

# **MEDIA LAW & ETHICS (at the movies)**

## **FIRST AMENDMENT v. MEDIA ROLE IN U.S. SOCIETY**

(Decided Autumn Semester, 2016, Mondays from 2:15-4:05 p.m.)  
Courtroom: 253 Denney Hall

### **SUMMARY**

This brief will outline the goals and focus of this course on the world of law and ethics as they pertain to Journalism and the First Amendment. The course 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
- Newsgathering
- 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 is 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; identify the significance of key court decisions in the history of American journalism; distinguish between ethical and non-ethical 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.

### **SECTION I: READINGS AND MATERIALS**

#### **1.1 Books and sites**

[The Law of Journalism and Mass Communication](#) (5th edition), Trager, Ross & Reynolds (ISBN: 978-1-5063-0341-3)--*Purchase through Perusall*

[The Law and You: Media Law Section](#) (free download)

- The Law of Journalism and Mass Communication [website](#)
- [iMedia Ethics](#)
- [The Image of the Journalist in Popular Culture](#) website
- The [Kraft Comm Class](#) site

## 1.2 Films

There will be viewing of six films in this course to augment understanding of media law and ethics. The films include:

- Absence of Malice
- All the President's Men
- Nothing But the Truth
- Shadows of Liberty
- Smash His Camera
- Spotlight

These films are accessed through the Ohio State Secured Media Library. Once you login, you will look for "Assigned Playlists," and see the films assigned to you. Every film will be available for at least one week before the film challenge is due.

## SECTION 2: CLASS STRUCTURE

### 2.1 Hybrid Class

This is a **hybrid, or blended, course**, which means we will have both face-to-face class time and online learning activities. The live and online activities will reinforce and complement, one another. Even though it meets in person just one time each week, the work is commensurate with a typical three credit class. You will have deadlines during the week that go beyond our Monday class time, and you will need to commit time to work during the week on group projects.

### 2.2 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.

All students have all been invited to the class Slack and are encouraged to sign-up and accept ASAP.

More communication is better communication, so at the end of every week students will receive via Slack and posted to Canvas a "gentle reminder" examining future assignments and goals for the upcoming week. This is intended to keep students and professor on track. Students are expected to read these "gentle reminders" and let the professor know if they have other ideas for what might augment the class or better serve the learning experience.

For completion of the course, students will also need a Twitter account, and a computer with daily Internet and word processing access.

## SECTION 3: GRADING

### 3.1 Calculations

Final course grades will be calculated using a one-thousand-point scale in the following way:

Perusall Readings	50 points
Jeopardy Game (1 at 50 points)	50 points
Speed Court Cases (7 at 10 points each)	70 points
Ethical/Legal Discussion (8 @ 10 points each)	80 points
Film Challenges (6 @ 25 points each)	150 points
Ethical Debate	200 points
Real World Law and Ethics	200 points
You Be the Justice--Final Project	200 points

These points tallied together will provide the final grade of the following percentages (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.

**Final Exam Date:** Check University Schedule

### **3.2 Assignments for points**

#### **3.2a Perusall Readings (50 points)**

Our discussions will be based on our class readings and what is going on in the news. Your readings, which are due BEFORE our class session meets, are provided through a program called [Perusall](#).

You will **purchase your textbook** access through Perusall and read the sections assigned through each Canvas assignment. For each reading section you comment at least seven times and be scored based on the quality and timeliness of your comments, questions, and responses.

When you open a document, you'll see highlights superimposed on the document that represent comments (yellow) or questions (orange) that you and other students have entered. When someone responds to your question or comment, you will receive a notification by email and you can post a reply by signing on or merely replying to the email. If you ask a question you can indicate that one or more of the responses answers your original question.

While reading the document, you can change which comments you see by clicking the All comments dropdown at the top of the page and selecting either My comments or No comments.

You can view your scores by clicking the My grades button at the top of your course home page.

You may continue to ask questions, answer questions, and make comments outside of the context of a particular reading assignment. However, note that if you edit a comment that was counted towards an assignment whose deadline has passed, that comment may no longer count towards your score for that assignment.

