

SYLLABUS: COMM 3404

Media Law and Ethics

Autumn 2023

Wednesday/Friday: 2:20-3:40 p.m.

280 Pomerene Hall

Please sign up for Slack ASAP: https://go.osu.edu/kraftcommslack_au23

Instructor

Instructor: Dr. Nicole Kraft (please call me Nicole or, if you would prefer, Dr. Kraft)

Email address: kraft.42@osu.edu Phone number: 614-407-6612

Office Hours:

Wednesday/Friday, 11 a.m.-12:30 p.m.

In person: 3045E Derby Hall

By appointment on Zoom:

https://go.osu.edu/kraftcommoffice zoom au23

Teaching Assistant:

Jaclyn Karpinsky

Email: karpinsky.5@buckeyemail.osu.edu

Office Hours:
By appointment

Course overview

This interactive, engaging course explores the world of law and ethics as they pertain to Journalism and the First Amendment. It will feature legal and ethical issues facing journalists—as dramatized in the movies. It is a unique adaptation of the case study approach often used in journalism law and ethics classes.

Journalists have been major characters in the movies since film began, and use of film in this course will help you visualize and understand the basic protections and restrictions offered by legal interpretations of the First Amendment, as well as to see and deal with the ethical problems and dilemmas journalists face.

Examining these issues through film will let us see media law and ethics in "real life" situations to better understand First Amendment rights, and journalists' legal and ethical responsibilities and limitations while looking at them from a practical, historical and societal context. In this course students will learn by examining these fictional and true-life scenarios—as well as recreating significant court cases that have shaped journalism law, crafting arguments representing both sides of legal and ethical issues and debating key issues that arise in the films.

The focus will be on such core concepts as:

- Libel
- Privacy
- Prior restraints
- News gathering
- Privilege
- Objectivity in reporting
- Bias and transparency
- Conflicts of interest
- Sources

This is not a class where students can be passive and do well. Engagement and participation are a key part of student success in the course. The goal is that by the end of the semester, students will be able to understand how the First Amendment is interpreted through U.S. legal decisions, as well as the ethical considerations that reporters face.

You will also be able to: identify the significance of key court decisions in the history of American journalism; distinguish between ethical and unethical conduct by journalists; demonstrate an ability to think critically and make fair and reasoned judgment about news, issues and events; employ journalistic standards and practices in a variety of newsgathering settings; and demonstrate a professional work ethic by being on time and prepared to contribute to each class session.

Learning outcomes

By the end of the semester, you will have the ability to:

- a. Develop an understanding of how the First Amendment is interpreted through U.S. legal decisions
- b. Develop an understanding of the ethical considerations reporters face and how they make decisions in those areas.
- c. Identify the significance of key court decisions in the history of American journalism that have shaped modern-day media law.
- d. Distinguish between ethical and unethical conduct by journalists.
- e. Demonstrate an ability to think critically and make fair and reasoned judgments about news, issues and events.
- f. Employ journalistic standards and practices in a variety of newsgathering settings.

Mode of Delivery

This class is an in-person course, which means we will meet together in class two days per week (Wednesday and Friday from 2:20-3:40 p.m.). Please note the workload should equal about 12 hours of work per week.

How this course works

This class follows what is known as the "flipped, active learning model." That means students develop a knowledge foundation through readings and videos before class. Class time (in person and via Zoom) is then dedicated to engaging with the material through a variety of activities and assessments to determine and build comprehension.

We do not have lectures like conventional classes. With this active learning model, students establish the foundation as part of that home pre-work, and then we build the structure of learning together, allowing us to see and correct weaknesses in the foundation and the structure. That means you must do the readings and watch videos BEFORE you join us for our class sessions. Here is a good schedule to follow:

- 1. MONDAY-TUESDAY: Do readings and watch videos.
- 2. Take assessment BEFORE class on WEDNESDAY.
- 3. Come to class WEDNESDAY and FRIDAY ready to put into play the ideas you learned in readings and videos, including in-class activities and assignments.
- 4. First discussion post is due Thursday at 11:59 p.m.
- 5. Any additional assignments are due Sunday at 11:59 p.m.

The quality and quantity of in-class learning mean that student attendance and participation are crucial to your success. Being organized is key.

All students are expected to follow Ohio State's Safe and Healthy Campus Expectations and Accountability Measures, as it relates to wearing masks and maintaining safe distances. Please review them. Please remember we are all in this together, and your adherence to these policies helps to keep you and your fellow Buckeyes safe.

Course materials

Required readings:

Leslie, G.P. (2011). *The First Amendment Handbook*. Arlington, VA. The Reporters Committee for Freedom of the Press. *Open Access (Free)*

Moore, R.L. and Murray, M.D. (2011). *Media Law and Ethics*. Routledge; 4th edition (*Free inside Perusall*)

Links to all readings are found in your daily class modules on Carmen. Some readings are through a program called Hypothesis.

Course Technology

For help with your password, university email, Carmen or any other technology issues, questions or requests, contact the OSU IT Service Desk. Standard support hours are available at https://ocio.osu.edu/help/hours.

• Carmen:

- Carmen, Ohio State's Learning Management System, will be used to host
 materials and activities throughout this course. To access Carmen, visit
 <u>Carmen.osu.edu</u>. Log in to Carmen using your name.# and password. If you have
 not set up a name.# and password, visit <u>my.osu.edu</u>.
- Help guides on the use of Carmen can be found at: https://resourcecenter.odee.osu.edu/carmen
- This course requires use of Carmen (Ohio State's learning management system) and other online communication and multimedia tools. If you need additional services to use these technologies, please request accommodations with your instructor.
 - Carmen accessibility
- Slack: Sign up here for our community!
 - o This online message and workspace will be utilized for all class communication and some sharing of files.
 - Help guides can be found here: https://slack.com/help/articles/360059928654-How-to-use-Slack--your-quick-start-guide
 - o Please review Slack's privacy policy.

