

# California Lutheran University

## Bachelor's Degree for Professionals

### Mass Communication Law and Policy – Freedom of Information Comm 405

Winter 2016:

Wednesday, 6-9:30 PM

Woodland Hills Center

Classroom: Room 116

Instructor: Dr. Aaron Heresco (please call me Aaron)

Email: [aheresco@callutheran.edu](mailto:aheresco@callutheran.edu)

Phone: 814-889-5161

Office: Woodland Hills #103C

Office Hours: Monday: 4-6 PM

Wednesday: 2-4 PM

If you cannot make these times, let me know and I will find another time that works

Drop Date: December 7, 2015– Last day to add; last day to drop (without a “W”)

Last day to drop without financial penalty (100% tuition charge for classes dropped after this date)

January 19, 2016- Last day to withdraw without academic penalty (Responsible for 100% of tuition)

**Course Description:** A study of the limits placed on freedom of expression in the United States. Through examining leading U.S. court decisions and relevant statutes, students will learn the broad principles and legal reasoning underlying First Amendment jurisprudence, including the legal, philosophical and political issues entailed in the rights of free expression. Students will then examine how these principles have been applied to the regulation of the various communication industries including the print media, broadcasting and cable television.

**Textbook:** The Law of Journalism and Mass Communication, **4<sup>th</sup> Edition** by Trager, Russomanno, Ross, and Reynolds

Other readings will be posted on the course Blackboard space

**Course Outcomes:** Students who successfully complete COMM 405 should:

- Gain field-specific knowledge and **information literacy**
- Practice **communication skills (written and oral)**
- Hone **creative and critical thinking** skills
- Develop **interpersonal and teamwork** skills
- Foster **identity and values** through discussion of ethics and legal principles

### Course Structure

This will not be your typical lecture-based class. Learning is more interesting, and more effective, when multiple modes of instruction are used. There will be short lectures, video clips, audio clips, some Prezi slides, and (most important of all) discussion. With this in mind, your experience in this class will be largely what you make of it – the more effort you put in, the more you will get out of the course. The critical skills you develop in this course, specifically with regard to media law and policy, will remain useful to you outside of the classroom. Our discussions and assignments may be viewed as an intellectual map; a way for you to grasp the concepts of the course and more fully develop your own thinking. It is my goal that the material and learning from this course do not stop at the classroom doors – consider and use this information to better understand the world around you.

As discussion will be a vital aspect of this class, it is understood that to meaningfully participate in these discussions, you will need to have completed the assigned readings and thought about the topic for that day. Challenging assumptions, preconceptions, and “common wisdom” will be a critical aspect of this course. As such, it is understood that all viewpoints will be treated with respect. I encourage disagreement (even with me), but be sure to do so agreeably.

## **Assignments/Requirements/Course Schedule**

### **Legal Case Studies / Topic statements**

This class is largely organized around critical thinking and class discussion. To facilitate both, it is vital that you come to class have read, and thought about, the material for the day. You will need to turn in a critical analysis worksheet to a dropbox on Blackboard by noon on Sunday before the week’s classes. The set of questions will encourage you to think about the readings and come to class prepared to talk about its analysis and implications. A template form with the questions I will ask you to answer is available on Blackboard – you will need to provide responses for each of the weeks’ readings. Over the course of the semester, there will be 11 weeks of reading. Each week’s analysis will be worth a maximum of 5 points. The grade breakdown is as follows:

- 5 Points – it is clear to me that you read and thought critically about the readings.
- 3 Points – it is clear that you did the readings, but did not think critically about them
- 1 Point – It is not obvious that you did the readings, nor thought much about them
- 0 Points – It is obvious that you did not do the readings

### **Case Presentations**

Twice per semester students will be responsible for leading the class in a discussion about a media-related court case of their choice – one that is relevant to the material being covered that week. The discussions should last between 5 and 15 minutes and are not presentations. Students should instead seek to ask questions and probe issues in such a way as to encourage a class conversation about nuances and principles of the selected case. To facilitate discussion, students can use presentations, Youtube clips, blog posts, or any other multimedia that is relevant. The instructor may also step in if there is a point of particular interest related to that day’s topic.

### **Discussion Board Participation**

Thinking about, and applying, class concepts is an important part of the course. Each week the instructor will create a discussion board post that students will need to engage with. This could take the form of a response to the initial post, or a response to a student post. These posts should be somewhat detailed and in-depth (no “I agree” or “I’m not sure”) and provide a thoughtful response to the topic. Some examples will be posted in the discussion board so students have a better idea of the expectation for these posts.