#### **3.2b Jeopardy Case Game (50 points)**

At semester's end, we will play a game of Jeopardy made up of the cases we have learned. Your answers will be written down and submitted for a grade, with each question worth one point and Final Jeopardy worth 5 bonus points.

#### **3.2c Speed Court Case (70 points—10 points per week/7 weeks)**

On some Mondays we will start our class with an assessment activity to see how well you know the cases and ethical issues we are studying in the lectures.

I will post 10 questions to Canvas, viewable and on the class projector screen. You will have one minute to partner with another student and write down your answer to each question in a Canvas field. We will go through in class so you may post the correct answers to your document.

You will be able to use this as a study guide to complete our midterm and final, so make sure you do a complete job and get the correct answers throughout the semester.

#### **3.2d Ethical/Legal Discussion Posts (80 points—10 points per week/8 weeks)**

Each week students will be confronted with a legal or ethical challenge related to media, and you will be asked to write a 500-word discussion post on the topic. You will post your answer by Thursday at 9 a.m., and then respond to at least two classmates by Sunday at 9 a.m.

#### **3.2e Film Challenges (150 points-6 at 25 points for each)**

Six times in the semester you we will watch a film that will help frame our discussions around a key journalistic legal or ethical issue. For example, watching "Absence of Malice," which will help frame discussions related to libel, working with sources, revelation of private facts, etc.

For each film you will write a 500-700 word (give or take 50 words) post summing up the legal or ethical issues in the films we watch and discuss during the class, giving both sides of the argument leading up to how you would handle such a situation. The study questions you receive should help guide your discussion.

In addition, you must comment on the post of two other students—what do

you think of their views and opinions—for each film challenge.

*Details: Appendix I*

### **3.2f First Amendment on Campus (200 points)**

Student free speech rights at colleges and universities around the country are being challenged, even as those institutions tackle a variety of serious social issues, including racism, gay rights, sexual assault and gender issues.

You will be creating a 3:00 video, demonstrating how our campus has or is dealing with such issues while also protecting freedom of speech and expression.

*Details: Appendix II*

### **3.2g Ethical Debate (200 points)**

Every student will be part of a debate team to argue for or against a journalistic moral or ethical issue the is mentioned or appears in the films we view, and present it to the class for discussion of the central themes and exploration of how to handle such a situation.

You will also complete a write-up about your debate research and findings.

*Details: Appendix III*

### **3.2h You be the Justice Final (200 points)**

Your final will involve you playing the part of a Supreme Court justice to explain a legal case from history, how you researched and decided the case, and what you believe has been the impact since the case was decided. You will be assigned the case and justice randomly by me and present your views in the form of a podcast.

*Details: Appendix IV*

### **3.2i Extra Credit**

Everyone will have the opportunity throughout the semester to attend events or do research for extra credit, up to 20 points.

Activities: Participate in outside class activities identified during the semester

Research: Take part in School of Communication research, and receive 5 points per activity. <http://osucomm.sona-systems.com>

To show me you have done extra credit, please take a photo of the activity you are taking part in and tweet it with some explanation to #3404extra. If you do not show me your extra credit, I will not be able to give credit.

The deadline for completion and reporting to me all extra credit is Dec. 1.

## **SECTION 4: SOCIAL MEDIA**

### **4.1 Twitter**

Treating this class like a job will go a long way toward helping you be prepared for your post-graduation life. Your ability to come on time, contribute to discussions, turn in work on time, treat classmates with respect, dress appropriately, and communicate respectfully and clearly in person and in writing will earn you professionalism points.

Among the skills you need to master is how to use social media for good and not (potential) evil. I

Believe it or not, everything you do or eat is not worth putting on public, open-to-the-world social media. What is worth publishing are the activities, experiences, thoughts, work product and information that will make a potential employer think you worthy of hiring.

To that end we will use Twitter, professionally, for every class.

Between the beginning and end of class tweet something significant to your followers--a concept from class, an article, information shared by a guest speaker. Include a photo and link where possible.

This will count as your attendance and your initial foray into the professional nature of your social brand.

In addition to your posts, make your profile as professional as possible with a strong Twitterography that includes details of significance to who you wish others to think you to be. Put in a photo that helps others see you as a serious journalist (it should just be you with no companions).

