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## Media Law 282 201 F23

### LOYOLA UNIVERSITY CHICAGO

COMM 282-201 F23

MEDIA LAW

Fall 2023

SCHOOL OF COMMUNICATIONS, Room 010

Wednesday, 4:15 P.M.-6:45 P.M.

Frank Main, instructor

Office hours: after class

Cell phone: 630-487-0310

Email:

[fmain@luc.edu](mailto:fmain@luc.edu)

[frankmain20@gmail.com](mailto:frankmain20@gmail.com)

#### DESCRIPTION

This course will focus on the First Amendment, how the protections for free speech have evolved over more than 200 years and how the constitution continues to adapt to our newest technology.

By learning how the legal system processes thorny questions about free speech and free expression, students will gain a greater understanding of the foundation of American democracy.

Students will look at media law from historical and theoretical perspectives and provide their own analysis in written assignments and classroom presentations.

The goal of this class is to understand the legal and constitutional framework of media law and how it pertains to modern society.

Students will be required to meet strict deadlines, follow the news (especially how it relates to First Amendment issues) and use proper spelling, grammar and punctuation in every assignment.

Students are advised to read the section on plagiarism in this syllabus. There will be no tolerance for plagiarism, including assignments written by artificial intelligence programs.

#### REQUIRED MATERIALS

**Textbook: Mass Media Law, 22<sup>nd</sup> Edition, by Clay Calvert and Dan V. Kozlowski and Derigan Silver, ISBN10: 1260837424, ISBN13: 9781260837421 Copyright: 2023**

The book is referred to in the syllabus as MML: <https://www.mheducation.com/highered/product/mass-media-law-calvert-kozlowski/M9781260837421.html>

#### GRADING (total points = 1,000)

Your grade in this class will be based on your class presentations; your work on two writing assignments; and the knowledge you demonstrate in a mid-term exam and a final exam.

Here is a breakdown of the grading:

**EXAMS (2 x 300): a total of 600 points**

You will take one mid-term exam and one final exam to demonstrate your knowledge of the history of media law, the constitutional cases and the statutes that have formed the basis of that law, as well as the theories of media law. Each exam is worth 300 points. Each exam will include fill-in-the blank questions, multiple choice questions and an essay on a legal issue.

### **PRESENTATIONS: a total of 100 points**

Students will research and give team presentations on media law cases.

The class will be divided into two teams, **FIRST AMENDMENT and BILL OF RIGHTS**. Each team will be given a media law case to research a week in advance.

Each team will be sub-divided into four smaller **groups**. (**The roster for the groups is at the bottom of this syllabus and is divided alphabetically.**)

Each one of the four smaller groups will research a particular aspect of its case. The topics include:

1. Biographies of the key figures in the case
2. An analysis of the court decision or legal action in your case
3. The historical context of your case
4. How your case pertains to current events

This means there will be two or three people in each of the smaller groups independently researching the case assigned to your whole team.

You will create a file with your own personal research and submit it to me in Sakai and at [frankmain20@gmail.com](mailto:frankmain20@gmail.com) before class so I know you did it.

I will give a lecture in the first half of the class. Then you will meet with your small group members in the second half of class, consolidate your research with the rest of your larger team into a presentation and assemble PowerPoint slides.

A member or members of each of the two teams will give the finished presentation to the class.

***Essentially, you are researching the material on a particular case and then teaching the case to the other half of our class.***

I may give a brief commentary after each presentation to clarify or elaborate on the case, if necessary.

The intention of these presentations is to:

- 1) Allow you to meet and work with other students in the class.
- 2) Internalize the legal concepts by doing your own research.
- 3) Complement my lecture that I will give you in the first half of class.

Your preparation for the presentations will include the MML readings. But you should also do additional Internet research, reading any articles that might shed light on the background, legal arguments and historical significance of your case.

Type in the legal citation number for your case (i.e. *Student Press Law Center v. Alexander*, 778 Supp. 1227 (1991)) to begin your search on Google. It should provide you with the actual decision, which will include the detailed history of the case, the arguments on both sides, and the court's ruling.

- **You will start with a grade of 100 for your participation in presentations. At my discretion**, I will deduct 10 points from that total every time I decide you have not helped your team in producing the classroom PowerPoint presentation.

### **REACTION PAPERS (2 x 150): a total of 300 points**

These papers should be **1,000 words** and are due at the beginning of class (Sept. 27 and Dec. 6).

Before class, you will submit the paper to me on Sakai in assignments and email me at [fmmain@luc.edu](mailto:fmmain@luc.edu) and [frankmain20@gmail.com](mailto:frankmain20@gmail.com) and provide me with a **printed copy** when you arrive in class (see the format requirements below).

Only **two** of these papers will be assigned during the semester, covering a major topic of the past weeks of your choosing.

Each paper is worth a total of **150 points**.

Do not provide a summary of the textbook readings.

