

MMC 4200: Law of Mass Communications

Jessica Sparks

Instructor • Fall 2023 • section CCCC

Class: WEIL 0270; Lecture: Tuesday, 3- 4:55 p.m.; Thursday, 3- 3:50 p.m.

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Office Hours: Thursdays, 1 – 3 p.m.

Zoom Link: <https://ufl.zoom.us/j/8567178826>

Course Summary

Some might call this course “How to avoid getting sued” for mass communications professionals. As future journalists and media practitioners, the laws that cover areas related to speech, expression, copyright, privacy, and other areas of the legal realm have a very real and direct effect on the way you will work. This course is an introduction to communication law with an emphasis on how the law applies to media professionals- journalists, broadcasters, YouTubers, communications strategists, etc.

Once you have completed this course, you should be able to understand and apply the principles of the First Amendment, specifically as it applies to freedoms of speech, expression, and the press. We will discuss the protections and limitations of the First Amendment and other laws that apply specifically to mass communication and media professionals. In doing so, the intention is to prepare you with the tools and knowledge to pursue your career while armed with protections and understanding of your rights and responsibilities as producers of news and information for the public.

Some specific topics of discussion include:

- How the U.S. legal system works
- Free speech theory
- First Amendment
- Protection of dissent and hate speech
- Defamation, libel and opinions
- Privacy
- Open records and government access
- Copyright
- Obscenity and explicit materials
- Commercial speech
- Broadcast regulation
- Emerging issues of digital media and the Internet

Course Objectives

- Demonstrate the ability to apply laws of freedom of speech and the of the press.
- Identify and summarize the relationship between the freedoms of speech and expression and diversity in society.
- Interpret the range of rights specifically applicable to the right to dissent, monitor and criticize power, assemble, and petition for redress of grievances.

- Recognize the historical significance of communication law, especially the role of the press in shaping the way the United States interprets and applies freedom to the media and the public.

These learning outcomes will be assessed through exams and quizzes through the semester.

Format

The class is set up to be in person. For this reason, it is important for you to meet some of your classmates and to work together to take notes and help each other when/if you must miss a session. If you are out for documented sickness or another excused absence, as defined by the University of Florida, please contact the instructor to set up either a video stream (or recording) of the missed day or to meet to discuss what you missed.

The lectures will supplement readings assigned for each week. Tuesdays will consist primarily of lecture and Thursdays will generally be used for in-class discussion and activity. This class is all about freedom of expression and freedom of speech. You are strongly encouraged to voice your ideas, opinions and concerns in the class and to be open to discussion about them.

The Canvas page will be used as a guide for each week. It will include readings, supplemental videos, and study guides. You will also take exams through Canvas. Important announcements will also be posted on Canvas. Students are highly encouraged to use Canvas for communicating with each other and the professor.

Textbook

You are **required** to have the following textbook, as it will serve as the basis of the structure of the course and will be used for preparing exams.

Mass Media Law (22nd Edition) by Clay Calvert, Derigan Silver, and Dan V. Kozlowski (ISBN: 978-1260837421)

Additional readings and supplemental materials will be posted on Canvas. Some other sites that might be useful to you through the semester:

Reporter's Committee for Freedom of the Press: <http://www.rcfp.org/RCFP>

Florida Bar Reporter's Handbook: <https://www.floridabar.org/news/resources/rpt-hbk/>

Florida Sunshine Law Manual (from the Attorney General): <http://www.myflsunshine.com/>

Florida First Amendment Foundation: <https://floridafaf.org/>

Grades

The course grade is based on three exams and attendance/participation points.

Item	Percent
Exam 1	25%
Exam 2	25%
Exam 3	25%
AI and Privacy Group Presentation	10%
Daily Attendance/Participation	15%

Grading scale

A: 90 – 100%

B: 80 – 89%

C: 70 – 79%

D: 60 – 69%

F: 0 – 59%

Through the semester, four exams will be administered, the lowest of which will be dropped at the end. If you have over a 90% total grade going into the final week, you do not need to take the final exam.

Exams

Exams will contain multiple-choice items and will take place online. All exams will be based on readings and lectures. A study guide will be provided the week before each exam to help you focus on the items you should know for each test. If you miss a test, it will be marked as a 0. Make-up exams will be given only with documentation of an [excused absence as defined by the University of Florida](#).

