

**CST 234: Mass Media Law and Ethics**

*Cedar Crest College, Spring Semester 2010*

T/R 4-5:15pm, Admin 4

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Office: Hartzel Hall, 228, x3429 Hours: TBA

**COURSE DESCRIPTION:**

The purpose of this course is to *introduce* students to the major legal, ethical and policy issues related to the mass media. Upon completion, students should be able to better understand existing media law and policy and be able to critique and analyze future laws and policies. Students should also be able to discuss the ethical issues that are relevant to media conduct.

**REQUIRED TEXTS:**

Trager, R., Russomanno, J., Ross, S.D. (2009) *The law of journalism and mass communication*, NY: CQ Press.

Patterson, P. & Wilkins, L. (2008). *Media Ethics: Issues and Cases* (6<sup>th</sup> edition), NY: McGraw-Hill.

**Course Objectives and Outcomes:**

Through active involvement in this course, students will develop:

- ✓ A basic understanding of telecommunications law
- ✓ The ability to consider personal and professional ethics in making decisions
- ✓ A thorough understanding of the first amendment and its importance to American media

**Class Format**

Classes will consist of lectures, small and large group discussions, student presentations and video presentations:

**Lectures:** Lectures for this course will not last the entire class period. Lectures will primarily be short oral presentations. The primary objectives of the lectures will be to clarify difficult concepts, to emphasize important ideas, to supplement assigned readings, and to answer students' questions.

**Class Discussions** will be a major part of the class. We will use class time to discuss readings both in small and large groups. It is important to complete the assigned readings so that you can be an active participant in class discussions. There is only one exam in the course but if it becomes evident that students are not reading materials prior to class, additional quizzes will be added to the syllabus.

**Student Presentations:** Students will be required to give several presentations during class time throughout the semester. All of these assignments are aimed at helping students better understand the law by presenting it to and discussing it with classmates.

**Video presentations:** We will view several videos during the course of the semester. Many videos are on loan from other libraries and may not be available to students. Please be present on video days (and all days). Any material discussed in a video is fair game for the exam. At the start of the semester the only requirement for films is that students are present and engage in lively discussion afterwards. If students are absent or avoid discussion, assignments will be presented following the films.

The following is the grading scale for this course:

|    |            |    |                 |
|----|------------|----|-----------------|
| A  | = 1000-930 | C  | = 769-740       |
| A- | = 929-900  | C- | = 739-700       |
| B+ | = 899-870  | D+ | = 699-670       |
| B  | = 869-840  | D  | = 669-640       |
| B- | = 839-800  | D- | = 639-600       |
| C+ | = 799-770  | F  | = 599 and below |

| Assignment                                       | Value | Points |
|--|-------|--------|
| Take home midterm                                | 15%   | 150    |
| Law Memo Final                                   | 15%   | 150    |
| Freedom of Information Request                   | 10%   | 100    |
| Editorial on Current Issue                       | 10%   | 100    |
| Final Presentation                               | 10%   | 150    |
| Final Project (Written component)                | 15%   | 150    |
| Attendance                                       | 15%   | 150    |
| Participation (In class exercises/contributions) | 10%   | 100    |

**Assignment Details: ALL assignments must be typed and turned in before or by deadline.**

**Exams:**

Students will be given 1 take home exam during the semester (midterm). The exam will cover class discussions and readings. If a student attends and is attentive in every class and thoroughly completes all assigned readings, they should expect to do well on the exam. Exam questions will primarily be essay, reflections and analysis.

**Final Exam - Law Memo:**

The memo should be on a media law issue relevant to this course. Topics must be approved by the instructor. Students will describe and analyze the current state of their topic of choice. This memo should discuss both legal and ethical issues. You should pick a topic that interests you (or else it will be boring to write and less exciting to read). You should also consult with the instructor early in the semester before beginning to write your paper. The instructor will set a due date (to be determined) for topic approval.

In terms of writing, these reports will be expected to meet the same standards as any research paper. In particular, quotations and any facts, figures, opinions, and so on (including charts, tables, diagrams etc.) which are not your own should be attributed to the specific sources in which they were found. You should use APA formatting for references. The reports should be 6-8 pages in length, typed, double spaced, and should have appropriate margins and page numbers. You should also include a bibliography. Paper will be graded on thoughtfulness, thoroughness as well as writing areas such as spelling, grammar, punctuation, and general quality of writing.

You must use at least six sources beyond the textbook for this class. Source material can be drawn from journals, books, trade magazines, newspapers, industry sources, interviews, the Internet and various other materials. The use of popular literature should be used with caution – make sure that all sources are credible!