Instead, focus on the cases or legal theories that you find most interesting and write about them. Try to apply the cases or theories to what is going on today. Please review the sample papers I will email you and put in RESOURCES in SAKAI at the beginning of the semester to see what I am expecting. You may email or call me for guidance on your papers.

The first paper will cover topics related to the First Amendment or libel; the second paper will cover topics related to invasion of privacy; news gathering and free press; obscenity; or copyright law.

You may decide on any topic covered in class and the readings.

### **STANDARDS FOR WRITTEN WORK**

A: Publishable work with few spelling, grammatical or punctuation errors.

B: Minimal spelling, grammatical and punctuation errors; minimal missing information and source information; and minimal problems with the first paragraph and organization.

C: Notable number of the above errors.

D: Significant problems with the work.

F: Misspelled proper names; other major spelling, grammatical and punctuation errors; an almost total lack of information and sources; and severe problems with the first paragraph and organization.

**\* Here's my pet peeve on punctuation: a parenthesis goes after a period or comma like this: "Wow," he said. Not, "Wow", he said. (See the AP Stylebook).**

### **FORMAT FOR WRITTEN ASSIGNMENTS**

Please submit hard copies of assignments in Arial, 12-point, double spaced in paragraph form with name, date, name of assignment and word count in the top right corner. Please provide one-inch margins on the sides. Staple your papers.

### **CLASS EXPECTATIONS**

You also are expected to keep abreast of the news. Read the Chicago Tribune or Chicago Sun-Times for local news and the New York Times, Washington Post or USA Today for national news. Our classroom discussions will often touch on the news of the moment.

Students are expected to act in a professional way as if this were a job. That means attending class regularly, arriving on time, being prepared for class and participating in lectures. Surfing the web or checking your email and Facebook accounts won't get you very far in this class.

If you expect to be absent or late, please call or email me.

### **DEADLINES**

Late assignments will drop one letter grade each day they are filed past deadline. No in-class work may be completed out of class due to an absence unless the instructor excuses the absence.

I expect you to print out your assignments and turn them in to me before class. Remember to follow the format above. I grade with comments handwritten on your printed assignment.

ALSO, please email me your assignment at [fmmain@luc.edu](mailto:fmmain@luc.edu) and [frankmain20@gmail.com](mailto:frankmain20@gmail.com) so that I have an electronic record of it.

### **REWRITES**

When students receive a grade of 73 or less on one of the writing assignments, they may rewrite it. You will have one week to submit the rewrite. The average of the two scores — the original and the rewrite — will be used to calculate the final grade for the assignment.

### **GRADING SCALE**

A: 100-94 A-: 93-90 B+: 89-88 B: 87-83 B-: 82-80 C+: 79-78 C: 77-73 C-: 72-70 D+: 69-68 D: 67-63 D-: 62-60 F: 59-0

### **OUTSIDE WRITING HELP**

For additional help, please visit the writing center: <https://www.luc.edu/writing/index.shtml> if needed.

### **MANAGING LIFE CRISES AND FINDING SUPPORT**

Should you encounter an unexpected crisis during the semester (e.g., securing food or housing, addressing mental health concerns, managing a financial crisis, and/or dealing with a family emergency, etc.), I strongly encourage you to contact the Office of the Dean of Students by submitting a CARE referral (<https://www.luc.edu/dos/services/coordinatedassistanceresourceeducationcare/>) for yourself or a peer in need of support. If you are uncomfortable doing so on your own, please know that I can submit a referral on your behalf – just email me or schedule a meeting with me during office hours. The phone number for CARE is 773-508-8840.

## ACADEMIC DISHONESTY POLICY

Academic dishonesty can take several forms, including but not limited to cheating, plagiarism, copying another student's work, and submitting false documents. Cheating includes, but is not limited to:

- Obtaining, distributing, or communicating examination materials prior to the scheduled exam without the consent of the teacher.
- Providing information to another student during an exam.
- Obtaining information from another student or any other person during an exam.
- Using any material or equipment during an exam without the consent of the instructor, or in a manner that is not authorized by the instructor.

Plagiarism is a serious violation of the standards of academic honesty. Plagiarism is the stealing of ideas, language, work or intellectual property of another, either by intent or negligence, without sufficient public acknowledgement and appropriate citation that the material is not one's own. It is true that every thought probably has been influenced to some degree by the thoughts and actions of others. Such influences can be thought of as affecting the ways we see things and express thoughts. Plagiarism, however, involves the taking and use of specific words and ideas of others without proper acknowledgement of the sources. One example: lifting an entire passage from Wikipedia and using it as one's own. Students should be guided by the principle that it is of utmost importance to give proper recognition to all sources. To do so is both an act of personal, professional courtesy and of intellectual honesty. Any failure to do so, whether by intent or neglect, whether by omission or commission, is an act of plagiarism.

