



**Western
FIMS**

Faculty of Information & Media Studies

**Faculty of Information and Media Studies
Media Law & Ethics: MIT 2156**

Course outline for January 2022



Although this academic year might be different, Western University is committed to a **thriving campus**. We encourage you to check out the [Digital Student Experience](https://www.uwo.ca/dse/) website to manage your academics and well-being. Additionally, the following link provides available resources to support students on and off campus: <https://www.uwo.ca/health/>.

1. Technical Requirements:



Stable internet connection



Laptop or computer



Working microphone



Working webcam- suggested – not required

2. Course Overview and Important Dates:



Delivery Mode	Dates	Time
Online January, 2022 In Person commencing Feb 2022	Thursdays	7:00 to 10:00 PM

*Details about design and delivery of the course are listed below in Section 4

Classes Start	Reading Week	Classes End	Study day(s)	Exam Period
January 10	February 19-27	April 8 / 2022	April 9/ 2022	April 10-30/022

* November 12, 2020: Last day to drop a first-term half course or a first-term full course without penalty

3. Contact Information

Course Instructor	Contact Information
James Hildebrand	jfhildeb@uwo.ca

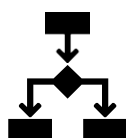


4. Course Description and Design

Antirequisite: n/a

Required Text: *Cases and Materials on the Legal Foundations of Media and Information*, J. Hildebrand., [available through the University Bookstore]

Additional materials may be made available to the class throughout the duration of the course, in an electronic format, as available and relevant to issues studied.



Mode	Dates	Time	Frequency
Virtual synchronous	Thursday	7:00 – 10:00	weekly
In Person commencing	February 3	2 Hours	weekly

All course material will be posted to OWL: <http://owl.uwo.ca>. Any changes will be indicated on the OWL site and discussed with the class.

If students need assistance, they can seek support on the [OWL Help page](#). Alternatively, they can contact the [Western Technology Services Helpdesk](#). They can be contacted by phone at 519-661-3800 or ext. 83800.

[Google Chrome](#) or [Mozilla Firefox](#) are the preferred browsers to optimally use OWL; update your your browsers frequently. Students interested in evaluating their internet speed, please click [here](#).

5. Learning Outcomes

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

- Understand the nature of law and the structure of the court and legal system in Canada
- Understand the basics of contract law in the context of digital and other transactions
- gain a basic understanding of media-related tort liability, i.e. defamation, invasion of privacy, etc.
- understand copyright law and its underlying justification
- understand the basics of criminal law
- understand the nature of the Constitution of Canada and related Charter case law



6. Course Content and Schedule



Week	Dates	Topic	Readings
1	Jan 13	Course Overview	Course outline
2	Jan 20	Intro to Law	What is Law? Divisions of Law Sources of Law
3	Jan 27	Intro to Law continued	The Principles of <i>Stare Decisis</i> and Precedent Statutory Interpretation The Language of the Law Analyzing Legal Problems
4	Feb 3	Contract Law Offer/Invitation to treat Offer & Acceptance	<i>Carlill v. The Carbolic Smoke Ball Co.</i> <i>Pharmaceutical Soc. Of Great Britain v. Boots Cash Chemists</i> <i>Dickinson v. Dodds</i> <i>Brinkibon Ltd. v. Stahag Stahl</i>
5	Feb 10	Reasonable Notice of Terms, Standard Form Contracts	<i>Tilden Rent-A-Car Co. v. Clendenning</i> <i>Rudder v Microsoft</i> <i>Kanitz v Rogers</i> End-User License Agreement for Microsoft Software; Cell Phone Contract
6	Feb 17	First Assignment Due Negligence & Duty of Care Standard of Care Negligent Misrepresentation Invasion of Privacy	<i>Donoghue v. Stevenson; Palsgraf v. Long Island Ry. Co.</i> <i>Bolton v. Stone</i> <i>Hedley Byrne & Co. v. Heller & Partners Ltd</i> <i>Jones v Tsige</i>
7	Feb 24	Reading Week	
8	Mar 3	Defamation	<i>Hill v. Scientology</i> <i>Vander Zalm v. Times Publishers et al.</i> <i>Cubby v Compuserve</i> <i>Stratton- Oakmont v Prodigy</i>
9	Mar 10	Introduction to Copyright	<i>Damiano v. Dylan et al.</i> <i>Fantasy Inc. v. Fogerty</i> <i>Records Inc. et al. v Napster Inc.</i> A&M
10	Mar 17	Assignment # 2 Due Copyright cont'd	<i>Bridgeport v Dimension et al</i> <i>Voltage v Jane and John Doe</i> <i>Ain't Nothin Like The Real Thing</i>