Include a website if you have one, or create a LinkedIn to serve as a resume site.

The goal is we all learn the potential impact of Twitter in “talking” to the word—and learn how to prevent negative impacts. Your tweet cannot be just that you were in class. There has to be a complete thought behind it. Use the hashtag #medialawmovies for all posts.

Please follow the hashtag #medialawmovies and follow me (@nicole\_kraft), so I can put you in our class list.

## SECTION 5: INSTRUCTOR METHODS

### 5.1 Description

This instructor believes in the power of students to engage in and drive their own education, which means taking a greater responsibility for an engagement in what happens in classes. To that end, she does not subscribe to the “sage on the stage” class ideology, whereby professors lecture and students listen. Instead it utilizes an active learning model. That means students develop a knowledge foundation through readings and videos before class. Class time is then dedicated to engaging with the material through a variety of activities and assessments to determine and build your comprehension.

The instructor believes that in a conventional class, lectures help establish an educational foundation, but then students are left to build the structure of their learning alone through homework, and that structure may or may not be sound. With this active learning model, it’s the opinion of the court that 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.

It is the belief of this instructor that this model helps students learn better, and in a speed and style that is more conducive to their needs. That means that regardless whether students learn better at 3 a.m. or 7 p.m., class materials are available through this model. If students wish to hear lecture three or four times to take copious notes, this model provides that option. All options are open, provided students engage in the material in some meaningful and effective way.

The workload is the same—meaning for a four-credit class for every hour of work students do in class, they will spend four hours working at home. The main difference is class time will not include lecture; students will be engaged in actively learning the material through discussion, exercises, activities and assignments. The quality and quantity of in-class learning means that attendance and participation are crucial to success.

This model also allows students and the instructor to work more closely together, and to connect in a more focused and direct way, to assess and understand individual needs and goals, and to, hopefully, maximize what students take from the class.

### 5.2 Class Professionalism

This instructor is a big believer that college is intended to prepare students for the real world, and that for many—especially in journalism—an undergraduate career is like a first job. Students can and will make a lot of mistakes in this environment, but the goal is to learn from them and not to make them again. To that end, students will be treated professionally, and need to act the same. Behaviors that work in the “real world” and here include:

**Coming on time and ready to work on the material for the day:** The active learning model only works if all students do foundational work ahead. If students do not do that work and have to “catch you up,” they impact everyone else in class.

**Staying in class:** Everyone has things to do, but this class meets once per week and students should commit to that time.

**Students are missed when they are absent:** When students don’t attend class, it is noticed, and students are missed personally and for contributions. Missing class when presenting legal cases or debating will result in a 0 for

the assignment (unless there are serious extenuating circumstances and the instructor is notified BEFORE class).

**Treating classmates/coworkers with respect:** Everyone's ideas have merit, and allowing a civil discussion, even when disagreeing, is a key to future success.

**Dressing for success:** This is professional environment, and students should dress accordingly. Pajamas are for sleeping. Swimsuits are for beaches. Please know the instructor does not want to discuss appropriate class dress with you but will if need be.

**Deadlines are deadlines:** Assignments must be in Carmen by the pre-determined time and will not accepted late. Late assignments will get edited, but no points will be assigned. No make-up exams are held.

**Typing:** Due to the professional (and paperless) environment of this class, no handwritten assignments will be accepted.

**Social Media:** This instructor believes in using social media for good and not evil. Students will do much research in class using all electronic devices, but should keep in mind the professor can see all public posts—and so can future employers. Students must be responsible about how to present to the outside world. The timing of post is also visible, so it is important students use class time for class experiences.

**Ethics:** Lying, cheating or stealing will get an employee fired. In this class, if students who plagiarize anything will be reported to academic misconduct.

## SECTION 6: CLASS DETAILS

### 6.1 Legal Clinic

Instead of "office hours," to which few students ever attend, this course offers legal clinic hours twice weekly: Mondays from 4:15-6:15 in Denney Hall Digital Union and Tuesday from 1-3 p.m. in 3045E Derby Hall. Class clerks will also hold legal clinic hours to be determined. To learn more about them, see Appendix IV.

