



DRAFT



CM289 Topics in Comm. & Media: Freedom of Expression Syllabus Communication, Media & Theatre Arts Department

Course Number: CM289
Credit Hours: 3 Credit Hours
Meeting Place: Online

Name: Topics — Freedom of Expression
Semester/Year: Spring 2022
Time: Asynchronous ([schedule](#))

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Office Hours
Monday: online by appointment
Tuesday: online by appointment
Wednesday: online by appointment
Thursday: online by appointment
Friday: unavailable

Texts & Readings:

- Warburton, N. (2009). *Free speech: A very short introduction*. Oxford University Press. (*required*)
 - [Can be purchased via Amazon](#)
- Silverglate, H. A., French, D. A., & Lukianoff, G. (2012). *FIRE's guide to free speech on campus* (G. Lukianoff & W. Creeley, Eds.). Foundation For Individual Rights In Education. (*required*)
 - [Can be downloaded for free via thefire.org](#)
- French, D. A. (2002). *FIRE's guide to religious liberty on campus*. Foundation For Individual Rights In Education. (*required*)
 - [Can be downloaded for free via thefire.org](#)
- Additional readings may be required and will be uploaded to LMS for your retrieval.

COURSE DESCRIPTION (*Should match the current catalog*)

This course examines free expression in various settings while using the First Amendment as the lens. What is and is not free speech will be addressed, as well as discussion about where and when certain types of speech are allowed or prohibited. By unpacking the concept of free expression, students will gain a deeper understanding of their rights and how to spot and counter attempts at suppression. Impacts of digital communication on these rights will be touched on.



PERFORMANCE OUTCOMES

Course Objective	KNW, SKL, or VAL	Activities	Assessments
Students will understand the scope, boundaries and pressures on the First Amendment with special emphasis on student expression and polarized speech.	KNW	Lectures, Readings	Writing Assignments, Projects
Students will understand the theoretical underpinnings of the First Amendment and how the courts rely on the role of the marketplace of ideas in First Amendment jurisprudence.	KNW	Lectures, Readings	Writing Assignments, Projects
Students will be able to articulate the reasons why freedom of expression is so highly treasured.	SKL	Discussion, Exercises	Writing Assignments, Projects
Students will understand the various motivations for limiting freedom of expression.	KNW	Lectures, Readings	Writing Assignments, Projects
Students will appreciate how cultural context shapes the way freedom of expression is balanced against other individual and societal interests.	KNW, SKL	Discussion, Exercises	Writing Assignments, Projects
Students will apply knowledge to analyze current freedom of expression controversies.	KNW, SKL	Discussion, Exercises	Writing Assignments, Projects
Students will be able to intelligently and coherently share their knowledge of freedom of expression with other people.	KNW, SKL	Discussion, Exercises	Writing Assignments, Projects



Connections to KSDE Standards

This course meets the following Kansas State Department of Education General Education Standards:

Standard #1 The teacher of journalism demonstrates knowledge of the history of American journalism.

Knowledge

1. The teacher understands the historical influence of journalism on American culture.
2. The teacher knows the impact that societal and technological changes have had on American journalism.
3. The teacher knows the role and responsibilities of a free press in a democratic society.

Performance

1. The teacher explains the historical influence of journalism on American culture.
2. The teacher describes how technology and social forces have changed the nature of American journalism.
3. The teacher guides the students in understanding the responsibilities of a free press.

Standard #2 The teacher of journalism demonstrates knowledge of how language and images shape thinking and behavior.

Knowledge

1. The teacher understands the rhetorical attributes of language and images.
2. The teacher knows how media messages are crafted to elicit specific behaviors.

Performance

1. The teacher guides students to be informed about media manipulative techniques.
2. The teacher guides students to be critical consumers of media.

Standard #3 The teacher of journalism demonstrates knowledge of legal and ethical issues pertaining to scholastic journalism.

Knowledge

1. The teacher knows the legal rights and ethical responsibilities of student journalists, faculty advisers, and school administrators.
2. The teacher understands legal terms applicable to scholastic journalism.
3. The teacher knows state law pertaining to scholastic journalism.
4. The teacher knows court cases that impact scholastic journalism.
5. The teacher is aware of professional resources that provide legal advice and assistance to scholastic journalism programs.

Performance

1. The teacher practices ethical decision-making as applied to scholastic journalism.
2. The teacher guides student journalists in ethical decision-making.
3. The teacher instructs students in legal terms, state law, and court cases affecting scholastic journalism.
4. The teacher adheres to laws governing scholastic journalism.

Standard #4 The teacher of journalism demonstrates proficiency in various types of journalistic writing, reporting, scriptreading, and copyediting.

Knowledge



1. The teacher defines and differentiates journalistic genres, such as news, sports, feature, and opinion articles.
2. The teacher understands the writing of journalistic devices, such as headlines and outlines.
3. The teacher knows the basics of reporting, including interviewing, researching, assessing newsworthiness, and selecting sources.
4. The teacher knows the basic techniques used for presenting stories for both radio and television.
5. The teacher knows Associated Press style and the journalistic standards governing punctuation, spelling, and English usage.

Performance

1. The teacher prepares student reporters to gather adequate and newsworthy information.
2. The teacher guides the student writing of effective journalistic genres and devices for both print and broadcast media.
3. The teacher trains students to edit copy for style, conventions, and space.

Standard #5 The teacher of journalism demonstrates proficiency with the organizational and technical aspects of scholastic journalism.

Knowledge

1. The teacher understands publication management, including finances, marketing, and circulation.
2. The teacher understands design and layout principles.
3. The teacher knows contemporary technology appropriate to scholastic journalism and broadcast media.
4. The teacher knows the basic elements of photojournalism for both print and broadcast media.
5. The teacher knows the basic elements of broadcast journalism.

Performance

1. The teacher supervises the students in devising and executing a plan to finance publications.
2. The teacher guides the staff in devising and executing a plan to maximize circulation and readership of publications.
3. The teacher instructs students in effective design and layout of school publications.
4. The teacher directs the students in the use of contemporary technology appropriate to the technical printing procedures used in the production of newspapers and the technical procedures used in both radio and television broadcasting.

Standard #6 The teacher of journalism demonstrates effective methods of teaching scholastic journalism.

Knowledge

1. The teacher knows current and proven methods of teaching scholastic journalism.
2. The teacher knows how to organize and manage school publications.
3. The teacher knows techniques for evaluating student journalistic products and performances.
4. The teacher knows how to organize and manage broadcast media.

Performance



1. The teacher applies appropriate journalism teaching methods in the classroom.
2. The teacher efficiently supervises school publications and broadcast productions.
3. The teacher establishes and applies standards for evaluating student products and performances in both print and broadcast media.

Standard #7 The teacher of journalism understands the role of media products to communicate with a variety of audiences, purposes, occasions and contexts.

Knowledge

1. The teacher is knowledgeable about various methods that can be used to create aural and visual products.
2. The teacher knows how to analyze characteristics of various methods to create media.

Performance

1. The teacher can demonstrate how to create media products, such as computer-generated graphics, two- or three-dimensional displays, and audio/video recordings.
2. The teacher can demonstrate how to create media products, such as computer applications, video and audio tapes, recordings, live presentations and props.
3. The teacher can demonstrate advanced techniques in media production, such as lighting, pacing, camera angles, transition effects, and special effects.

GRADING POLICY

Final Grades are based on the following scale:

Activity/ Assignment	Points	Percentage
Biographical Statement	10	2%
Discussion Boards (10 points each)	70	14%
Mini-Essays (20 points each)	140	28%
Case Synopsis Paper	50	10%
Current Controversy Op-Ed	50	10%
Final Project	180	36%
Total Points Possible	500	100%

Letter Grade Scheme:

A 100-94; A- 93-89; B+ 88-86; B 85-82; B- 81-79; C+ 78-76; C 75-72; C- 71-69; D+ 68-66; D 65-62; D- 61-58; F 57-0

Letter Grade Rationale:

Grade reports are provided online to students and advisers at mid-term, at the end of each semester, and at the end of the interterm period. A brief description of the letter designations (pulled from the Academic Catalog) is given below:



- A — “Superior performance of all required work, or, in some cases, performance beyond that which is actually required.”
- B — “Distinctly good work in all class requirements.”
- C — “Fairly good performance of assigned work.”
- D — “Inferior work.”
- F — “Failure to meet minimum performance requirements.”

