

# Communication Law

**8:30 to 11:30 a.m. Mondays**  
**L/L Commons 216**

**Instructor: Chris Evans**  
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**Office: 310 Davis Center**

**Email for appointments. I can often meet within one business day.**

**The textbook: *Mass Media Law*, 19<sup>th</sup> ed., by Pember and Calvert, available in bookstore.**

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Knowledge of media law is essential for anyone wanting to enter the fields of public communication. You'll want to be able to recognize the many legal pitfalls facing professional communicators and understand how the law affects everything from newspapers to your social media posts.

In this course, we'll study U.S. media law: First Amendment freedoms, libel, invasion of privacy, copyright, broadcast and advertising regulation, access to government records and meetings, as well as your rights and limitations in the world of multimedia. You'll learn from professionals and who deal daily with these issues as journalists, techies, lawyers, broadcasters, students and university officials.

## Exams

The material on your three exams is generally not cumulative, except to the extent that some subjects build on others. Your exams will consist of multiple choice and short answer questions, and you will also be asked to apply your knowledge of case law to hypothetical scenarios. **Please note the date of the final exam now.** If you miss an exam, contact me on or before the day of the exam so that I can arrange an essay exam for the same material. Make-up exams must be completed within five days of the date of the actual exam. Students can make up one exam during the semester. After that, any missed exam would result in a zero for that exam.

## Chapter Quizzes

You'll take online, at-home quizzes at the close of every chapter, to be completed on Blackboard by 8 a.m. most Mondays. You can drop your lowest score, so missing one quiz will not hurt your grade. Missed quizzes cannot be made up.

## Case Summaries, Presentations and Papers

You will perform a close reading of a specific court case. Three assignments will come from this.

1. **Case summaries.** You will complete a simple summary of your assigned case by the second class period. You'll upload the summary before class *and* bring it to class. This case summary will be little more than the Who, What, Where, When, Why and How of the case.

2. **Case presentation.** Students will work in small teams to present a court case to the class. Presentations will be between 10 and 15 minutes, and they should engage the audience. An updated case summary should be posted to a Blackboard discussion board by no later than noon Friday before your presentation so that your classmates can read it and pose questions for you to consider answering in your presentation.
3. **Case papers.** This third assignment is a long-form, in-depth academic paper about your case that includes research. Your case paper will be due one week after your case presentation.

Comprehensive grading criteria for each of the three assignments can be found in other documents. Late submissions of the case summary or final paper will result in a 10 percent penalty for each day (or part of a day) that they are late. *Note:* Even though students will work as a team for a presentation, each student will submit his or her individual case summary to the discussion board—resulting in three case summaries being posted—and each student is responsible for submitting an original case paper.

### **Discussion Board Posts**

Once a case summary sheet is posted to the discussion board, you will have until noon on the Sunday before the presentation to post a question related to the case. These discussion board posts are worth two points each. Late posts will not be accepted.

### **Exit Tickets**

Recent studies have shown that humans learn more about what they've read if they answer questions about the material immediately after being introduced to it. Therefore, you will be asked a question about something that we've discussed at the end of each class session. Please bring paper on which to write your answer. Your written answer will constitute your Exit Ticket for the day. Exit Ticket points cannot be made up, but you can miss one without hurting your grade.

### **Attendance/Participation**

I do not take attendance. However, you cannot receive the maximum score for class participation unless you come regularly, provide required feedback for presenters, and otherwise participate in a constructive manner in class. Moreover, you can receive credit for an Exit Ticket only if you're in class.

Obviously, you *must* be in class on the days you are scheduled to present your case. If you know in advance that you are going to miss a class for a legitimate reason (e.g., illness or family emergency), please let me know so that we can re-schedule your presentation. I would like to keep re-scheduling to a minimum, as it disrupts the flow of the material. If you are assigned a presentation date that you know you'll be gone, please let me know on the first day of class.



Feb. 6	Introduction to the First Amendment	Chapter 2 <i>Be sure to post your question to each case discussion forum before noon Sunday, the day before class.</i>	Case presentations begin <ul style="list-style-type: none"><li>• <i>Near v. Minnesota</i></li><li>• <i>Brandenburg v. Ohio</i></li><li>• <i>Cohen v. California.</i></li></ul> Final case papers are due one week after your case presentation.
Feb. 13	Free Speech in Public Schools and College	Chapter 3	<ul style="list-style-type: none"><li>• <i>Tinker v. Des Moines</i></li><li>• <i>Bethel Schools v. Fraser</i></li><li>• <i>Hazelwood v. Kuhlmeier</i></li><li>• <i>Morse v. Frederick</i></li> <li>• <i>Hosty v. Carter</i> (a 7th Circuit decision)</li></ul>
Feb. 20	Presidents Day <i>No class session, but quiz is still due.</i>	Chapters 4 & 5 <i>1 quiz covers both chapters</i>	<i>Because of missed class time on Presidents Day, an exam review session will be offered this week, time and place TBD.</i>
Feb. 27	Exam 1: Ch. 1-5	Exam 1	Exam 1
March 6	Defenses to Libel	Chapter 6	Guests: Student journalists 10 a.m. <ul style="list-style-type: none"><li>• <i>NY Times v. Sullivan</i></li><li>• <i>Gertz v. Robert Welch, Inc.</i></li></ul>
March 13	<i>Spring Break</i>	<i>Spring Break</i>	<i>Spring Break</i>
March 20	Invasion of Privacy	Chapters 7 & 8 <i>1 quiz covers both chapters</i>	Guest: UVM attorney Lucy Singer 8:30 a.m. <ul style="list-style-type: none"><li>• <i>Time Inc. v. Hill</i></li><li>• <i>Cox Broadcasting v. Cohn</i></li></ul>
March 27	Gathering Info via Records & Meetings	Chapter 9	Guest: Journalist Shay Totten 8:30 a.m. <ul style="list-style-type: none"><li>• <i>Cohen v. Cowles Media Co.</i></li><li>• <i>Branzburg v. Hayes</i></li></ul>
April 3	Exam 2: Ch. 6-9	Exam 2	Exam 2
April 10	Obscenity & Erotica	Chapter 13	<ul style="list-style-type: none"><li>• <i>Miller v. California</i></li></ul>
April 17	Copyright & Trademark	Chapter 14	<ul style="list-style-type: none"><li>• <i>Feist Pubs v. Rural Telephone Service</i></li><li>• <i>Campbell v. Acuff-Rose Music</i></li></ul>

