

COM433/RE433: MEDIA LAW AND ETHICS

SYLLABUS

Wayne M. Tanna, J.D., LL.M.

CLASS TIMES: by appointment

Email wtanna@chaminade.edu

SPRING 2023

Textbooks: Mass Media Law, 22nd edition e-book with Connect online homework site, Pember and Calvert

Summary: This course will introduce students to the study of legal and ethical issues in the media. Students will develop an understanding and appreciation of these issues and the ability to analyze the important legal and ethical issues involved with the mass media industry.

COURSE GOALS

Upon successful completion of this course, the student will be able to:

- Develop a basic understanding of the American legal system. Media Law and Ethics is designed to introduce students to First Amendment doctrines and issues concerning freedom of expression and explain applications of the law (including contracts, intellectual property, and torts) to the work of journalists.
- Identify the basic elements of legal research.
- Explain the principles and concepts of ethical theory as components of moral reasoning with regard to ethical problem solving in the media.
- Engage with peers in a conversation about the ethical and political issues facing the media.

We all have the responsibility to return something to society. It is especially important that professionals and students in communications have a social conscience. In this class you will have the option to participate in a service project that relates to the field of media law and ethics during this semester.

COURSE LEARNING OBJECTIVES

Upon successful completion of this course, the student should be able to:

1. Define legal and ethical terms adequately and to generalize and apply them appropriately
2. Recognize the constraints the law places on individuals and organizations and how these constraints impact commercial media operations
3. Develop and use analytical skills in communications and ethical case analysis
4. Recognize ethical issues behind decisions related to media operations and how the legal system often incorporates ethical concerns
5. Effectively communicate both orally and in writing in a range of traditional and electronic media.

To achieve the above objectives and competencies, students are expected to attend all classes; complete all written and reading assignments as advance class preparation; take an active part in class discussions; organize and participate in a study group (optional); brief all the assigned cases; and write critical analyses for all assigned problems.

Journalism and its related mass communication professions demand the highest of standards. As a member of this course in this professional program, you will be expected to meet those standards and find that doing so brings a great personal reward and sense of accomplishment. Through successful completion of course readings and assignments - and through active participation in class discussions - you will have the tools to identify and analyze legal and ethical issues through:

- ☐ An understanding of the underlying ethical theories and guiding principles that apply to journalism and mass communication.
- ☐ the ability to apply various decision-making strategies to ethical problems.
- ☐ the knowledge of the ethical norms of journalism and mass communication.
- ☐ the application of ethical standards to professional situations.

Grades:

There will be 1 final examination given at the end of the semester. Homework on connect and ethics cases from current situations as assigned. All assignments will be found on canvas. As this is a special independent study the student will need to catch up all the assignments that would usually have been done from the beginning of the semester. **The instructor reserves the right to issue a grade of "F" or to otherwise adjust the grade of the student if they miss more than 20% of the scheduled weekly class homework and case problems.**

ATTENDANCE AND PARTICIPATION: Optional

(If there is any student in this class who has need for special accommodations for test-taking or note taking, please feel free to come and discuss this with me.)

90% and higher = A

80% = B

70% = C

60% = D

50% Final Examination period for this course. The final will be on canvas and will be available from May 1, - May 4. **Two hours running time.**

A NOTE ON ENGLISH--Whether we like it or not, English is the language of communication in this course. Thus, it is important that correct English Grammar and spelling is used. In our class discussions, informal English may be used so long as it is designated and recognized as such. However, on exams and papers, formal and correct English will be expected to be used.

Caveat: ALL DISCUSSIONS AND EXAMPLES IN THIS CLASS ARE TO BE USED FOR ACADEMIC PURPOSES ONLY. THE EXPLANATIONS GIVEN BY YOUR INSTRUCTOR ARE NOT TO BE CONSTRUED AS LEGAL ADVISE. AS INDIVIDUAL SITUATIONS ARE UNIQUE, A SOUND LEGAL OPINION WOULD REQUIRE INTENSIVE INVESTIGATION AND RESEARCH. ACCORDINGLY A SOUND LEGAL OPINION CAN NOT BE RENDERED WITHIN THE TIME LIMITATIONS OF A CLASS DISCUSSION. IF YOU HAVE A LEGAL PROBLEM, CONSULT AN ATTORNEY THAT PRACTICES IN THE AREA OF LAW IN WHICH YOU ARE EXPERIENCING DIFFICULTIES. I WILL BE HAPPY TO REFER YOU AN ATTORNEY THAT PRACTICES IN A SPECIFIC AREA SHOULD YOU NEED PERSONAL LEGAL ASSISTANCE.

