Media Law – MCOM 430

Syllabus

University: South Dakota State University, Summer 2011
Location: Desire 2 Learn. We will also use: http://www.mhhe.com/pember17e (bookmark this page).
Instructor: Lyle D. Olson. Contact me via D2L e-mail.

Catalog Description: Study of the sources, processes, content and application of law and regulation in the mass communication context and of the ethics of communications practitioners.

Course Description: The course provides an overview of the development of American law effecting freedom of expression generally and freedom of the press (both print and digital) specifically. A significant theme of the course will be the importance of the First Amendment to a pluralistic society. The course also covers practical legal problems that affect the working journalist. Advertising and broadcast students are reminded that all of the areas discussed in mass communication law apply to their fields, not just the sections on broadcasting and advertising. It is worthwhile to note that Sullivan brought the case that had a major impact on libel in New York Times v. Sullivan because of an advertisement.

Prerequisites: None, but the course is designed for junior and senior-level and graduate students.

Technology Skills: This course is Web-based and requires that you are familiar with word processing and using the Internet. You must also be able to use exercises at http://www.mhhe.com/pember17e. You are expected to familiarize yourself with D2L prior to beginning the course, and you are expected to complete the course within the 10 weeks of summer session.

Course Objectives: • You will gain an understanding of the history of press freedom in the United States including dissident voices in its development.
• You will gain an understanding of the importance of the press as a forum for all voices in the community.
• You will gain an understanding of the major areas of communication law: libel, privacy, free press/fair trial, freedom-of-information, broadcast regulations, advertising law, obscenity and privileges, and a knowledge of the major cases that interprets and sets standards in those areas.
• You will gain an understanding of ethics and the journalist.

ACEJMC Professional Goals and Competencies:
The Accrediting Council on Education in Journalism and Mass Communications requires that, irrespective of their particular specialization, all graduates should be aware of certain core values and competencies. Students successfully completing this course will:
• Understand and apply the principles and 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.
• Demonstrate an understanding of the history and role of professionals and institutions in shaping communications.
• Demonstrate an understanding of the diversity of groups in a global society in relationship to communications.
Evaluation: You will be assessed on 10 sets of individual discussion questions, 8 quizzes, 3 tests, 2 reports, 1 case study, and participation (10 weekly postings and responses).

Grading: You can typically expect to receive grades for your assignments within one week of turning them in. Grades and feedback will be via D2L. Points are allotted as indicated below:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Number</th>
<th>Points</th>
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</thead>
<tbody>
<tr>
<td>Quizzes</td>
<td>6 @ 10</td>
<td>60</td>
</tr>
<tr>
<td>Tests</td>
<td>3 @ 50</td>
<td>150</td>
</tr>
<tr>
<td>Reports</td>
<td>2 @ 20</td>
<td>40</td>
</tr>
<tr>
<td>Case Study</td>
<td>1 @ 30</td>
<td>30</td>
</tr>
<tr>
<td>Discussion Questions</td>
<td>10 @ 10</td>
<td>100</td>
</tr>
<tr>
<td>Participation</td>
<td>20</td>
<td>20</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>400 points</td>
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I will assign a final grade based on the following point system:

<table>
<thead>
<tr>
<th>Final Grade</th>
<th>Points</th>
<th>Percentages</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>400-360</td>
<td>90-100%</td>
</tr>
<tr>
<td>B</td>
<td>359-320</td>
<td>80-89%</td>
</tr>
<tr>
<td>C</td>
<td>219-280</td>
<td>70-79%</td>
</tr>
<tr>
<td>D</td>
<td>279-240</td>
<td>60-69%</td>
</tr>
</tbody>
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Make-up: Quizzes and tests will be available during an allotted time. I realize that it’s summer, with vacations and other extenuating situations that may impact your schedule and mine. Please contact me about your concerns, and I will make reasonable accommodations.

Plagiarism: Please do your own work. Students who are caught cheating or plagiarizing the work of others will receive an 'F' for the course.

Academic Freedom: Students are responsible for learning the content of any course of study in which they are enrolled. Under Board of Regents and University policy, student academic performance shall be evaluated solely on an academic basis, and students should be free to take reasoned exception to the data or views offered in any course of study. Students who believe that an academic evaluation is unrelated to academic standards but is related instead to judgment of their personal opinion or conduct should first contact the instructor of the course. If the student remains unsatisfied, the student may contact the department head and/or dean of the college that offers the class to initiate a review of the evaluation.

Description of Assignments:

Reports: Write two reports on recent communication law cases or problems. Select two of the topics below. The reports must be over one or more cases dated 2003 or later. A number of web sites (listed below) have articles on these topics or recent court decisions in these areas. The reports should be two pages, typed, and double-spaced.

