Scenarios for law — reviewing SPLC slideshows

Open or Closed meeting?

A group of parents have challenged a book used in the English curriculum. They say the book is inappropriate for high school students. You are covering this for the your fully convergent media class. You hear a meeting is occurring to bring the School Board up-to-date on the issue. You show up and are told by the school’s lawyers you must leave. What do you do?

*Is the meeting open to the public? Has the school mistakenly closed a meeting that should be open?*

*Contact the SPLC.*

Also: <http://www.splc.org/knowyourrights/legalresearch.asp?id=69>

Senior quotes

The yearbook’s theme is “Successful Soundbytes” to celebrate your new technology referendum. You’re working on ways to include this theme in the senior album section.

The yearbook editors have agreed with your idea to allow seniors to provide quotes to accompany their senior picture.

Is there any reason to fear a successful lawsuit?

*Yes, as stated in class discussion the submitted quotes are potentially libelous. These would all need to be vetted. As addressed in the slideshow, this could be a dangerous situation. See slides 13 and 14 from the Libel Law slideshow.*

*Also, the quotes are possibly plagiarized. You would need to question the originality of the submitted materials.*

Scenario courtesy of ...

It’s publication night. You have two hours until the paper is due to the printer. As the editor, you’re starting to do your final look through the publication. You notice the news editor has a beautiful new picture for your lead story. She’s cited the photo “Photo courtesy of Local Tribune.” You know the Local Tribune is the city newspaper, but you’re sure they won’t mind giving you the photo. After all, you toured their facilities last week.

Is there a problem?

*Yes, you don’t have expressed (preferably written) consent of the person or organization owning the copyright. Unless the photo is in the public domain, you can’t use it. The single citation doesn’t protect you from a copyright claim. See slides 19, 34 and 38 from the Copyright slideshow.*

Ads

You’ve sold an advertisement to the local yogurt shop. The shop owners insist you use the Homecoming king and queen in the advertisement. This is easy -- they both are on your publications staff. The king is a yearbook student and the queen is the online editor. They go over to the shop and pose in the store with the yogurt.

Could any legal or ethical problem be apparent?

*Even though they are on staff, have they signed a model release form? Do you have their written permission to use them in the ad?*

Pictures in the mall

Renovations occurred at your local mall. Now you’re running around taking pictures of the changes. A mall security guard doesn’t seem all that enthralled with what you’re doing, and she asks to see your camera. You give it to her and she starts deleting your photographs.

What do you do?

*First, understand you shouldn’t surrender your property again. Instead, politely leave the premises.*

*For now, you should politely ask the security guard to stop. Also try to document that the person is deleting your property. Contact the police and file a report. See slide 43 of Reporter’s Privilege slideshow.*

Open Records?

Doing a story on local bakery that has rumored to have problems with rat hair in food. Is this story something you could actually cover? How could you cover it? What are your first steps?

*The first step is to research open records and find the health violations. Talk to those who have experienced this as well as talk with the owners of the establishment.*

Bad Twitter

You’ve heard of many people having battle-type accounts on Twitter and accounts that are negative in nature. You’ve decided to over this issue. You know there are several accounts that counter this negativity. You have the names of the people running all these accounts. They’ve all agreed to talk to the publication on condition of anonymity. Your principal hears of this, calls you in and asks for the identities.

What do you do? (Hint: look at coverage as well as response to principal.)

*If you grant anonymity, you should not divulge the names. You should call SPLC and find if your state has shield law protection.*

*Ethically, you are giving press to some of the negativity. Ask yourself if this in itself is ethical -- are you doing harm?*

Not so Morgue-ish Morgue

Your publication doesn’t delete stories after students graduate. Phil I. Am was a source in a story about his experience in a drug rehab facility when he was a senior five years ago. Phil now is applying for a job, and has begun to suspect this story has inhibited his ability to get a job as a grade school teacher. He calls and requests the story is taken down. You’re the editor.

What do you do?

*Consult your policies. If you don’t have a policy, you should create one. Publications often disagree on this one, but some are taking down the coverage in an instance such as this. Others have policies to never take anything down because it changes history and does not reflect reality. The changed version is still always out there; it is not our job to censor.*