



MCOM 482 – Broadcast Regulation - Spring 2008

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Office Hours:

9:00 a.m. - 11:00 a.m., Monday, Wednesday, Friday
1:00 p.m. - 3:00 p.m., Tuesday, Thursday

Catalog Description:

The study of electronic media law and the Federal Communication Commission's rules and procedures, including an examination of current trends of the Commission and their possible effects on the industry and society. Prerequisite: MCOM 481.

Purpose:

As a broadcasting practitioner—whether manager, producer, performer, or journalist—your involvement in the regulatory process will be virtually constant. This course is designed to provide a background in general policies as they influence the broadcasting industry. Regulations and policies do not stand alone in a sterile environment: their true meaning arises from interpretation. As such, this course will include a seminar approach—where you will help to provide the interpretation through your analysis of several case studies.

Objectives:

1. To demonstrate the interrelationship between domestic broadcast policy, government regulation, industry structure, and industry practices,
2. To become familiar with the use of primary sources of information related to broadcast policy and regulation,
3. To identify the major domestic broadcast policy and regulation issues, and
4. To apply knowledge of broadcast regulation in a practical context typical of the broadcast environment.

Course Format:

This course is designed around a lecture/seminar format. Each class member is expected to have thoroughly read all designated readings in advance of the classroom discussion. To stimulate discussion and assure participation, students will be regularly and randomly called upon to describe and interpret assigned material.

Required Text:

Kenneth C. Creech. Electronic Media Law and Regulation. 5th ed. Burlington, Massachusetts: Focal Press, 2007. ISBN: 978-0-240-80841-3.

References:

The following are common references, located in our library, which will be used throughout this course:

Broadcasting & Cable
United States Code (Annotated), Titles 15, 17, 18, and 47
Code of Federal Regulations, Title 47, Parts 0, 1, 11, 73, 74, and 76
Federal Register

Several additional relevant references are accessible on-line through the Internet World Wide Web, including these useful links:

U.S. Code	http://www.gpoaccess.gov/uscode/index.html
Code of Federal Regulations	http://www.access.gpo.gov/nara/cfr/cfr-table-search.html
Code of Federal Regulations - Hypertext FCC Rules Project	http://www.hallikainen.com/FccRules/
Federal Register	http://www.gpoaccess.gov/fr/index.html
Telecommunications Act of 1996	http://www.fcc.gov/telecom.html
Federal Communications Commission	http://www.fcc.gov
FCC Media Bureau	http://www.fcc.gov/mb/
FCC Audio Division	http://www.fcc.gov/mb/audio/
FCC Video Division	http://www.fcc.gov/mb/video/
FCC Policy Division	http://www.fcc.gov/mb/policy/
FCC Enforcement Bureau	http://www.fcc.gov/eb/
Consulting Engineers Cavel, Mertz & Davis, Inc.	http://www.fccinfo.com
Law Firm of Dow, Lohnes & Albertson	http://www.dlallaw.com
Law Firm of DLA Piper Rudnick Gray Cary	http://www.dlapiper.com
Law Firm of Shaw Pittman	http://www.shawpittman.com
Law Firm of Womble Carlyle	http://www.commlaw.com

Evaluation:

Course grades will be determined by class participation, four to six case studies, and three examinations. No extra credit projects or assignments will be available. The instructor reserves the right to change the total number of assignments for the course, or to redistribute the total points for the course among the various projects.

Cellular telephones and other communications devices must be switched off during the administration of all quizzes and examinations. A student accessing such a device during the administration of a quiz or examination will automatically receive a failing grade for that exercise.

Graduate students will be expected to set the standard for their undergraduate colleagues. All Graduate students will also complete a scholarly paper on a subject germane to broadcast regulation approved by the instructor. This paper must be carefully researched and thoughtfully prepared according to an accepted standard (APA, MLA, or Turabian) for scholarly papers. Three deadlines will apply to the graduate scholarly paper: 1) a one-page typewritten proposal/abstract, 2) a typewritten literature review/preliminary bibliography, and 3) the final paper. Each graduate student should meet individually with the instructor to discuss the specific requirements to be met by each of these deadlines.

Grades may be discussed at any time throughout the term during the instructor's office hours, by appointment only. Final grades will not be posted or otherwise distributed before they are made available online by the University Registrar.