### 6.2 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 in writing as soon as any syllabus change may arise.

### 6.3 Withdrawal Policy

Not all classes fit a student's schedule or academic plan. Please know, however, that this instructor wishes to meet with students before they drop (especially deeper into the semester) to work through challenges together. Once group assignments have been made, team-member departures are especially difficult for the class as a whole.

### 6.4 Grading Criteria

#### Safe & Healthy

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 class any materials and turn in assignments via the drop box or e-mail. If you do not notify me, your assignment will not be accepted.

### 6.5 Technology Excuse Statement

This course, like journalism as a whole, relies heavily on access to computers, specific software, and the Internet.

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 ever 2 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.

Save drafts: When editing, set aside the original and work with a copy.

Practice safe computing: On your personal computer, install and use software to control viruses and malware

### **6.6 Commitment to Diversity**

The School of Communication at The Ohio State University and Kraft Comm Classes embrace and maintain 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 and classes, 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.

### **6.7 Students With Disabilities**

I am happy to make academic adjustments for students with documented disabilities. Please contact the Center for Students with Disabilities if this applies to you. The Center for Students with Disabilities is located in Room 101 of the Admissions/Student Services Complex, located on the north side of Main campus, next to Admissions. For more information, call (310) 434-4265 or (310) 434-4273 (TDD)

KRAFT, N. L., delivered the opinion of the Court.

## Course Schedule: Week by Week

**Week 1 (8/29):** Introduction to the course, legal system and First Amendment/Press Freedom

**In-Class Activity:** Read syllabus, explain structure of course, ethical discussion; testing First Amendment knowledge

**Weekly Readings:** Chapter 1, The Rule of Law (due by Thursday at 9 a.m.)

**Discussion:** What is the media's role as the Fourth Estate of government?

**Week 2 (9/5):** LABOR DAY--NO CLASS

**Outside Class Activity:** Watch "All the President's Men"

**Weekly Readings:** Film Challenge 1: All the President's Men

**Film/Topic:** Review questions and write Film Challenge for All the President's Men (Thursday 9 a.m.). Respond to 2 classmates (Sunday 9 a.m.)

