

MST 407 Media Law and Ethics: (SI)

Catalog Description: Study of media law and questions of ethics as they apply to the mass media.

Section-specific Description: This course develops “legal literacy” regarding laws and regulations impacting the creation, consumption, and distribution of media. Upon successful completion, students will be able to:

- Identify, differentiate, and articulate relevant laws, regulations, and ethical considerations
- Apply these to and analyze factual scenarios involving the creation, consumption, and distribution of media and creative works

General Education Speaking Intensive Student Learning Outcome: Students will be able to speak in genres appropriate to the discipline(s) of the primary subject matter of the course.

For this course to count toward the MST major, you must receive a “C” or better

This section meets **in-person on Tuesdays** primarily for review, discussions, and legal analytical exercises. **In addition**, each week, students are to read/ review the materials on Canvas, i.e., the unit readings (chapters), Powerpoint presentations, and complete all Canvas Quizzes/ assignments.

How to contact me

Please use email: k_podlas@uncg.edu, *not Canvas messaging (it is not email).*

I typically respond to emails between 10:00-2:00 pm (*except Tues mornings immediately before class*); please give me 2 business days to reply.

If you want to meet for **office hours**, please speak to me after class or email *to schedule a meeting*. I am available most Tuesdays until 2:00 and some Wednesday afternoons between 12:30-1:30..

Course Materials are on Canvas under **Modules**

- Each module/ content unit has a corresponding **Reading** (chapter)
- **SI Cases** are in the unit chapters Therefore, if you are doing a case that is listed as part of the Misappropriation Unit, open the Misappropriation chapter and locate the case.
- Most modules/ content units also contain **Powerpoint “Lecture” slides** that highlight key legal rules and scenarios to help you prepare for quizzes, examples of past assignments, **Handouts** (outlining basic rules), and any **Extra Credit Assignments**.

YOUR GRADE IS CALCULATED AS EXPLAINED ON THIS SYLLABUS (*see also the Grading document in the Syllabus Module*). **DON'T USE CANVAS'S PERCENTAGE to calculate your grade: IT IS WRONG. It reflects *only* the proportion of online work completed, does not convert scores to LETTER GRADES, omits some work that counts towards your grade, and does not weight letter-grade assignments!!**

The **MIDTERM GRADE** is comprised of: (1) the 20% Misappropriation & Privacy Quiz and (2) SI work through Feb 14 (SI case presentation + SI in-class exercises).

Abridged Schedule

(The detailed Topical Outline, Readings, Assignments, Grading, etc. follows)

Date	What are we doing	What is due, What to Read	% of Final Grade
Jan 10	Intro to Legal thinking, Misappro & Privacy,		
Jan 17, 24	Misappro & Privacy cont'd, SI case presentations	Read Misappro_&_Privacy (SI Cases are in the reading), PPT slides	SI assignments = 10%
Jan 31	Finish cases, SI Exercises (for credit)	Bring handout pkt	
Sun Feb 5 11:00pm	Misappro & Privacy Quiz due	<i>Misappro & Privacy Quiz</i>	20%
Feb 7, 14	Trademark, remaining SI case presentations SI Exercises (for credit)	Read TM, PPT slides	
Feb 21 Feb 24	Intersections with 1 st Amend't Midterm grades		
Sun Feb 26 11:00pm	TM Quiz due	<i>TM Quiz</i>	15%
Feb 28 no class but	<i>Work on online 1st Amend unit.</i> Unit is all self-study. Due 3/19	Read: 1 st Amend't	
Mar 3/4-12	BREAK		
Sun Mar 19 11:00pm	First Amend't Quiz/ Assignment due	<i>1st Amend Quiz/ asgnt</i>	15%
Mar 14, 21, 28 {1 st Amend due 3/19}	Agency Regulation: FCC, Content reg'n SI Exercises (for credit) FTC, Advertising	Read: FCC Overview & Analytic Outline, PPT slides	
Sun Apr 2 11:00pm	FCC Quiz due	<i>FCC Quiz</i>	20%
Apr 4, 11, 18, 25	Copyright, infringement, Fair Use; SI Exercises (for credit)	Read: Copyright, PPT slides, Fair Use chart	
Thur Apr 27 11:00 am	FTC Grade Replacement due 1st Amend't EXTRA Credit due	Read FTC material, do exercises, email it. 1 st Amend (includes directions + grading)	FTC replaces FCC Quiz
Mon May 1, 12:15 pm	Copyright & Fair Use Assignment due	<i>CC'rt & Fair Use Quiz/ Assignment</i>	20%

Detailed Topical Outline

I. INTRODUCTION to LEGAL ANALYSIS 1/10

II. MISAPPROPRIATION & PRIVACY 1/10-31

(Read materials in Misappropriation & Privacy module)

Rights in Identity: Commercial Misappropriation

When do I need permission to use a person's identity? What rights do people have in identity?