11	Mar 24	Introduction to Criminal Law Publication bans	<i>Criminal Code of Canada</i> , sections 297-317, 319, 163, 163.1 <i>R. v. Sayegh</i> (No. 1 & 2) <i>R. v Weir</i> <i>U.S. v Thomas</i>
12	Mar 31	Constitutional Law Hate Speech Freedom of expression	<i>Charter</i> <i>Oakes test</i> <i>R. v Keegstra</i> <i>R. v Butler</i>
13	April 7	Catch up and Review	

7. Online Participation and Engagement



- Students are expected to participate and engage with content as much as possible
- Students can participate during synchronous sessions
- Students can also participate by interacting in the forums with their peers and instructor

8. Evaluation

Below is the evaluation breakdown for the course. Any deviations will be communicated.

Assessment	Format	Weighting	Due Date
Assignment 1	Written- op ed	19%	Feb 17
Assignment 2	written	31%	Mar 17
Final Exam	MC. short Ans, essay	50%	TBA

- All assignments are due at 11:55 pm EST unless otherwise specified
- After an assessment is returned, students should wait 24 hours to digest feedback before contacting their evaluator; to ensure a timely response, reach out within 7 days

Click [here](#) for a detailed and comprehensive set of policies and regulations concerning examinations and grading. The table below outlines the University-wide grade descriptors.




A+	90-100	One could scarcely expect better from a student at this level
A	80-89	Superior work which is clearly above average
B	70-79	Good work, meeting all requirements, and eminently satisfactory
C	60-69	Competent work, meeting requirements
D	50-59	Fair work, minimally acceptable
F	below 50	Fail


Information about late or missed evaluations:

- Late assessments without illness self-reports will be subject to a late penalty 5 %/day
- Late assessments with illness self-reports should be submitted within 24 hours of submission of the last illness self-report
- An assessment cannot be submitted after it has been returned to the class; [an alternate assessment will be assigned] OR [the weight will be transferred to the final grade]
- A make-up test will be offered OR the weight of a missed test will be transferred to []
- If a make-up assessment is missed, the student will receive an INC and complete the task the next time the course is offered


9. Communication:

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- Students should check the OWL site every 24 – 48 hours
 - A weekly update will be provided on the OWL announcements
 - Students should email their instructor(s) and teaching assistant(s) using OWL “messages”
 - Emails will be monitored daily; students will receive a response in 24 – 48 hours
 - This course will use the OWL forum for discussions
 - The discussion forums will be monitored daily by instructor

10. Office Hours:

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- Office hours will be held virtually by appointment
 - Students will be able to sign up for an appointment by emailing the instructor

11. Resources

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- All resources will be posted in OWL

12. Professionalism & Privacy:



Western students are expected to follow the [Student Code of Conduct](#). Additionally, the following expectations and professional conduct apply to this course:

- Students are expected to follow online etiquette expectations provided on OWL
- All course materials created by the instructor(s) are copyrighted and cannot be sold/shared
- Recordings are not permitted (audio or video) without explicit permission
- Permitted recordings are not to be distributed

13. How to Be Successful in this Class:

Students enrolled in this class should understand the level of autonomy and self-discipline required to be successful.



1. Take notes as you go through the lesson material. Treat this course as you would a face-to-face course. Keeping handwritten notes or even notes on a regular Word document will help you learn more effectively than just reading or watching the videos.
2. Connect with others. Try forming an online study group and try meeting on a weekly basis for study and peer support.
3. Do not be afraid to ask questions. If you are struggling with a topic, check the online discussion boards or contact your instructor(s) and or teaching assistant(s).
4. Reward yourself for successes. It seems easier to motivate ourselves knowing that there is something waiting for us at the end of the task.

14. Western Academic Policies and Statements

Absence from Course Commitments

[Policy on Academic Consideration for Student Absences](#)

In the interest of the health and safety of students and health care providers, you are no longer required to seek a medical note for absences this term. If you are unable to meet a course requirement due to illness you should use the [Illness Reporting Tool](#). This tool takes the place of the need to submit a medical note and the Self-Reported Absence System formally used by undergraduate students.