### **Applied Reasoning Papers**

Twice during the semester (roughly around the midway point and during finals week) students will submit a legal analysis of a contemporary policy of controversy. These papers will be between 4 and 6 pages and will take an in-depth look at the facts, precedent, and legal outlines of current events. A list of possible topics will be provided.

### **Participation and Attendance**

We each bring a different set of experiences to the classroom. Finding a way to use these experiences to either build new knowledge, or change preconceptions, is a large part of the learning process. This can only happen, however, if people contribute meaningfully to the classroom dialogue. Share your thoughts, show your knowledge, and help apply the concepts we will be discussing to everyday life. Beyond contributing to class, part of the participation process is arriving to class on time and paying attention for the duration. You cannot participate if you do not show up for class. You are allotted 1 “free” absence. After that, each additional absence will result in losing 3% points off your final grade. However, I do understand that school, home, and work responsibilities often overlap, so if you let me know in advance you cannot make it to class, we can work together to devise a make-up plan.

**Course Grades:** There will be 100 possible points in this class. The breakdown is as follows:

Case / Topic Papers	50 Points
Case Presentations	20 Points
Discussion Board Participation	10 Points
Applied Legal Reasoning Paper	20 Points

Late Assignments: Assignments will be accepted up to one week after their due date. I understand that “life happens” and sometimes deadlines cannot be met. However, work that is turned in late will be graded more harshly, and full credit will not be given.

### **Grade Scale**

93 – 100	A
90 - 92.9	A-

87 – 89.9	B+
83 - 86.9	B
80 – 82.9	B-
77 – 79.9	C+
70 – 76.9	C
60 – 69.9	D
0 – 59.9	F

**Course Evaluations Statement:**

All course evaluations are conducted online. Your feedback is important to us. You will receive an email message reminding you when the website is open for your feedback. The link is:

<http://courseval.callutheran.edu>

**Disability Statement:**

California Lutheran University is committed to providing reasonable accommodations in compliance with ADA of 1990 and Section 504 of the Rehabilitation Act of 1973 to students with documented disabilities. If you are a student requesting accommodations for this course, please contact your professor at the beginning of the semester and register with the Disability Support Services Coordinator, Wendy Jimenez, for the facilitation and verification of need. The Disability Support Services Coordinator is located in the Center for Student Success Office located at 3259 Pioneer Street, and can be contacted by calling 805.493.3260 or emailing [wjimene@callutheran.edu](mailto:wjimene@callutheran.edu)

**Statement on Academic Honesty:**

The educational programs of California Lutheran University are designed and dedicated to achieve academic excellence, honesty and integrity at every level of student life. Part of CLU’s dedication to academic excellence is our commitment to academic honesty. Students, faculty, staff and administration share the responsibility for maintaining high levels of scholarship on campus. Any behavior or act which might be defined as “deceitful” or “dishonest” will meet with appropriate disciplinary sanctions, including dismissal from the University, suspension, grade F in a course or various forms of academic probation. Policies and procedures regarding academic honesty are contained in the faculty and student handbooks.

Plagiarism, cheating, unethical computer use and facilitation of academic dishonest are examples of behavior which will result in disciplinary sanctions. Plagiarism includes, but is not limited to:

- word for word copying without using quotation marks or presenting the work as yours
- using the ideas or work of others without acknowledgement
- not citing quoted material. Students must cite sources for any information that is not either the result of original research or common knowledge.

Standards of Student Conduct Statements:

- [Student Life Handbook](#)
- [Academic Honesty Statement](#)

**University Harassment Policy**

Be civil to each other, both on- and offline. For information on the University's **student harassment policy and rights, please go to the following link:**

[Student Life Handbook](#)

### **Pearson Library**

Pearson Library provides access to scholarly books, journals, ebooks, and databases of full text articles from scholarly journals. To begin using these materials, visit the library web page

<http://www.callutheran.edu/library>

There are many ways to contact Pearson Library for research assistance, no matter where you are!