The weighting of the requirements of this course, as a percentage of the final grade, is as follows:

<u>Undergraduate Students:</u>	<u>Graduate Students:</u>
Examination #1 = 20%	Examination #1 = 15%
Examination #2 = 25%	Examination #2 = 20%
Final Examination = 25%	Final Examination = 20%
Case Studies and Quizzes = 30%	Scholarly Paper = 15%
	Case Studies and Quizzes = 30%

Grading for this course will be determined by the following scale:

- 90 - 100 % = A Extraordinary Effort. All criteria are performed with a high degree of excellence and enthusiasm. The student demonstrates active participation and high-quality work.
- 80 - 89 % = B Honorable Effort. All criteria are performed with considerable endeavor and energy. The student solidly participates and demonstrates a desire to achieve more than basic requirements.
- 70 - 79% = C Average Effort. All criteria are performed satisfactorily, though with some room for improvement. The student demonstrates that he or she is fully engaged with the class.
- 60 - 69 % = D Minimal Effort. The criteria are performed with considerable room for improvement. The student falls short of being fully engaged with the class, but demonstrates a basic effort to pass the course.
- 59% and below = F Unsatisfactory Effort. The student fails to meet the criteria and displays little or no effort to pass the course. This is usually accompanied by poor participation and minimal attendance.

Case Studies:

Case studies will be periodically presented to the class; the due date for student responses will be announced with each assignment.

A complete response preparation will include a review of recent trade publications and legal references to provide up-to-date information. Your responses to case studies will be evaluated based on thoroughness, organization, clarity, proper use of language, style (e.g., grammar, punctuation, and spelling). An important component of each case study response is the thoughtful analysis of your assigned readings and of your original research. Your case study submissions must demonstrate both your ability to locate relevant information and your accurate interpretation of those references.

Professional presentation is expected and citations of the writings of others must be properly credited. These case studies will serve to launch our later in-class discussions; therefore, the student is expected to independently uncover the necessary information from the textbook readings and from other library resources. Each case study response must be typewritten, double-spaced, on 8½- by 11-inch paper using 12-point type. Top, bottom, and side margins must be one (1) inch each.

Case study responses must be submitted at the beginning of the class period when due; early submissions are permissible and late submissions will not be accepted.

Quizzes:

Unannounced quizzes may also be administered as a part of this course. Any quizzes administered as a part of this course are designed to determine the student's diligence in reading assigned material and his or her understanding of that material. Each quiz will consist of ten short-answer questions, and will be administered at the beginning of the given class session without

prior notice. A student arriving late to class will not be allowed to complete any quiz administered during that session. Make-up quizzes will not be administered; any missed quiz will be recorded as 0%.

Examinations:

Examinations shall consist of a varied format, including true/false, multiple choice, short answer, and essay questions. Make-up examinations will only be allowed with an official University excuse (see “Attendance” below). Make-up examinations must be administered before the first regular class meeting following the student's return to school. Students missing examinations because of University activities must arrange to take the examination before the scheduled examination date. The Final Examination will contain a comprehensive element.

Plagiarism:

Each student is expected to do his or her own basic research and compose his or her own answers to assignments. The University forbids plagiarism, and provides for penalties for students violating this policy (Refer to the “Cheating and Plagiarism” section of the University’s Student Policy Manual). In any case of copying, both the copier and the lender will be penalized.

Attendance:

As required by University policy, attendance will be taken each class session. A student not seated at the time his or her name is called will be recorded as absent. The University regards class attendance as an obligation as well as a privilege, and defines as “excessive” absences of ten percent (10%) or more of the total class sessions for any course; for this particular course a total of three (3) absences is considered excessive under that University policy. Your attendance and participation in discussions is vital to the class as a whole. By registering for this class you have thus contracted to be here, and you are expected to accept and fulfill that responsibility. If you are not in class, you cannot participate, and participation is a major grade factor.

Each student is allowed a maximum of two (2) absences without penalty. Such absences shall include any excused absences. Further unexcused absences will result in the lowering of the student’s final course grade by one (1) full letter grade for each absence. Absences for lecture meetings scheduled immediately prior to or following holidays or break periods will be double-weighted.

Acceptable excuses for absences are listed in the University’s Student Policy Manual: 1) authorized trips away from the University or absences resulting from special duties at the University, 2) confinement in a hospital or other in-patient facility or doctor’s excused absence, or 3) a death in the immediate family. Each student should make every effort to ensure medical appointments do not conflict with the class schedule. Excuses must be presented for the instructor’s consideration within three (3) class meetings of the student’s return to class. Students participating in University activities, whose names appear on the Authorized Class Absences list from the Academic Affairs office, should specifically notify the instructor. Absences do not excuse you from performing with the rest of the class.