**Week 3 (9/12):** Speech and Press Freedoms in Theory and Reality (Near v. Minnesota; New York Times v. U.S.)

**In-Class Activity:** Speed Case Challenge No. 1, Prior Restraint, Political Speech

**Assignment:** Free speech video (what is idea)?

**Weekly Readings:** Chapter 2, The First Amendment

**Discussion:** Political Speech and Black Lives Matter movement

**Week 4 (9/19):** National Security, Speech Assaults, Speech in Schools (Tinker v. Des Moines; Elonis v. U.S.)

**In-Class Activity:** Speed Case Challenge No. 2, Prior Restraint, Political Speech

**Assignment:** Free speech video--script, storyboard

**Weekly Readings:** Chapter 3, Speech Distinctions; Film Challenge 2: Are we all public figures now?

**Film/Topic:** Review questions and write Film Challenge for "Absence of Malice"

**Week 5 (9/26):** Free Speech at Ohio State

**In-Class Activity:** Show Free Speech Videos

**Due:** Script, storyboard and video due on Canvas BEFORE class

**Weekly Readings:** Chapter 4 and 5, Libel and Emotional Distress

**Discussion:** What is defamatory?

**Week 6 (10/3):** Libel and Defamation

**In-Class Activity:** Speed Case Challenge No. 3, identifying and avoiding libel

**Weekly Readings:** Media Law/Ethics in the News; Film Challenge 3: Smash His Camera

**Film/Topic:** Review questions and write Film Challenge for "Smash His Camera"

**Week 7 (10/10):** Debates

**In-Class Activity:** Debates from teams 1-5

**Weekly Readings:** Chapter 6, Protecting Privacy

**Due:** Written portion due on Canvas BEFORE class

**Weekly Readings:** Chapter 7, Newsgathering

**Discussion:** National security v News access

**To attend 10/14:** Ohio Bar Media Law Conference, 9 am-3 pm

**Week 8 (10/17):** Debates

**In-Class Activity:** Debates from teams 6-9

**Due:** Written portion due on Canvas BEFORE class

**Media Law/Ethics in the News** (read articles supplied by debate participants)

**Discussion:** How much privacy do you deserve? Most/least compelling debate arguments

**Week 9 (10/24):** Shield Laws and Report Privilege

**In-Class Activity:** Speed Case Challenge No. 4; Understanding Shield Laws

**In Class:** Introduction to You Be the Justice assignment and cases

**Weekly Readings:** Chapter 8, Reporter's Privilege; Film Challenge No. 4: Nothing But the Truth

**Film/Topic:** Review questions and write Film Challenge for "Nothing But the Truth"

**Week 10 (10/31):** Fair Trials v. Public's Right to Know

**In-Class Activity:** Speed Case No. 5; When is access enough, too much?

**Weekly Readings:** Chapter 9, The Media and the Courts

**Discussion 6:** How did the OJ trial change media/courts?

**Week 11 (11/7):** Electronic Media--from radio to the Internet

**In-Class Activity:** Speed Case No. 6; Understanding the FCC, and broadcast rules and regulations

**Weekly Readings:** Chapter 10, Electronic Media Regulation;

**Film/Topic:** Review questions and write Film Challenge for "Shadows of Liberty"

**Film Challenge 5: Shadows of Liberty**

**Assignment:** Real World Law progress update

**Week 12 (11/14):** Accessing information (U.S. Dept. of Justice v. Reporter's Committee for Freedom of the Press; Wilson v. Layne)

**Assignment/Discussion 7:** What will be effect of the 2016 election on the future relationship between the media and politicians?

**Activity:** Take part in Political Simulation with Moritz College of Law Nov. 18 and 19

**Week 13 (11/21):** Understanding (changing) social norms (Miller v. California, FCC v. Fox)

**In-Class Activity:** Speed Case No. 7; What is indecent and what is news?

**In Class:** You Be the Justice work (Outline due in canvas)

**Weekly Readings:** Chapter 11, Obscenity, Indecency and Violence

**Discussion 8:** What are your contemporary community standards?

**Week 14 (11/28):** Shining the "Spotlight"

**In-Class Activity:** Watch "Spotlight"

**Weekly Readings:** Chapter 12, Intellectual Property; "Spotlight" Articles from Boston Globe

**Film/Topic:** Review questions and write Film Challenge for "Spotlight"

**Week 15 (12/5):** What have we learned?

**In-Class Activity:** Final Jeopardy!

**Weekly Readings:** Chapter 13, Advertising

**Discussion:** How can journalism stay important and relevant in light of what society considers news? **Due** (12/8 9 a.m.) You Be the Justice podcast

## APPENDIX I: FILM CHALLENGES (6 @25 POINTS EACH)

This assignment has three primary goals:

1. Watch the assigned film
2. Review study questions
3. Complete and submit Film Challenge, and comment on posts from two other students.

For the film challenge, the student's job is to outline the key journalistic legal or ethical issue that are reflected in this film, and how they have shaped the student's understanding of journalism and its role in society.

Students will then write a 500-word post (give or take 50 words) that addresses these points:

The key journalistic issue in the film and how the main characters dealt with it. (10)

What could journalists learn from this situation to do the same, better or differently, and why (10)

The author's personal views on the film and how it represents journalism. (5)

There is no right or wrong answer here, but there are incomplete and insufficient answers. The argument must be based on the legal precedent or ethical theory, not your own opinion.

The student's post is due Thursday by 9 a.m. Students then have until Sunday at 9 a.m. to comment on posts from two classmates.

Each post is worth 25 points and the points will be determined as to the quality of the discussion leading up to the conclusion.

## APPENDIX II: CAMPUS FREE SPEECH VIDEO (200 POINTS)

Student free speech rights at colleges and universities around the country are being challenged, even as those institutions tackle a variety of serious social issues, including racism, same-sex rights, sexual assault and gender issues.

Students will create (in teams) a 3:00 video demonstrating how Ohio State is dealing with such issues and how it may be protecting freedom of speech and expression.

This assignment is part of a contest being held by the Nuseum in Washington, D.C. Up to eight videos will be selected for display and discussion Nov. 17 and 18 in programs at the Newseum. Up to two student producers for each of those videos will be eligible for an expenses-paid trip to Washington to participate in the “video fair” event.

