# **Media Law**

## JRSM 4700/6700-M50

## Summer 2024

## Professor: Dr. Thomas J. Hrach

**Office:** 308 Meeman

**Email:** [**thrach@memphis.edu**](mailto:thrach@memphis.edu) or email the professor within Canvas

**Phone:** 901-678-4779 office; 901 489-5705 mobile

## COURSE REQUIREMENTS

### Catalog Description

Origin and development of legal principles affecting freedom of expression and provisions of laws of libel, slander, copyright and other statutes that affect communication in fields of publishing and broadcasting.

### Prerequisite

None

### Required textbook

Clay Calvert, Dan Kozlowski and Derigan Silver, *Mass Media Law, 22nd Edition* (2023), McGraw Hill, ISBN 1260837424.

Here’s the link to the University of Memphis Library’s eBook license of *Mass Media Law*, 22nd edition that allows up to three users to access the textbook at the same time:

### <https://ebookcentral.proquest.com/lib/memphis/detail.action?docID=6976088>

### Course objectives

Media Law examines the body of law concerning the freedom and regulation of American media. This course is designed to give you a basic understanding of the law affecting free expression as well as communication in the media professions. If you plan to work in advertising, broadcasting, news, magazines, creative mass media, public relations, social media or other communication profession, this course will help you understand the laws that affect your work daily.

First, we study the U.S. legal system and the philosophical and historical foundations of freedom of expression in America as well as the political and social forces that helped to shape our system. We next examine government prior restraint/censorship of expression, including government attempts to restrict student expression. Then, we consider libel, the civil lawsuit most commonly filed against media publishers. Next, we examine public access to government information and meetings. Finally, we examine copyright law and the regulation of advertising.

For most of you, this course is your only opportunity to study law. The material is interesting but challenging. You must read your textbook assignments and view the Canvas PowerPoint slides/lectures carefully to be able to discuss the material, answer the essay questions and complete the quizzes on each chapter. This is not an abstract legal theory class. As a journalist, broadcaster, visual media, advertising or public relations communicator, you need to understand the basic principles of media law in order to successfully navigate your domain. While this course is not designed to make you an authority on media law, you will gain an understanding of your rights under the First Amendment as well as your legal responsibilities as citizens and as media professionals.

## Accessing the Canvas website

You will use the Canvas course site to participate in the class. For each week’s Module, you will participate in the Discussion assignment, view the Video Lecture/PowerPoint Slides, take the Quiz and upload your answers to the Essay Questions. You will find on the Canvas Home page course Modules, current Annoucements and current Due Dates. You will also find your grades posted in the Canvas Grades tool.

1. Go to the University of Memphis home page: [http://www.memphis.edu](http://www.memphis.edu/)
2. Click on the “Canvas” link at the bottom left.
3. Log in using your University of Memphis username and password.
4. Click on the JRSM4700/6700-M50 button to enter the Media Law course.
5. On the Welcome to the Course Module, read my welcome and the syllabus; download the course study guide.
6. All listed deadline times are Central Daylight time, which is Memphis time.

### Course structure, grades and attendance

You will have several assignments for this asynchronous course divided into 10 weekly Modules during the Summer Term, which is five weeks shorter than a typical fall or spring semester. Each week you will read your assigned chapter from the Calvert textbook and view the PowerPoint/lecture video covering that material for that week. You should use the study guide as well as that week’s PowerPoint slides to guide your textbook reading,

**DISCUSSIONS:**

**By Tuesday of Week 1 through Week 10, you will post a response to the questions posed in that week’s Discussions**. The discussion posting should be at least 175 words. **Then by Thursday, you will post at least two more times, replying to at least two fellow student’s discussion board posts** in the JRSM4700/6700 Canvas site. You can reply to more than two students, and that is encouraged. Each week’s Discussion closes Thursday at 11:59 p.m.