CLASSROOM BEHAVIOR

Students are strictly forbidden from using or creating any content that is obscene, indecent, or profane as defined by the [FCC’s broadcast regulations](#).

Students are expected to adhere to the [Society of Professional Journalists Code of Ethics](#) and conduct themselves in a legal manner.

You will respect everyone’s opinions and ideas no matter how different from your own. Lack of respect toward classmates will not be tolerated.

You will also acquire and utilize all the required materials and resources. This includes, but is not limited to, writing and electronic devices, paper, textbooks, supplementary readings, other media, AP Stylebooks, et cetera.

The online learning environment includes technology, information, and people. Students should demonstrate professionalism and integrity in regard to all components of the learning environment. Given that students and instructors may be from anywhere in the world, learners should consider differences in time zones if telephone conversation is ever required.

Treating Other Students with Respect

Students should avoid inflammatory or offensive comments—which undermine the objective of a positive learning experience—in communicating with their peers. Most students want to get the most from their online course, which means that they expect their peers’ cooperation on collaborative assignments and thoughtful participation in discussion forums.

Treating Instructors with Respect

Students can show respect to instructors by reading all announcements in a timely manner, communicating in a timely fashion about problems (technological or other) that will cause work to be turned in late, and following directions.

Respect for All Parties Who Collaborate with the Institution to Create Learning Experiences

Service, observation, and clinical practice are important components of Sterling College Online programs. The organizations and employers who cooperate with Sterling College to help students succeed do so out of kindness and social responsibility; they are not required to participate in Sterling College Online learning experiences. Sterling College values the cooperation of all parties who help students learn and grow by providing observatory and hands-on experience. Students should likewise respect the contributions of such parties.



Respecting Laws Regarding Technology and Information

Students may not use or reproduce any technology or course component for financial purposes or for the purpose of defaming the institution or individuals. Online learners should use technology for the sole purpose of learning and sharing course-related information with others in the learning community.

Technology

The use of computers or tablets is vital for successful completion of this course. You will need to utilize your Internet-connected device, various online tools, and the provided Learning Management System (LMS) to complete coursework. Failure to do so will result in students not being able to pass the class. This is a technology-focused course. Being comfortable with technology and effectively using it will prove to be vital.

ATTENDANCE

Higher education is preparation for the professional realm. In a job, you have a schedule that tells you when you need to be where. There is no one holding your hand and ensuring you do what you are supposed to. Higher education works the same way. You have a class schedule, and you are in charge of addressing your responsibilities. For that reason, attendance is encouraged, but, ultimately, the onus falls upon you as the student and the higher education consumer.

Attendance is critical to understanding assignment specifications and completing this course maintaining the potential to earn an “A.” Students are encouraged to participate in all class sessions unless otherwise noted.

College students are adults and can make their own decisions. However, you are a member of a classroom community, and your behavior has a profound effect on the other members of this community. It is a matter of mutual respect and integrity. Not attending or not being prompt and attentive could be viewed as downright rude.

Students who miss class are responsible for knowing the material covered in class and for completing all assignments and exercises. Being digitally present (simply logging into the LMS) does not mean that you are in attendance. As such, if a student is in attendance, he or she does not violate classroom behavior policies or otherwise present an image of inattention.

Engagement is key.

Keep in mind, Sterling College asks all faculty members to take attendance for retention and other initiatives, so your presence or absence will be noted for each class session.

If the student feels an absence was valid and should be excused — a medical or family emergency, such as illness, hospitalization, a death, et cetera, or a school-sponsored event or activity, such as athletics, theatre, field trips, et cetera — proof and a request for an excused absence must be submitted by the student via email within 48 hours of the absence. Since school-related absences are often pre-planned, such requests for excused absences should be submitted by the student via email at least 48 hours prior to the absence.



The request for an excused absence must come from the student. Other email communications are helpful, but the students must take ownership and communicate with the professor as well.

The professor reserves the right to approve or deny any request for an excused absence based upon the available information. Under some circumstances, the professor may not mark a person absent. This would be done at the discretion of the professor.

Missing class for any reason does not grant an excuse for gaps in knowledge in this content area. Extra leniency will not be applied to essays, quizzes, tests, or assignments to compensate for missing class.

Just remember: *Any applicable attendance points cannot be made up. You make choices. You live with the consequences.*

LATE WORK

We are studying in the realm of journalism and media. Journalism and the media are deadline-driven professions. Missing a deadline is not acceptable in the professional world. Therefore, late work is not accepted in this course.

The asynchronous nature of an online course requires that assignment deadlines be absolute and participation completed by the prescribed deadlines. This allows you to work at your own pace within the confines of the deadlines, but it also means you must be diligent and keep up with the work. A lot of this will entail writing assignments and discussion boards, as well as other more course-specific work.

If an assignment is missing, it immediately becomes a zero. There are no excuses for not completing work, even in the instance of computer hardware malfunction because you should know the tools that exist and are available to you. Simply put, there is no excuse for late work or missing assignments.

The instructor has the right to amend this policy as needed or grant an extension solely at his/her discretion when circumstances of a dire nature dictate such an allowance. However, you should not count on an allowance being made.

Missed Assignments

Missed assignments cannot be made up without my approval. I will not accept assignments sent via peers. It is your responsibility to obtain any assignments, handouts and notes that you miss. I will not contact you regarding your absence.

EXTRA CREDIT

Extra credit to improve a grade is NOT an option in this course. The philosophy on this subject is that extra credit should be a reward for positive work, effort or performance. Too often, students ask for extra credit in an attempt to make up for a poor performance on an assignment or in another area of the course. Therefore, do not ask for extra credit. On extremely rare instances



(*think endangered species rare*), extra credit may be offered for different tasks and/or activities, but these will be initiated by the professor at the sole discretion of the professor. Student requests asking for extra credit will not be entertained.

READING EXPECTATIONS

This is a reading-intensive and writing-intensive course, which requires that you model said writing off of professional, industry-wide standards. As such, our applicable course text models itself towards answering the question “how” you write for each specific media. The question “what should my writings look like?” is answered through additional readings, which will be assigned (see Course Outline).

All readings are presumed to have been read before class begins unless otherwise noted. Failure to read and engage in course discussions will result in deductions from your attendance in the course. (We need your brain in the class, not just the vehicle that transported it there!)

TEACHING METHODOLOGY

We are a community of risk-takers — a teaching method and philosophy that I use to build a mindful, respectful, critical, and daring classroom climate. My teaching methods include in-class discussion, individual and group activities, media presentations, and student speeches. At times, we may encounter sensitive material, including cultural or political ideas, language, and concepts that may be uncomfortable for some. My suggestion is always to talk to ME first about what is making you uncomfortable and together, to work through the challenges you may face with mindful dialogue. I use an ONTOLOGICAL approach to teaching, which is learning by doing (first), discussing and reading (second), then reapplying and evaluating our skills (third). As such, this class might not be structured in a familiar way. I invite fun, laughter, and humor into the classroom in a variety of ways, all the while adopting a critical approach to the curriculum that is sensitive to and appreciative of our various identities.

ELECTRONIC COMMUNICATION

There are two electronic communication platforms I use that are not part of the institutional offerings. First, I will use Twitter ([@profvogts](https://twitter.com/profvogts)) to post course announcements and communications, sometimes using a hashtag comprised of the course number for this class. You can communicate with me in this fashion, especially using the direct-message functionality. This account may also be used as part of class-wide exercises and assignments when necessary. It is not my primary Twitter account, but it is the account that will be used in conjunction with my teaching. As such, it is focused on my courses and journalism and media-related issues. Second, my website (www.profvogts.com) exists as a resource for you. It has my semester schedule, copies of all my syllabi (in their most up-to-date format), various resources and materials, a form to schedule a meeting with me, and much more. Different assignments may reference files on this site, so be aware that it exists and contains information pertinent to my courses.

The institutionally provided Learning Management System (LMS) will be used for assignments, projects, exams, and other coursework. Also, announcements may be posted on the LMS from



time to time. Be sure to check the LMS often. You are encouraged to use the messaging function within the LMS to contact me as well.