• Zoom

The webinar tool Zoom will be used to host office hours. You can log in here: https://go.osu.edu/kraftofficehours_zoom_au22

o Help guides on the use of Zoom can be found at https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started-with-Zoom

Hypothesis

- O Hypothesis is a social annotation tool that is fully integrated with Canvas. Using Hypothesis, I made PDFs and websites annotatable. You can annotate course readings collaboratively, sharing comments and replying to peer's comments. All you need to do to access the readings via Hypothesis is to click on the links in each module under "READINGS".
- Successful strategies for using Hypothesis include:
 - Ask each other questions, share ideas, and collaborate around learning.
 - Annotate the syllabus.
 - All readings are annotation-enabled creating an optional space for you to connect with each other.

• Turnitin:

Students at The Ohio State University are accountable for the integrity of the work they submit. Therefore, you should be familiar with the guidelines provided by the Committee on Academic Misconduct (COAM) and Section A of OSU's Code of Student Conduct in order to meet the academic expectations concerning appropriate documentation of sources. In addition, OSU has made Turnitin, a learning tool and plagiarism prevention system, available to instructors. For this class, you will submit your papers to Turnitin from Carmen. When grading your work, I will interpret the originality report, following Section A of OSU's Code of Student Conduct as appropriate. For more information about Turnitin, please see the vendor's guide for students. Note that submitted final papers become part of the OSU database.

Baseline technical skills necessary for courses

- Basic computer and web-browsing skills
- Navigating Carmen
 - **Necessary equipment**
- iPad or computer with high-speed internet connection.
 - **Necessary software**
- OSU students have access to Microsoft Office products <u>free of charge</u>. To install, please visit https://osuitsm.service-now.com/selfservice/kb_view.do?sysparm_article=kb04733
- Word processor with the ability to save files under .doc, .docx, .rtf, or .pdf. Most popular word processing software programs, including Microsoft Word and Mac Pages, have these abilities.

Making Deadlines

All assignments are due either at the beginning or end of class on the date listed on the syllabus. In journalism, stories that miss the deadline often do not make it to publication, and yours will not be graded. Assignments will be submitted to Canvas. This course, like journalism as a whole, relies heavily on access to computers, specific software and the Internet.

Computer: Friend or Foe?

At some point during the semester, you will likely have a problem with technology. Your laptop will crash; your iPad battery will die; a recording you make will disappear; you will accidentally delete a file; the wireless will go down at a crucial time.

These, however, are inevitabilities of life, not emergencies. Technology problems are not excuses for

unfinished or late work. Bad things may happen, but you can protect yourself by doing the following:

- Plan ahead: A deadline is the last minute to turn in material. You can start—and finish—early, particularly if challenging resources are required, or you know it will be time consuming to finish this project.
- Save work early and often: Think how much work you do in 10 minutes. I auto save every two minutes.
- Make regular backups of files in a different location: Between Box, Google Drive, Dropbox and iCloud, you have ample places to store and back up your materials. Use them.

Assignments and Faculty Engagement

Grades

Assignment or category	Points and Percent
Assessments	125/12.5%
Discussion Posts/Film Challenges	325/32.5%
Let's Play Jeopardy-Midterm	50 /5%
Our Code of Ethics	200/20%
You Be the Justice (Part 1 and 2)	200/20%
Jeopardy Final	100/10%
Total	1000 /100%

These points tallied together will give you your final grade of the following (100-93=A; 92-90=A-; 89-88 B+; 87-82=B; 81-80=B-; 79-78=C+; 77-72=C; 71-70=C-; 69-60=D; 59 and below=E). I am not able to negotiate grades, either during or after the semester.

Grading Philosophy

This course will focus on qualitative not quantitative assessment, something we'll discuss during the class. I will be asking you questions and making comments that engage your work rather than simply evaluate it. You will also be reflecting carefully on your own work and the work of your peers. The intention here is to help you focus on working in a more organic way, as opposed to working as you think you're expected to. If this process causes more anxiety than it alleviates, see me at any point to confer about your progress in the course to date. If you are worried about your grade, your best strategy should be to join the discussions, do the reading, and complete the assignments. You should consider this course a "busy-work-free zone." If an assignment does not feel productive, we can find ways to modify, remix, or repurpose the instructions.

Assignment Guide

Assessments (120 points)

In the first week you will become acquainted with the syllabus, including our course policies. The syllabus quiz will measure what you have learned and ensure you have gained the necessary knowledge to complete the course. 12 times in the semester we will assess your consumption and understanding of the material with a 10-point assessment quiz in Carmen. The questions will relate to readings and lecture videos and will gauge your understanding and application of key concepts. You will also be assessed on your reading by the application Perusall (see explanation under Course Technology).

Discussion Posts (230 points)

Six times this semester students will be asked a question that will be answered as part of our discussions around story ideas and perspectives on societal events. You will be asked to write a discussion post on the topic, and then respond to at least one/two classmates.

Film Challenges (150 points)

This semester we will have five FILM CHALLENGES, where we watch a journalism-related film and evaluate a key journalism issue through its lens. You will select from a variety of films that are available through the SECURED MEDIA LIBRARY (a free way to watch on your own computer). You may also select from other suggested journalism films (or ones you find), but they may involve an outside streaming subscription or rental fee.