You are required to self-report every day that you are ill and unable to complete course commitments. Details about when you should submit missed work, the format of the missed work can be found in the Section 7. Evaluation above. Students should communicate promptly with their instructor and use this tool with integrity.

Accommodation for Religious Holidays

The policy on Accommodation for Religious Holidays can be viewed [here](#).

Special Examinations

A Special Examination is any examination other than the regular examination, and it may be offered only with the permission of the Dean of the Faculty in which the student is registered, in consultation with the instructor and Department Chair. Permission to write a Special Examination may be given on the basis of compassionate or medical grounds with appropriate supporting documents. To provide an opportunity for students to recover from the circumstances resulting in a Special Examination, the University has implemented Special Examinations dates. These dates as well as other important information about examinations and academic standing can be found [here](#).

Academic Offenses

“Scholastic offences are taken seriously, and students are directed [here](#) to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence.

Accessibility Statement

Please contact the course instructor if you require material in an alternate format or if you require any other arrangements to make this course more accessible to you. You may also wish to contact Accessible Education (AE) at 661-2111 x 82147 for any specific question regarding an accommodation or review [The policy on Accommodation for Students with Disabilities](#).

Correspondence Statement

The centrally administered **e-mail account** provided to students will be considered the individual's official university e-mail address. It is the responsibility of the account holder to ensure that e-mail received from the University at his/her official university address is attended to in a timely manner. You can read about the privacy and security of the UWO email accounts [here](#).

Turnitin and other similarity review software

All assignments will be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. Students will be able to view their results before the final submission. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers

subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between Western University and [Turnitin.com](https://www.turnitin.com).

15. Arts and Humanities Academic Policies and Statements

Cell Phone and Electronic Device Policy (for in-person tests and exams)

For all tests and exams, any electronic devices, i.e., cell phones, tablets, cameras, or iPod are strictly prohibited. These devices MUST be left either at home or with the student's bag/jacket at the front of the room and MUST NOT be at the test/exam desk or in the individual's pocket. Any student found with one of these prohibited devices will receive a grade of zero on the test or exam. Non-programmable calculators are only allowed when indicated by the instructor. The program is not responsible for stolen/lost or broken devices.

Copyright and Audio/Video Recording Statement

Course material produced by faculty is copyrighted and to reproduce this material for any purposes other than your own educational use contravenes Canadian Copyright Laws. You must always ask permission to record another individual and you should never share or distribute recordings.

Rounding of Marks Statement

Across the Basic Medical Sciences Undergraduate Education programs, we strive to maintain high standards that reflect the effort that both students and faculty put into the teaching and learning experience during this course. All students will be treated equally and evaluated based only on their actual achievement. **Final grades** on this course, irrespective of the number of decimal places used in marking individual assignments and tests, will be calculated to one decimal place and rounded to the nearest integer, e.g., 74.4 becomes 74, and 74.5 becomes 75. Marks WILL NOT be bumped to the next grade or GPA, e.g. a 79 will NOT be bumped up to an 80, an 84 WILL NOT be bumped up to an 85, etc. The mark attained is the mark you achieved, and the mark assigned; requests for mark "bumping" will be denied.

16. Support Services

The following links provide information about support services at Western University.

[Academic Counselling \(Science and Basic Medical Sciences\)](#)

[Appeal Procedures](#)

[Registrarial Services](#)

[Student Development Services](#)

[Student Health Services](#)

NOTES FROM THE FIMS DEAN'S OFFICE

Winter 2022

Rights and Responsibilities

The conditions governing a student's ability to pursue their undergraduate education at Western are ratified by Senate and can be found on the Academic Policies section of the University Secretariat:

http://www.uwo.ca/univsec/academic_policies/rights_responsibilities.html

Statement on Academic Offences

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf

Plagiarism

Students must write their essays and assignments, including take-home exams, in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence. All papers may be subject to submission for textual similarity review to the commercial plagiarism detection software Turnitin under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system.