Obviously I also use my institutional email account. I make a concerted effort to read and respond to email within 24 hours of receiving your message. You also may contact me via any other electronic or social media profile that I have specifically shared with you, but do not expect, necessarily, to receive a response unless it is through the institutional e-mail or a Twitter direct message (unless otherwise specified).

VIRTUAL OFFICE & MEETING WITH ME

In order to facilitate one-on-one meetings virtually, I will be using Zoom. This video conferencing service allows me to send you a link to a "room" where you and I (or multiple people) can talk face-to-face. I will not be just sitting in an empty Zoom "room" all day, though.

Instead, you need to make an appointment with me. You can do so by following this link: <https://doodle.com/mm/proftoddvogts/meet-with-me>

Once an appointment is confirmed, I will email you the Zoom link. I should get a notification about any appointments that are made, so, hopefully, I will respond quickly with the link. Just keep in mind that you need to book an appointment a day in advance so I can block out time to talk to you without interruption.

This is being offered as an option. Meeting with me this way is not required if you don't want or need to.

CONTINUING COVID-19 CLASSROOM STATEMENT

During these unprecedented times, Sterling College is taking every step possible to keep everyone safe and learning in the classroom. It is expected that all students will comply with campus policies and instructions from their professors so we can safely have face-to-face instruction. Failure to do so will result in you being asked to leave the classroom for everyone's safety.

In the event of a quarantine, virtual attendance is required unless other arrangements have been made with your professor. At such time, a detailed plan regarding logging in, assignment completion, etc., shall be determined on a case-by-case basis. Please be aware that in the event of a student illness or quarantine, you must be in contact with your professor, as symptoms allow. Like other absences, it is your responsibility to communicate with your professor and make up missed coursework.

ACADEMIC INTEGRITY

Sterling College faculty and students form an academic community committed to the Biblical principles of justice and honesty and to the core values of faith, calling, learning, integrity, service and community. With this in mind, the policy in the current Academic Catalog will be followed for this class.



FINAL EXAM POLICY

The final exam is the last meeting for all classes. Instructors are not permitted to change times for class or individual examinations. Any student who has four exams in one day may request permission from the Academic Dean to reschedule one test. Students should make travel arrangements for the end of term that will permit taking of all examinations as scheduled. For more information visit: <https://www.sterling.edu/academics/course-finals-schedule>.

ACADEMIC SUPPORT OFFICE

The Academic Support Office strives to challenge students who come from all types of academic journeys through academic mentoring with directors and SC peers. Mentoring topics include time management, study skills, testing anxiety, and more. Students struggling with certain subjects may find aid through the on-campus tutoring program (scheduled by appointment only) and 24/7 professional help via the online Tutor.com platform accessible through Canvas. The office facilitates CLEP, Accuplacer, and other SC exam proctoring. Students may contact the Academic Support Office at academicsupport@sterling.edu, or call 620-278-4463, to schedule an appointment.

STATEMENT OF NONDISCRIMINATION

Sterling College does not discriminate on the basis of race, color, national origin, sex, disability or age. The policy in the current Academic Catalog will be followed for this class.

DISABILITY ACCOMMODATIONS

Any student with a disability who may need classroom accommodations in this course should contact the Academic Support Office, located in Mabee Library. Students may email academicsupport@sterling.edu, call 620-278-4463, or stop by the office. The office serves students with a wide range of documented physical and learning disabilities.

TITLE IX STATEMENT

Sterling College is committed to providing a learning, working and living environment that promotes personal integrity, civility, and mutual respect in an environment free of sexual misconduct and discrimination. Title IX makes it clear that violence and harassment based on sex and gender are Civil Rights offenses subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. Harassment is no acceptable. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here:

- *Sterling College, Title IX Coordinator Angie Plett, Kelsey Hall #4246, or call 620-204-0025 or email titleIX@sterling.edu — <https://www.sterling.edu/title-ix>*
- *Sterling College, Counseling Services, Lydia Butner, (620) 278-4297*
- *Sterling College, Chaplain, Paul Brandes, (620) 278-4341*
- *City of Sterling, Police Department (620) 278-2100*



- 24-hour Crisis Hotline (800) 701-3630
- Sexual Assault Victim Advocate, Heather Oden (620) 278-4232
- Rice County Hospital (620) 257-5173
- Title IX Education Brochure
https://www.sterling.edu/sites/default/files/Updated%20Brochure_July%2017%2C%202020.pdf

SPECIAL INFORMATION

Dates and assignments are subject to change per instructor. I reserve the right to change any course requirements during the course of the semester due to circumstances such as school closing due to weather, illness or problems with scheduling. Students will be notified with either an announcement in class, via the LMS, via email, via @profvogts, via profvogts.com, or any combination thereof. Students are responsible for knowing the changes. An effort will be made to post a new syllabus electronically via LMS.

There may be assignments in this course where you are required to turn in your assignment to TurnItIn.com, which is a plagiarism detection service and the platform through which I will grade these assignments. In order to submit these assignments, you must register for the course at www.turnitin.com. If you already have a turnitin.com account, you may log in with that account and then enter the new class information. If you do not yet have an account, you may create one at this site: https://www.turnitin.com/newuser_join.asp. If the use of TurnItIn.com is required, more information will be given to you.

Academic Written Assignments Policy

Unless otherwise specified, all research papers or essay-orientated written work must be typed, double-spaced, Times New Roman font, size 12 point, and submitted via the LMS. Handwritten assignments will not be accepted unless otherwise specified for in-class work. All assignments are due via the LMS by the listed deadlines. I do not accept papers via email, though if you are experiencing problems submitting via the LMS, I always suggest emailing me a copy as a backup (*to show it was, in fact, submitted on time*). Students should use APA format, which means a title page and references page will be required for all assignments unless otherwise specified. The title page and references page will not count toward any word-count requirements. Please refer to the OWL Purdue website (<https://owl.english.purdue.edu/owl/resource/560/01/>) for additional help with APA style. I expect papers to be proofread, free of grammar/spelling/punctuation errors, formatted appropriately with proper citations and attributions, and to offer new/original insight free of plagiarism or other academic integrity violations that demonstrate your learning and understanding of an issue or concept.

Appropriate Research Source Material

This class may require students to find information and sources for academic papers. College-level research requires college-level sources. Appropriate sources include scholarly and peer-reviewed journal articles, scholarly books, and well-respected news magazines and newspapers. Encyclopedia articles are acceptable only for background information and are not to be cited in your paper. Likewise, Wikipedia or random blogs on Wordpress, Blogger, Medium, et cetera, are acceptable only for background information and are not to be cited in your paper. The



institution's library offers a large number of appropriate sources. Find indexes to journal, newspaper, and encyclopedia articles at the “Journal Articles” tab listed under the “by title” or “by subject” links. Librarians are available to assist students in selecting and locating appropriate sources.

SPECIFIC EXPLICATIONS & EXPECTATIONS

Freedom of expression is at once a philosophical idea, a legal tradition, and a historical struggle. Therefore, we must explore the multiple dimensions of free expression as a moral and political entity because it is a valued principle that is foundational to our country and society. It is enshrined in the First Amendment of the United State Constitution:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Often, those words are described as America’s most important contribution to democracy. Without them, American citizens would not have the right to speak their minds. We have these rights due to the foresight of the founders of this country. Still, free expression has not always been protected or supported by citizens.

In fact, discussions of free expression and free speech produce hotly contested debates. Of course, being able to take part in discursive acts — such as discussions, dialogues, deliberations, debates, demonstrations, protests, publications, art, and more — is foundational to our social and civic engagement. Social capital, which is a web of mutual trust and cooperation derived from participation in community groups and organizations.¹ In order to be productive members of society, we must have social capital that allows us to civically engage with our communities. As Marty Linsky — a professor at Harvard University Kennedy School of Government and co-founder of an international organization aimed at developing leadership called the Cambridge Leadership Associates — made clear, democracy can’t function without an informed and engaged citizenry.²

That’s why it is important to understand the concepts of free speech, a free press, and religious freedom. We need to know what kinds of activity, whether political or otherwise, count as “speech” through investigations of legitimate limits of freedom of expression in cases where it conflicts with other rights. We need to know how these activities are made to be more or less “free” while considering why the preservation of such freedoms are important. By understanding the historical struggles and causes that the idea of freedom of expression have been developed in and through, we can gain a deeper understanding of this foundational right that is shaped by society and can come into conflict with other societal values.