**ANSWER ESSAY QUESTIONS:**

**Each week you will answer a few essay questions based on the assigned reading and PowerPoint/video lecture.** You will find the answers in the assigned textbook reading and the PowerPoint/lecture posted in that week’s Module. Be sure to answer all parts of the question. You will answer each question in complete sentences. Remember this course is taught as part of journalism and strategic media programs. Grammar, punctuation and clear writing are essential to success in this course and in your media profession. **By Friday of Week 1 through Week 10, you will upload your essay answers in the Canvas link for that week’s Module**. I will evaluate each answer and post my evaluation in Canvas each week.

**QUIZ:**

Finally, to test your comprehension/retention of the material, **you will take a timed quiz each week on the assigned readings and the Video Lecture/PowerPoint Slides for that week**. This quiz will be timed, so you can’t wait to start reading the chapter and just look up answers when you log-in for the quiz. You will have 30 minutes to answer the 15 multiple-choice/true-false questions. There’s not time to look up all the answers to the questions when taking the quiz. I suggest that before taking the quiz you study the assigned readings and Video Lecture/PowerPoint Slides for the week as well as complete the essay questions on the chapter. You will take the quiz linked in that week’s Module. **By Wednesday of Week 1 through Week 10, you will complete the Quiz in the Canvas link for that week’s Module**.

No late work will be accepted without prior arrangements acceptable to your professor. This is a program for media professionals who are expected to understand and comply with deadlines.

### Grading for Students registered for JRSM 4700

Weekly Quizzes 30%

Weekly Discussion Board 20%

Weekly Essay Questions 50%

Number grades on tests and quizzes translate into these letter grades: A, 90-100;

B, 80-89; C, 70-79; D, 60-69; F, below 60.

**JRSM6700 Graduate Students Write Semester Paper**

Graduate students must write a research paper, which counts 20 percent of the course grade. The paper is a legal analysis of a specific, focused question/topic about Media Law. Your seminar paper should be at least 2,000 words. You should read and cite in the text of the paper *at least* 12 sources other than the textbook (legal cases, journal articles, law review articles, books or web information relevant to your paper). Submit a one-page proposal for this paper by June 14. The proposal should have a purpose statement for the paper followed by an outline describing the various sections of the paper you plan to address. Then, you list the cases and/or statutes as well as the secondary sources about your paper’s topic that you’ve found so far.

The first draft of the paper is due July 19. I’ll give you feedback on your first draft within the week. After you receive my feedback, you will complete the final draft of the paper. Final papers are due Aug. 2, our last class day of the semester.

This paper’s style should follow The Chicago Manual of Style, which is a footnote style that provides for clearer references when citing legal cases. An overview of citations of books, journals and websites in the Chicago Manual of Style is available online at: <https://owl.purdue.edu/owl/research_and_citation/chicago_manual_17th_edition/cmos_formatting_and_style_guide/chicago_manual_of_style_17th_edition.html>

For citing law cases and other legal sources in Chicago style see:

<https://owl.purdue.edu/owl/research_and_citation/chicago_manual_17th_edition/cmos_formatting_and_style_guide/legal_public_and_unpublished_materials.html>

**Grading for JRSM 6700**

Semester paper, 20%

Exam , 20%

Exam 2, 20%

Exam 3, 20%

Online Discussion, 15%

Participation, 5%

### Class assignment schedule

All PowerPoint slides, discussion board postings, quizzes taken and essay question answers will be done through the Canvas site. Click on the link to Canvas and then on the course, JRSM4700/6700-M50.

**The instructor reserves the right to change the schedule with notice in advance of assignments.**

# Week 1, May 28-31, Introduction to law and the U.S. legal system.

## Readings: chapter 1, The American Legal System, pp.1-37

## Week 1 Deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario/questions by 11:59 p.m.

**Wednesday:** Complete Week 1 Quiz by 11:59 p.m.

**Thursday:** Post response to at least two classmates by Friday, 11:59 p.m.

**Friday:** Upload Week 1 Essay Questions to Dropbox by 11:59 p.m.

## Week 2, June 3-7, History and theory of free expression and the First Amendment

Read chapter 2, The First Amendment: The Meaning of Freedom, pp. 40-77.