Participation

As this section has a large number of students in it, attendance and participation will be recorded through daily “quizzes” done during each class session. Quizzes will take place on Canvas. Generally, the participation quizzes will have one question and will be graded for completion only. These quizzes will be open for no more than 15 minutes and will have a password that will be shared during class (usually at the beginning). If you miss the quiz at the beginning of the session, you will be marked absent for the day (come speak with the instructor if you have concerns about being on time). Other in-class activities might also be used as marks of participation. If you do not participate in class or if you leave early, you could potentially miss out on these opportunities for more points, resulting in a grade deduction.

Technical Support

Call 352-392-HELP (4357) for help resolving computer-related and other technical issues related to accessing or using Canvas, connectivity (wireless, VPN), email or software configuration, and browser and GatorLink authentication issues. Any requests for make-up consideration due to technical issues should be accompanied by the ticket number received from the Help Desk when the problem was reported to them. The ticket number will document the time and date of the problem. You should e-mail your instructor within 24 hours of the technical difficulty if requesting make-up consideration.

UF Computing Help Desk: <https://helpdesk.ufl.edu> or helpdesk@ufl.edu

Walk-In Support: HUB 132

Students With Disabilities

Reasonable accommodations will be made for students with disabilities and who have registered with the UF Dean of Students Office. This office will provide relative documentation to the student, who must then provide this documentation to the instructor when requesting accommodations.

UF Disability Resource Center: <http://www.dso.ufl.edu/drc/>

Counseling Center

Personal or health issues such as depression, anxiety, stress, career uncertainty and or relationships can interfere with your ability to function as a student. UF's Counseling and Wellness Center (CWC) offers support for students in need. CWC is located at 3190 Radio Road and open each weekday from 8 to 5.

UF Counseling and Wellness Center: <http://www.counseling.ufl.edu/cwc>

UF Resources

UF students have access to tutorials (video-based and otherwise) from which to learn – outside of class time – certain software and equipment needed to accomplish various required tasks this semester. These resources include but are not limited to the library, tutoring, career resource center, etc.

UF Student Resources: <http://ufadvising.ufl.edu/student-resources.aspx>

Course Evaluations

At the end of the semester, please offer feedback on the quality of the course instruction via GatorEvals.

Guidance on all things GatorEvals: <https://gatorevals.aa.ufl.edu/students>

Evaluation results: <https://gatorevals.aa.ufl.edu/public-results>.

Attendance, Attention, Deadlines and Academic Integrity

Attendance and Lateness

Students are responsible for satisfying all academic objectives as defined by the instructor and in this syllabus. Absences count from the first class meeting. Students are to show respect for one another as well as for the instructor. Those who come to class each session and on time will be rewarded.

Students absent from or late to class are responsible for learning about any missed material and or meeting subsequent assignment deadlines. They should do this by consulting another student after class; they can also consult with the instructor via office hours. The instructor wishes to be helpful but is unlikely to review an entire class afterward.

Regardless of why a student is absent, missing too many classes risks can result in an inability to not master the coursework. In such a case, the student may be withdrawn from the course per UF policy.

If you know you will be absent but don't want to miss the material, the instructor will open up a Zoom feed to stream (and record) the class session. However, as this is an in-person course, students online will not participate in the in-class activities for grades, including the participation quizzes.

UF Attendance Policies: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>

Mobile Devices

Mobile devices must be out of sight and unused during class – unless the instructor directs them to be used for purposes specific to a particular class session. Do not check text messages, social media, email, etc., during class, as this is rude. Give your full and undivided attention to anyone who is speaking in class, including your classmates. Anyone seen checking social media or any other websites unrelated to topics discussed at that moment in class shall be considered disruptive and potentially asked to leave.

Academic Integrity

Academic dishonesty of any kind shall not be tolerated in this course. To be certain, academic dishonesty includes, but is not limited to using any work done by another person and submitting it for a class assignment; submitting work done for another class; copying and pasting text written by another person without quotation marks and or without complete attribution, which usually includes a link to the original work; using images produced by someone else without explicit permission by the creator. Attribution is not the same as permission. Most images found online are not free to use.