As such, this course examines the First Amendment's protection of freedom of speech, of the press and of religion and its role as a cornerstone of American democracy. The course will explore the philosophical justifications of the right to freedom of expression. Students will study

¹ Putnam, R. D. (2001). *Bowling Alone: The collapse and revival of American community*. Simon & Schuster.

² Chrislip, D. D., & O'Malley, E. (2013). *For the common good: Redefining civic leadership*. KLC Press.



the major pieces of legislation and foundational U.S. Supreme Court cases that have defined and carved out these freedoms in our society. They will learn how to analyze legal and moral arguments. They will also develop an understanding of the political, religious, cultural and philosophical conflicts surrounding the exercise of First Amendment freedoms. Special emphasis will be given to contemporary cases concerning free expression, defamation, invasion of privacy, hate speech, the right to protest, obscenity and regulation of online expression.

Students will be exposed to the historical roots and philosophical interpretations of free expression. The course will discuss ideas and controversies such as, but not limited to, sedition, libel and slander, privacy issues, flag burning, hate speech, lying and the law, obscenity and pornography, symbolic speech, hate speech, artistic expression, offense to religion and academic freedom, and the impact of technology on First Amendment freedoms.

The technological aspect is particularly important in this day and age. With the radio, television, the internet, and streaming services, there is an abundance of media outlets and platforms through which discourse can be exchanged. Undoubtedly, the authors of the Constitution did not have the internet in mind when drafting the First Amendment, but it is the reality of our time.

After all, communication is all around us. In this digital age, the platforms for individuals to share their personal stories, thoughts, and opinions themselves are innumerable. Such tools have changed the dynamic of journalists being gatekeepers, or the people who get to decide what information is disseminated to the public.³ Now anyone can share information with the world with the ease of sending a Tweet.⁴ That's why the special relationship between communication studies and the study of free expression and the First Amendment will be explored as part of this course.

Course Methodology

In order to accomplish this inquiry into freedom of expression, we will utilize two approaches: consumption and creation.

First, we will consume content. Students will be required to read from the required text and from other provided readings, such as book excerpts, academic journal articles, news articles, and court cases. For each module, there will be lectures discussing the topics of the course. These will be provided via three mediums: written transcripts, videos and podcasts. Each lecture will be made with a video recording that will be available via YouTube and on the LMS. A transcript of the lecture will be available via the LMS, and the audio from the video will be made into a podcast that can be found on the LMS and at <https://anchor.fm/cm289-freedom-of-expression> (as well as many podcasting platforms).

In addition to the readings, other types of content will be included for consumption on occasion. These could include movies, documentaries, podcasts, news broadcasts, or anything else that pertains to the subject matter.

³ DeJuliis, D. (2015). Gatekeeping Theory from Social Fields to Social Networks. *Communication Research Trends*, 34(1), 4–23.

⁴ Paskin, D. (2018). News publishing across platforms: Gatekeeping for print, web, Facebook and Twitter. *Newspaper Research Journal*, 39(4), 376–388. <https://doi.org/10.1177/0739532918806897>



All readings or other forms of consumption must be done by the prescribed deadlines according to the [course schedule](#).

Then, we will create meaning. Students will do this by taking part in discussions, writing assignments, and other projects.

During the first portion of each module, students will participate in discussion boards. This is a time to explore ideas and perspectives. Students will be encouraged to “rent” ideas and see what “fits” and what doesn’t.

Having had time to think through the concepts being discussed, students will produce a mini-essay during the second portion of each module. In these writing assignments, students will take a stand by sharing how they view the topics of freedom of expression. They will need to support their opinions and make a case for why they believe what they believe, which is in and of itself an exercise of expression. Of course, as the course progresses, students may change their opinions, and that is acceptable and expected because evolution of thought is encouraged and welcomed. If and when that happens, students should address it in their essays.

Periodically throughout the course, students will also be given the opportunity to demonstrate their understanding through written assignments (such as case briefs, research papers, or opinion-orientated writings), as well as multimedia assignments (such as presentations, podcasts, or videos).

There will be no typical exams or quizzes. The goal of this class is to encourage critical thinking and logical reasoning. Students will need to be able to show what they have learned through synthesis, not simply regurgitate facts to answer multiple-choice or similar-type questions.

The design of this course is to create a learning community where students support and assist each other in the learning of these concepts. We are creating a safe space for exploration of thoughts and ideas. As such, students should plan to adjust their study habits to accommodate this type of workload, especially if they hope to achieve an above-average grade.

Assignment Details *(applicable rubrics provided with project descriptions)*

1.) Biographical Statement (10 points) — To help everyone become familiar with one another's interests, experiences, and perspectives, students will write a short (2-4 pages) biographical statement that includes a summary of who they are. This statement should include a brief review of previous education and work experiences, what led you to study at Sterling College, where you are in your, why you are taking this class, what you hope to do after leaving Sterling College, and how you currently define freedom of expression. This writing will be shared with the rest of the class as a form of introduction to each other. You are encouraged, but not required, to include a photo of yourself so names and faces can be put together *(it is helpful to be able to “see” each other as real-life humans who have unique perspectives, experiences, feelings, et*



*cetera . . . especially as lively discussions and debates might come up during the course of this class).*⁵

2.) Discussion Boards (10 points per instance x 7 instances = 70 points) — Students are required to post to the discussion board regularly. These posts should include — at a minimum — one primary post about the topic assigned for the module (assuming weekly modules, posted by Wednesday night), and two responses to your classmates’ posts (assuming weekly modules, posted by Sunday night). All posts must be written using good grammar and writing conventions.

Each primary post should be at least 300 words long, providing in-depth thought and analysis of the topics being focused on. Students also need to include at least one active link to an outside resource related to their discussion. These resources can include scholarly journal articles, newspaper articles, and other online sources. In addition to including the link, they need to discuss why they are including it — explain the context.

Each response post should be at least 150 words long. Students need to contribute to the discussion. Just saying they agree or disagree or like what they had to say or anything else just as superficial will not count. Again, in-depth thought and analysis is required. Students must explore what their classmates are saying and see if their opinions and perspectives align with their own. Use this as an opportunity to gain deeper understanding in a dialogical setting.

These are the minimum requirements. Those looking to earn more than a passing grade on discussion should post more often.

3.) Mini-Essays (20 points per instance x 7 instances = 140 points) — Students are required to regularly write and share their thoughts about course topics. These writings will cover a given topic assigned for the module. All writing responses must be written using good grammar and writing conventions, adhering to the “[Academic Written Assignments Policy](#).”

Each mini essay should be at least 600 words long, providing in-depth thought and analysis of the subjects being covered in the prompt and in the class overall. The assigned text(s) of the class should be included/cited within the writing. You also need to include/cite at least one outside source related to your discussion. These sources can include scholarly journal articles, newspaper articles, and other online sources. In addition to including/citing the source within your writing, you need to discuss why you are including it — explain the context.

These are the minimum requirements. Those looking to earn more than a passing grade should go above and beyond these parameters. Scores will be determined based upon [this rubric](#).

4.) Case Synopsis Paper (50 points) — In order to gain exposure to the actual decisions of the Supreme Court, students will provide a synopsis and analysis of a Supreme Court case on freedom of expression (*free speech, free press, freedom of religion, etc*).

⁵ This assignment is inspired by an exercise created by Timothy Shaffer, Ph.D., from Kansas State University.



Such cases can be found at www.oyez.org, where the actual oral arguments can also be listened to. Students do not have to select a case that has been or will be covered in the class (*though that is encouraged*) as long as it fits the parameters of the assignment.