Accommodation Policies

Students with disabilities work with Accessible Education (formerly SSD) which provides recommendations for accommodation based on medical documentation or psychological and cognitive testing. The accommodation policy can be found here: [Academic Accommodation for Students with Disabilities](#)

Academic Consideration for Student Absence

Students will have two (2) opportunities during the regular academic year to use an on-line portal to self-report an absence during the term, provided the following conditions are met: the absence is no more than 48 hours in duration, and the assessment

for which consideration is being sought is worth 30% or less of the student's final grade. Students are expected to contact their instructors within 24 hours of the end of the period of the self-reported absence, unless noted on the syllabus. Students are not able to use the self-reporting option in the following circumstances:

- during exam periods,
- absence of a duration greater than 48 hours,
- assessments worth more than 30% of the student's final grade,
- if a student has already used the self-reporting portal twice during the academic year

If the conditions for a Self-Reported Absence are NOT met, students will need to provide a Student Medical Certificate or equivalent documentation, if the absence is medical, or provide appropriate documentation if there are compassionate grounds for the absence in question. Students are encouraged to contact the FIMS Undergraduate Student Services Office to obtain more information about the relevant documentation.

Students should also note that individual instructors are not permitted to receive documentation directly from a student, whether in support of an application for consideration on medical grounds, or for other reasons. **All documentation required for absences that are not covered by the Self-Reported Absence Policy must be submitted to the Academic Counselling office of a student's home Faculty.**

For Western University policy on Consideration for Student Absence, see [Policy on Academic Consideration For Student Absences - Undergraduate Students in First Entry Programs](#) and for the Student Medical Certificate (SMC), see: http://www.uwo.ca/univsec/pdf/academic_policies/appeals/medicalform.pdf

In the event of a Covid-19 resurgence, it is possible that different procedures may need to be put in place on short notice.

Religious Accommodation

Students should consult the University's list of recognized religious holidays, and should give reasonable notice in writing, prior to the holiday, to the Instructor and an Academic Counsellor if their course requirements will be affected by a religious observance. Additional information is given in the [Western Academic Calendar](#).

Grading at FIMS

- Normally, first year courses required for entry into an MIT or MPI module (MIT 1020E and MIT 1025F/G) are expected to have a course average between 68-72%.
- Normally, second year required courses (MIT 2000, 2100, 2200, 2500) are expected to have a course average between 70 and 75%.
- Normally, third year required courses (MIT 3000, 3100) are expected to have a course average between 72 and 77%.

Elective courses and 4th year seminars have no recommended course averages.

Support Services

Students who are in emotional/mental distress should refer to Mental Health@Western for a complete list of options about how to obtain help.

<http://www.uwo.ca/uwo.com/mentalhealth/>

SUPPORT SERVICES – LINKS

Office of the Registrar:

www.registrar.uwo.ca

Mental Health Support:

<https://www.uwo.ca/health/psych/index.html>

Accessible Education:

http://academicsupport.uwo.ca/accessible_education/index.html

Accessibility Information:

www.accessibility.uwo.ca/

Writing Support Centre:

<http://writing.uwo.ca/>

Learning Skills Services:

<https://www.uwo.ca/sdc/learning/>

Academic Learning and Support for Online Learning:

<https://www.uwo.ca/se/digital/types/academic-and-learning-support.html>

Indigenous Services:

<https://indigenous.uwo.ca/>

Western International:

<https://international.uwo.ca/>

Career Centre:

<http://careerexperience.uwo.ca/>

Appendix A: Suggested Grade Ranges in MIT, MPI and MTP

Guidelines to the MIT Grade Range

These guidelines are benchmarks, and are not to be followed as rigid regulations. They will be adjusted as appropriate to take into account the level of the course and any specific instructions given by a professor. As well, competency in English language usage (including spelling and grammar) may be taken into account in the assignment of grades by individual instructors. Note that the 70-79 grade range is broken into two divisions, as this is the grade range into which a large number of students fall.

90-100 (Outstanding, A+)

The report shows sparkling originality and exhibits a high degree of critical analysis of the topic. Sophisticated synthesis and analysis of the theoretical and conceptual dimensions of the topic are demonstrated. Mastery of complex material and ideas is immediately evident. The topic is treated with sensitivity and subtlety of thought. The quality of the writing and background research is exemplary.

80-89 (Excellent, A)

The report shows originality and exhibits a high degree of critical analysis of the topic; it gets to the heart of the matter with comments and/or questions. It is clearly focused and logically organized. The quality of writing makes the report immediately understandable. Mastery of complex material and ideas is demonstrated. The report is of appropriate length, while preserving the priorities and emphasis of the material, so that the result is meaningful, not simplistic.