- Email Yvonne Wilber (Professionals liaison) at [ywilber@callutheran.edu](mailto:ywilber@callutheran.edu)
- General Library email: [CLUlibrary@callutheran.edu](mailto:CLUlibrary@callutheran.edu)
- Library main phone: 805.493.3250
- Text us your question: 805.493.3867
- Get more help at: <http://www.callutheran.edu/library/help/>

### **CLU Writing Center**

The Writing Center provides 1:1 writing consultations, in-person and online, with trained undergraduate and graduate writing consultants. We welcome all writing-related projects at any stage of the writing process across the diverse disciplines of study at CLU. The Writing Center also hosts writing workshops, provides in-class visits, facilitates writing groups, and offers a writer's studio option for longer, sustained projects. Services suit writers of all levels, including traditional undergraduates, graduate students from all fields, all English language learners, and accomplished scholars alike. All members of the CLU community with an @callutheran.edu email address are welcome to make use of our services. For more information, please visit at [www.callutheran.edu/writing\\_center](http://www.callutheran.edu/writing_center) or call 805-493-3257. Please schedule appointments online through MyCLU Blackboard with the yellow "The Writing Center" icon in "Tools," or stop by The Writing Center itself, located in the Darling Collaboration Suite of Pearson Library.

### **Sexual Misconduct**

California Lutheran University does not tolerate any degree of sexual misconduct on or off-campus. We encourage you to report if you know of, or have been the victim of, sexual harassment, misconduct, and/or assault. If you report this to a faculty member, she or he must notify Cal Lutheran's Title IX Coordinator about the basic facts of the incident. More information about your options for reporting can be found at: <http://www.callutheran.edu/title-ix/>

### **Veterans Resources**

If you are a veteran, military member, or a family member of a veteran or military member, please refer to Cal Lutheran's Veterans Resources webpage for important information: <http://www.callutheran.edu/veterans/> Also, if you are a veteran receiving benefits and you are struggling in a class, you most likely qualify for free tutoring. Please contact the Veterans Coordinator, Jenn Zimmerman, [veterans@callutheran.edu](mailto:veterans@callutheran.edu) or 805.493.3648, for more information.

### **Help Desk**

Students may contact the Help Desk about telephone, network, wireless network, software questions password problems, hardware problems, and general consultation (i.e. you cannot log into your MyCLU portal, or you are having problems with Blackboard). Please click on the following link for more information

[http://www.callutheran.edu/iss/technology\\_services/helpdesk.php](http://www.callutheran.edu/iss/technology_services/helpdesk.php) or call: 805.493.3698

Syllabus content is subject to change

### **Student Workload/Carnegie Hours:**

The expectation for this course is that you will spend the equivalent of 4 hours per week in class (an hour is defined as 50 minutes), and you will spend approximately 9 hours per week studying and completing assignments for this course.

Activity	Instructor-Led Hours		Homework Hours		Remarks
	Weekly	Course	Weekly	Course	
Readings of required text			5	55	Over 11 weeks, uneven distribution
Weekly Classes	3 hr. 20 min.	36 hrs. 40 min.			Includes final exam
Class Discussion Board	1	10			Average, varies by student
Discussion Leading				5	Average, varies by student
Critical Reading Papers			3	30	Average, varies by student
Applied Reasoning Papers				10	Average, varies by student
<b>Total</b>		<b>50</b>		<b>100</b>	

### **Final Note**

This syllabus is subject to change. Every effort will be made to alert students to changes that occur in a timely manner.

## **Preliminary Course Schedule**

Week 1 – Intro to the Class The Rule of Law  
Trager, Chapter 1 and 2

Week 2 – First Amendment Contours  
Read: Trager, Chapter 3  
Assignment 1: Case/Topic Study 1

Week 3 – Congress Shall Make No Law?  
Read: Trager, Chapter 4 and 5  
Assignment: Case/Topic Study 2

Week 4 – Libel: Charges and Defenses  
Read: Trager, Chapter 6  
Assignment 1: Case Study / Topic Paper

Week 5 – Media and Privacy  
Read: Trager, Chapter 7  
Assignment 1: Case Study / Topic Paper

Week 6 – Emotional Distress and Physical Harm  
Read: Trager, Chapter 8  
Assignment 1: CRP

Week 7 – Newsgathering and the Law  
Read: Trager, Chapter 10  
Assignment 1: CRP

Week 8 – Electronic Media Regulation  
Read: Trager, Chapter 11  
Assignment 1: CRP

Week 9 – Obscenity, Indecency, and Violence  
Read: Trager, Chapter 12  
Assignment 1: CRP

Week 10 – Intellectual Property  
Read: Trager, Chapter 13  
Assignment 1: CRP

Week 11 – Advertising and the Law  
Read: Trager, Chapter 14  
Assignment 1: CRP