This paper should include the following:

1. An introduction of the case and issues involved.
2. What communication by the defendant led to his or her conviction?
3. What test did the Court use to decide if the defendant's conviction was constitutional? What reasons did the Court give for employing the test?
4. How did the Court apply the test to the defendant's communication to decide if the defendant's free expression rights were violated?
5. If there was a dissent, what reasons did the dissenters give for disagreeing with the majority decision?
6. What cases did the majority (and the dissent, if applicable) find to be most persuasive in justifying their decision?
7. Did the Court get the decision right and what are the implications of this decision?
8. **ADDITIONALLY**: Students should include the citation for the case (ex: 355 U.S. 433), the decision of the Court (ex: 5-4, 9-0) and at least two additional outside sources that provide further background or other information concerning the case.

This paper needs to be between three (3) and six (6) pages long and must be written using good grammar and writing conventions, adhering to the "[Academic Written Assignments Policy](#)." Students are encouraged to discuss potential topics with the instructor prior to completing this assignment in order to ensure they are on the right track. Scores will be determined based upon [this rubric](#).

5.) Current Controversy Op-Ed (50 points) — The purpose of this assignment is to explore aspects of free expression. Students will write an editorial that provides an overview of a current and relevant controversy in the realm of freedom of expression. They will provide an overview of the current issue, highlighting the genesis of the controversy and pointing to specific principles that are at stake. Attention must be paid to relevant precedents in free expression law. Then they will provide and support their own thoughts and position as they defend their beliefs regarding whether and how the form of expression being discussed should be viewed, treated and regulated in the United States, being sure to analyze how the controversy is likely to be resolved.

An op-ed is an essay intended for publication opposite the editorial page of a newspaper. Scores of submissions come in to a newspaper – The Washington Post receives more than 400 every day of the week and prints two or three per day maximum. For this assignment, students will write a 750-1,500-word op-ed addressing the assigned topic. An op-ed is a focused opinion piece. It loves blunt opinion, advocacy, denunciation, outrage, astonishment—all the heavy emotions. Editors want to create buzz. They want people to say, "Wow! Did you see that op-ed today?" Failing that, they want to elicit a "Hmm. That's amazing/fascinating/outrageous." They want to be leaders in shaping public debate, and students will do best by joining in that goal. As such, it must be generally structured as follows:

1. A provocative idea on any subject.



2. A sharp opinion on a current issue that is controversial, unexpected, authoritative, and/or newsworthy.
3. A call to action on a neglected subject.
4. A new or unexpected slant on a current issue.
5. Bite and wit on a current issue.

As mentioned previously, this paper needs to be 750-1,500 words long and must be written using good grammar and writing conventions, adhering to persuasive journalistic style — 1-2 sentences per paragraph, tight and concise writing, active voice, Associated Press (AP) Style, et cetera.

Successful op-eds will cite information from the pertinent readings, news articles appearing in reputable news outlets, and relevant court cases. There should be at least three (3) sources cited/referenced in the writing (*ex: According to New York Times reporter Todd Vogts, the case centers on . . .*). Scores will be determined based upon [this rubric](#).

Students are encouraged to discuss potential topics with the instructor prior to completing this assignment in order to ensure they are on the right track. After revision students might consider submitting their op-ed to an appropriate newsoutlet.

6.) Final Project (180 points) — The purpose of this assignment is to showcase what has been learned. Students will produce a work of media performance regarding freedom of expression. This is an opportunity for students to demonstrate their understanding and application of course concepts as gleaned from discussions, readings, and experience with the law and the First Amendment.

The scholars and authors read in class utilize various concepts, theories, and/or performative metaphors to illuminate freedom of expression issues in relationship to society, the media, college campuses and more. Students will add their voices to these discussions with an exploration of a disciplinary area of freedom of expression that interests and affects them deeply.

To accomplish this goal, students will produce an audio podcast using the [Anchor.fm](#) platform. After creating a free account, this service allows students to produce podcasts via a web browser or an application on their mobile device (*phone or tablet*) that will then be distributed to most major podcasting platforms (*iTunes, Spotify, Stitcher, et cetera*). This limits the need for “professional” audio equipment, though care should be taken to ensure good audio is recorded. For example, sitting in a vehicle with windows and doors closed and the engine off creates a good recording space as it is relatively soundproof and eliminates unwanted background noise that comes from normal room atmosphere (*you can usually hear something as quiet as air coming out of a room’s ductwork*).

The podcast needs to be a 15-30 minute recorded episode. There should be at least five (5) sources cited/referenced in the writing (*ex: According to New York Times reporter Todd Vogts, the case centers on . . .*). An appropriate title for the podcast should be developed (*more than just “final project” or anything that is similarly reductive*). Along with that, a podcast logo needs to be included. This can be created using the tools Anchor provides, or you can use the “logo”



templates found on [Canva](#). Should students want to include music for their intros and outros, they are welcome to. They must either use the clips provided by Anchor or other royalty-free options, such as [pixabay.com/music](#). Inclusion of copyrighted material in the podcast will result in a large deduction of the overall grade.

Again, the goal of this assignment is for students to share what they have learned by evangelizing and promoting some aspect of freedom of expression, whether in support or restraint of the concept. Furthermore, a portion of the podcast (*no more than a few minutes*) should include a reflection on the course and how each student's view of freedom of expression has evolved, taking into consideration the positions expressed at the start of the course in their Biographical Statements.

Scores will be determined based upon [this rubric](#).



COURSE SCHEDULE

The instructor reserves the right to make changes to the schedule or adjust the course outline to meet important needs as deemed necessary or reasonable. Any changes will be announced in class; students who are absent are responsible to become informed of such changes/adjustments. Any changes will be made first on the provided LMS and then on the syllabus, which can be found on the [live syllabi page](#) of the professor's website.

SECTION	CONSUMING/WRITING/EXERCISING/COMPLETING
<p>MODULE #01: Philosophy of Freedom of Expression</p> <p>Week 01 — 1/10-1/16</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Warburton: Chapters 1 & 2 [48 pgs] ○ Mill: Chapters 1 & 2 [49 pgs] ○ So To Speak: John Stuart Mill's 'On Liberty' [87 min] ● Writing: <ul style="list-style-type: none"> ○ Module 01 Discussion Board (<i>due 11:55 p.m., 1/16</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ Biographical Statement (<i>due 11:55 p.m., 1/16</i>)
<p>MODULE #01: Philosophy of Freedom of Expression</p> <p>Week 02 — 1/17-1/23</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Bunker: chapter 1 [18 pgs] ○ Fraser: ReThinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy [7 pgs] ○ Habermas: The Public Sphere An Encyclopaedia Article [8 pgs] ○ Silverglate, French, & Lukianoff: Introduction [25 pgs] ○ So To Speak: There's no such thing as free speech, argues Stanley Fish [71 min] ● Writing: <ul style="list-style-type: none"> ○ Mini-Essay 01 (<i>due 11:55 p.m., 1/23</i>) ● Exercises/Activities: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p>MODULE #02: Foundations of Free Expression in the U.S.</p> <p>Week 03</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Silverglate, French, & Lukianoff: The Basics [118 pgs] ● Writing: <ul style="list-style-type: none"> ○ Module 02 Discussion Board (<i>due 11:55 p.m., 1/30</i>) ● Exercising:

<p style="text-align: center;">— 1/24-1/30</p>	<ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p style="text-align: center;">MODULE #02: Foundations of Free Expression in the U.S.</p> <p style="text-align: center;">Week 04 — 1/31-2/6</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ So To Speak: The life of Louis Brandeis w/ Jeffrey Rosen [64 min] ○ So To Speak: “The Great Dissent” w/ Professor Thomas Healy [63 min] ○ Schenck v. United States (1919) [Oyez] ○ Whitney v. California (1927) [Oyez] ○ Near v. Minnesota (1931) [Oyez] ○ Brandenburg v. Ohio (1969) [Oyez] ● Writing: <ul style="list-style-type: none"> ○ Mini-Essay 02 (<i>due 11:55 p.m., 2/6</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p style="text-align: center;">MODULE #03: Hate Speech</p> <p style="text-align: center;">Week 05 — 2/7-2/13</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Warburton: Chapter 3 [16 pgs] ○ Calvert: Hate Speech and Its Harms [16 pgs] ○ Carlson: Hate speech as a structural phenomenon [9 pgs] ○ Johnson et al.: Boundaries of Hate [17 pgs] ○ Lewis: Chapter 10 [10 pgs] ○ Rosenberg: Chapter 9 [23 pgs] ○ Conversations at the Schoolhouse Gate: Hate speech as free speech -- some thoughts for student media [20 min] ○ R.A.V. v. St. Paul (2009) [Oyez] ○ Snyder v. Phelps (2011) [Oyez] ● Writing: <ul style="list-style-type: none"> ○ Module 03 Discussion Board (<i>due 11:55 p.m., 2/13</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p style="text-align: center;">MODULE #03: Hate Speech</p> <p style="text-align: center;">Week 06 — 2/14-2/20</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Strossen: Introduction and Chapters 1-4 [104 pgs] ○ So To Speak: ‘HATE’ with Nadine Strossen [84 min] ● Writing: <ul style="list-style-type: none"> ○ Mini-Essay 03 (<i>due 11:55 p.m., 2/20</i>)