THE ACADEMIC DISHONESTY POLICY OF THE UNIVERSITY WILL BE STRICTLY ENFORCED IN THIS CLASS.

Marianist Values

This class represents one component of your education at Chaminade University of Honolulu. An education in the Marianist Tradition is marked by five principles and you should take every opportunity possible to reflect upon the role of these characteristics in your education and development:

1. Education for formation in faith
2. Provide an integral, quality education
3. Educate in family spirit
4. Educate for service, justice and peace
5. Educate for adaptation and change

Native Hawaiian Values

Education is an integral value in both Marianist and Native Hawaiian culture. Both recognize the transformative effect of a well-rounded, value-centered education on society, particularly in seeking justice for the marginalized, the forgotten, and the oppressed, always with an eye toward God (Ke Akua). This is reflected in the 'Ōlelo No'eau (Hawaiian proverbs) and Marianist core beliefs:

1. Educate for Formation in Faith (Mana) E ola au i ke akua ('Ōlelo No'eau 364) May I live by God
2. Provide an Integral, Quality Education (Na'auao) Lawe i ka ma'alea a kū'ono'ono ('Ōlelo No'eau 1957) Acquire skill and make it deep
3. Educate in Family Spirit ('Ohana) 'Ike aku, 'ike mai, kōkua aku kōkua mai; pela iho la ka nohana 'ohana ('Ōlelo No'eau 1200) Recognize others, be recognized, help others, be helped; such is a family relationship
4. Educate for Service, Justice and Peace (Aloha) Ka lama kū o ka no'eau ('Ōlelo No'eau 1430) Education is the standing torch of wisdom
5. Educate for Adaptation and Change (Aina) 'A'ohe pau ka 'ike i ka hālau ho'okahi ('Ōlelo No'eau 203) All knowledge is not taught in the same school.

Please see the policy regarding cheating and plagiarism that is posted on in Canvas.

What's a "Grade?"

"A" students do not miss classes during the semester. They read and critically engage all the assigned readings before class on their own, and with classmates and the instructor. All assignments are not only complete but go beyond more than just the minimum requirements. Their assignments are turned in on time or early, exhibit proper style, grammar, and format, are well-organized, integrate strategic planning and targeting, and are written precisely and concisely. They take advantage of all rewrite and extra credit opportunities. These students always keep up with current news events, both locally and globally.

"B" students miss a few classes during the semester. They usually read the assigned readings before class. Their assignments exhibit proper style, grammar, and format, are well-organized, integrate strategic planning and targeting, and are written precisely and concisely. They take advantage of all rewrite and extra credit opportunities. These students usually keep up with current events.

"C" students miss several classes during the semester. They complete the assigned readings before exams. Written assignments and exams usually exhibit proper style and formatting, but do not always integrate strategic planning and targeting, and are not always well organized or written precisely and concisely. All assignments are turned in on time, and most rewrite opportunities are used. These students sometimes keep up with current events.

"D" students miss four or more classes during the semester and skim assigned readings. Assignments and exams usually exhibit proper style and formatting, but they often lack integrated strategic planning and targeting, and are often not well-organized, or written precisely and concisely. Assignments are not always turned in on time and only some rewrite opportunities are used. They don't keep up with current events.

"F" students fail to attend class consistently, miss exams, written assignments; don't use rewrite opportunities.

Grades of "Incomplete"

Incomplete grades are reserved for cases of illnesses and other emergencies that cause a student to be unable to complete the course by the due date. In such cases, the instructor has the option of issuing an "incomplete" grade at the end of the semester. Requests for an "incomplete" must be accompanied by substantive documentation.

