

**MEJO 340, Section 2**  
**Introduction to Media Law**  
**Syllabus**  
**Fall 2017**

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**MEJO 340 is not for public relations, advertising or strategic communication students. Those students need to take MEJO 341. Also, successful completion of MEJO 153 is a prerequisite for this course.**

**Texts:**

Robert Trager, et al., *The Law of Journalism and Mass Communication*, 5<sup>th</sup> ed., Thousand Oaks, Calif.: CQ Press, 2016. (Be sure to buy the correct edition.)

Cathy Packer, Hugh Stevens & C. Amanda Martin, eds., *North Carolina Media Law Handbook*, 2012-13. (This is an online book. To access it, go to <http://ncmedialawhandbook.com>. You will have to register and pay \$25 to obtain a password. Then you will have access for at least one year.)

**Sakai:**

PowerPoint slides, reserve readings, practice exam questions and other materials will be posted on the Sakai site for this course. The UNC Sakai service is located at <http://sakai.unc.edu>.

**Course Objectives/Professional Values and Competencies:**

The School recognizes that only professional communicators possessing knowledge of mass communication law can thoughtfully assert their rights and avoid needless infractions of the law. This course is designed to make communicators – reporters, copy editors, broadcasters, bloggers, Web designers, photographers and others – expert in recognizing their legal rights to gather, prepare and disseminate news and other information. The course also is designed to instill in students an appreciation of the role of free expression in a democracy.

**Course Work:**

Careful and sustained reading is necessary for this course. Most of the reading will be from the assigned texts with some additional readings assigned online. Additional readings may be assigned besides those listed on the assignment sheet. All reading assignments should be completed before the class for which they are assigned. A short, multiple-choice online reading

quiz will be given approximately once a week. At least two days before a quiz, you will receive an email alerting you to the times (never during class) during which you can take the quiz and the material to be covered. If you miss a quiz, you cannot make it up. However, your lowest quiz grade will be dropped.

There also will be three examinations, including a comprehensive final examination.

### **Special Lecture/Event(s):**

Students should expect to be required to attend at least two media law-related lectures/events outside of class hours during the semester. One of those events will be the First Amendment Day keynote address at 7 p.m. on Sept. 26. Students who are unable to attend an assigned lecture/event must talk to Dr. Packer. She will assign another lecture/event to attend. Students who fail to attend an assigned lecture/event or an approved alternative will earn one absence.

### **Attendance Policy:**

Attendance at lectures is essential. Law is a complex, continually changing subject. Lectures are designed to explain and expand upon the material in the textbook.

You are expected to attend class. You will be allowed two absences without penalty. That is an entire week of class. You need not provide any excuse or explanation for these absences. However, for each absence in excess of two, your final grade will be reduced by one point. Thus, a student who completes the semester with an average of 83 but with a total of four absences will have his or her grade reduced to 81. You should, therefore, use your two allowed absences wisely, saving them for illnesses, job interviews or trips arranged as part of another class, for example. No extra absences will be granted to complete assignments for other classes or for campus publications.

The roll will be taken at the start of class. Students who arrive after the roll sheet has circulated will be counted as absent. If you need to leave class early, please tell the professor before class begins. Otherwise you will be counted as absent.

Turn off your cell phones. Put away your computers and tablets. Class time will be devoted to lecture and discussion, not social media. Do not leave the classroom during class except in an emergency.

Napping in class will not be tolerated.

### **Class E-mail:**

You will receive e-mail messages from your professor and her graduate assistant through a Sakai listserv. Be sure to read those messages! You might learn a test date has been changed, a class cancelled or an additional reading assigned. Also, you will receive emails each week about when the next reading quiz will be given and what will be covered on the quiz. If you think you might have missed an email, check the announcement section of your class Sakai site. Important emails will be there.

### **Accreditation:**

The School of Media and Journalism's accrediting body outlines a number of values you should be aware of and competencies you should be able to demonstrate by the time you graduate from our program. Learn more about them here:

<http://www2.ku.edu/~acejmc/PROGRAM/PRINCIPLES.SHTML#vals&comps>.