	<ul style="list-style-type: none"> ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p>MODULE #04: Offensive Expression</p> <p>Week 07 — 2/21-2/27</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ 2019 State of the First Amendment report [22 pgs] ○ Warburton: Chapter 4 [21 pgs] ○ Rosenberg: Chapters 6-8 [48 pgs] ○ Hidden Brain: Rap on Trial [57 min] ● Writing: <ul style="list-style-type: none"> ○ Module 04 Discussion Board (<i>due 11:55 p.m., 2/27</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ Case Synopsis Paper (<i>due 11:55 p.m., 2/27</i>)
<p>MODULE #04: Offensive Expression</p> <p>Week 08 — 2/28-3/6</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Leung & Wan: Constructing the Meaning of Obscenity [16 pgs] ○ Sunstein: Democracy and the problem of free speech [16 pgs] ○ Offensive Speech and the First Amendment [93 min] ○ Chaplinsky v. New Hampshire (1942) [Oyez] ○ Ginsberg v. New York (1968) [Oyez] ○ United States v. O'Brien (1968) [Oyez] ○ Cohen v. California (1971) [Oyez] ○ Miller v. California (1973) [Oyez] ○ New York v. Ferber (1982) [Oyez] ○ Texas v. Johnson (1989) [Oyez] ● Writing: <ul style="list-style-type: none"> ○ Mini-Essay 04 (<i>due 11:55 p.m., 3/6</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p>MODULE #05: Student Rights</p> <p>Week 09 — 3/7-3/13</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Silverglate, French, & Lukianoff: Free Speech on Today's Campuses [70 pgs] ○ Chemerinsky & Gillman: Free speech on campus [146 pgs] ● Writing:

	<ul style="list-style-type: none"> ○ Module 05 Discussion Board (<i>due 11:55 p.m., 3/13</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
Week 10 — Spring Break (March 14-20, 2022)	
<p>MODULE #05: Student Rights</p> <p style="text-align: center;">Week 11 — 3/21-3/27</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Silverglate, French, & Lukianoff: Conclusion [6 pgs] ○ Deal: Student government-led task force to review paper at Wichita State [SPLC] ○ Beder: Wichita State promises paper will get its funds; task force to continue review this fall [SPLC] ○ Greschler & Potter: Wichita State University President John Bardo approves major cuts to student paper, The Sunflower [SPLC] ○ Vogts: Supreme Court rules in favor of students, First Amendment rights [link] ○ Journalism History: Covering the Kent State shooting [41 min] ○ So To Speak: From black armbands to the U.S. Supreme Court [29 min] ○ Conversations at the Schoolhouse Gate: A Cheerleader, the F-Bomb and Student Expression [26 min] ○ The Daily: A Cheerleader, a Snapchat Post and the Supreme Court [28 min] ○ West Virginia State Board of Education v. Barnette (1943) [Oyez] ○ Bethel School District No. 403 v. Fraser (1986) [Oyez] ○ Tinker v. Des Moines Independent Community School District (1969) [Oyez] ○ Hazelwood School District v. Kuhlmeier (1988) [Oyez] ○ Morse v. Frederick (2007) [Oyez] ○ Mahanoy Area School District v. B.L. (2021) [Oyez] ● Writing: <ul style="list-style-type: none"> ○ Mini-Essay 05 (<i>due 11:55 p.m., 3/27</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p>MODULE #06: Religious Expression</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast

<p>Week 12 — 3/28-4/3</p>	<ul style="list-style-type: none"> ○ French: FIRE’s guide to religious liberty on campus [90 pgs] ○ Mislin: The messy reality of religious liberty in America [The Conversation] ○ Mislin: Why the Supreme Court’s “gay wedding cake” ruling won’t resolve religious freedom issues [The Conversation] ○ Russell-Kraft: Are abortion rights a matter of religious freedom? [The Atlantic] ○ Religious Liberty: Landmark Supreme Court Cases [Bill of Rights Institute] ○ Concerned Women for America, Inc. v. Lafayette County (1989) [Justia] ○ Lamb's Chapel v. Center Moriches Union Free School Dist. (1993) [Oyez] ● Writing: <ul style="list-style-type: none"> ○ Module 06 Discussion Board (<i>due 11:55 p.m., 4/3</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a
<p>MODULE #06: Religious Expression</p> <p>Week 13 — 4/4-4/10</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Smith: The Rise and Fall of Religious Freedom in Constitutional Discourse [93 pgs] ○ Kazyak & Burke: Nebraskans who support and oppose “religious freedom” laws actually share many of the same values [The Conversation] ○ Laycock: What’s the law on vaccine exemptions? A religious liberty expert explains [The Conversation] ○ Laycock: How the Satanic Temple is using “abortion rituals” to claim religious liberty against the Texas’ “heartbeat bill” [The Conversation] ○ Wooley v. Maynard (1977) [Oyez] ○ Board of Education of Westside Community Schools v. Mergens By and Through Mergens (1990) [Oyez] ○ Burwell v. Hobby Lobby Stores (2014) [Oyez] ○ Holt v. Hobbs (2015) [Oyez] ● Writing: <ul style="list-style-type: none"> ○ Mini-Essay 06 (<i>due 11:55 p.m., 4/10</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ n/a

<p>MODULE #07: Technology & The Press</p> <p>Week 14 — 4/11-4/17</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Warburton: Chapter 5 and Conclusion [23 pgs] ○ Foster: No Neutrality - Hobbesian Constitutionalism in the Internet Age [33 pgs] ○ Rosenberg: Chapter 10 [14 pgs] ○ The Daily: A Partisan Future for Local News? [34 min] ● Writing: <ul style="list-style-type: none"> ○ Module 07 Discussion Board (<i>due 11:55 p.m., 4/17</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ Current Controversy Op-Ed (<i>due 11:55 p.m., 4/17</i>)
<p>MODULE #07: Technology & The Press</p> <p>Week 15 — 4/18-4/24</p>	<ul style="list-style-type: none"> ● Consuming: <ul style="list-style-type: none"> ○ Lecture: video transcript podcast ○ Bybee & Jenkins: Free speech, free press, and fake news: What if the marketplace of ideas isn't about identifying the truth? [22 pgs] ○ On the Media: A New First Amendment [12 min] ○ On the Media: To Name, or Not to Name [22 min] ○ The New York Times Co. v. Sullivan (1964) [Oyez] ○ New York Times Co. v. United States (1971) [Oyez] ○ Gertz v. Robert Welch, Inc. (1974) [Oyez] ○ Hustler Magazine, Inc. v. Falwell (1988) [Oyez] ● Writing: <ul style="list-style-type: none"> ○ Mini-Essay 07 (<i>due 11:55 p.m., 4/24</i>) ● Exercising: <ul style="list-style-type: none"> ○ n/a ● Completing: <ul style="list-style-type: none"> ○ Final Project (<i>due 11:55 p.m., 4/24</i>)



APPENDICES

Rubrics and Other Support Materials



Supplemental Readings

This list includes the references for the readings that are assigned and provided via the LMS.

Beder, M. (2008, May 9). Wichita State promises paper will get its funds; task force to continue review this fall. *Student Press Law Center*.

<https://splc.org/2008/05/wichita-state-promises-paper-will-get-its-funds-task-force-to-continue-review-this-fall/>

Bunker, M. D. (2001). *Critiquing free speech: First Amendment theory and the challenge of interdisciplinarity*. Lawrence Erlbaum Associates.