0 **O** : 0 Court Case Assessment 4 0 : 0 0 Court Case Assessment 8 0 0 : 9 :el Culture Module | **Due** Oct 26 at 2:20pm | 10 pts 0 : 0 Discussion No. 1: Let's meet the legal scholar in you! e | **Available until** Aug 28 at 11:59pm | **Due** Aug 25 at 11:59pm | 50 pt Discussion: Let's discuss Module 1 materials Week 3 (Sept. 7 and 9): Speech and Press Freedoms in Theory and Reality Module | Available until Sep 11 at 11:59pm | Due Sep 8 at 11:59pm | 50 pts Discussion: Let's discuss Module 2 materials Week 5 (Sept. 21 and 23): Ethics of Media in Reality Module | Available until Sep 25 at 11:59pm | Due Sep 22 at 11:59pm | 50 pts Discussion: Let's discuss Module 3 materials dule | Available until Oct 23 at 11:59pm | Due Oct 20 at 11:59pm | 50 pts

Week 15 (Nov. 30 and Dec. 2): You be the Justice Presentations Module | **Due** Dec 1 at 11:59pm | 30 pts

Assessment: Syllabus and Course Policies

Week 1 (Aug. 24 and 26): Welcome to #osumedialaw Module | Due Aug 26 at 2:20pm | 10 pts

+ :

0 :

Film Challenge No.1 | Week 2 (Aug. 31 and Sept. 2): First Amendment Law Module | Available until Sep 4 at 11:59pm | Due Sep 4 at 11:59pm | 30 pts | Week 2 (Aug. 31 and Sept. 2): First Amendment Law Module | Available until Sep 4 at 11:59pm | Due Sep 4 at 11:59pm | 30 pts | Week 5 (Sept. 21 and 23): Ethics of Media in Reality Module | Available until Sep 25 at 11:59pm | Due Sep 25 at 11:59pm | 30 pts | Week 5 (Sept. 21 and 23): Ethics of Media in Reality Module | Available until Sep 25 at 11:59pm | Due Oct 23 at 11:59pm | 30 pts | Week 9 (Oct. 19 and 27): Reporter's Privilege Module | Available until Oct 23 at 11:59pm | Due Oct 23 at 11:59pm | 30 pts | Week 10 (Nov. 2 and 4: Obscenity, pornography and cursing, oh myl Module | Available until Nov 6 at 11:59pm | Due Nov 6 at 11:59pm | 30 pts | Week 12 (Nov. 9)-Media Manipulation Module | Available until Nov 13 at 11:59pm | Due Nov 13 at 11:59pm | 30 pts

Major Assignments Our Code of Ethics (200 points)

The College Journalist's Code of Ethics, a college media addendum to the SPJ Code of Ethics, was created as part of the Ohio State Spring 2021 Ethics Circle collaborative. The goal is for this document to be disseminated along with the SPJ Code of Ethics. It is a living document to be utilized in conjunction with other ethical frames to help student media be responsible and responsive in their coverage, and we will contribute to its evolution with this assignment.

Objectives:

- To use your knowledge of media ethics to identify key ethical issues faced by student journalists.
- To illustrate those issues to aid with comprehension.
- To develop additional ethical criteria and guidelines for collegiate journalists.
- To make an engaging presentation that illustrates this issue for others.

You Be the Justice Part 1 and 2 (200 points)

Your final project in this class will provide you the opportunity to actually embody a member of the Supreme Court of the United States and share with us how and why they made a legal decision in a fabricated court case. These cases are based on real events but HAVE NOT been considered at the Supreme Court level.

"You Be the Justice" lets each student become a Supreme Court justice from pre-selected cases:

- Explain your personal opinion of the case (50 points submitted here).
- Become your justice and join with other justices in character to discuss your case and render your decision to affirm precedent, modify precedent or revise precedent. (150 points).

Final (100 points)

Cumulative of all the cases and ethical theories we cover in our weekly assessments and discuss in class. Most questions are 1-2 points, but questions with multiple answers will be worth more. The total exam is worth 100 points with 2 bonus points.

Additional information

Chat GPT

Can you use Chat GPT? The answer is, "It depends." We have structured ways that we encourage the use of ChatGPT to maximize your writing and learning, and these assignments will be clear and evident in class.

Students are allowed to use ChatGPT and other language models for certain aspects of this course. This policy outlines the guidelines and expectations for using ChatGPT.

Purpose of Using ChatGPT:

ChatGPT is designed to provide assistance in generating human-like text responses based on given prompts. In this course, you may use ChatGPT to brainstorm, generate ideas, improve your writing, or explore complex concepts. However, it is essential to remember that ChatGPT should complement your efforts, not replace critical thinking and the core learning process.

You are permitted to use ChatGPT in the following ways:

- *Brainstorming*: Use ChatGPT to generate ideas, concepts, or potential solutions to specific problems or assignments.
- *Writing Assistance*: Leverage ChatGPT to enhance your OWN writing, receive suggestions on sentence structure, grammar, and style and refine your written work.
- *Concept Exploration*: Use ChatGPT to gain insights into challenging topics, explore different perspectives and deepen your understanding of course materials.

Responsible Use and Academic Integrity:

While ChatGPT can be an invaluable resource, it is crucial to uphold academic integrity and responsible use. **Plagiarism and cheating are strictly prohibited and will result in a report to COAM**. When using ChatGPT, you must always provide appropriate attribution if you incorporate any generated content into your assignments or projects.

Limitations of ChatGPT

Keep in mind that ChatGPT is a machine-learning model and has its limitations. It may not always produce accurate or reliable information. As such, you must critically evaluate the responses generated by ChatGPT and verify the information from reliable sources before incorporating it into your work.

Support and Guidance

If you are unsure about the appropriate use of ChatGPT or have any questions related to its implementation, please ASK before you use and submit!

Experimentation and Feedback

This course encourages experimentation and learning through hands-on experiences. You are encouraged to explore the capabilities of ChatGPT, share your experiences with the class and provide constructive feedback on how it enhances or impacts your learning process.

Extra Credit

Everyone will have the opportunity throughout the semester to attend virtual events and meetings for Scarlet and Gray Sports Radio, Society of Professional Journalists and the Sports and Society Initiative for extra credit, up to 20 points. All extra credit will be reported in Carmen. The deadline for completion and reporting to me all of the extra credit is the last Friday of classes.

Syllabus

This syllabus is an agreement between the instructor and the student. The instructor reserves the right to make changes to the syllabus as deemed necessary. By staying enrolled in this class, the student agrees to abide by the policies described herein.

Every effort has been made to create a syllabus that is as comprehensive and accurate as possible, but each class is a living entity and changes may arise. Please know I will notify you by email and in our next class session as soon as any syllabus change may arise.