Late Work Policy

Work is turned in on CANVAS unless otherwise specified. Assignments have due dates. After the due dates, the assignment is considered late and may have points deducted in proportion to the amount of time the assignment is late. Assignments also have expiration dates, after which they are not available to be submitted. If you miss an assignment altogether you will have to contact the instructor and negotiate an alternative, which may not be granted.

Technical Assistance for Canvas Users:

- Search for help on specific topics or get tips in Canvas Students
- Live chat with Canvas Support for students
- Canvas Support Hotline for students: +1-833-209-6111
- Watch this video to get you started
- Online tutorials: click on "Students" role to access tutorials
- Contact the Chaminade IT Helpdesk for technical issues: helpdesk@chaminade.edu or call (808) 735-4855

Tutoring and Writing Services

Chaminade offers free, one-on-one tutoring and writing assistance to all students. Tutoring and writing help is available on campus at Kōkua 'Ike: Center for Student Learning in a variety of subjects (include, but are not limited to biology, chemistry, math, nursing, English, etc.) from trained Peer and Professional Tutors.

Please check Kōkua 'Ike's website (<https://chaminade.edu/advising/kokua-ike/>) for the latest times, list of drop-in hours, and information on scheduling an appointment. Free online tutoring is also available via TutorMe.

Tutor Me can be accessed 24/7 from your Canvas account. Simply click Account – Notifications – TutorMe. For more information, please contact Kōkua 'Ike at tutoring@chaminade.edu or 808-739-8305.

Course Expectations

Your final grade will be based on your performance on exams and quizzes, assignments, class participation, professionalism, and attendance.

- The average student can expect to spend approximately 6-9 hours per week preparing for this class.
- Active student participation in all required discussions and weekly assignments is required.
- Honest communication with me personally or via e-mail is expected if any unexpected changes occur in your life.

Note:, you will be enrolled for this independent study course in Canvas and we will communicate via your Chaminade email.

Disability Access

If you need individual accommodations to meet course outcomes because of a documented disability, please speak with me to discuss your needs as soon as possible so that we can ensure your full participation in class and fair assessment of your work. Students with special needs who meet criteria for the Americans with Disabilities Act (ADA) provisions must provide written documentation of the need for accommodations from Kōkua 'Ike: Center for Student Learning by the end of week three of the class, in order for instructors to plan accordingly. If a student would like to determine if they meet the criteria for accommodations, they should contact the Kōkua 'Ike Coordinator at (808) 739-8305 for further information (ada@chaminade.edu).

Title IX Compliance

Chaminade University of Honolulu recognizes the inherent dignity of all individuals and promotes respect for all people. Sexual misconduct, physical and/or psychological abuse will NOT be tolerated at CUH. If you have been the victim of sexual misconduct, physical and/or psychological abuse, we encourage you to report this matter promptly. As a faculty member, I am interested in promoting a safe and healthy environment, and should I learn of any sexual misconduct, physical and/or psychological abuse, I must report the matter to the Title IX Coordinator. If you or someone you know has been harassed or assaulted, you can find the appropriate resources by visiting Campus Ministry, the Dean of Students Office, the Counseling Center, or the Office for Compliance and Personnel Services.

Attendance Policy

The following attendance policy is from the 2019-2020 Academic Catalog (p. 54-55). Faculty members should also check with their divisions for division-specific guidelines.

Students are expected to attend regularly all courses for which they are registered. Student should notify their instructors when illness or other extenuating circumstances prevents them from attending class and make arrangement to complete missed assignments. Notification may be done by emailing the instructor's Chaminade email address, calling the instructor's campus extension, or by leaving a message with the instructor's division office. It is the instructor's prerogative to modify deadlines of course requirements accordingly. Any student who stops attending a course without officially withdrawing may receive a failing grade.

Unexcused absences equivalent to more than a week of classes may lead to a grade reduction for the course. Any unexcused absence of two consecutive weeks or more may result in being withdrawn from the course by the instructor, although the instructor is not required to withdraw students in that scenario. Repeated absences put students at risk of failing grades.