**Week 2 Deadlines to Meet:**

**Tuesday**: Post initial response to Discussion scenario/questions by 11:59 p.m.

**Wednesday**: Complete Week 2 Quiz by 11:59 p.m.

**Thursday:** Post response to at least two classmates by 11:59 p.m.

**Friday**: Upload Week 2 Essay Questions by 11:59 p.m.

# Week 3, June 10-14, Prior restraint

Read chapter 2, pp. 78-85

## Week 3 Deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario by 11:59 p.m.

**Wednesday**: Complete Week 3 Quiz by 11:59 p.m.

**Thursday:** Post replies to at least two classmates by 11:59 p.m.

**Friday:** Submit Week 3 Essay Questions to Dropbox by 11:59 p.m.

# Week 4, June 17-21, Free Expression for High School and University Students

Read chapter 3, pp. 88-130.

## Week 4 Deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario by 11:59 p.m.

**Wednesday**: Complete Week 4 Quiz by 11:59 p.m.

**Thursday**: Post replies to at least two classmates by Friday, 11:59 p.m.

**Friday:** Submit Week 4 Essay Questions to Dropbox by 11:59 p.m.

# Week 5, June 24-June 28, Libel Part 1: Establishing a case

Readings: chapter 4 & 5, Defamation: Establishing a Case, pp. *160-*199;

## Week 5 Deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario by 11:59 p.m.

**Thursday:** Post response to at least two classmates by Friday, 11:59 p.m.

**Wednesday:** Complete Week 5 Quiz by 11:59 p.m.

**Friday:** Submit Week 5 Essay Questions to Dropbox by 11:59 p.m.

# Week 6, July 1-5, Libel Part 2: Categories of fault and plaintiffs and libel defenses

Readings: chapter 5 & 6, Defamation: Defenses and Damages, pp. 199-227; 233-266.

## Week 6 Deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario by 11:59 p.m.

**Wednesday:** Complete Week 6 Quiz by 11:59 p.m.

**Thursday:** Post response to at least two classmates by 11:59 p.m.

**Friday:** Submit Week 6 Essay Questions to Dropbox by 11:59 p.m.

# Week 7, July 8-July 12, Access to Public Documents and Meetings

Read Chap 9, pp 346-407.

Week 7 Deadlines to Meet:

**Tuesday**: Post initial response to Discussion scenario by 11:59 p.m.

**Wednesday**: Complete Week 7 Quiz by 11:59 p.m.

**Thursday:** Post response to at least two classmates by Friday, 11:59 p.m.

**Friday**: Submit Week 7 Essay Questions to Dropbox by 11:59 p.m.

# Week 8, July 15-19, Intellectual Property: Copyright and Trademark

Read chapter 13, pp. 225-247 (223-245; 233-259; 257-286).

## Week 8 Deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario by 11:59 p.m.

**Wednesday:** Complete Week 8 Quiz by 11:59 p.m.

**Thursday**: Post response to at least two classmates by Friday, 11:59 p.m.

**Friday:** Submit Week 8 Essay Questions to Dropbox by 11:59 p.m.

# Week 9, July 22-July 26, Regulating Advertising

Read chapter 15: pp. 604-650

## Week 9 Deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario by 11:59 p.m.

**Wednesday:** Complete Week 9 Quiz by 11:59 p.m.

**Thursday:** Post response to at least two classmates by 11:59 p.m.

**Friday:** Submit Week 9 Essay Questions to Dropbox by 11:59 p.m.

## Week 10, July 29 to Aug. 2: Obscenity

Read chapter 13: pp. 513 to 542.