Resources

During the course of this class and throughout your university career, you may find the following helpful:

- The Writing Center. This may be the last time in your life that you have easily accessible, free help available for your writing skills—use it. Being a good writer will give you an advantage in every walk of life, and if you are a Communication major, it is expected. Visit https://cstw.osu.edu/our-programs/writing-center to learn more or to schedule an appointment.
- Strunk & White's The Elements of Style. If you are uncertain of what constitutes good writing, this classic book is very straightforward and extremely helpful. The advice and direction offered in this book applies to writing in all fields. Find it at the campus bookstore or at a used bookstore for cheap.

Attendance and Make-Up Policy

Only students enrolled in this section are permitted to attend class. Attendance (both physical and mental) is key to your success in this class. Your grade is largely contingent on your presence and participation in class. Listen, take notes and ask questions. Much of the material presented in class is not found in your readings. If you miss class for whatever reason, it is your responsibility to obtain notes from a classmate; the instructor will not provide notes in any circumstance. If you miss class, you will not be able to make up any in-class work or extra credit opportunities.

Gentle Reminders

At the end of every week Nicole will send via Slack a "Gentle Reminder" to look ahead at assignments and goals coming in the next week. Reading your Gentle Reminder is required and items in there may be included on weekly assessments.

What's in a Name?

Communicating clearly with each other is important. Please help me by letting me know how to pronounce your name, or what different name you use. Please also let me know if you have a preferred pronoun.

My name is Nicole, and I welcome you to call me that. Let's avoid using the interjection "hey" in messaging, as some of your faculty will likely find it a bit unprofessional. There has been, since the Wall Street Journal column on Dr. Jill Biden, much discussion about the use of titles.

You can always be safe calling me your faculty professor, as in "I am Prof. Kraft." The term Doctor (Dr.) is for professors who have a Ph.D. Ed.D. (or the equivalent). So, if you

would prefer to address me with a title, it would be Dr. Kraft, since I have an Ed.D. Mr., Mrs. and Ms. are often not used in college, although they were likely expected of you in high K-12.

Faculty feedback and response time

I am providing the following list to give you an idea of my intended availability throughout the course. (Remember that you can call **614-688-HELP** at any time if you have a technical problem.)

Grading and feedback

For weekly assignments, you can generally expect feedback within **2 days**. For major assignments, feedback will come in no more than three days.

Slack

This course uses an app called Slack to communicate inside and outside of class and it will, for all intents and purposes, replace class email. Slack is fundamentally an instant messaging and collaboration system in which "channels" are used to separate communities and discussions. We can also have private, one-on-one conversations through Slack by sending a direct message. I will respond to comments on Slack consistently between the hours of 9 a.m. and 8 p.m. on weekdays, except while I am in class. All students have been invited to the class Slack and are encouraged to sign up and accept ASAP. I am also happy to meet with you by appointment, or for coffee or lunch. Please reach out so I can get to know you and your class needs better!

Lunch Anyone?

Arts & Sciences has a program called "<u>Take Your Professor to Lunch</u>," and I would LOVE to have lunch with you! This program is student initiated with an undergraduate student inviting a College of Arts and Sciences teacher to lunch. Meal cards are limited and distributed first-come, first-served.

Discussion and communication guidelines

The following are my expectations for how we should communicate as a class. Above all, please remember to be respectful and thoughtful.

Tone and civility: Let's maintain a supportive learning community where everyone feels safe and where people can disagree amicably. Remember that sarcasm doesn't always come across online and is not always appreciated in person. Nicole and Jaclyn both work very hard to provide a positive learning experience. Please keep this in mind and remain civilized and respectful in your class communications.

Attendance

Student participation requirements

We have a lot of material to learn in a short period of time. It is important that you attend all of our class sessions. All of the material is available on Carmen at the beginning of the semester. Readings and videos must be consumed before our live class session so we can work on active learning experiences. Your attendance is partly based on your activity and participation. The following is a summary of everyone's expected participation:

Readings and videos:

- There will be readings and lecture videos every week that should be viewed BEFORE class on Wednesday. Also, before class, please take the Assessment.
- Weekly assignments
 - We will have activities (participation) and/or assignments (for points) in most classes.
- **Kraft Comm Classes Open Office**: We are available to help you to learn, understand and grow as individuals. If your question is something that you believe may be of interest to others in the class, please post to "Ask the instructor" channel in Slack. Our class office is open W/F from 11:15-12:30 and by appointment.

Optimal Learning Experience

Previous distance learning and hybrid courses have provided insights from students on how to improve the learning experience and optimize outcomes. Here are a few tips from previous students to encourage your success in this hybrid course:

- Students kept up with the schedule and assignment due dates.
- Students did their best to have access to a reliable internet connection or let their instructor know of any challenges.
- Students had access to at least one reliable device and a backup plan in case of a technological issue.
- Students have made plans to back up work. OSU provides free access to data storage through Microsoft One Drive.
- Students reported that completing assigned readings before class helped them to be prepared to follow along with lectures and participate in discussions.
- Students scheduled time to complete activities at a steady pace during the week. Keeping a schedule prevented a last-minute rush and kept the workload manageable.
- Students approached the material by thinking about the connections between readings, lectures, assignments AND the real world.

Student Academic Services

Arts and Sciences Advising and Academic Services' website provide support for student academic success. Information on advising issues such as tutoring, transfer credits, academic standing and contact information for Arts and Sciences advisors can be obtained through this website. The site is: http://advising.osu.edu/welcome.shtml

Religious accommodations

It is Ohio State's policy to reasonably accommodate the sincerely held religious beliefs and practices of all students. The policy permits a student to be absent for up to three days each academic semester for reasons of faith or religious or spiritual belief.

Students planning to use religious beliefs or practices accommodations for course requirements must inform the instructor in writing no later than 14 days after the course begins. The instructor is then responsible for scheduling an alternative time and date for the course requirement, which may be before or after the original time and date of the course requirement. These alternative accommodations will remain confidential. It is the student's responsibility to ensure that all course assignments are completed.

