIRST AMENDMENT IN ACTION

Textbook readings: Chapter 3

QUIZ 2: The First Amendment in schools

WEEK 4 (week of Sept. 13) DEFAMATION

Textbook readings: Chapters 4 and 5

QUIZ 3: Defamation claims and defenses

WEEK 5 (week of Sept. 20) DEFAMATION / ONLINE SPEECH

Textbook readings: Chapter 6

NO QUIZ: EXAM 1 ADMINISTERED ONLINE DURING THURSDAY CLASS

WEEK 6 (week of Sept. 27) PRIVACY / APPROPRIATION & INTRUSION

Textbook readings: Chapter 7

QUIZ 4: Privacy and photojournalism

WEEK 7 (week of Oct. 4) PRIVACY / FALSE LIGHT / PRIVATE FACTS

Textbook readings: Chapter 8

QUIZ 5: Publication of private facts

WEEK 8 (week of Oct. 11) FREEDOM OF INFORMATION & ACCESS

Textbook readings: Chapter 9 and Chapter 12, p. 469-489 only

QUIZ 6: Federal FOIA law

WEEK 9 (week of Oct. 18) FOI & ACCESS / STATE LAW

Textbook readings: No new readings, re-review Chapter 9

QUIZ 7: State open records law

WEEK 10 (week of Oct. 25) PROTECTING SOURCES

Textbook readings: Chapter 10

NO QUIZ: EXAM 2 ADMINISTERED ONLINE DURING THURSDAY CLASS

WEEK 11 (week of Nov. 1) FREE PRESS / FAIR TRIAL

Textbook readings: Chapters 11 and Ch. 12, p. 490-497 only

QUIZ 8: High-profile trials

WEEK 12 (week of Nov. 8) OBSCENITY & INDECENCY

Textbook readings: Chapter 13

QUIZ 9: Adult entertainment and the First Amendment

WEEK 13 (week of Nov. 15) INTELLECTUAL PROPERTY

Textbook readings: Chapter 14

QUIZ 10: Copyright law

WEEK 14 (week of Nov. 22) COMMERCIAL SPEECH

Textbook readings: Chapter 15

NO QUIZ / THANKSGIVING HOLIDAY WEEK

WEEK 15 (week of Nov. 29) BROADCASTING & ONLINE

Textbook readings: Chapter 16

QUIZ 11: Advertising regulations

WEEK 16 (week of Dec. 6)

NO NEW READING MATERIAL

QUIZ 12: TV broadcasting and the law