- Libel
- Invasion of Privacy
- Free Press/Fair Trial
- Obscenity
- Copyright
- Advertising
- Broadcasting

Write the report in the I-R-A-C format outlined below. IRAC is a strategy for reading cases that law students often use. This acronym stands for Issue-Rule-Analysis-Conclusion:
• First state the FACTS OF THE CASE. Who is the plaintiff? The defendant? What happened? What is the defendant accused of doing?
• What is the ISSUE for this case? (The issue is the legal question that a court is asked to address in a particular case.)
• What is the RULE for this case? (The rule is the legal test or set of legal principles that a court applies to the relevant facts of the case to resolve the issue. This means the precedents the lawyers cited. It does not mean what the judge ruled.)
• What is the ANALYSIS for this case? (The analysis represents a court's application of the rule or rules to the relevant facts — the important facts that relate to the issue — of the case to reach a decision.)
• What is the CONCLUSION for this case? (The conclusion is the ultimate decision a court reaches. In legal terms, the conclusion is the "holding." Who won or lost the case?)

Each bulleted item is worth 4 points (20 total). Reports are due July 24 and July 31.

Case Study: Case studies are found on the CD that came with your text or, by using your access code, at http://www.mhhe.com/pember17e. The case study is due July 17. Please keep them to a page. Include key terms in plain English and explain:
• The plaintiff’s position
• The defendant’s position
• What is the issue?
• What is the rule?
• What is the analysis?
• What is the conclusion?
• What interests are balanced?
• Is there a dissenting opinion? If so, what is it?
• Essay questions — again, these are located on the textbook’s web site.

This resource might help: How to Read Legal Opinions at http://highered.mcgraw-hill.com/sites/0073378828/student_view0/case_studies.html#.

Discussion Qs: To be completed and turned in via the Dropbox. You can find the discussion questions on the “Content” tab of D2L. These should be 1/2 page to one page single-spaced with thorough but concise answers. Points will be given for completion, spelling and grammar, and a solid explanation of your reasoning.

Participation: Two points will be given to participate in the discussion — one point will be given to post a response to the week’s prompt and one point is for a thoughtful response to a classmate.

Exams & Quizzes: There will be three exams and eight quizzes. The lowest two quiz scores will be dropped. Exams and quizzes will cover the material in the books and Powerpoints.
Schedule

The schedule is designed so that you must complete a certain amount of work each week, as outlined below. Assignments are due each week by midnight (11:59 p.m.) on Sunday, but you have all week to complete the assignments. So for example, the first week’s assignments will be due by 11:59 p.m. on June 5.

**Week 1: 5/31 – 6/5**
- Read chapter 1 and syllabus
- View Powerpoint (Content tab)
- Participate in the week’s Discussion. The first topic = Introduce yourself
- Chapter 1 and syllabus quiz due 6/5

**Week 2: 6/6 – 6/12**
- Read chapters 2-3
- View Powerpoints (Content tab)
- Questions due for chapters 1-3, First Amendment
- Chapters 2-3 quiz due by 6/12
- Participate in the week’s Discussion, topic TBA

**Week 3: 6/13 – 6/19**
- Read chapters 4-6
- View Powerpoints (Content tab)
- Chapters 4-6 quiz due by 6/19
- Questions due for chapters 4-6, Libel
- Exam 1 due by 6/19
- Participate in the week’s Discussion, topic TBA

**Week 4: 6/20 – 6/26**
- Read chapters 7-8
- View Powerpoints (Content tab)
- Questions due for chapters 7-8, Privacy
- Chapters 7-8 quiz due by June 26
- Participate in the week’s Discussion, topic TBA

**Week 5: 6/27 – 7/3**
- Read chapter 9-10
- View Powerpoints (Content tab)
- Chapters 9-10 quiz due by 7/3
- Questions due on chapters 9-10, Gathering Information & News Sources (do both)
- Exam 2 due by 7/3
- Participate in the week’s Discussion, topic TBA

**Week 6: 7/4 – 7/10**
- Read chapters 11 and 12
- View Powerpoints (Content tab)
- Chapters 11 and 12 quiz due by 7/10
- Questions due for chapters 11-12, Free Press, Fair Trial
- Participate in the week’s Discussion, topic TBA

**Week 7: 7/11 – 7/17**
- Read chapter 13
- View Powerpoint (Content tab)
- Case study due — Dropbox
- Discussion due on chapter 13, Obscenity
- Participate in the week’s Discussion, topic TBA
Week 8: 7/18 – 7/24
- Read chapter 14
- View Powerpoint (Content tab)
- Chapters 13 and 14 quiz due by 7/24
- Report 1 due — Dropbox
- Questions due for chapter 14, Copyright
- Participate in the week’s Discussion, topic TBA

Week 9: 7/25 – 7/31
- Read chapter 15
- View Powerpoint (Content tab)
- Questions due for chapter 15, Advertising
- Report 2 due – Dropbox
- Participate in the week’s Discussion, topic TBA

Week 10: 8/1 – 8/7
- Read chapter 16
- View Powerpoint (Content tab)
- Questions due chapter 16, telecommunications
- Chapters 15 and 16 quiz due by 8/7
- Exam 3 due by 8/7
- Participate in the final Discussion, topic TBA