Students with disabilities who have obtained accommodations from the Chaminade University of Honolulu Tutor Coordinator may be considered for an exception when the accommodation does not materially alter the attainment of the learning outcomes.

Federal regulations require continued attendance for continuing payment of financial aid. When illness or personal reasons necessitate continued absence, the student should communicate first with the instructor to review the options. Anyone who stops attending a course without official withdrawal may receive a failing grade or be withdrawn by the instructor at the instructor's discretion.

Academic Conduct Policy

From the 2019-2020 Undergraduate Academic Catalog (p. 39):

Any community must have a set of rules and standards of conduct by which it operates. At Chaminade, these standards are outlined so as to reflect both the Catholic, Marianist values of the institution and to honor and respect students as responsible

adults. All alleged violations of the community standards are handled through an established student conduct process, outlined in the Student Handbook, and operated within the guidelines set to honor both students' rights and campus values.

Students should conduct themselves in a manner that reflects the ideals of the University. This includes knowing and respecting the intent of rules, regulations, and/or policies presented in the Student Handbook, and realizing that students are subject to the University's jurisdiction from the time of their admission until their enrollment has been formally terminated. Please refer to the Student Handbook for more details. A copy of the Student Handbook is available on the Chaminade website.

For further information, please refer to the Student Handbook: <https://chaminade.edu/wp-content/uploads/2019/08/NEW-STUDENT-HANDBOOK-19-20-Final-8.20.19.pdf>

Credit Hour Policy

The unit of semester credit is defined as university-level credit that is awarded for the completion of coursework. One credit hour reflects the amount of work represented in the intended learning outcomes and verified by evidence of student achievement for those learning outcomes. Each credit hour earned at Chaminade University should result in 45 hours of engagement. This equates to one hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester, 10 week term, or equivalent amount of work over a different amount of time. Direct instructor engagement and out-of-class work result in total student engagement time of 45 hours for one credit.

The minimum 45 hours of engagement per credit hour can be satisfied in fully online, internship, or other specialized courses through several means, including (a) regular online instruction or interaction with the faculty member and fellow students and (b) academic engagement through extensive reading, research, online discussion, online quizzes or exams; instruction, group work, internships, laboratory work, practica, studio work, and preparation of papers, presentations, or other forms of assessment. This policy is in accordance with federal regulations and regional accrediting agencies.

General Student Rights (Student Handbook, page 6)

1. Students have the right to pursue educational, recreational, social, cultural, and residential activities within the basic philosophies, goals, and guidelines of Chaminade University.
2. Students have the right not to be discriminated against in employment or educational pursuits based upon the student's religious affiliation, gender, sexual orientation, skin color, ethnic or racial background, national origin, age, physical or mental challenges, marital status, change in marital status, pregnancy, or parenthood.
3. Students have the right to pursue educational endeavors free of harassment of any kind.
4. Students have the right to organize and join associations to promote interests held in common with other students within the limits of university policy and our Catholic, Marianist values.
5. Students have the right to services of the faculty, staff, and administrative officers of Chaminade University.
6. Students have the right to fair and impartial academic evaluations.
7. Students have the right to have the university maintain and protect the confidential status of their education, student conduct, and health records (for exceptions, see Privacy & Confidentiality in the DISCRIMINATION AND HARASSMENT PROCEDURES AND RESOURCE GUIDE)
8. Students have the right to a clean environment, reasonable access to facilities provided by the university, and freedom to read and study without undue interference, unreasonable noise, and other distractions.

Campus life is a unique situation requiring the full cooperation of each individual. For many, Chaminade is not only a school, but a home and a place of work as well. That makes it a community environment in which the actions of one students may directly affect other students. Therefore, each person must exercise a high degree of responsibility. Any community must have standards of conduct and rules by which it operates. At Chaminade, these standards are outlined so as to reflect both the

Catholic, Marianist values of the institution and to honor and respect students as responsible adults. All alleged violations of the community standards are handled through an established student conduct process, outlined in the Student Handbook.