Student Services

The Student Service Center assists with financial aid matters, tuition and fee payments. Please see their site: http://ssc.osu.edu

Copyright Disclaimer

The materials used in connection with this course may be subject to copyright protection and are only for the use of students officially enrolled in the course for the educational purposes associated with the course. Copyright law must be considered before copying, retaining, or disseminating materials outside of the course.

Managing Stress

College can be a stressful time, and I am always here to help you—in this class and beyond. If, however, you feel you need more support, I encourage you to reach out to the Student Advocacy Center at 614.292.1111. They will always work with professors on your behalf.

Student Health

Keeping students healthy and preventing the spread of illness is important to The Ohio State University—and to me. Students are encouraged to stay home if they are sick and may be asked to leave class if they are coughing/sneezing. Students who are sick and cannot attend class must contact me *BEFORE class* to receive any class materials and turn in assignments via the drop box or email. If you do not notify me, your assignment will not be accepted.

Student illness or absence

In the event you must quarantine because of exposure to someone diagnosed with COVID-19 OR you are feeling ill with COVID-19 symptoms, you still will be able to make progress in this class. Please contact your instructor right away, as some accommodations may require extra setup or planning. The quarantine plan for this course is to join remotely via Zoom. This requires a minimum of 1 hour advance notice for device and room setup. We will also record the class session and post the recording on Carmen.

If *you* are too ill to participate in this course due to COVID-19 or another illness, please contact the instructor as soon as you are able **prior** to the next class meeting. All materials will be made available on Carmen. At least 1 hour advance notice is necessary for device and room setup. Alternate assignments or extensions may be arranged.

Instructor illness or absence

If the *instructor* is quarantined or is experiencing respiratory symptoms but is well enough to teach, the inperson sessions will be moved online to Zoom. You will be notified via email no later than one hour before class.

If the *instructor* is too ill to teach the course for a period of time, the designated backup for this course will step in. You will be notified via email from the School of Communication.

Campus closure

Should The Ohio State University-Columbus Campus move to full online instruction due to closure, please wait for your instructor to message directions on Slack for the next session. Our in-person classes will be moved to Zoom and links to the meetings will be provided.

Diversity

The School of Communication at The Ohio State University embraces and maintains an environment that respects diverse traditions, heritages, experiences and people. Our commitment to diversity moves beyond mere tolerance to recognizing, understanding and welcoming the contributions of diverse groups and the value group members possess as individuals. In our School, the faculty, students and staff are dedicated to building a tradition of diversity with

principles of equal opportunity, personal respect and the intellectual interests of those who comprise diverse cultures.

Title IX

Title IX makes it clear that violence and harassment based on sex and gender are Civil Rights offenses subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories (e.g., race). If you or someone you know has been sexually harassed or assaulted, you may find the appropriate resources at http://titleix.osu.edu or by contacting the Ohio State Title IX Coordinator, Kellie Brennan, at titleix@osu.edu.

Mental Health

As a student you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance or reduce a student's ability to participate in daily activities. The Ohio State University offers services to assist you with addressing these and other concerns you may be experiencing. If you or someone you know are suffering from any of the aforementioned conditions, you can learn more about the broad range of confidential mental health services available on campus via the Office of Student Life's Counseling and Consultation Service (CCS) by visiting ccs.osu.edu or calling 614-292-5766. CCS is located on the 4th Floor of the Younkin Success Center and 10th Floor of Lincoln Tower. You can reach an on-call counselor when CCS is closed at 614-292-5766 and 24-hour emergency help is also available through the 24/7 National Suicide Prevention Hotline at 1-800-273-TALK or at suicidepreventionlifeline.org.

Other related resources

Food Security (https://www.buckeyefoodalliance.org/, 614-688-2508). The Ohio State University is committed to ensuring that all students have access to adequate and healthy food. Any undergraduate or graduate student with a BuckID may confidentially use the Buckeye Food Alliance food pantries. No proof of need is required. The pantry is located in Lincoln Tower, Suite 150 (1800 Cannon Dr., Columbus, OH 43210). Check the website or call for current hours.

Academic integrity policy

Policies for this course

- Written assignments: Your written assignments, including discussion posts, should be your own original work. In formal assignments, you should follow AP style to cite the ideas and words of your research sources. You are encouraged to ask a trusted person to proofread your assignments before you turn them in—but no one else should revise or rewrite your work.
- Reusing past work: In general, you are prohibited in university courses from turning in work from a past class to your current class, even if you modify it. If you want to build on past research or revisit a topic you've explored in previous courses, please discuss the situation with me.

Academic Misconduct

It is the responsibility of the Committee on Academic Misconduct to investigate or establish procedures for the investigation of all reported cases of student academic misconduct. The term "academic misconduct" includes all forms of student academic misconduct wherever

committed; illustrated by, but not limited to, cases of plagiarism and dishonest practices in connection with examinations. Instructors shall report all instances of alleged academic misconduct to the committee (Faculty Rule 3335-5-487). For additional information, see the Code of Student Conduct http://studentlife.osu.edu/csc/

Accessibility accommodations for students with disabilities

The university strives to make all learning experiences as accessible as possible. In light of the current pandemic, students seeking to request COVID-related accommodations may do so through the university's request process, managed by Student Life Disability Services. If you anticipate or experience academic barriers based on your disability (including mental health, chronic or temporary medical conditions), please let me know immediately so that we can privately discuss options. To establish reasonable accommodations, I may request that you register with Student Life Disability Services. After registration, make arrangements with me as soon as possible to discuss your accommodations so that they may be implemented in a timely fashion. SLDS contact information: slds@osu.edu; 614-292-3307; slds.osu.edu; 098 Baker Hall, 113 W. 12th Avenue.

Course Schedule

This is copied from Carmen, and a complete, accessible schedule is available each week in Carmen under MODULES. Subject to change.