This assignment is due Sept. 26, so that it may be edited and submitted to the Nuseum contest no later than 11:59 p.m. PT, Sept. 30, 2016.

**Submission of this video to the contest is OPTIONAL.**

The goal of the competition is to demonstrate how campuses can solve difficult problems while respecting free expression — even if the free expression offends and prompts calls for increased protection from offensive speech.

The videos are part of an ongoing Newseum Institute project, “Free Expression Campus,” funded by a grant from the Knight Foundation. On April 2, students and First Amendment experts gathered for a symposium on issues involving free speech and free press on today’s college campuses. Later this year, the Institute will publish a nonpartisan “Guide to Free Speech on Campus,” written by Jeffrey Herbst, Newseum CEO and former president of Colgate University.

“Colleges and universities should be places in our society where free expression and free speech are celebrated,” said Herbst. “However, many fear that the very institutions that depend on vigorous debate are becoming the areas of our country where free expression is most challenged.

You will submit one VIDEO, SCRIPT and STORYBOARD from each team.

### COMPETITION RULES

Video entries should demonstrate how Ohio State approached a difficult problem while respecting freedom of speech and expression. The goal of the competition is to demonstrate to others how campuses can solve difficult problems while respecting free expression, even as some call for increased protection from speech that may possibly offend others.

Entries must be received no later than 11:59 p.m. PT, Sept. 30, 2016.

Entries must be sent using the form available at the link on the next page.

All produced videos including videos from mobile devices should be in one of the following file formats (MP4, MOV or M4V).

If you produced your video on a desktop editing program, please submit using the following video specifications:

1920×1080 or 1280×720

MP4, MOV or M4V file format

H.264 codec

29.97 frames per sec

2 channel stereo audio @ 48kHz 16bit

File size should not exceed 200MB and file names should include your first and last name.

*The Newseum Institute is not responsible for entries misdirected, unable to be viewed or understood, or not received for any reason by 11:59 p.m. PT, Sept. 30, 2016.*

Creative content is yours to determine, given the goal of the competition. Entries must be no more than 3:00 in length, and must include a brief “credit roll,” listing at least the names of the creative team and college or university, as a final element.

Selectees for the video fair will be notified no later than Oct. 15, 2016.

Students selected must be able to travel to Washington, D.C., on Nov. 17 and remain through the day on Nov. 18, 2016, for a program in which the video production entrant(s) will screen their productions, participate in media and public events, and respond to questions by those at a “video fair” at the Newseum.

No more than eight videos will be selected for display at the “video fair.” The Newseum Institute reserves the right to determine the final number of videos selected for display.

By submitting your video entry, you attest that you have all needed permissions and rights to the images, audio, text, music and other content in your entry, and that you will be responsible for any violations or resulting judgment for violation of copyright, trademark or other intellectual property rights as shall apply.

Submissions will be judged by and become the property of the Newseum Institute and selection of entries for participation in the “video fair” and other aspects of the “Free Speech on Campus” will be made by the sole judgment of the Newseum Institute.

Compensation for travel to Washington D.C. to participate in the “video fair” shall be limited to: Reasonable transportation costs, via commercial carrier travel booked by the Newseum Institute; hotel room charges for one night at a location selected by the Newseum Institute; and up to \$100 reimbursement for related travel expenses; for up to two persons who produced a selected video.

All participating individuals will be responsible for any and all costs and expenses not noted here, including all production costs associated with the video entry.

Questions: E-mail [Gene Policinski](mailto:Gene.Policinski@Newseum.org), Newseum Institute.

[ENTRY FORM](#)

### APPENDIX III: ETHICAL ENDEAVORS DEBATE (200 POINTS)

This ethical debate exercise will allow teams to investigate, analyze and publicly debate a journalism ethics issue that involve topics from the films we watch, with the goal of swaying the audience to supporting their position.

All group members are expected to participate in the research, development, and presentation of your debate position. Preparation will require substantial research and we will have check in points during the semester.

Debate topics and sides will be assigned by the fifth week. Please know that each person is imperative to the debate, so if you decide to leave the course once topics are assigned, that will have a significant impact on the case assignment as a whole.