75-79 (Very Good, B+)

The report shows above average analysis, critical thinking and independent thought. Claims are supported by ample evidence and the components of the topic are well-researched and presented. The topic is addressed in reasonable depth and/or breadth and covers material appropriate to the course. The analysis is organized around focal points and the argument is easily followed. The report demonstrates an above average ability to write in an intelligible style and to condense material meaningfully and with a concern for priorities of that material.

70-74 (Good, B)

The report shows an attempt at analysis and critical thinking. Claims are supported by reasonable evidence. The topic is addressed in some depth and/or breadth, with references to the appropriate literature and course material. The analysis is organized around focal points. The report is generally well written and well argued.

60-69 (Competent, C)

The report demonstrates adequate comprehension of the topic. The report is on topic and is a reasonable summary of material covered in the course, but goes no further. Facts are stated accurately; the quality of writing is sufficiently intelligible with enough elaboration and enough connections made between ideas to permit a reader to understand the point of the report.

50-59 (Marginal, D)

The report shows less than adequate comprehension of the topic and of the material covered by the course. The report is a less than adequate summary of sources and/or is considerably off-topic. Facts are stated inaccurately or ambiguously; the writing style is difficult to follow; there is insufficient elaboration to permit reader's comprehension of relations among ideas; little judgment is shown in selecting detail for inclusion in the report.

Below 50 (Unacceptable, F)

The report demonstrates a failure to comprehend the topic. The material is disorganized and unintelligible. The report clearly does not meet the minimal requirements of the assignment.

Appendix B: Guidelines of Academic Appeals for FIMS Students

Grounds for Appeal:

The Faculty of Information and Media Studies does not view the appeals process as an opportunity for students to solicit a second opinion on a grade assigned to a particular piece of work. Appeals must pertain to the final grade in a course, and will only be entertained if sufficient grounds for appeal can be met, including: medical or compassionate circumstances, a defect in the evaluation process, bias, inaccuracy or unfairness.

Stages in the Appeals Process:

The first stage of the process is a discussion of the disputed grade with the appropriate Teaching Assistant (if applicable), and subsequently, the course Instructor. For grades assigned to individual assignments, essays, lab reports, projects and tests completed throughout the term, the student first must appeal to the Teaching Assistant or Instructor of the course, within three weeks of the date on which the Instructor or Teaching Assistant returned the assignments to the class. The Appeals Committee will not hear any further appeals about the final grade in any course unless this first step has been taken.

If completion of the first stage has not resolved the matter, the student may appeal the final grade in the course to the FIMS Appeals Committee. Appeals of final grades must be **within the time frame indicated in the Undergraduate Calendar.** It is the student's responsibility to ensure that the appeal is submitted within the deadline. The student shall submit a formal letter to the FIMS Appeals Committee outlining the grounds for the appeal, the remedy sought and relevant materials including the information about when and with whom (Teaching Assistant and/or Instructor) the student met, as described in Stage 1. If the appeal involves a request for work to be regraded, the original marked work and a clean copy (if possible) must be included. If the appeal is commenced once the deadline has passed, it will not be considered either by the Appeals Committee or by the Associate Dean.

The FIMS Appeals Committee has the discretion to determine whether the grounds for appeal have been met.

If the Committee deems that the reasons for the appeal are not legitimate, the Associate Dean will be informed. The appeal will be terminated and the student will be informed.

If the Committee decides that the grounds for appeal have been met, the following steps will be taken:

1. the course Instructor will be shown the appeal letter and offered an opportunity to make a written response;
2. if work is to be regraded, a reader will be appointed who is competent in the area in question and was not involved in the assignment of the original mark. The reader will consider the work in question and will arrive at an independent evaluation. If there is a large discrepancy between the original mark and the regraded mark, a second reader may be appointed by the Committee. **If the appointed reader(s) arrive at a grade within five marks of the original, the original grade will stand.**

The FIMS Appeals Committee will review the evidence and will make a recommendation on the case to the Associate Dean Undergraduate.

The Associate Dean Undergraduate will consider the recommendation from the Appeals Committee, and will make a decision. The student and the instructor will be notified promptly and in writing by the Associate Dean of the decision and of the change in grade, if any. Within the Faculty of Information and Media Studies, the Associate Dean's decision on the matter is final.

Further appeals are possible under certain circumstances to the Senate Review Board Academic (for Undergraduate students) or to the Faculty of Graduate Studies (for Graduate students) but the student should carefully consult the guidelines regarding such Appeals.