Week	Topic	
Week 1 (Aug. 23 & 25)	Welcome to #osumedialaw	
	Learning outcomes for this session	
	 Understand what is covered by the First Amendment. 	
	 Recognize modern challenges to the First Amendment. 	
	 See how the First Amendment applies to you. 	
	 Understand how Media Law and Media Ethics shape journalism. 	
	Course roadmap	
	Here's everything you need to do and remember this week.	
	Resources to review:	
	• Read the syllabus	
	 PRACTICE & APPLICATION (In class Wednesday) Review class opportunities and syllabus 	
	 Review class opportunities and synabus In-class activity: Ice-Breaker 	
	■ Dialogue and Reflection (First post due Thursday at 11:59 p.m. Response due Sunday at 11:59 p.m.)	
	Discussion No. 1: Let's meet the legal scholar in you!	
	Do course readings (before class Friday)	
	 Week 1 Chapter One- INTRODUCTION TO THE FIRST AMENDMENT.pdf (12 pages) 	
	• Week 1 Media Law and Ethics-Sources and Types of American Law.pdf (19 pages)	
	 Week 1 Five myths about free speech - The Washington Post.pdf (4 pages) 	
	■ In the news	
	 Week 1: Media Seen as Key to Democracy But Not Supporting It Well 	
	 Watch course videos 	
	The First Amendment in Five Minutes (5:51)	
	Sources of Law (4:40)	
	The Role of Courts (5:18)	
	Assessment (before class Friday) OULT Sullabora and Course Policies	
	QUIZ: Syllabus and Course Policies PDACTICE & APPLICATION (In place Friday)	
	 PRACTICE & APPLICATION (In class Friday) In-Class Activity: How well do you know the First Amendment? 	
	Assignment: First Amendment Cases	
	Assignment, I not Amendment Cases	

Week 2 (Aug. 30 and Sept. 1)

First Amendment Law

Learning outcomes for this session

- Understand what is covered by the First Amendment.
- Recognize modern challenges to the First Amendment.
- See how the First Amendment applies to you.
- Understand how Media Law and Media Ethics shape journalism.

Course roadmap

Here's everything you need to do and remember BEFORE the class.

- Do course readings (due at the start of Wednesday class)
 - Week 2 Chapter Two- PROTECTIONS FOR POLITICAL SPEECH.pdf (34 pages)
 - Week 2 Contemporary Problems-School Speech.pdf (60 pages)
 - SPJ Code of Ethics.pdf
- Watch course videos (due at the start of Wednesday class)
 - Understanding Free Speech (11:36)
 - The Watergate Scandal: Timeline and Background (5:52)
 - Media Institution: Crash Course in Government (8:45)
- Assessment (due at the start of Wednesday class)
 - Court Case Assessment 1

- Practice and application-Wednesday
 - Free-Speech Protections
 - In-Class Activity No. 1: The Role of the Fourth Estate
- Practice and Application-Friday
 - What are Journalism Ethics?
 - Society of Professional Journalist Ethics Page
 - In-Class Ethical Scenarios

Week 3 (Sept. 7 & 9)

Speech and Press Freedoms in Theory and Reality

Learning outcomes for this session

- Understand the origins of the First Amendment and how it has been interpreted.
- Be able to name and provide legal ramifications of key Supreme Court cases related to free speech and free press.
- Recognize censorship in modern-day form.
- Identify and understand prior restraint of the press. Evaluate how those ethical decisions impact coverage and their effect on journalists and the public they serve.

Course roadmap

Here's everything you need to do and remember BEFORE the class Wednesday.

- Do course readings
 - Week 3 Media-Law-Handbook Handbook-Section 1.pdf (38 pages)
 - Week 3 Chapter Four- THE SPECIAL (OR NOT) STATUS OF THE PRESS.pdf (97 pages-please skim and become familiar with cases)
 - Week 3 Chapter Five- STUDENT SPEECH.pdf (31 pages--please skim and become familiar with cases)
- Watch course videos
 - First Amendment (7:34)
 - First Amendment and You (9:14)
 - First Amendment Theories (3:41)
 - Forks in the First Amendment Road (7:16)
- Assessment (due at start of class Wednesday)
 - Court Case Assessment No. 2

- Practice and Application-Wednesday
 - Discussing First Amendment Theory
 - In-Class: When (if ever) should speech not be free?
 - In-Class Ethical Scenario: Publishing Protestors
 - In-Class Legal Scenario: Free Speech in Schools
- Dialogue & Reflection (due Thursday at 11:59 p.m.) with the response by Sunday at 11:59 p.m.)
 - Movie Discussion No. 1
- Practice and Application-Friday
 - Talking Press Freedom with <u>Derek Myers</u>

Week 4 (Sept. 13 & 15)

The Ethics of Media in Theory

Learning outcomes for this session

- Understand how theory shapes media ethics.
- Be able to apply theory in media decision-making.
- Identify core skills and knowledge for the first major assignment, Our Code of Ethics.

Course roadmap

Here's everything you need to do and remember BEFORE class Tuesday.

- Do course readings
 - Week 4 Ethical Foundations and Perspectives.pdf (22 pages)
 - Journalistic Ethics: The four principles and the impact they can have. (4 pages)
 - SPJ Code of Ethics Society of Professional Journalists (1 page)
- Watch course videos
 - The Nature of Ethics (6:31)
 - The 5 Core Values of Journalism (2:54)
 - Recent First Amendment Cases (6:53)
- Assessment (due by the start of Wednesday)
 - Court Case Assessment No. 3

Here's everything you need to do THIS WEEK.

- Practice and Application-Wednesday
 - Introduce: Major Assignment: Our Code of Ethics
 - Review: SPJ Code of Ethics
 - In-class activity: What is ethical?
- Practice and Application-Friday
 - In-Class Ethical Scenario: Can We Quote You?
 - In-Class Ethical Scenario: Images of dead children

Week 5 (Sept. 20 & 22)

Ethics of Media in Reality

Learning outcomes for this session

- Understanding how ethics shape ethical decisions.
- Being able to apply ethics to real journalistic scenarios and situations.