Debate Format

2 minute per person Position Presentation

1 minute work period

4 minute Rebuttal (2 people, 2 minutes each)

Total: 20 minutes

Every student must participate in the debate and speak at least once, but it is up to each team to determine workload and speaking order.

#### **Debate Procedure**

The debate will take the form of timed individual and/or group presentations and responses separated by one timed group work periods. The rules applied may deviate from the formal rules of debating. When questions arise, the judgment of the instructor will provide the definitive ruling.

Prior to the beginning of the class period, both teams are to position their desks facing each other at the front of the room. Each team is to write its team name, debate position, and debate position statement on the blackboard by their desks.

Team members may speak either standing or sitting, as they desire. Audiovisuals may be used at any time, including, but not limited to, handouts, flipcharts, transparencies, slides, audio and videotapes, etc. It is your responsibility to bring and set up any visuals, and your set up time will be included in your debate time if not done before. While a team is not required to use all of the time allocated to each debate component, speakers must stop immediately when the allocated time runs out. Team members are prohibited from speaking to the audience or opposing team except at the times specifically allocated to them. Thus, there can be no immediate, reciprocal interchange of comments between the teams.

#### **Selection of Winner**

Upon the completion of each debate, the debaters will leave the room and the audience members will have the opportunity for two minutes of discussion before voting for a debate winner. Votes are to be based upon presentation quality, and not upon personal agreement or disagreement with the position espoused.

#### **Points**

The total points for this assignment is 200.

The debate portion is worth 100. Points will be assigned based on:

1. Clear understanding on the topic. (25)
2. Complete argument supported by cited facts (precedent cases) (25)
3. Factually accurate specific information that addresses the specific issue. (25)
4. Strong rebuttal that reflects the opposing view. (15)
5. Meeting and not exceeding time limits. (10)

The remaining 100 points will be assigned based on a 500- to 700-word paper submitted by the start of class on the day of your debate to Canvas outlining your views of the ethical issue on which your team debated on

topics including:

- a. The facts of the issue (20)
- b. How and why it occurred (20)
- c. The ethical consideration, based in fact, not opinion, citing specific ethical theories we discussed in class. (20)
- d. The ramifications of the topic for journalism (20)
- e. What you, personally learned from it (15)
- f. A source list from your debate (from where did the facts come?) (5)

Personal views may differ from your debate viewpoint.

Each participating member will be graded based on his or her individual research and performance, as well as on the group performance as a whole. All members of the debate team will receive the same debate score, so it is important you work together. Individual scores will be assessed to the written part of this assignment.

## APPENDIX IV: FINAL: YOU BE THE JUSTICE (200 POINTS)

Your final in this class will provide you the opportunity to actually embody a member of the Supreme Court of the United State, and share with us how and why they made a legal decision in a significant court case.

Preparation will require substantial research and we will have check in points during the semester.

You will be assigned a case and a justice. Together with your fellow eight justices, you will discuss and debate this case and explain your decision in a 20-25 minute podcast, based off a well-researched script you will create.

Your goal will be as follows:

To research the justice so that you know his or her past, how he or she became a justice, the judicial philosophy developed off and on the court, significant cases in which he or she was involved,

What were the facts of the case as they were presented to the court, interpreted through the justice.

Show how the justice engaged with the case during deliberation and hypothesize what the justice was thinking and feeling.

Identify the verdict and explain why, based on your prior research, the justice voted the way they did.

You will need to do significant research on your justice, and the prior and present cases in which they have been involved. You will also need to read the case, listen to the deliberations, and basically immerse in the facts and decision-making process.

Finally, you will need to team build to show a court in action.

You can use your own recording equipment (computer, iPad) or the Denny Digital Union recording studio, where you will get to sound and speak like your justice in recording about the case. Can include audio clips from the actual case via oyez.org. This project will also include submission of a written script/outline on which your podcast will be based, with citations to show from where your supporting evidence came.

The assignment will be judged on the following criteria:

**Character development:** How well do we see this justice, based on mannerisms, language, voice, anecdotes?

**Character's history:** How well do we see where this justice came from and how he or she got to the court?

**Judicial philosophy:** How well do we understand his or her judicial philosophy and how it was shaped?

**Justice's significant cases:** How well do we see important cases in which this justice played a role, and how those cases helped develop his or her judicial philosophy?