Rights in Privacy: Intrusion, Disclosure of Private Facts

What is "private" ("in public" vs "in private")? What rights does a person have in privacy?

Consent and Waiver, Surreptitious Recording

1/17, 24, 31 = First set of **graded SI case presentations; SI in-Class Exercise**

Misappro & Privacy Quiz (20%) due Sun Feb 5 @ 11:00 pm

III. TRADEMARK & BRANDING 2/7-21

(Read materials in TM module)

Commercial Branding of Consumer Products and Services

What rights does a TM give the TM owner? What can be trademarked?

When can I use another entity's TM and which uses of a TM infringe?

2/7, 14, 21 = Second set of **graded SI case presentations; SI in-Class Exercise**

Trademark Quiz (15%) due Sun Feb 26 @ 11:00 pm

Feb 28 4: No Class Meeting, BUT work on First Amendment and complete Assignment/ Quiz by 2/19.

IV. FIRST AMENDMENT: All work in this unit is self-study, completed online.

(Read: materials in First Amendment module)

Constitutional Protection of Speech: The First Amendment

What does the 1st Amend' protect? To whom does it apply? When can the government limit speech?

Defamation; Public Figures and "Actual Malice"

BREAK Fri 3/4-12

First Amendment Quiz (15%) due Sun Mar 19 @ 11:00 pm

1st Amend Extra Credit cases (*found in 1st Amend unit*) due Thur 4/27 – details below

V. FCC, AGENCY, and OTHER REGULATION 3/14-28

(Read materials in Agency and Industry Reg'n module; review FCC Overview & Analytic Outline)

FCC Regulation of Telecommunications

Which telecommunications technologies and audio-visual content are regulated?

Content Regulation and Indecency: What can't be said or shown on TV and radio?

SI In-Class Exercise; SI Case Presentation (*Saving Private Ryan*)

FCC Quiz (20%) due Sun Apr 2 @ 11:00 pm

The FCC Quiz grade can be replaced with the **optional FTC Info & ASSIGNMENT**, due Thur 4/27 – *details below*. The HIGHER grade counts.

VI. COPYRIGHT

4/4-25

Copyright: What does US Copyright law protect? What rights does a copyright owner possess?

Which uses of a copyrighted work infringe?

Defenses and Fair Use; Limits to cc'rt rights: What defenses exist? Right to use others' works: Fair Use.

(Read: materials in Copyright module; review Fair use outline)

SI Class Exercises

CC'rt and Fair Use Quiz/Assignment (20%) due Mon May 1, 12:15 pm

There is no cumulative Final Exam.

VII. FIRST AMEND'T EXTRA CREDIT & FCC/FTC REPLACEMENT ASSIGNMENT

FIRST AMEND'T Extra Credit due: Thur 4/27 (11 am) type as a Word doc

You may do 1, 2, or 3 *optional* **First Amendment Extra Credit Case Assignments**.

You earn up to +2/3 letter grade per case (see directions) which is added to your 1st Amend Quiz grade. (So if you got an F, + 2/3 raises the grade to a D).

Cases are in the First Amend't module.

TYPE the assignment and email it to k_podlas@uncg.edu (do NOT send it in Canvas)

Optional FTC Info & ASSIGNMENT due: Thur 4/27 (11 am) type as a Word doc

If you want to replace your FCC Assignment/Quiz grade, you can complete the **FTC Info & ASSIGNMENT**. Whichever grade is HIGHER counts.

The Assignment is in the FTC Module. Read the materials, complete all parts of the assignment, TYPE it, and email it to k_podlas@uncg.edu (do NOT send it in Canvas)

Assignments & Grading

UNCG uses an A-F grading scale (**A= 4.0, B= 3, C = 2, D= 1, F= 0**).

Each **Quiz/Assignment** in this course is **calculated as a letter grade**. (Scaling is in the quiz directions).

Each Quiz/Assignment is weighted (as noted on syllabus). For example, a 20% A = .2- x 4.0 = .08.

Therefore, you are NOT accumulating points! You are earning letter grades that are weighted.

The **SI Case Presentation** and **SI in-class exercises** are calculated as points (weighted 10%).

Therefore, 40 points x 10% = .4.

For more detail, see the **GRADING_2023** doc (in syllabus module) on Canvas.

DON'T USE the CANVAS POINTS/ PERCENTAGES to calculate your grade: THEY ARE WRONG !! USE this SYLLABUS and the published GRADE SCALE for each Quiz/ Assignment.

Grading Scales for Quizzes/ Assignments

Because the nature of each Quiz/ Assignment is different, each Quiz/ Assignment has a different grading scale. **The Grading Scale is in the directions** or intro for that Quiz/ Assignment and states what number score calculates to which letter grade.