The following assignments will be discussed in greater detail in class and further instructions will be given:

**Freedom of Information Request**

Students will use the letter generator from the Reporters Committee for a free press to create a letter that formally requests information from a government agency. A great resource for this project is their website <http://www.rcfp.org/foiact/index.html>

“The Freedom of Information Act is the federal law, enacted in 1966, that makes government information accessible to the people. The law is based on the presumption that individuals have a right to know what their government is up to and that government agencies have a duty to provide full disclosure of all records that are not specifically and reasonably exempt.

FOIA applies to all 15 departments (Education, Homeland Security, etc.) and 73 other federal agencies (Environmental Protection Agency, Federal Reserve System) in the executive branch of the U.S. government. It does not apply to the president, Congress or the courts. It does not apply to state governments (though each of the 50 states has its own freedom-of-information laws, as do many cities)...

Anyone, anywhere, for any reason can request information from the government under FOIA. That includes individuals (including foreign citizens), partnerships, corporations, associations, and

domestic or foreign governments (with newly enacted exceptions). However, the act does assign requesters to different categories in order to determine fees and fee waivers. Each agency sets its own fee schedule.

The first category of requester includes representatives of the news media; educational institutions; and noncommercial scientific institutions. This type of requester pays only standard document-duplication charges. Journalists, authors and scholars are also the requesters most normally eligible for a fee waiver, if the information they request is "likely to contribute significantly to public understanding of the operations or activities of the government," and if they have the ability to disseminate that information to the public."

Retrieved January 13, 2006 from

[http://www.firstamendmentcenter.org/Press/information/topic.aspx?topic=how\\_to\\_FOIA](http://www.firstamendmentcenter.org/Press/information/topic.aspx?topic=how_to_FOIA)

### **Editorial on Current Legal or Ethical Issue**

Students are required to write a 500 word editorial on a current issue related to this course. The editorials will be graded on writing, grammar, interest level, etc.

### **Final Presentation & Final Project (Written component)**

Students will be asked to write a 3-5 page argument piece that explores the way they see a current controversial legal and ethical issue. Students will then give a formal presentation to the class on their topic during the last week of the course. Presentations should be approximately 10-15 minutes in length. Topics can be as varied and interesting as a student wants. For example: Should the FCC continue to relax regulations on ownership and if so what does this mean for the diversity of opinions? OR: Should politicians be entitled to the same level of privacy that we as private citizens expect despite making their money as a public figure? If students would like to create an alternative project, they may do so by proposing their idea to the professor on or before April 1.

#### **Check List for all Presentations**

**Outline:** does not have to be full sentence: Include, introduction, preview, transitions, review, closure

**Works Cited:** Must be typed in proper APA format; Alphabetize references

**Visual Aids:** Large enough to read, legible, enhances and does not distract from speech

**Speech:** Use note cards, not sheets of paper – do not read your note cards; Dress appropriately; Speeches should fit audience.

**Delivery:** Practice speech with special attention to eye contact, gestures, paralanguage (Volume & pace), eliminating “um’s” and organizing thoughts in a logical, functional manner.

**In-class assignments:** Throughout the semester, we will work on several activities in class. Although these are not necessarily formal assignments, it is still important to be present so that you will receive credit for the assignment. If a student misses an in-class assignment, they will not be given a make-up assignment. *Again, there will be no make-ups for in-class assignments.*

#### **Participation/Attendance:**

It is important that you are on time for class and miss no more than 2 classes without prior notice given to the instructor. Participation is mandatory. Participation means taking an active role in class discussions and projects. In-class discussions are **central** to this course. Students will earn up to 100 points for participation and attendance.

Participation is important and is part of your grade. Students are expected to have read the required chapters for each class session and be prepared to discuss its contents. A lack of preparation not only hurts your grade it also takes away from the quality of the in-class discussion and makes the learning experience less enjoyable for your classmates.

#### **Plagiarism:**

Deliberate or accidental, plagiarism is a serious academic and professional offense and a violation of the spirit of the Cedar Crest Honor Code philosophy. Depending on the severity of the offense, penalties for plagiarism will range from the assignment of an “F” for the article or work, to the assignment of an “F” for

the course. All cases of plagiarism will be reported to the Vice President for Academic Affairs and Dean of Faculty. Under certain circumstances, acts of plagiarism may result in suspension or expulsion from the College.

### **Learning Disabilities:**

Students with documented disabilities who may need academic accommodations should discuss these needs with their professors during the first two weeks of class. Students with disabilities who wish to request accommodations should contact the Advising Center.

### **Faculty statement on disruptive behavior (C. Cameron, author – edited from original version):**

Generally, disruptive behavior in the classroom is any behavior that interferes with the process of learning. At Cedar Crest College, it is the right of every student and faculty member to engage in a classroom experience free from disruptive behavior.