**Understanding of this case:** How well does this justice understand the legal framework of this case and its impact on the First Amendment?

**Precedent cases:** What precedent cases that we learned about in class (and beyond) will help shape this justice's decision-making in regards to this case?

**Maintaining character:** How well do you maintain the persona of this justice throughout the podcast or paper?

**Quality of citations:** From where did your information come on this justice and the case. Is your research broad enough to support your character development and case understanding?

**Script development:** Every podcast must first be crafted into a script that clearly outlines the narrative flow, facts and character.

**Quality of recording and posting success:** Your podcast will be evaluated in terms of fact-based reporting, audio clarity, editing and posting success.

### **Timeline**

10/24: Students assigned justice and case.

11/21 Final Project Draft outline due in Canvas.

12/5 Final podcast work in class

12/8 Final Podcast due in Carmen

### **Podcasting Instructions**

We are calling this assignment a podcast, because we are seeking a dialogue that is more conversational than a simple recording, but I do not want you to get stressed out about the recording aspect.

If you use Macintosh, I suggest using the included GarageBand software for recording and postproduction. Apple has useful information for using GarageBand for recording podcasts.

You can use for a microphone the earphone microphone you received with a mobile phone, or even on your mobile phone itself using an app like iTalk, Smart Recorder or Spreaker.

If you use Windows, consider using the free software Audacity for recording and postproduction. Jake Ludington's MediaBlab has a great tutorial for recording using Audacity.

#### **Recording**

You do not need to record all of your audio at once. Consider trying short portions of audio and then edit together.

You will need to record an introduction, but don't feel like you have to do that first. Try to get into your character first and then record the intro last. We can put it in place on post-production.

#### **Post-production**

After recording, it's time to edit the audio. You may not have recorded the audio in order, so the first priority is to make sure all audio is arranged properly. Also, clips can be trimmed to delete any unnecessary pauses or interruptions.

Music and sound effects can be added in postproduction. Podsafe music is the term for music that can be legally used in a podcast and freely distributed online for others to download.

Finally, you will need to sign up for a Soundcloud (Links to an external site.) account to upload your audio. Soundcloud is free and is like the YouTube for audio.

## APPENDIX V: MEDIA LAW AND ETHICS CLERKS

This court has two clerks who will assist student lawyers in all things related to media law and ethics, and the assignments therein. They will attend classes and meet during Legal Clinic hours to be established.



**Daniel Griffith** is a rising senior from Shaker Heights, Ohio, majoring in political science with a minor in communications. His career interests are focused in law and business operations/workforce planning. He recently participated in the Washington Academic Internship Program through the Glenn college at the National Academy of Public Administration, and hopes to return to Washington after graduation.



**Abby Vesoulis** is a double major in journalism and political science who loves traveling, reading, politics and all things Harry Potter. She is heading to law school after graduation.

## APPENDIX VI: MEMORANDUM OF UNDERSTANDING

Take every pre-conceived notion you have about classes and learning and professors and throw them out the window for this experience.

You do not do work in here for a grade, and you do not do work for me as your professor. In truth, I am your editor, and you are all journalists, and the work you do is for a) readers and b) to make you employable once you move into the world.

You have now all become beat reporters, which will allow you to focus the sport you will cover and become master of your own story idea domain. That means the majority of ideas will be generated for you, by you.

The standards here are professional, not academic, and your primary work product will be questions. I expect you to ask “why” and “how” on a daily basis, while you discover and uncover and explore.

That said, you are here to fail as much as you succeed. Take chances, try new things, don't be afraid to fiddle. This is a life laboratory, and the more we experiment, the more discoveries we will make.

If you are seeking a “sage on the stage” who will lecture while you passively write down every holy nugget I say, I'm afraid this is not the class for you. My role here is your guide. We will discover together and learn much from each other.

I heard recently of a great question from an editor who called for a reference check on a student applying for a job: “What is he going to be ready to do on Day One and what is he not ready for that's going to mean more work for me?”

How do you want me to answer this question about you after you complete this course? How would you answer it?

We will figure both out in here.