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Calvert, C. (2006). Hate Speech and Its Harms: A Communication Theory Perspective. *Journal Of Communication*, 47(1), 4-19. <https://doi.org/10.1111/j.1460-2466.1997.tb02690.x>

Carlson, C. R. (2020). Hate speech as a structural phenomenon. *First Amendment Studies*, 54(2), 217-224. <https://doi.org/10.1080/21689725.2020.1837649>

Chemerinsky, E., & Gillman, H. (2017). *Free speech on campus*. Yale University Press.

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Foster, J. C. (2020). No neutrality: Hobbesian constitutionalism in the internet age. In H. J. Knowles & B. T. Metroka (Eds.), *Free Speech Theory: Understanding the Controversies*. Peter Lang Publishing, Inc.

Greschler, G., & Potter, T. (2018, March 2). Wichita State University President John Bardo approves major cuts to student paper, The Sunflower. *Student Press Law Center*.

<https://splc.org/2018/03/sunflower-proposed-funding-cuts/>

Gripsrud, J., Moe, H., Molander, A., & Murdock, G. (Eds.). (2010). *The idea of the public*. Lexington Books.



Johnson, B. G., Thomas, R. J., & Kelling, K. (2021). Boundaries of Hate: Ethical Implications of the Discursive Construction of Hate Speech in U.S. Opinion Journalism. *Journal of Media Ethics*, 36(1), 20-35. <https://doi.org/10.1080/23736992.2020.1841643>

Kazyak, E., & Burke, K. (2018, February 28). Nebraskans who support and oppose “religious freedom” laws actually share many of the same values. *The Conversation*. <https://theconversation.com/nebraskans-who-support-and-oppose-religious-freedom-laws-actually-share-many-of-the-same-values-90888>

Laycock, D. (2021, September 15). What’s the law on vaccine exemptions? A religious liberty expert explains. *The Conversation*. <https://theconversation.com/whats-the-law-on-vaccine-exemptions-a-religious-liberty-expert-explains-166934>

Laycock, J. P. (2021, September 22). How the Satanic Temple is using “abortion rituals” to claim religious liberty against the Texas’ “heartbeat bill.” *The Conversation*. <https://theconversation.com/how-the-satanic-temple-is-using-abortion-rituals-to-claim-religious-liberty-against-the-texas-heartbeat-bill-167755>

Leung, J., & Wan, M. (2012). Constructing the Meaning of Obscenity: An Empirical Investigation and an Experientialist Account. *International Journal for the Semiotics of Law*, 25(3), 415–430. <https://doi.org/10.1007/s11196-011-9251-8>

Lewis, A. (2009). *Freedom for the thought that we hate: A biography of the First Amendment*. Basic Books.

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Rosenberg, I. (2021). *The fight for free speech: Ten cases that define our First Amendment freedoms*. New York University Press.

Russell-Kraft, S. (2016, March 3). Are abortion rights a matter of religious freedom? *The Atlantic*. <https://www.theatlantic.com/politics/archive/2016/03/abortion-rights-a-matter-of-religious-freedom/471891/>



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Helpful Resources

This list will be updated frequently as useful pieces of information or tools come to light.

Suggested Readings:

- Lukianoff, G. (2014). *Unlearning liberty: Campus censorship and the end of American debate*. Encounter Books.
 - [purchase via Amazon.com](#)
- Woodward, B., & Bernstein, C. (2014). *All the President's Men* (40th anniversary). Simon & Schuster Paperbacks.
 - [purchase via Amazon.com](#)

Online Resources:

- American Civil Liberties Union
 - [aclu.org](#)
- The Foundation for Individual Rights in Education
 - [thefire.org](#)
- [Justia](#) (*provides with open and free access to the law*)
- [Oyez](#) (*a multimedia archive devoted to making the Supreme Court of the United States accessible to everyone*)
- National Association for the Advancement of Colored People
 - [naacp.org](#)
- The Southern Poverty Law Center
 - [splcenter.org](#)
- The Student Press Law Center
 - [splc.org](#)

SCORING RUBRICS

Freedom of Expression: Mini-Essays

	Excellent <i>(100%)</i>	Above Average <i>(85%)</i>	Average <i>(75%)</i>	Poor <i>(65%)</i>	Absent <i>(0%)</i>
Writing/ Grammar <i>(5 points)</i>	Student has zero grammatical and/or conventional errors present within the writing. AP Style is followed perfectly.	Student has 1-5 grammatical and/or conventional errors present within the writing. Article only contains minor AP Style errors.	Student has 6-10 grammatical and/or conventional errors present within the writing. Article contains several AP Style errors.	Student has 11-15 grammatical and/or conventional errors present within the writing. Article contains numerous AP Style errors.	Student has 16 or more grammatical and/or conventional errors present within the writing. AP Style is not followed at all.
Source Material & Organization/ Structure <i>(5 points)</i>	Student clearly uses 2 primary outside sources to inform the writing. Student has a clear <u>introduction</u> to the topic. Student uses <u>transitions</u> to allow paper to flow from one point to the next. There is a <u>logical order and structure</u> in which information is given, following the tenets of journalistic writing. All <u>required components</u> are included. Length requirement met.	Student clearly uses 2 primary outside sources to inform the writing. While it is clear that the student has made attempts in each of the four areas listed in the first column, mastery of all was not met. Length is 5-10 words too long or short.	Student clearly uses 1 primary outside source to inform the writing. Student attempts to meet 3 of the four areas listed in the first column, mastery of all was not met. Length is 10-20 words too long or short.	Student clearly uses 1 outside sources to inform the writing. The source is not a primary source. Student attempts to meet 2 of the four areas listed in the first column, mastery of all was not met. Length is 20-30 words too long or short.	Student uses no sources to inform the writing. Student has made no attempt to organize their paper. There is no structure to the paper. Length is more than 30 words too long or short.
Analysis <i>(10 points)</i>	Student has a thorough and detailed examination of the elements AND structure of their topic. Student focuses on the minutiae of the topic and relates this to the inner workings and trends of the issue.	Student has an examination of the elements OR structure of their topic, but it lacks in-depth considerations regarding the minutiae of the topic as it relates this to the inner workings and trends of the issue.	Student has few details examining the elements OR structure of their topic, and it lacks depth in looking at the inner workings and trends of the issue.	Student provides only minor details examining the elements OR structure of their topic, and it provides no depth regarding the trends of the issue.	Student has no details examining the elements OR structure of their topic. Student lacks focus on the minutiae of the topic and relates this to the inner workings and trends of the issue.
TOTAL SCORE				_____ / 20 points	



SCORING RUBRICS

Freedom of Expression: Case Synopsis Paper

	Excellent (100%)	Above Average (85%)	Average (75%)	Poor (65%)	Absent (0%)
Writing/ Grammar (10 points)	Student has zero grammatical and/or conventional errors present within the writing.	Student has 1-5 grammatical and/or conventional errors present within the writing.	Student has 6-10 grammatical and/or conventional errors present within the writing.	Student has 11-15 grammatical and/or conventional errors present within the writing.	Student has 16 or more grammatical and/or conventional errors present within the writing.
Source Material (10 points)	Student clearly uses 3 outside scholarly sources to inform the paper.	Student clearly uses 2 outside scholarly sources to inform the paper..	Student clearly uses 1 outside scholarly sources to inform the paper.	Student clearly uses 1 outside source to inform the paper. It is not scholarly.	Student uses no source material to inform the paper.
Analysis (15 points)	Student has a thorough and detailed examination of the elements AND structure of their topic. Student focuses on the minutiae of the topic and relates this to the inner workings and trends of the issue.	Student has an examination of the elements OR structure of their topic, but it lacks in-depth considerations regarding the minutiae of the topic as it relates this to the inner workings and trends of the issue.	Student has few details examining the elements OR structure of their topic, and it lacks depth in looking at the inner workings and trends of the issue.	Student provides only minor details examining the elements OR structure of their topic, and it provides no depth regarding the trends of the issue.	Student has no details examining the elements OR structure of their topic. Student lacks focus on the minutiae of the topic and relates this to the inner workings and trends of the issue.
Organization (5 points)	Student has a clear <u>introduction</u> to the topic. Student uses <u>transitions</u> to allow paper to flow from one point to the next. There is a <u>logical order and structure</u> in which information is given.	While it is clear that the student has made attempts in each of the three areas listed in the first column, mastery of all three was not met.	Student attempts to meet 2 of the three areas listed in the first column, mastery of all three was not met.	Student attempts to meet 1 of the three areas listed in the first column, mastery of all three was not met.	Student has made no attempt to organize their paper. There is no structure to the paper.
Formatting/ Citations (10 points)	Student has clearly adhered to APA style. This includes proper title page, properly formatted headings when necessary, in-text citations, and references page.	While it is clear that the student has made attempts in each of the areas listed in the first column, mastery of all was not met.	Student attempts to adhere to all style requirements, but 2 component was not formatted properly.	Student attempts to adhere to all style requirements, but 3 component was not formatted properly.	Student has demonstrated no attempt to properly format the paper using APA style.
TOTAL SCORE				_____ / 50 points	



