# MEJO 340 SYLLABUS Introduction to Media Law

**Summer I 2020**

**ONLINE VERSION**

**Instructor Information**

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| Instructor | Contact | Office Location and Hours |
| Kriste Patrow | patrowk@live.unc.edu | Meetings will be available virtually over Zoom by appointment. |

**General Information**

Course Description

The study of mass communication law will help you assert your rights and avoid needless infractions of the law as a content creator. This course is designed to help you recognize your legal rights to gather, prepare and disseminate news and other communications. It is an intensive overview of First Amendment case law as it relates to journalism, advertising, public relations, marketing, and the many fields of mass communication. It is also designed to provoke critical thinking about ethical practice, help you understand legal reasoning, and craft a legal argument. This course is designed to impart a basic understanding of how the law is made and the importance of free expression in a democracy.

Learning Objectives:

1. Understand the origins and theory of the First Amendment and how the law and the court systems work.
2. Understand concerns about censorship in a democracy and how the law protecting against prior restraint is the backbone of the First Amendment.
3. Understand more advanced legal concepts such as privacy and reporter’s privilege, how they are contested in the age of “new” media and what those challenges look like “on the job.”
4. Be able to apply legal tests to new scenarios and hypotheticals.
5. Be able to read a case and identify its key components.
6. Understand and appreciate that changes in First Amendment law are almost always the result of social struggle in the United States.
7. Know the elements of libel and privacy claims, learn to avoid such claims or, alternatively, be prepared to defend oneself in the face of such claims.
8. Think creatively and speak knowledgeably about how mastery of media law will help you in your career in journalism/new media.

Course Delivery Method: Online

This is an online course, which means that the class will take place **entirely online**. This course uses the Sakai website that the University of North Carolina provides. The site is a crucial resource for this course, and you will need to access it frequently. You will need to take the responsibility to be sure that you complete the various assignments as scheduled and, more importantly, that you stay current with the course. **DO NOT let the flexibility of doing this online let you fall behind. Once you fall behind it will be very difficult to catch up.**

The syllabus quiz has been designed so that you become familiar with the course outline and objectives, but please make sure to refer to the syllabus throughout the course so that you stay on top of weekly assignments. If any changes occur during the course, I will post an announcement.

In short, be sure you know how to access and use Sakai. I will provide a quick tutorial explaining the different sections of the site for the first day.

**Communication Policies and Procedures**

This course requires that you communicate with your instructor and classmates on an extremely frequent basis. Because of this, it is essential that you treat each other with respect, even if you do not necessarily agree with their opinion or feedback. An important aspect of intellectual discussion is treating everyone’s contribution as meaningful and worthy of a thoughtful response.

We want to create an atmosphere in which students feel safe to talk and in which they feel heard, even if other students do not agree with their views. There are ways to disagree passionately and remain respectful and cognizant that the “classroom” is a learning environment. While we want to encourage free speech in the classroom, courts have been very clear that speech that disrupts a classroom environment may not be tolerated. Let’s not even go there. We want to create a space that embraces our differences and helps us learn through those differences.

That being said, debate is absolutely encouraged and can make discussions exciting and even fun! Therefore, I encourage you to disagree if you do and support your critique with evidence from either the textbook or a credible source. If you agree with a classmate, it is important that you communicate that as well!

**Communication with Your Instructor**

**Be Proactive**

**I always love to hear from students so I am happy to answer questions and get to know you. The best way to problem solve any issues that may arise in the course is to be proactive and connect with me if you suspect you might have some problems keeping on track.**

**Please reach out to me if you have questions about the course or if you are having trouble keeping up with assignments. Also, please reach out if you end up or anticipate possibly having complications in your life that may interfere with your class performance. I would much rather have you inform me of a possible issue so we can prepare for it and have it not actually occur than to only hear about it too late to help you problem solve. Please let me know if you have any issues related to COVID-19 and getting assignments completed.**

**Read your Email!  
I will use the “Announcements” function in Sakai to provide updates or reminders via email about coursework, optional readings on current events, or other topics related to the course.**

**For urgent questions or personal matters, please contact me through my university email address (located at the top of the syllabus). I will do my best to respond to questions in a timely manner, and no longer than within 24 hours.**

