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**Creative Finals: Something to Chew On**

## **Creative Finals: Something to Chew On**

### **Introduction:**

Several semesters ago I began using what I call a Creative Final in my Law of Mass Media class, challenging students to employ the specific skills learned in each of their mass media disciplines to explain a matter of law to an ordinary citizen. Our program requires all majors in each sequence – broadcasting and digital media; public relations; advertising; and journalism – to take the Law of Mass Media in their senior year. The first half of the semester is always a slog as many students don't see the rationale for the requirement. By the second half, most have absorbed the rudiments of the rule of law and are able to make effective arguments during class discussions and on in-class essays. However, they fret over exams, and I have my doubts about the usefulness of memorizing facts rather than applying concepts. Thus, I designed an alternative to memorization to emphasize application.

### **Rationale:**

The creative exam employs an active-learning approach, which recognizes that individuals learn in different ways. For some, it is visual learning (seeing), for others, it is hands' on (kinesthetic), for others still, it is listening and writing (verbal).<sup>1</sup> Although I use a variety of in-class activities throughout the semester to “test” student comprehension – small group discussions; seven-minute essays on the day's material; mock trials with the class as jury – I still feel compelled to give formal exams. However, as Mel Silberman, a proponent of active learning, argues memorized material is lost within hours: “Learning can't be swallowed whole. To retain what has been taught, students must chew on it.”<sup>2</sup> The creative exam is a way to give students something to “chew on” and demonstrate their comprehension of a specific legal question/issue while recognizing and rewarding their special strengths. It gives them the chance to adapt legal issues/concepts to their particular interests, and, it minimizes boredom.

### **Implementation:**

Two weeks before the end of the semester I pass around a hat with a dozen or more topics, which students draw randomly. I allow them to work independently or in groups of up to three students, depending upon the medium and approach they plan to take to answer the problem posed. I have to approve the group size, and students are required to demonstrate their individual contribution to the finished product. Here are some sample topics:

- Explain to parents what standards exist to control the content of children's television programming; the differing standards that apply on broadcast and cable television; and what steps they can take to protect their children from unwanted programming.
- You have been hired to prepare orientation materials for new reporters working for an online journal. A recent court ruling allows police investigators more leeway in what they can do when searching digital devices for evidence of crime. Explain how the concept of “plain view” applies to computer files.
- Explain what someone can do who wants to complain about a misleading ad on television.
- Explain for the ordinary citizen the circumstances under which a judge may close a courtroom to the public.

- Explain to UI students how they could use a short clip from a film or TV program under the fair use provisions of the copyright law.

Finished projects are due during (or before) the final exam date/time and are graded based upon clarity of message, comprehension and accuracy of message and creativity of approach.

Projects have ranged from 30-second television ads parodying the MasterCard “Priceless” campaign to explain differing language standards on broadcast and cable television, to “Tort Court,” a board game (with game pieces, cards, and instructions), explaining when, how, why a court might accept an intentional infliction of emotional distress suit. I’ve received a radio drama (script and recording) based on “American Dad” characters involved in filing a freedom of information request for UFO information; a short story about the consequences of sneaking a camera into the courtroom; a “South Park” story board concerning Tiger Woods’ privacy rights (and another about jury duty); and a comic book explaining shield laws.

### **Learning Outcomes:**

The project is designed to demonstrate knowledge – the retention of previously learned material – and comprehension, actual grasp of the material. Further, as per Bloom’s Taxonomy, it allows students to apply (actually use) the learned material, through analysis (breaking it into component parts) and synthesis (putting it back together). This is accomplished when students take the issue apart to understand the underlying legal rationales based in precedent or First Amendment theories and modify the parts to fit a new structure without losing its explanatory power.<sup>3</sup>

By the end of the project, students can:

1. analyze a contemporary legal problem specifically related to mass media and, using free-speech/free-press rationales and drawing upon legal precedent, develop explanations and suggest solutions;
2. determine the nature and extent of the information needed;
3. access media-law specific information efficiently;
4. effectively assess sources critically and incorporate the selected information into their knowledge base;
5. use the information effectively to accomplish a specific purpose;
6. demonstrate, in the finished project, an understanding of the legal and social issues involved in media law debates.

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<sup>1</sup> ["Seven principles of Good Practice in Undergraduate Education" \(1987, AAHE Bulletin\)](#)

<sup>2</sup> Mel Silberman. 2005. *101 Ways to Make Training Active* 2<sup>nd</sup> edition. Pfeiffer. 6.

<sup>3</sup> Andrew Churches. 2008. “Bloom’s Taxonomy Blooms Digitally”.

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