Week 10 deadlines to Meet:

**Tuesday:** Post initial response to Discussion scenario by 11:59 p.m.

**Wednesday:** Complete Week 9 Quiz by 11:59 p.m.

**Thursday:** Post response to at least two classmates by 11:59 p.m.

**Friday:** Submit Week 9 Essay Questions to Dropbox by 11:59 p.m.

## ASSESSMENT AND OUTCOMES

### Professional Values and Competencies for JRSM 4700/6700

* Understand and apply the principles and laws of freedom of speech and press in the United States as well as understand 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
* Demonstrate an understanding of the history and role of media professionals and institutions in shaping communications

### How professional values and competencies will be met

#### Cognitive objectives to be mastered (ability to explain, analyze, understand, think critically)

* Students will have a basic understanding of the law affecting mass media as well as how the law affects those who plan to work in media-related fields. In particular, students will learn basics of First Amendment protections, libel, privacy, copyright, access to government information, as well as government regulation of advertising, corporate speech and telecommunications.
* Students will learn about the political and social forces that help to shape the law in order to understand that law is not static but an evolving system of legal principles and government regulations.
* Students will gain knowledge of the operation of the U.S. Supreme Court as well as its influence on their daily lives, including the effect of the law on the rights of women and minorities and their inclusiveness in American life.
* Students will gain confidence in the exercise of their legal protections for free expression in the practice of journalism, public relations and advertising.
* Students will gain an understanding of the workings of state and federal access law, through textbook readings, class lectures and speakers from local media.

#### Performance standards to be met (demonstrable skills, abilities, techniques, applied competencies)

* Students will demonstrate knowledge of media law in general through successful completion of the following: complete essay questions and a series of quizzes over assigned materials.
* Students will participate in class discussions of media law principles and court cases that affect the meaning and application of the First Amendment today in both their personal and professional lives as well as explore emerging trends in specific areas of media law such as web/social media publication, deregulation in advertising and broadcast expression, and barriers to access of government information.

### How assessment of student learning will be met

#### Awareness

* Awareness of the historical progression of First Amendment freedoms and their application in journalism and media practice.

#### Understanding

* Understanding how media law principles protect and, in some cases, limit publication in the practice of advertising, creative mass media, journalism and public relations.

#### Application

* Successfully apply media law principles to legal dilemmas presented by various case scenarios in the practice of advertising, creative mass media, journalism and public relations.

## JOURNALISM AND STRATEGIC MEDIA POLICIES

### Portfolio requirement

As an undergraduate student in the Department of Journalism and Strategic Media, you must develop and maintain an active portfolio of your work. Portfolios begin in JRSM 3900/3905. The portfolio should contain samples of coursework and/or professional experiences and should develop as you build skills. Portfolios will undergo a final external review while you are enrolled in your capstone course.

You may use any web hosting for your portfolio, but it must have an independent and professional URL. You may use any content management system, but you are encouraged to use WordPress, Wix, or SquareSpace. You are also encouraged to purchase a URL if you plan to use the portfolio long-term. You must keep the portfolio active for six months following graduation from the University of Memphis.

You should have a professional email address you plan to use throughout your professional life via a common email service, such as Gmail.

All portfolios must contain the following items:

* Samples of work from courses and/or professional activities. (Example: Broadcasting students must include a video reel)
* A current résumé
* A personal profile
* Contact information/means of contact
* Professional social media links (minimum LinkedIn)

You may wish to include a blog, video reels, photograph galleries, presentations, design PDFs, audio files, or writing pieces as examples of professional work. The professional work should ultimately be tailored to the career you seek after graduation. Your portfolio should show a unique blend of work.

### Email

You must activate your UofM email account. If you use another provider, such as Google, you must forward all UofM emails to that account. Go to the [account management website](http://iam.memphis.edu/) for information about implementing email forwarding. You are required to check your email daily.

### 

### Electronic devices

Some classes require a tablet, laptop, or smartphone. Others do not. Instructors will set the policy for their specific classes.

### AI/Chat GPT

In Journalism & Strategic Media, artificial intelligence software, such as Chat GPT, is prohibited in some courses and required in others. Please refer to the specific guidelines for this course in the course-specific part of the syllabus.

### Attendance

Class attendance is mandatory in Journalism & Strategic Media. You may be assigned a failing grade for the semester for nonattendance or habitual tardiness.