What is disruptive to one person might not be disruptive to another, so the final authority on disruptive behavior is the faculty member. Faculty members have the authority to address disruptive behavior in the manner they see fit under the guidelines set forth in the College Catalog.

Disruptive behavior may be viewed on a continuum ranging from the isolated incidents of mildly annoying or irritating behavior to more clearly disruptive, dangerous, and/or violent behavior.

Examples of disruptive behavior may include the following:

- Persistent speaking without permission
- Use of electronic devices, cell phones, or pagers during class
- Threats or harassment of any kind
- Working on homework for other classes
- Inappropriate personal disclosures during class (sharing too much information)
- Sleeping in class
- Entering class late or leaving early (without permission)
- Eating/drinking in class without permission
- Arguing with faculty and other students

Additionally, classroom participants should note that basic human courtesy is an expectation when interacting with faculty members, staff, and other students.

### **Verbal Communication**

Faculty members are not part of your social circle or peer group and should not be addressed as such. On the first day of class, faculty members will introduce themselves and express how you should address them. Addressing a faculty member by his or her first name is not acceptable unless the faculty member invites you to do so.

When addressing a faculty member in person, use a positive, respectful approach. Ideally, you should meet with faculty members during their scheduled office hours and not at the beginning or end of class unless the interaction will be brief.

When using the telephone, be sure to identify yourself at the beginning of the conversation. Be brief and concise, particularly when leaving a voice mail message.

### **Written Communication**

When sending email, remember that your writing conveys an image of you and demonstrates respect for the recipient. Treat email as you would any other written correspondence: Begin with the appropriate greeting (“Dear Professor Ortiz”), use complete sentences with good grammar and spelling, use a friendly and polite tone, and expect that faculty members will return your correspondence when they are able. Expecting an “instant response” is not realistic.

## Schedule Of Readings and Assignments

*(Professor reserves the right to make changes to the syllabus.)*

All readings and assignments are listed on the day they are due.

When “Complete” is listed, the assignment should be done before you arrive to class.

T Jan 19 – Course Introduction and Expectations

R Jan 21 – Ethics: Ch. 1: An introduction to ethical decision making & Ch. 2: Information Ethics

T Jan 26 – Law Chapter 1. The Rule of Law

R Jan 28 – Law Chapter 2. The First Amendment

T Feb 2 – Continue discussion of the first amendment

R Feb 4 – Law Chapter 3. Disruptive Speech

T Feb 9 – View: “All the President’s Men (1976) (138 minutes)”

R Feb 11 – Continue & Discuss “All the President’s Men,” **Discuss Editorial**

T Feb 16 – Law Chapter 4: Libel: The Plaintiff’s Case

R Feb 18 – Law Chapter 5: Libel: Defense Issues and Strategies

T Feb 23 – Law Chapter 6. Protecting Privacy , Ethics Ch. 6: Privacy: Looking for Solitude in the global village

R Feb 25 – Law Ch. 7. Emotional distress and physical harm, **Editorial Due**

T March 2 - Law Ch 8: The media and the courts, View “Nothing but the Truth (2008) (107 min)”

R March 4 –Continue “Nothing but the Truth,” **Midterm handed out**

March 4-10 – Spring Break – No classes

T March 16 – No class – Instructor in NYC at College Media Advisers Conference

R March 18 – Law Ch 9: Newsgathering, **Midterm due**

T March 23 – Law Ch. 10 – Reporters Privilege

View: “PROTECTING SOURCES” from News Hour with Jim Lehrer (August 11, 2004)

View: “Shattered Glass (2003) (93 min)”

R March 25 – Continue Newsgathering and Reporters Privilege, Continue “Shattered Glass”

T March 30 – Law Ch. 11. Electronic Media Regulation

R April 1 – Ethics 10: Ethics in Cyberspace: New questions and new roles **FOIA request due**

T April 6 – Monday Schedule

R April 8 – Law Chapter 12. Obscenity, Indecency and Pornography

T April 13 – Law Chapter 13. Intellectual Property

Film: Freedom of Expression®: Resistance and Repression in the Age of Intellectual Property (61 min)

R April 15 – Law Chapter 14. Advertising

T April 20 – Ethics Ch. 3: Advertising Ethics: From let the buyer beware to empowerment

R April 22 – **Final Presentations**

T April 27 – No class – Health and Wellness Conference

R April 29 – **Final Presentations**

T May 4 – No class, Professor lecturing on Media and Diversity at DeSales University

**Law Memo Final due Friday, May 7 by noon – Turn in to Lydia Orban (Hartzel Hall)**