SCORING RUBRICS

Freedom of Expression: Current Controversy Op-Ed

	Excellent <i>(100%)</i>	Above Average <i>(85%)</i>	Average <i>(75%)</i>	Poor <i>(65%)</i>	Absent <i>(0%)</i>
Writing/ Grammar <i>(10 points)</i>	Student has zero grammatical and/or conventional errors present within the writing. AP Style and journalistic structure is followed perfectly.	Student has 1-5 grammatical and/or conventional errors present within the writing. Article only contains minor AP Style and/or journalistic structure errors.	Student has 6-10 grammatical and/or conventional errors present within the writing. Article contains several AP Style and/or journalistic structure errors.	Student has 11-15 grammatical and/or conventional errors present within the writing. Article contains numerous AP Style and/or journalistic structure errors.	Student has 16 or more grammatical and/or conventional errors present within the writing. AP Style and/or journalistic structure is not followed at all.
Main Opinion and Guidance <i>(10 points)</i>	The op-ed gives an opinion on a topic relevant to the newspaper's audience. It suggests a course of action, or points out something that those reading can take some action on.	The op-ed gives an opinion on a topic relevant to the audience. However, the suggested course of action doesn't seem plausible.	The op-ed gives an opinion on a topic relevant to the audience, but it doesn't suggest a course of action or make a suggestion to the readers.	The op-ed does not give a clear opinion on a topic relevant to the audience. It attempts to suggest a course of action or make a suggestion, but it is muddled.	The op-ed is not an opinion, or the topic is not something people reading the paper have any control over.
Organization <i>(10 points)</i>	The op-ed includes at least three reasons for the main opinion, each covering different aspects of the subject. It has a clear introduction, body and conclusion.	The op-ed includes two reasons for the main opinion, each covering different aspects of the subject. An introduction, body and conclusion are present.	The op-ed includes one reason for the main opinion. It has an introduction, body and conclusion, but one of those parts is incomplete.	The op-ed includes no reason for the main opinion. It has an introduction, body and conclusion, but one of those parts is incomplete.	The op-ed lacks reason for the main opinion and is missing an introduction, body or conclusion.
Facts/Evidence <i>(10 points)</i>	The op-ed has facts to support all aspects of the main opinion from 3 outside sources.	The op-ed has facts to support all aspects of the main opinion 2 outside sources or only from personal anecdotes.	The op-ed includes facts from 1 outside source or personal anecdotes to support most reasons, but not all.	The op-ed includes facts either from outside sources or personal anecdotes to support some reasons for the main opinion but lacks facts for the majority of the opinion.	The op-ed does not use facts to back the reasons for its opinions.
Voice <i>(10 points)</i>	The op-ed uses "I" when needed to represent writer, and uses "we" and "you" when incorporating the audience. It has a proper tone and uses appropriate terms and language. It is clear the writer's personality is present in the writing.	The op-ed does not attempt to relate to the audience. Personality is present, but language and terms are not consistently appropriate.	The op-ed has a few places where the tone is uneven. The language and terms used are not always appropriate. Personality is present.	The op-ed's tone is uneven throughout. The language and terms used are not appropriate. Personality is present most of the time.	The op-ed fails to contain a unique and complete voice throughout the writing. No personality is present.
TOTAL SCORE				_____ / 50 points	

SCORING RUBRICS

Freedom of Expression: Final Project

	Excellent (100%)	Above Average (85%)	Average (75%)	Poor (65%)	Absent (0%)
Timing (10 points)	The project is within the given time parameters.	The project is up to a minute long or short of the given time parameters.	The project is up to two minutes long or short of the given time parameters.	The project is up to three minutes long or short of the given time parameters.	The project is up to four minutes or more long or short of the given time parameters.
Course Concepts & Theories (45 points)	Project thoroughly and completely incorporates course concepts and theories, incorporating at least 5 scholarly sources.	Project thoroughly and completely incorporates course concepts and theories, incorporating at least 4 scholarly sources.	Project incorporates course concepts and theories, but not to a high degree. It incorporates at least 3 scholarly sources.	Project's course concepts and theories are tenuous at best. It incorporates at least 1 scholarly sources.	No course concepts or theories incorporated. No scholarly sources incorporated.
Technical Quality (10 points)	A high degree of technical skill is evident in the production of this project. The technical effects are very powerful and add to the impact of the project.	Technical skill is evident in this project and adds to the quality of the project.	Some technical skill is evident in the creation of this project, but it adds little to the effectiveness of the project.	Very little technical skill is evident in the production of this project.	No technical skill is evident in the production of this project.
Originality/ Creativity (20 points)	The project reflects an exceptional degree of student creativity and use of original ideas.	The project reflects student creativity and the use of some original ideas.	The project reflects some creativity, but it lacks originality.	The project reflects one concept of creativity or originality.	The project reflects a lack of creativity and originality.
Expression of Freedom of Expression Issue (80 points)	A freedom of expression issue is clearly and directly address, providing an adequate explanation about the issue and discussing the implications. Student has a thorough and detailed examination of the elements AND structure of their topic. Student focuses on the minutiae of the topic and relates this to the inner workings and trends of the issue. The combination of creativity, technical skill, and audience appeal are very effective in delivering a strong message about the selected topic. Engages audience throughout entire piece. Collected data is relevant, and none is left out. Transitions keep the audience moving smoothly through to the end, which rewards the audience.	A freedom of expression issue is clearly addressed, though more explanation could be helpful. Student has an examination of the elements OR structure of their topic, but it lacks in-depth considerations regarding the minutiae of the topic as it relates this to the inner workings and trends of the issue. The combination of creativity, technical skill, and audience appeal deliver a clear message about the selected topic. project catches audience attention early, but does not engage audience throughout entire piece. Collected data is relevant and little is left out. Transitions are evident. The ending provides some reward.	A freedom of expression issue is addressed, though it isn't abundantly clear. Student has few details examining the elements OR structure of their topic, and it lacks depth in looking at the inner workings and trends of the issue. The intent of the project is understood, but it has little motivational value. Project engages audience for brief moments. Collected data is relevant. Some transitions are used, but the project is bumpy in places. The ending provides little reward.	A freedom of expression issue is not clearly addressed. Student provides only minor details examining the elements OR structure of their topic, and it provides no depth regarding the trends of the issue. The message is not clear in the project. Project does not engage audience. Data is not relevant. The ending provides no reward.	A freedom of expression issue is not addressed. There is no discernable message in the project. Student has no details examining the elements OR structure of their topic. Student lacks focus on the minutiae of the topic and relates this to the inner workings and trends of the issue. The project does not engage audience. The ending provides no reward.
Course Reflection (15 points)	Response demonstrates an in-depth reflection on, and personalization of, theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are insightful and well supported. Clear, detailed examples are provided, as applicable.	Response demonstrates a general reflection on, and personalization of, theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are supported. Appropriate examples are provided, as applicable.		Response demonstrates a minimal reflection on, and personalization of, theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are unsupported or supported with flawed arguments. Examples, when applicable, are not provided or are irrelevant.	Response demonstrates a lack of reflection on, or personalization of, theories, concepts, and/or strategies presented in the course materials to date. Viewpoints and interpretations are missing, inappropriate, and/or unsupported. Examples, when applicable, are not provided.
TOTAL SCORE					_____ / 180 points