April 24	Advertising	Chapter 15	<p>Guest: Former Vermont assistant attorney general Jay Ashman</p> <ul style="list-style-type: none"> <li>• <i>Central Hudson Gas &amp; Electric Corp. v. Public Service Commission</i></li> </ul>
May 1	Telecommunications	Chapter 16	<p>Guests: WRUV station directors</p> <ul style="list-style-type: none"> <li>• <i>FCC v. Pacifica Foundation</i></li> <li>• <i>FCC v. Fox Television Stations (2012)</i></li> </ul>
May 8	<u>Exam 3</u> Chapters 13-16 only	<u>Time</u> 7:30 to 10:15 a.m.	<u>Location</u> L/L Commons 216

*CALS POLICY: Attendance and Tardiness*

If you are a CALS student and become ill or have an emergency that will cause you to miss class please follow the below instructions.

~ If you are ill and missing only one day of classes, you can contact class professors by phone or e-mail directly and leave a clear message including your name, the section of the class you are in, and that you are ill and will be missing the class.

~ If you are ill or experiencing a personal problem that will cause you to miss more than a day of classes, you must contact Rose Laba in the Student Services Office. She will notify the instructors for you, but you will also need to work with that instructor to discuss his/her expectations in reference to your absence.

~ It is important that you as the student (not your advisor and not your parent) contact Student Services directly if at all possible. By doing so, we will have a very clear understanding of the nature of the illness or problem and how we can best help you.

*UVM POLICY: Inclusiveness*

Disability/Access: In keeping with University policy, any student with a documented disability interested in utilizing accommodations should contact ACCESS, the office of Disability Services on campus. ACCESS works with students to create reasonable and appropriate accommodations via an accommodation letter to their professors as early as possible each semester. Contact ACCESS: A170 Living/Learning Center - 802-656-7753 - [access@uvm.edu](mailto:access@uvm.edu).

Religious Holidays: Students have the right to practice the religion of their choice. If you need to miss class to observe a religious holiday, please submit the dates of your absence to me in writing by the end of the second full week of classes. You will be permitted to make up work within a mutually agreed-upon time.

*UVM POLICY: Student Rights and Responsibilities*

Academic Integrity Policy

1. Students may not plagiarize.

All ideas, arguments, and phrases, submitted without attribution to other sources must be the creative product of the student. Thus, all text passages taken from the works of other authors (published or unpublished) must be properly cited. The same applies to paraphrased text, opinions, data, examples, illustrations, and all other creative work. Violations of this standard constitute plagiarism.

2. Students may not fabricate.

All experimental data, observations, interviews, statistical surveys, and other information collected and reported as part of academic work must be authentic. Any alteration, e.g., the removal of statistical outliers, must be clearly documented. Data must not be falsified in any way. Violations of this standard constitute fabrication.

3. Students may not collude.

Students may only provide, seek or accept information about any academic work to or from another student with the authorization of the instructor. Students may only collaborate on academic work within the limits prescribed by their instructors. Violations of this standard constitute collusion.

4. Students may not cheat.

Students must adhere to the guidelines provided by their instructors for completing academic work. Students may not claim as their own work any portion of academic work that was completed by another student. Students may only use materials approved by their instructor when completing an assignment or exam. Students may not present the same (or substantially the same) work for more than one course without obtaining approval from the instructor of each course. Students must adhere to all course reserves regulations. Violations of this standard constitute cheating.

*UVM POLICY: Grade Appeals*

A student who believes that s/he has received an unfair course grade should first contact the registrar's office to verify that the grade submitted by the instructor is the same grade the registrar has recorded. If the grade has been recorded correctly, the student should next contact the instructor, department chair, and dean of the college/school in which the course is offered (in that order) to discuss the matter. The following deadline must be observed by the student who wishes to appeal a grade (though extensions may be granted by the dean of the college / school offering the course). The student should contact the instructor

as soon as possible, and no later than the tenth day of instruction of the semester following the assignment of the grade in question. No grade can be appealed after the student has graduated.

*UVM POLICY: Educational Rights and Policies (FERPA)*

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records.

- The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect.
- The right to request the amendment of the student's education records that the student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Students may write the University official responsible for the record to ask that it be amended, and should clearly identify the part of the record they want changed and specify why it is inaccurate, misleading, or otherwise in violation of their privacy rights under FERPA.