**Zoom  
This course is asynchronous, meaning you can work on your own to meet deadlines. However, every Monday night at 8 p.m. during the term, I will be available to discuss the material and the course in Zoom (see the tab on Sakai).**

**Zoom is a tool, similar to Skype or Google Hangout. You are not required to join the discussion, but if you do, and you participate, I will offer you one point extra credit toward your final grade, for a possible total of 5 additional points toward your grade. These discussions will reflect on the forum, on the reading material and on questions you have about the course and the concepts. My favorite thing about teaching is interacting with students, so please join me and we can have some fun discussing media law!**

**Each discussion will be recorded and uploaded to Sakai for review later.**

**Course Materials**

Course Management System (Sakai)

The Sakai site should be your first resource for questions. It contains announcements, readings, the syllabus, the course schedule, my contact information, and your grades. You will submit portions of your exams and other coursework via this site.

You are responsible for checking Sakai regularly and meeting class deadlines. Inability to access the course website is not a valid excuse for lack of preparation or failure to submit assignments by deadline. Should you experience problems accessing the course website please call 919-962-HELP and tell them it’s about Sakai or visit this webpage: <https://www.unc.edu/sakai/?3>. If you continue to experience problems after talking to an expert about Sakai, please let me know.

Required Texts

* Robert Trager et al. The Law of Journalism and Mass Communication, 7th ed.
  + You can find the textbook [here.](https://unc.bncollege.com/shop/BNCBTBListView?catalogId=10001&langId=-1&storeId=88196)
* Additional readings will be posted on Sakai.

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| **Grade** | **Points** |
| **A** | 417-450 |
| **A-** | 403-416 |
| **B+** | 390-402 |
| **B** | 372-387 |
| **B-** | 358-371 |
| **C+** | 345-307 |
| **C** | 327-344 |
| **C-** | 313-326 |
| **D+** | 299-312 |
| **D** | 268-299 |
| **F** | 001-267 |

**Grades**

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| --- | --- |
| **Assignments** | **Total Points** |
| **Actual Case Brief** | 30 |
| **News Case Brief** | 30 |
| **Discussion Posts** | 90 |
| **Quizzes** | 100 |
| **Midterm Exam** | 100 |
| **Final Exam** | 100 |

Undergraduate MEJO majors must earn a grade of “C” or higher in MEJO 340 as one of the School’s graduation requirements – that means earning a final point total of 327 points or higher out of a possible total of 450.

**Assignments and Assessments**

#1 Regular Case Brief (30 points).

In the first week of class you will be taught how to brief a case. Each student will complete a case brief of a case assigned by the instructor and hand in the case brief for feedback. This assignment helps you understand the structure of rule-making in cases. Throughout the semester, you will be presented with a series of important legal cases that have formed the First Amendment as we know it today. To help students learn and retain the importance of these cases, each student will brief one of these cases, which will be assigned by the instructor. For the assignment, you are to research your case and write out a case brief and then prepare an explanation of the case.

Sections

Write out the case brief and upload it to the Sakai “assignments” tab. This brief should include the facts, issue, holding, rational and decision of each case.

Facts: Summary of the case presented and the process it went through to get to the Supreme Court. This section should answer the 5 Ws (who, what, when, where and why).

Issue: What brought the parties to court? This should be presented as a yes or no question. It is possible that there may be more than one issue.

Rule: The Court makes or uses a particular test in each case to reach its conclusion. Explain the test here and be sure to provide relevant definitions of terms.

Analysis: What reasons did the Court provide for ruling the way it did?

Conclusion: Answer the question(s) you posed with a yes or no. Include the vote tally.

Further discussion of these categories can be found on Sakai.

Format

Your brief must be double-spaced and written in either 11 or 12-point font. Please use Times New Roman or Century font and 1-inch margins. It should not exceed two pages.

Deadline

You must upload it to the Sakai assignments tab by 5:00pm on the due date.

Grading Criteria

Your grade will be based on the following:

* Proper formatting, grammar, spelling, and punctuation (5 points).
* Facts (5 points).
* Issue (5 points).
* Rule (5 points).
* Analysis (5 points).
* Conclusion (5 points).