Course roadmap

Here's everything you need to do and remember BEFORE Wednesday class.

- Do course readings
 - Week 5 Media Law and Ethics-Ethical Dilemmas, Issues, and Concerns in Mass Communication.pdf (63 pages)
 - Week 5 Media-Law-Handbook Handbook-Ethics.pdf (28 pages)
 - From the news
 - Week 5: News Media Weigh Use of Photos of Carnage
- Watch course videos
 - Seeking the Truth (11:39)
 - The Most Important Ethical Issues in Journalism (2:27)
 - Ethics and Photography (graphic) (7:26)
- Assessment (due at start of class Wednesday)
 - Court Case Assessment 4

- Practice and Application-Wednesday
 - In-Class Ethical Scenario: Publishing Off Social Media
- Practice and Application-Friday
 - Build Your Own Ethics
- Discussion
 - Discussion: Our Code of Ethics Work

Week 6 (Sept. 27 & 29)

Libel and Defamation

Learning outcomes for this session

- Understand the elements of defamation
- Apply defamation law to real journalistic scenarios

Course roadmap

Here's everything you need to do and remember BEFORE Tuesday class.

- Do course readings
 - Week 6 Media Law and Ethics-libel.pdf (92 pages)Download Week 6 Media Law and Ethics-libel.pdf (92 pages)
 - Week 6 First Amendment Handbook-libel.pdf (9 pages)Download Week 6 First Amendment Handbook-libel.pdf (9 pages)
 - Week 6 Key libel cases in history.pdf (26 pages)
- Current examples from the news:
 - Week 6: Defamation was at the heart of the lawsuit settled by Fox News with Dominion proving libel in a court would have been no small feat
 - Week 6: How election lies, libel law were key to Fox defamation suit
 - Week 6: Jury awards parents of Sandy Hook shooting victim \$4.1 million in defamation case against Alex Jones
 - Week 6: Cardi B wins \$4 million YouTube defamation case. But her victory is about more than money.
 - Week 6: Rolling Stone to Pay \$1.65 Million to Fraternity Over Discredited Rape Story The New York Times
 - Week 6: Sarah Palin Loses to New York Times in Libel Case | Fortune
- Watch course videos
 - Libel (13:08)
 - Libel Defenses (10:18)
- Assessment (due at start of Wednesday class.)
 - Court Case Assessment 5

- Practice and Application-Wednesday
 - <u>In-Class Assignment: What is libel?</u>
 - In-Class Legal Scenario: Is this libel?
 - Extra Credit Libel Cases
- DIALOGUE & REFLECTION (post due Thursday 11:59 p.m., responses due Sunday 11:59 p.m.)
 - Movie Discussion No. 2
- Practice and Application-Friday
 - Ted Diadiun visit to talk Milkovich v. Lorrain Journal

Week 7 (Oct. 4 & 6)

Media and Privacy

Learning outcomes for this session

- Understand how privacy and journalism converge.
- Applying the laws of privacy to journalistic experiences.

Course roadmap

Here's everything you need to do and remember BEFORE Wednesday class.

- Do course readings
 - .
- Week 7 Media Law and Ethics-Right of Privacy.pdf (90 pages)
- Week 7 Weighing privacy against the public interest.pdf (5 pages)
- Week 7 First Amendment Handbook-Invasion of privacy.pdf (8 pages)
- Week 7: All You wanted to Know About: Privacy
 - From the news
 - Week 7: Weighing privacy against the public interest
- Watch course videos
 - Right to Privacy (11:10)
 - Privacy Case (9:31)
- Assessment (due at start of Wednesday class)
 - Court Case Assessment 6

Here's everything you need to do THIS WEEK.

- Practice and Application-Wednesday
 - In-class Activity No. 6: Privacy
 - Extra Credit: Privacy Cases
- Practice and Application-Friday
 - Work on Ethics Project
- MAJOR ASSIGNMENT DUE
 - Major Assignment: Our Code of Ethics

Week 8 (Oct. 11—No class Friday!)

Copyright and Fair Use

Learning outcomes for this session

- Understand how fair use works in copyright.
- How those standards have evolved over time.
- Do a midterm check-in on what we have learned with a game of Jeopardy!

Course roadmap

Here's everything you need to do and remember BEFORE class Wednesday.

Do course readings

- Week 8 Principles in fair use for journalism.pdf (12 pages)
- Week 8 First Amendment Handbook-copyright.pdf (10 pages)
- Week 8 Fair Use Copyright Research Guides.pdf (1 page)

Watch course videos

- Follow the Four Factors of Fair Use (5:49)
- Fair Use & Journalism | Making Copyright the Journalist's Friend (6:49)
- Making Copyright Your Friend: Journalism and Fair Use: Pat Aufderheide at TEDxPoynterInstitute (16:28)
- Assessment (due at start of Wednesday class)
 - Court Case Assessment 7

Here's everything you need to do THIS WEEK.

- Practice and Application-Wednesday
 - In-class Activity: Fair Use in Journalism

Week 9 (Oct. 18 & 20)

Reporter's Privilege

_

Learning outcomes for this session

- Understand shield laws and how they may protect journalists.
- Identify the legal access all citizens have to public records and public meetings.
- Be able to use public records requests and the Freedom of Information Act to access public records.

Course roadmap

Here's everything you need to do and remember BEFORE Tuesday class.