UF Student Honor Code: <https://sccr.dso.ufl.edu/process/student-conduct-code/>

Diversity Statement

The UF 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 all of our 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.

Students are at all times to show respect for one another as well as for the instructor. If something was said in relation to this class (by anyone) that made you feel uncomfortable, please talk to the instructor about it.

Please note: Due the nature of some of the content in this class, there will be discussion of topics that might be considered offensive to some. Please recognize that, from time to time, the classroom might contain harsh language, explicit content, or other material that could be seen as offensive. The purpose of this content will always be to illustrate the intent or context of a law/legal matter. Again, if you feel you have been disrespected or feel uncomfortable in the class, please let the instructor know as soon as possible to discuss possible solutions.

Recording classes

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 guest 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.

Course Schedule

This schedule is tentative and is subject to be changed at the instructor’s discretion.

Week 1 (August 24)	Syllabus review Read Chapter 1 of Mass Media Law (MML) and supplemental material on Canvas
Week 2 (August 29 and 31)	The First Amendment Read Chapter 2 of MML and supplemental material on Canvas
Week 3 (Sept. 5 and 7)	The First Amendment (continued) Read Chapter 3 of MML and supplemental material on Canvas
Week 4 (Sept. 12 and 14)	Establishing a Libel Case and Proof of Fault Exam 1 study guide will be posted by Sept. 14 Read chapters 4 and 5 of MML and supplemental material on Canvas
Week 5 (Sept. 19 and 21)	Libel Defense and Damages Read Chapter 6 of MML and supplemental material on Canvas Exam 1 will be during class Sept. 21 Groups for privacy presentations will be finalized on Sept. 21

<p>Week 6 (Sept. 28)</p> <p>** No class session on Sept. 26</p>	<p>Privacy- Appropriation and Intrusion</p> <p>Students should work on their Privacy and AI presentations</p> <p>Read Chapter 7 of MML and supplemental material on Canvas</p>
<p>Week 7 (Oct. 3 and 5)</p>	<p>Privacy- False Light and Private Facts</p> <p>Read Chapter 8 of MML and supplemental material on Canvas</p> <p>Privacy and AI presentations will take place Oct. 5 in class (all presentations are due on Canvas at this time). If we need more time, we will use some of class on Oct. 10.</p>
<p>Week 8 (Oct. 10 and 12)</p>	<p>Federal Freedom of Information Act and Open Meetings</p> <p>Read Chapter 9 of MML and supplemental material on Canvas</p>
<p>Week 9 (Oct. 17 and 19)</p>	<p>States Freedom of Information Laws and Open Meetings</p> <p>Exam 2 study guide will be posted by Oct. 19</p>
<p>Week 10 (Oct. 24 and 26)</p>	<p>Journalists and the courts</p> <p>Read Chapters 10-12 of MML and supplemental material on Canvas</p> <p>Exam 2 will be during class Oct. 26</p>
<p>Week 11 (Oct. 31 and Nov. 2)</p>	<p>Copyright and Intellectual Property</p> <p>Exam 3 study guide will be posted by Nov. 2</p> <p>Read Chapter 14 of MML and supplemental material on Canvas</p>
<p>Week 12 (Nov. 7 and 9)</p>	<p>Commercial Speech</p> <p>Read Chapter 15 of MML and supplemental material on Canvas</p> <p>Exam 3 will be during class Nov. 9</p>
<p>Week 13 (Nov. 14 and 16)</p>	<p>Obscenity, Indecency, Vulgarity, and Violence</p>

	<p>Read Chapter 13 of MML and supplemental material on Canvas</p> <p>**This week's classes will not be available on Zoom due to their sensitive nature.</p>
Week 14 (Nov. 21 and 23)	THANKSGIVING- NO CLASS
Week 15 (Nov. 28 and 30)	<p>Broadcast Regulations, Online Regulations, and Social Media</p> <p>Read Chapter 16 of MML and supplemental material on Canvas</p>
Week 16 (Dec. 5)	<p>Review and Course Evaluations</p> <p>Last class day is Dec. 5.</p> <p>Exam 4 study guide will be posted by Dec. 4.</p>
FINAL- Dec. 13	<p>Exam 4 will be administered online using Honorlock.</p> <p>The exam will be timed but will be available to students from 7 a.m. to 10 p.m.</p>