In addition, a student may not submit the same paper or other work for credit in two or more classes, even in different semesters.

Plagiarism or any other act of academic dishonesty will result minimally in the instructor assigning an F to the assignment or exam. The instructor may impose a more severe penalty such as a grade of F for the course. All instances of academic dishonesty must be reported by the instructor to the appropriate area head and to the office of the Dean of the School of Communication.

A complete description of the School of Communication's academic integrity policy is

at

<https://www.luc.edu/media/lucedu/soc/pdfs/resourceforms/School%20of%20Communication%20Statement%20on%20Academic%20Integrity.pdf>

## USING AI ON ASSIGNMENTS

University leadership is currently discussing policies regarding student use of ChatGPT and other AI technology on assignments. The Provost's office has one sample of a possible syllabus statement on AI:

To maintain our culture of excellence and integrity, students are not to use AI assisted technology in the classroom unless they are specifically authorized to do so by their faculty for an assignment, a test, a quiz, or any deliverable that will be graded.

Loyola also has added an AI identifier to TurnItIn. This link has instructions on how to activate:

<https://loyola.screenstepslive.com/a/1588985-how-is-turnitin-enabled-on-an-assignment>

## THE CLASS SCHEDULE (subject to change):

WEEK 1, Aug. 30 — Course overview/introductions

Lecture on U.S. law and the courts.

Homework due next class: Read MML Chapters 1 and 2; **do the research for your assigned group presentation. Email and print out your work.**

WEEK 2, Sept. 6 — The First Amendment and sedition law

Lecture on the U.S. Constitution, the First Amendment and sedition.

Group presentations.

Homework for next class: Read MML Chapter 3; do the research for your assigned group presentation.

WEEK 3, Sept. 13 — The First Amendment and how it relates to schools and elections

Lecture on the First Amendment and schools.

Group presentations.

Homework for next class: Read MML Chapter 4; do the research for your assigned group presentation.

WEEK 4, Sept. 20 — Libel (the basics — what are the elements of libel?)

Lecture on libel law.

Group presentations.

Homework: Read MML Chapter 5; do the research for your assigned group presentation.

WEEK 5, Sept. 27 — Libel (proving fault: private v. public plaintiffs)

Lecture on libel, emphasizing *New York Times Co. v. Sullivan*.

Group presentations.

Due: Reaction paper No. 1.

Homework: Read MML Chapter 6; do the research for your assigned group presentation.

**MID-SEMESTER BREAK, OCT. 9-10, does not affect our class schedule**

WEEK 6, Oct. 11 — Libel (defenses, damages and exceptions for works of opinion)

Lecture on libel defenses.

Mid-term exam prep.

Group presentations.

WEEK 7, Oct. 18 — **MID-TERM EXAM**

WEEK 8, Oct. 25 — Invasion of privacy (appropriation and intrusion)

Lecture on invasion of privacy: appropriation and intrusion.

Homework: Read MML Chapters 7 and 8; do the research for your assigned group presentation.

WEEK 9, Nov. 1 — Invasion of privacy (publication of private information)

Lecture on publication of private information.

Group presentations.

Homework: Read MML Chapters 9 and 10; do the research for your assigned group presentation.

WEEK 10, Nov. 8 — Free press: (opening meetings, the Freedom of Information Act and protection of news sources)

Lecture on records & meetings and protecting news sources.

Group presentations.

Homework: Read MML Chapters 11 and 12; do the research for your assigned group presentation.

WEEK 11, Nov. 16 — Free press (fair trials)

Lecture on fair trials.

Group presentations.

Homework: Read MML Chapter 13; do the research for your assigned group presentation.

**THANKSGIVING BREAK, Wednesday, Nov. 22**

WEEK 12, Nov. 29 — Obscenity

Lecture on obscenity.

Group presentations.

Homework: Read MML Chapter 14; do the research for your assigned group presentation.

WEEK 13, Dec. 6 — Copyright and patents

Lecture on copyright and patent law. Group presentations

Due: Reaction Paper No. 2.

Final exam prep.

WEEK 14, Dec. 13— **FINAL EXAM** (4:45 p.m. in same classroom, School of Communication, Room 10)

**RESEARCH TEAMS** (subject to change based on class roster)

**Team First Amendment**

GROUP 1

Burfield, Ethan

Cahill, Aidan

GROUP 2

Delaune, Greta

Giudice, Bella

GROUP 3

Hall, Blake

Hays, Leanne

Hopcraft, Cooper

GROUP 4

Kaugars, Krisjanis

Lyngen, Caroline

**Team Bill of Rights**

GROUP 1

Mead, Claudia

Minne, Hunter

GROUP 2

Munnely, Ella

Renfro, Maya

GROUP 3

Sigunick, Olivia

Sileo, Abigal

Thompson, Mia

GROUP 4

Toma, Brunel

Villhauer, Amelia

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