### Course repetition

Majors and minors who fail to earn the minimum passing grade (C-) in a class required by your program of study in Journalism & Strategic Media after three attempts will be dropped from the program.

You may not use or submit work from a previous course, even if it is the same course being repeated, to fulfill requirements for assignments in another course. Substantially reworking the original submission or working with the same general idea may be permissible upon discussion and with written approval from the professor of the current course.

### Academic integrity

The University of Memphis expects all students to behave honestly and follow the policies stated in the Student Code of Rights and Responsibilities. For more information about the University's policy on academic integrity, visit the [Office of Student Accountability’s website](https://www.memphis.edu/osa/).

In addition to university-wide policies, the Department of Journalism & Strategic Media considers making up quotes from sources, turning in substantially the same assignment for credit in two different courses, or receiving any assistance from others for work assigned to be done on your own as acts of cheating and punishable to the degree determined appropriate by the course instructor and department chair. Punishment may include grade reductions or seeking dismissal of the student from the University.

Further, you are expected to comply with copyright and intellectual property laws. You must have sufficient permission to use any copyrighted materials used in creative projects unless otherwise informed in cases of exercises or reproduction.

Your written work may be submitted to Turnitin.com or a similar electronic detection method for rating your ideas' originality and evaluating the proper use and assignment of sources. All creative work may be checked for policy adherence by the professor. The only exception to this policy is your online portfolio and its attendant pieces (for example, the résumé and logo). By taking this course, you agree that all assignments may undergo this review process. The assignment may be a source document in Turnitin.com’s restricted access database. It is solely to detect plagiarism in such documents. Assignments not submitted according to the instructor's procedures may be penalized or not accepted.

### Online SETEs

You are encouraged to complete the SETEs evaluation of this course. If completed, once the instructor has posted final grades, you can immediately see that grade. To access evaluation forms, log in to MyMemphis; click the “Student Pages” dropdown menu and select “My Resources” and find the SETE evaluation forms; complete an evaluation for each course listed and hit the “Submit” button at the bottom of the form. Completing the SETE will only take a few minutes. Faculty take the evaluations seriously and use them to improve courses and instructional quality. Your feedback is essential and is appreciated.

### 

### Deadlines

All deadlines are firm. Because Journalism & Strategic Media is a professional program, you must understand and comply with deadlines. Students needing an extension on an assignment must receive approval from the instructor. Exceptions will be made for reasonable circumstances if the student notifies the instructor before the due date.

You may be permitted to make up missing work if it is for an absence because of illness or other catastrophic emergency, such as a death in the family that can be documented.

### AP Style and grammar

All written work in this class must follow the AP Stylebook and accepted grammar and punctuation rules. You are responsible for learning these rules and checking your work for errors.

### Disability and accommodations

If you need accommodation based on the impact of a disability, contact Disability Resources for Students at 901-678-2880 in 110 Wilder Tower Hall to coordinate reasonable accommodations.

### Diversity and inclusivity

The Department of Journalism & Strategic Media values diversity in all its forms. These include ability, age, appearance, ethnicity, gender identity, immigration status, language, nationality, race, religion/spirituality, sex, sexuality, socio-economic status, and other personal identities and experiences. As such, students are expected to contribute to fostering an inclusive environment that respects the differences of others.

Students are expected to approach their work through a diverse lens. Creating messages that resonate with diverse audiences requires understanding various perspectives carried out through multiple platforms, such as digital and traditional media outlets.

The department seeks to foster healthy and positive classroom discussions and experiences. As such, faculty and students are expected to remain respectful and professional.

### Weather policy

Always check with local media and the University of Memphis website regarding inclement weather.

### 

### Student support

If you are experiencing personal or academic challenges including, but not limited to food or housing issues, family needs, or other stressors, visit the Student Outreach & Support page to learn about resources that can help: <https://www.memphis.edu/deanofstudents/crisis/index.php> or contact the Dean of Students Office at 901-678-2187, or in person in Suite 359 in the University Center for assistance. You may also talk with course instructors about the challenges you are experiencing. Instructors may be able to assist in connecting you with campus or community support.