Tardiness is disturbing to the class; habitual lateness is viewed unfavorably. Be considerate to your colleagues and be punctual to each lecture. Tardiness counts as one-half (½) of an absence. Likewise, students should not leave class early. For a student to be recorded as tardy, instead of absent, he or she must specifically speak with the instructor at the end of the class session.

Pagers, cellular telephones, and other devices must be switched to silent mode during class time. Students are not to send or retrieve text messages during class time.

Drop Policy:

Any student who does not withdraw from this course, and who otherwise fails to complete the requirements of this course, will automatically receive a final grade of “F.”

Students with Special Needs:

A student with special needs seeking reasonable individual assistance or accommodation to achieve the objectives of this course must immediately file a Special Needs Accommodation Form with the Counseling Center (Refer to the University’s Student Policy Manual).

Assent to Policies:

The student’s continued enrollment and attendance in this course reflects his or her agreement to abide by the policies enumerated in this syllabus.

Schedule:

The sequence of topics to be discussed for this course is detailed below. As discussions of these topics evolve, and as potential new developments in broadcast regulation emerge, adjustments to this preliminary schedule may become necessary. As such, students are advised to be prepared for alterations in this schedule, including changes in readings, discussions, and examination dates.

<u>Date:</u>	<u>Lecture Topic:</u>	<u>Reading:</u>
Jan 15	Course Introduction/Sources of Law	pp. 1-8, 13-26
17	Broadcast Regulation History/F.C.C. Organization	pp. 8-13, 61-66, 79-83, 96-99, 47 CFR §§ 0.1-0.151, 1.80 and 1.89-1.95
22	The Broadcast Spectrum	pp. 160, 47 CFR §§ 73.14-73.30, 73.201-205, 73.210-73.211, 73.501, 73.505-73.506, 73.601-73.609, 73.614, 73.622-73.624, 73.811, 73.403, 73.6000-73.6002 and 74.732
24	(Continued)	
29	Broadcast Licensing and Transfers	pp. 145-147, 150-153, 47 CFR §§ 73.3533-73.3538, 73.3540, 73.3541, 73.3571-73.3573, 73.3580 and 73.3584
31	(Continued)	
Feb 5	<i>Mardi Gras Holiday – No Class</i>	
7	Regulatory Fees and Broadcast License Renewal	pp. 153-158, 47 CFR §§ 1.1104 and 73.3539
12	Ownership Rules and Reports	pp. 147-150, 47 CFR §§ 73.132, 73.232, 73.658, 73.3555, 73.3613, 73.3615 and 76.501
14	(Continued)	
19	Examination #1	
21	Noncommercial Broadcast Stations	pp. 160-163, 47 CFR §§ 73.503 and 73.621
26	Equal Employment Opportunities	pp. 158-160, 47 CFR §§ 73.2080 and 73.3612-73.3613
28	(Continued)	
Mar 4	Political Broadcasts	pp. 66-79, 83-92 and 47 CFR §§ 73.1940-73.1944
6	(Continued)	
7	<i>Mid-term grading ends</i>	
11	Broadcast Operating Regulations	47 CFR §§ 73.1125, 73.1201, 73.1300, 73.1350-73.1400, 73.1520, 73.1545, 73.1560-73.1590, 73.1700-1750 and 73.1800-73.1840
13	(Continued)	47 CFR Part 11 (Subparts A, C, D and E), §§ 73.1250 and 73.1680
18	(Continued)	pp. 172-175, 47 CFR §§ 73.1202, 73.1225-73.1230, 73.1870 and 73.3526-73.3527
20	(Continued)	pp. 212-213, 217-220, 224-235, 237-240, 47 CFR §§ 73.1208, 73.1211, 73.1212, and 73.1216-73.1217
25	<i>Spring Holiday – No Class</i>	
27	<i>Spring Holiday – No Class</i>	
Apr 1	Examination #2	
3	Obscenity, Indecency, Profanity and Violence	pp. 80, 175-215, 47 CFR §§ 73.670, 73.671, 73.673 and 73.3999
8	(Continued)	
10	Children's Programming	pp. 215-217 and 235-236
15	TBA	
17	TBA	
22	Cable and Satellite Regulation	pp. 92-96, 163-168 and Chapter 4
24	Intellectual Property	Chapter 8
29	(Continued)	
May 1	Privacy and Defamation	Chapters 9, 10 and 47 CFR § 73.1206
5	Final Examination (3:00-4:50 p.m.)	