- Do course readings
 - Week 9 Media Law and Ethics-Prior Restraint.pdf (109 pages)
 - Week 9 Media Law and Ethics-Press and Public Access to the Judicial Processes, Records, Places, and

Meetings.pdf (read only cases under highlighted headings)

- Week 9 First Amendment Handbook-Access to courts.pdf (9 pages)
- Week 9 First Amendment Handbook-Gag Orders.pdf (4 pages)
 - From the news
 - Week 9: Prior restraint against NY Times violates First Amendment
 - Week 9: The Ethics of Undercover Journalism: Where the Police and Journalists Divide
- Watch course videos
 - Newsgathering (8:13)
 - Prior Restraint (5:55)
 - Let the Sun Shine In (9:33)
 - Working with Sources (4:53)
- Assessment (due at start of class Wednesday)
 - Court Case Assessment 8

- Practice and Application-Wednesday
 - Intro to You Be the Justice
 - In-Class: Understanding Access
 - Extra Credit: Prior Restraint and Reporter Privilege
- DIALOGUE & REFLECTION (post due Thursday 11:59 p.m., responses due Sunday 11:59 p.m.)
 - Movie Discussion No. 3
- Practice and Application-Friday
 - Midterm: Let's Play Jeopardy
- Optional Check-In
 - We are more than 65% of the way through the semester, so I wanted to reach out and see if you had additional thoughts about the semester and our class. I'd love to hear your thoughts and feelings.

Week 10 (Oct. 25 & 27)

Cancel Culture and Changing Social Norms

Learning outcomes for this session

- Understand how standards change across time, how they are shaped, and what happens when they are crossed.
- Recognize how challenging those standards is sometimes required to move society forward.

Course roadmap

Here's everything you need to do and remember BEFORE Tuesday class.

- Do course readings before class Wednesday
 - Why we can't stop fighting about cancel culture (7 pages)
 - How Capitalism Drives Cancel Culture (5 pages)
 - Week 10 Chapter Three- OF CONDUCT, CONTENT, AND CATEGORIES.pdf (69 pages)
 - Week 10 EJN-Hate Speech.pdf (4 pages)
 - From the news
 - Week 10: Free speech or censorship? Social media litigation is a hot legal battleground
 - Week 10: In the Age of Social Media, Expand the Reach of the First Amendment
 - Week 10: The Dixie Chicks: The long road back from exile
- Watch course videos/audio before clas Wednesday
 - Desi Lydic Foxsplains Cancel Culture (2:15)
 - Has cancel culture gone too far? (6:07)
 - What We Talk About When We Talk About 'Cancel Culture' (AUDIO) (35:58)
- Assessment (due at the start of Wednesday class)
 - Court Case Assessment 9

Here's everything you need to do THIS WEEK.

- Practice and Application-Wednesday
 - Mark Weaver Visit
- Practice and Application-Friday
 - In-class Activity: Cancel Culture
 - You Be the Justice Work

Week 11 (Nov. 1 & 3)

Obscenity, pornography and cursing, oh my!

Learning outcomes for this session

Understand how speech restrictions have ebbed and flowed through time.

Course roadmap

Here's everything you need to do and remember BEFORE Tuesday class.

- Do course readings before class Wednesday
 - Week 11 Chapter Ten- SEXUAL SPEECH.pdf (please review cases marked in yellow)
 - Week 11 Media Law and Ethics-Indecency, Obscenity, and Pornography.pdf (66 pages)
 - Week 11 Media Law and Ethics-Electronic Mass Media and Telecommunications.pdf (80 pages)
 Links to an external site.
- Watch course videos before class Wednesday
 - They Said That on TV?! PDF
 - Let's Disagree Morally (17:24)
 - Floyd Abrahams On The 1st Amendment And Pornography (Not on Perusall)
- Assessment (due at start of class Wednesday)
 - Court Case Assessment 10

- Practice and Application-Wednesday
 - What is obscenity?
- DIALOGUE & REFLECTION (post due Thursday 11:59 p.m., responses due Sunday 11:59 p.m.)
 - Movie Discussion No. 4
 - Extra Credit: Digital and Broadcast Cases

Week 12 (Nov. 8—No class Friday for Veterans Day)

Media manipulation

Learning outcomes for this session

- Recognize how misinformation and disinformation impact journalism and the public.
- Learn to become a better consumer of news as fact.

Course roadmap

Here's everything you need to do and remember BEFORE Tuesday class.

- Do course readings for Wednesday
 - Week 12 EJN-Fake News.pdf (4 pages)
 - Week 12 10 Questions for Fake News Detection.pdf (1 page)
 - A fake news frenzy: why ChatGPT could be disastrous for truth in journalism (2 pages)
 - From the news:
 - Week 12: How journalists can responsibly report on manipulated pictures and video
 - Week 12: Surgeon general: Misinformation on Facebook, Twitter, and YouTube is a public health threat
- Watch course videos for Wednesday
 - Why do our brains love fake news? (5:21)
 - Chris Wallace interviews Donald Trump (2:07)
 - Ted Talk: Christiane Amanpour (17:21)

Here's everything you need to do THIS WEEK.

- Practice and Application-Wednesday
 - Visit from Miles Parks of NPR
- Practice and Application-Friday
 - Work on Part 1 of You Be the Justice (Due Sunday)

Week 13 (Nov. 16 & 18)

You Be the Justice work

Learning outcomes for this session

Present as Our You Be the Justices courts

Course roadmap

Here's everything you need to do THIS WEEK.

- Practice and Application-Wednesday
 - You Be the Justice Courts 1 and 2
 - Practice and Application-Friday
 - You Be the Justice Courts 3 and 4
- MAJOR ASSIGNMENT DUE
 - Major Assignment: You Be the Justice Part 2 (In Court)
- DIALOGUE & REFLECTION (Thursday at 11:59 p.m.-no response needed)
 - Discussion: What have we learned?

Week 14 (Nov. 23 & 25)

HAPPY THANKSGIVING!

Week 15 (Nov. 30 and	You Be the Justice Presentations
Dec. 2)	
,	Learning outcomes for this session
	 Showcase your legal and ethical knowledge.
	Course roadmap
	Here's everything you need to do THIS WEEK.
	 Practice and Application-Tuesday
	 Controversial topics in media law and ethics
	■ Final review
	 Practice and Application-Friday
	■ Review for Final Jeopardy
Week 15 (Dec. 6)	FINAL TIME!
	Learning outcomes for this session
	 Showcase your legal and ethical knowledge.
	Course roadmap
	Here's everything you need to do THIS WEEK.
	 Practice and Application-Wednesday
	■ <u>FINAL: Let's Play Jeopardy</u>