#2 News Case Brief (30 points)

Throughout the semester, you will be presented with a series of important legal cases that have formed the First Amendment as we know it today. To learn and retain the relevance of these areas of law, you will write a small report on a current undecided media law issue in the news. This report should be no shorter than 3 pages and no longer than 5 including your reference page. It should be about a media law section we have already covered in class so that you can be as knowledgeable as possible about the topic. This must be on media law. Do not write a news case brief on some other area of law.

Sections

For the assignment, you are to research a current undecided case.

In the first section of the paper, explain the dispute. Include the facts of the case (the who, what, when, where and why) and explain the legal issue at the center of the case. This section should be no longer than 1.5 pages.

In the second section of the paper, use your knowledge of legal rules and case precedent to explain what you think the ruling will be. Additional sources may be consulted to write this section but you should rely most heavily on materials we have studied in class: case precedent, legal rules, and the class readings. This second portion should be no longer than 1.5 pages.

In the third section of the paper, discuss what you personally think would be the most ethical decision and why. This can be different than what you think the legal outcome would be. This is a chance for you to insert your personal opinion into the paper. Your personal views should not appear in previous sections. This section should be no longer than 1 page.

Finally, include a single references page to cite where you got your information (this can use any one citation style, just be consistent). This section should be no longer than 1 page.

Format

The body of your report must be double-spaced and have 1-inch margins. Your references page must be single spaced. Your references page can use any citation style, just be consistent. Please use either 11 or 12-point Times New Roman or Century font.

Deadline

You must upload it to the Sakai assignments tab by 5:00pm on the due date.

Grading Criteria

Your grade will be based on the following:

* Proper formatting, grammar, spelling, and punctuation (5 points)
* Summary of the case presented (5 points)
  + It should include the facts and the issue at the center of the dispute
* Clearly identify the area of law and what legal test should apply. If there are many confine your analysis to a single test or rule. Be sure to include relevant precedent. In this section, much like on your exams, you are the judge. Apply the law to the facts. (10 points)
* Clear articulation of what the ethical decision would be and why. If the ethical decision is different from what you think the legal outcome will be please explain why. (10 points)

#3. Five Online Quizzes (100 points). Due every Friday at 5 PM.

Students will complete 5 multiple choice quizzes over the course of the class. Each quiz will consist of 10 questions. Each question will be worth two points. Students will be given 20 minutes to take the quiz. These quizzes are given each week. Missed quizzes may not be made-up.

#4 Three Discussion Posts (30 points Each)

This is the rubric I will be using to grade your discussion posts.

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| **Score Range**  **(in points)** | 18 or less | 19-22 | 23-26 | 27-30 |
| **Frequency** | Does not participate. | Participates, but comments are all on same day and/or and not very meaningful. | Participates satisfactorily. | Participates with relevant comments that enhance the discussion. |
| **Content** | Posts information that is off- topic, incorrect, or  irrelevant to discussion. | Repeats but does not add substantive information to the discussion; lacks full development of concept or thought. | Posts are factually correct, reflective and substantive. | Provide analysis, synthesis and original thoughts that help the whole class move forward. |
| **References & Support** | Includes no references or supporting experience. | Uses personal experience, but little to no references to readings or research. | Uses relevant references to readings and personal experience/reactions to support comments. Posts relevant sketches that are easy to understand. | All previous aspects but expands beyond course readings to incorporate additional relevant scholarly and popular resources. |
| **Follow-Up**  **Postings** | Posts no follow-up responses to others. | Posts shallow contribution to discussion (e.g., agrees or disagrees); does not enrich discussion. | Elaborates on an existing posting with further comment or observation. | Demonstrates analysis of others’ posts; extends meaningful discussion by building on previous posts. |
| **Clarity & Mechanics** | Posts long, disorganized content that may contain multiple errors or may be inappropriate. | Posts have some errors in clarity or mechanics. | Contributes valuable information to discussion with minor clarity or mechanics errors. | Contributes to discussion with clear, concise comments formatted in an easy to read style that is free of grammatical or spelling errors. |

**Absences from the discussion board are not permitted. Missed discussion posts may not be made up.**

#5. Exams (100 points Each)