No single course could possibly give you all of these values and competencies; but collectively, our classes are designed to build your abilities in each of these areas. Among the Professional Values and Competencies for accreditation that will be addressed in this course is understanding and applying the principles and laws of freedom of speech and press in the United States, as well as having an understanding of the range of systems of freedom of expression around the world, including the right to dissent, to monitor and criticize power, and to assemble and petition for redress of grievances. Our focus in this course will be American law, but the course will include selected international and foreign media law principles and the extent and role of free speech and press in other countries.

### **Honor Code:**

The Honor Code and the Campus Code, embodying the ideals of academic honesty, integrity and responsible citizenship, have for over 100 years governed the performance of all academic work and student conduct at the University. Acceptance by a student of enrollment in the University presupposes a commitment to the principles embodied in these codes and a respect for this most significant University tradition.

Your participation in this course comes with the expectation that your work will be completed in full observance of the Honor Code. Academic dishonesty in any form is unacceptable, because any breach in academic integrity, however small, strikes destructively at the University's life and work.

The [Instrument of Student Judicial Governance](#), which contains the provisions of the Honor Code, states that students have four general responsibilities under the Code:

1. Obey and support the enforcement of the Honor Code;
2. Refrain from lying, cheating, or stealing;
3. Conduct themselves so as not to impair significantly the welfare or the educational opportunities of others in the University community; and
4. Refrain from conduct that impairs or may impair the capacity of University and associated personnel to perform their duties, manage resources, protect the safety and welfare of members of the University community, and maintain the integrity of the University.

The [Instrument](#) defines plagiarism as "deliberate or reckless representation of another's words, thoughts, or ideas as one's own without attribution in connection with submission of academic work, whether graded or otherwise."

Please submit all written work with the following pledge: "On my honor, I have neither given nor received unauthorized aid on this assignment."

### **Students Needing Academic Accommodations**

Students who may need academic accommodations and associated resources, like extended testing time, must contact the Department of Accessibility Resources and Service (DARS) in a timely manner to determine whether and to what extent such accommodations or resources are necessary for this course. Only DARS can make this determination for you – not your professor. It is the goal of UNC to “ensure that all programs and facilities of the University are accessible to all members of the University community.” If you think this might apply to you, please contact DARS as soon as possible either by telephone at 962-8300 or through the DARS website at <http://accessibility.unc.edu/about-us> for additional information. Please know that I am fully committed to this policy and will abide by any recommendations DARS makes for you for this course.

### **Diversity and Inclusivity**

The University is committed to fostering a diverse and inclusive academic community, and prohibiting discrimination and harassment. Please review the University policy statements on diversity and inclusivity, and prohibited harassment and discrimination, both in *The Undergraduate Bulletin 2014-2015* at <http://www.unc.edu/ugradbulletin/>. Please know that I am fully committed to fostering and enforcing these policies.

### **Keys to Success:**

Read all assignments before class.

Come to class and come on time.

Sit near the front.

Stay awake.

Print out the Powerpoint slides before class.

Take good notes.

Participate in class discussions.

Talk to your instructor and her graduate assistant before, after and outside of class.

Study hard – not just the night before the first exam. Consider forming a study group.

### **Final Grades:**

Reading quizzes	20%
First examination	25%
Second examination	25%
Final examination	<u>30%</u>
	100%

A: 92-100
A-: 90-92
B+: 88-90
B: 82-88
B-: 80-82
C+: 78-80
C: 72-78

\*\* Plus and minus letter grades are assigned this way, for example: B+ = 89 or 88; B = 87 to 82; B- = 80 or 81.

\*\*\* Makeup exams will be given only in cases of proven emergencies and then only if your instructor is notified in advance of the scheduled exam. No make-up quizzes are given. If you miss an exam without permission, your grade will be a zero. The same goes for missed quizzes.