For example, the Grading scale for (20%) Copyright & Fair Use Quiz/Assignment may look like:

37-40 = A

35-36 = A-

33-34 = B+

30-32 = B

. . . etc.

Therefore, if you score 31, you earn a B. The B (B= 3) is 20% of your Final Grade (3 x 20% = .6).

Speaking-Intensive Activities 10%

There are two components to your SI grade:

(1) Required SI Case Presentation #1 (maximum of 30 points) in *either* the Misappropriation & Privacy Unit *or* the TM Unit. *You do only 1, unless...*

If you earn 0-19 points on SI Case Presentation #1, then you *also do* the *Saving Private Ryan* SI Case Presentation in FCC Unit. *If you improve, it replaces the Case Presentation #1 grade.*

If you earn 0-18 on the *Saving Private Ryan* Case Presentation, then you *also do* an SI Case Presentation *in Copyright* Unit. *If you improve, it replaces the previous Case Presentation grades*

Grading for SI Case Presentation

For detailed information on preparation and grading, read the **Speaking Intensive Information doc** (Syllabus Module).

Maximum points for SI Case = 30

(2) SI in-class Exercises

There will be in-class SI exercises (examples on Canvas and in the handout) during each in-class unit. Their timing is estimated in the syllabus, but may occur one week sooner or later than estimated.

Grading for SI in-class Exercises

3 points for “Active participation” = answering questions and explaining answer; identifying issue (legal +/or ethical); stating the rule; applying law to facts/ analyzing

1 point for being present *and awake* during exercise (= did not “actively participate”)

SI work is calculated as points. For example, if you accumulate 39 SI points, multiply by 10% (.39). **It is possible to earn more than 40 points.**

PERSONAL ISSUES AND ACCOMMODATIONS

If you have a prolonged illness or personal issue, *contact the **Dean of Students**/ Office of Student Affairs and ask them to intercede on your behalf.*

If you have “disability” and/ or are seeking a disability-related accommodation, please contact the **Office of Accessibility Resources and Services**, oars.uncg.edu, (336.334.5440) (215 Elliott University Center). OAR will review requests for accommodations: “UNCG seeks to comply fully with the Americans with Disabilities Act (ADA). Students requesting accommodations based on a disability must connect with the Office of Accessibility Resources and Services (OARS) in 215 Elliott University Center, (336)334-5440, oars.uncg.edu.”

*Additionally, if – soon after an assignment/ quiz is due – you forget, screw up, woefully overestimate your knowledge or underestimate the critical thinking demands of the quiz, **and are: (a) willing to admit to your faults and foibles**, (b) ask for a specific accommodation (ex: “can I replace the missed assignment with the extra credit?”), and (c) accept a possible grade penalty, I am usually willing to negotiate some sort of accommodation... **once.***

ACADEMIC INTEGRITY POLICY

Students must familiarize themselves with UNCG’s Policy on Academic Integrity, available at: <https://osrr.uncg.edu/academic-integrity/>: “By submitting an assignment, each student is acknowledging their understanding and commitment to the Academic Integrity Policy on all major work for the course. Refer to the following URL: <https://osrr.uncg.edu/academic-integrity/>.”

In THIS class it is academically dishonest to allow a colleague to read your quiz/ assignment answers as well as to copy from a colleague’s work. You *may* discuss fact-patterns and analyses, but you may NOT do quizzes together, copy a colleague’s work, lend your written work, provide your answers, or engage in similar acts.

It is also academically dishonest to forge or fake documents (e.g., doctor’s notes, police reports, obituaries) or claim nonexistent internet or email outages to obtain a benefit, an excuse from, or extension on assignments.

Students violating these standards receive an F for the assignment and no chance to replace the grade or increase it through Extra Credit. At the instructor’s discretion, the incident may be forwarded to the relevant academic integrity and disciplinary authorities.

Religious Obligations Statement (Mandatory)

“It is expected that instructors will make reasonable accommodations for students who have conflicts due to religious obligations. Please make arrangements with the instructor in advance of any conflict.” For more information on UNCG’s Religious Obligations policy, visit: https://drive.google.com/file/d/0B3_J3Uix1B4UeTV4Nk1vVFJoVFE/view?resourcekey=0-zRdXEmUA6rRI2RzKqo6u3g.

In this course, quizzes/ assignments are made available several days before their due dates. Therefore, if the due date falls on a day of religious observance, students should complete the quiz/ assignment in advance.

Attendance Policy for University Sponsored Events (Mandatory)

“Regular class attendance is a responsibility and a privilege of university education. It is fundamental to the orderly acquisition of knowledge. Students should recognize the advantages of regular class attendance, accept it as a personal responsibility, and apprise themselves of the consequences of poor attendance. Instructors should stress the importance of these responsibilities to students, set appropriate class attendance policies for their classes, and inform students of their requirements in syllabi and orally at the beginning of each term.”