Students will take one midterm exam that covers the first half of course material. The final will cover the second half of the class (it will NOT be cumulative). The exams will focus on problem solving and critical thinking. These are practical exercises that teach you to apply the law you are learning in this course to the kinds of problems professional communicators encounter in the workplace. I will give you a real or hypothetical set of facts and then ask you a short set of very specific legal questions. You will identify the relevant legal issue or issues, identify the relevant legal rules and/or case precedents, explain how those rules and/or case precedents apply to the facts of the case, and state your conclusion. These are open-book exercises, but you can use only your assigned readings – no outside research. Your written answers probably will range from three to five pages, depending on the question. *You must work on these alone.*

**Midterm: Due June 2 at 5 pm.**

**Final Exam: Due June 18 at 5 pm.**

Makeup exams will be given only in cases of proven emergencies and then only if I am notified in advance of the scheduled exam.

**Extra Credit**

No individual extra credit opportunities are offered, and students should not ask for individual exceptions. If an opportunity for extra credit arises – of which there is no promise or guarantee of such an opportunity – it will be offered to the entire class.

**Grade Disputes**

Should you wish to dispute your grade on any of the assignments, you must first wait 24 hours before discussing it with me. I call this the “cooling off” period. Then, you must write me a detailed email explaining why I should re-consider your grade. You have one week to dispute the grade on an assignment after it has been returned to you. After I receive an email we will schedule a time to meet and discuss your grade. You must meet with me over Zoom if you want me to alter your grade. I reserve the right to raise or lower any grade, if I conclude the original grade was faulty.

**Deadlines**

All assignments must be uploaded via Sakai by the assigned due date. This is a media school and deadlines are serious in media. Thus, I take deadlines seriously. Late assignments will be docked a letter grade for each day that passed before it was submitted after the due date unless you have an emergency or a doctor’s note.

If you submit a file that is somehow corrupted or will not properly open on my computer, you will receive a zero. Thus, please submit either PDF or MS Word Documents. What you submit is what you will be graded on. You cannot submit amended materials after the due date.

If you are having trouble with the work in this course, please email me!

Makeup Exams

Makeup exams will be given only in cases of proven emergencies and then only if I am notified in advance of the scheduled exam. I reserve the right to change the content of make-up work (e.g. alternate test questions). No make-up quizzes are given.

**Special or High Needs Students**

If you are a student with a documented disability or a student with a unique personal situation (e.g. – a terminally ill family member or you are struggling with depression, etc.), you MUST let me know during the first week of class so that we can work together to make your experience in this class a success. I am very happy to work with you to make the necessary accommodations, and I will keep these matters confidential. I also like to have some documentation. (There are, unfortunately, students who can and will take advantage of this privilege.) I cannot, however, accommodate you to the point that it would be unfair to other students in the class. But there are many possibilities, and I urge you to speak to me earlier rather than later in the semester. I cannot help you in this regard if you come to me at the last minute.

Students with diagnosed or suspected disabilities that might impact their performance in the course should contact the Department of Accessibility Resources and Service (AR&S) to determine whether and to what to extent services or accommodations are available for this course. 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 by telephone at 962-8300 or visit the AR&S website at <http://accessibility.unc.edu/about-us> for additional information.

**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,](http://instrument.unc.edu/) 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](http://instrument.unc.edu/) 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.”

**Course Schedule**

This schedule is subject to change. Reading assignments may be added or removed and deadlines may be altered as necessary. Any changes will be announced on Sakai. You should complete all assigned reading before coming to class. Reading assignments will often require a significant amount of time. If at any point in the semester you are having difficulty understanding the required material, please let me know.

I will be happy to meet with you and clarify points and/or recommend additional resources to help you understand law. I fully believe that everyone can and should understand legal concepts and I am happy to help you do that. This is a topic I am passionate about so please do not be shy about asking for help or clarification. My desire to educate people about First Amendment law is part of the reason I spent so many extra years in school! That means I am serious about teaching you this stuff!

Lessons Tab on Sakai

Please check the “Lessons” pages on Sakai frequently to see exactly where we are at in the schedule. I will include and require you to “checklist” the work you complete. It may be that we need to adjust our schedule, and I reserve the right to do so. I try not to do that, but occasionally news events warrant that we spend more time on a topic. The Lessons page, as well as announcements from me, will keep you informed when and if things change. More details on each week can be found in Sakai.