## Assignment Schedule Fall 2017

Note: Reading assignments noted as being in *Trager* are in *The Law of Journalism and Mass Communication*, 2016 ed. Reading assignments noted as being in *NC* are in the *North Carolina Media Law Handbook*. Additional readings might be assigned later.

### Week 1, Aug. 22 and 24

Overview of the course and description of how the law is made and how the court systems are structured

Read: Chapter 1 in *Trager*; watch this video about the U.S. Supreme Court: <http://www.c-spanvideo.org/program/HometoA>

√ this out for a description of the N.C. courts: <http://www.nccourts.org/>

### Week 2, Aug. 29 and 31

How the law is made and how the court systems are structured (cont.); Introduction to the First Amendment

Read: Chapter 3 in *Trager*.

### Week 3, Sept. 5 and 7

Prior restraints and other methods of control

Read: Chapter 2 in *Trager*

### Week 4, Sept. 12 and 14

Copyright law

Read: Chapter 12 in *Trager*.

√ this out: U.S. Copyright Office website at <http://www.copyright.gov>. This tells you how to register your own copyrights.

### Week 5, Sept. 19 and 21

Monday: Catch up and prepare for the exam

**Thursday: first exam. (Please bring a Scantron sheet and No. 2 pencils.)**

### Week 6, Sept. 26 and 28

**No class on Sept. 26. It's First Amendment Day at Carolina! Instead you must attend the keynote address at 7 p.m.**

Read: Begin reading Chapters 4 and 5 in *Trager* and the "Libel" chapter in *NC*

### Week 7, Oct. 3 and 5

Libel (cont.)

Read: continue readings assigned for Week 6

**Week 8, Oct. 10 and 12**

Libel (cont.)

Read: Continue readings assigned for Week 6

**Week 9, Oct. 17 and 19**

**No class on Oct. 19. It's fall break.**

Libel (cont.)

Read: *New York Times v. Sullivan*, 376 U.S. 254 (1964), at [http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0376\\_0254\\_ZS.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0376_0254_ZS.html) (Be sure to read all three opinions – the majority opinion and the two concurring opinions.) Finish readings assigned for Week 6.

**Week 10, Oct. 24 and 26**

Libel (cont.)

**Week 11, Oct. 31 and Nov. 2**

Tuesday: finish libel

**Thursday: libel exam (Please bring a Scantron sheet and No. 2 pencils.)**

**Week 12, Nov. 7 and 9**

Privacy and newsgathering

Read: Chapters 6 in *Trager* and “Invasion of Privacy and Infliction of Emotional Distress” chapter in *NC*

Read: *Hall v. Post*, 323 N.C. 259 (1988), at [http://scholar.google.com/scholar\\_case?case=13185442596379441788&hl=en&as\\_sdt=2&as\\_vis=1&oi=scholar](http://scholar.google.com/scholar_case?case=13185442596379441788&hl=en&as_sdt=2&as_vis=1&oi=scholar)

**Week 13, Nov. 14 and 16**

Newsgathering

Read: Chapter 7 (pages 305-28 only) in *Trager*

**Week 14, Nov. 21 and 23**

**No class on Nov. 23. It's Thanksgiving!**

Journalist's Privilege

Read: Chapter 8 in *Trager* and “The Journalist's Privilege” chapter in *NC*

**Week 15, Nov. 28 and 30**

Access to information

Read: Chapter 7 (pages 329-51 only) and Chapter 9 in *Trager*. In *NC*, read “Access to Government Meetings,” “Access to the Judicial Process” and “Access to State and Local Government Documents.” In the documents chapter, read the beginning carefully but then just skim the very long section on “Which records are public records and which are not?” That will give you an idea of the scope and complexity of North Carolina’s public records laws.

√ this out: The N.C. Department of Correction’s policy on who can witness executions at <http://www.doc.state.nc.us/dop/deathpenalty/witness.htm>

**Week 16, Dec. 5 – the last day of class**

Regulation of electronic media

Read: Chapter 10 in *Trager*

**Final Examination**

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You must take the final exam at this time.