

I REJECT YOUR REALITY AND SUBSTITUTE MY OWN.

REPORTERS FIND THEMSELVES IN THE ROLE OF

MYTHBUSTERS

HOW TO PREVENT FAKE NEWS IN SCHOLASTIC MEDIA

By Mark Grabowski

An obituary for a high school student who was still alive. A serial fabricator who invented sources and quotes for several published stories. The April Fool's issue that newspaper readers could not tell was a joke.

These are among the many and varied examples of fake news that have appeared in student media in recent years. And it might get worse. With most students now obtaining their news through social media, bogus news spreads faster and further than ever before. Too often students cannot tell when a story is fake.

Fake news is not a new problem. In fact, historians believe it may have led to the Spanish-American War of 1898. The problem reached epidemic proportions during the 2016 presidential election.

Each day the news seemed to shock and awe the public more than the previous day. Consequently, truth became stranger than fiction, numbing many people's sense of judgment. Americans became susceptible to fictitious reports posted on phony news sites that closely resembled legitimate media outlets.

Trusted news sources came under fire for their reporting. Only 10 percent of Americans thought election coverage was accurate, according to the Newseum Institute's 2016

State of the First Amendment survey.

Given all these results, it is no wonder a November 2016 study by Stanford University found large portions of middle school, high school and college students had trouble judging the credibility of the news they read.

With school budget cuts reducing the ranks of librarians who have traditionally taught research skills, journalism educators must step up to teach media literacy, particularly to student journalists.

Students must understand why fake news is a major complication. Democracy depends on an informed citizenry. News should describe reality as accurately and fairly as possible. The public relies on trustworthy information to make important decisions. As the Journalism Education Association's Advisers Code of Ethics implores, "Emphasize the importance of accuracy, balance and clarity in all aspects of news gathering and reporting." News reporting that lacks those qualities hurts the public good and undermines journalism's reputation.

Of all shortcomings, fabrication is the most egregious. It occurs when journalists manufacture any information they know to be untrue. Sometimes it is blatant, such as when a journalist needs a juicy quote so the reporter con-

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Mark Grabowski discusses media law with editing interns for the Dow Jones News Fund at the University of Texas. Photo by Bradley Wilson

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cocks a bogus news source with a likely sounding name.

An Oregon college newspaper experienced the dangers in 2014 when editors discovered that one of its reporters had fabricated information in 13 of her stories. The scandal came to light only after a quoted source complained that the reporter never interviewed her.

Sometimes fabrication can be less deliberate. For example, if a journalist loses his notebook and tries reconstructing interviews from memory, the individual risks fabricating.

Educators must help students understand the full implications of fabrication. To further guard against it, they might consider having students provide contact information for their sources and do spot checks to verify that the sources exist and that their quotes are accurate.

While fabrication is the leading cause of fake news, it is not the only culprit. Irresponsible journalism, while not intentional, can produce the same result: a story that contains false information. Journalism is all about reporting the truth.

Students need to learn that seeking the truth requires gathering and verifying facts. Journalists should never assume anything. Simply because something sounds or looks right, does not mean it is. Train students to develop the habit of double-checking all names, dates, numbers and quotes. As the old journalism maxim goes, “If your mother says she loves you, check it out.”

In the 1990s, a Los Angeles high school newspaper learned this lesson in a costly way when it published a premature obituary for a student due to a misidentification error. The student had run away but was still alive. She

eventually returned home, and her stunned mother sued the school district for causing her emotional distress.

In 2013, a similar false death report happened in a small town in Washington state. Two high school students used a photo-editing tool to create a counterfeit newspaper clip stating that a classmate committed suicide. The sham story was posted on Facebook, quickly disseminated throughout the community and duped the alleged victim’s horrified family.

Hoaxes, which often have painful effects, are common online, and students must learn to be skeptical of what they read on social media. Although 88 percent of millennials obtain news from Facebook regularly, according to a 2015 Media Insight Project study, the network is a hotbed for rumors, for pranks and for fake news. The internet has made it possible for anyone to create and to spread news. Making matters worse, a 2016 Columbia University study found that 59 percent of social media users share news without reading it.

Before sharing news, students should carefully examine who produced it and what sources are cited. Educators might consider developing policies for posting and for sharing information on social networks when using official student media accounts. As JEA’s Advisers Code of Ethics instructs, “Encourage journalistically responsible use of social media in schools and educate students, school officials and community to its value. Educate students about the ramifications of its misuse.”

Sometimes such stories are created as jokes to amuse readers. Students, however, should be careful when using satire. Although many school newspapers have a tradition of publish-

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AMERICAN PRESS INSTITUTE

Learn how today’s students get their news from the American Press Institute at americanpressinstitute.org.



LESSON: UNDERSTANDING FAKE NEWS

<http://curriculum.jea.org/lesson-understanding-fake-news/>



WHAT IS AN ALTERNATIVE FACT?

On Jan. 22, Trump adviser Kellyanne Conway appeared on “Meet the Press” with Chuck Todd. Below is a partial transcript of that interview. The entire interview and transcript are available online at nbcnews.com.

CHUCK TODD: --answer the question of why the president asked the White House press secretary to come out in front of the podium for the first time and utter a falsehood? Why did he do that? It undermines the credibility of the entire White House press office--

KELLYANNE CONWAY: No it doesn't.

CHUCK TODD: --on day one.

KELLYANNE CONWAY: Don't be so overly dramatic about it, Chuck. What-- You're saying it's a falsehood. And they're giving Sean Spicer, our press secretary, gave alternative facts to that. But the point remains--

CHUCK TODD: Wait a minute-- Alternative facts?

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ing an April Fool's edition, readers may not realize it is a spoof, which can lead to trouble.

For instance, in 2013, a Louisiana high school newspaper caused a stir with an April Fool's story about a local restaurant being shut down and sued over health violations. Because the issue was not distributed until April 24, the joke was not apparent. Eventually, the school principal apologized, and the story was exposed as fake but not before the fictitious claims had gone viral.

Student newspapers that publish April Fool's editions should ensure the issue is distributed exactly on April 1 and is clearly labeled as satire.

On the other hand, sometimes the joke is on journalists. In 2008, for example, a Nevada high school senior convinced his community that he would be the first in school history to receive a Division I football scholarship. The student newspaper reported on his numerous scholarship offers, and local TV stations covered the press conference where he announced his decision to a packed gymnasium. A few days later, the student's ruse was exposed.

Even when taking precautions, journalists may unintentionally spread misinformation. Sometimes sources lie as the Nevada athlete did. Journalism is called “the first rough draft of history” for a reason. Mistakes can provide valuable teaching moments, especially for student journalists who are still learning the ropes. Regardless of how they happen, mistakes must be acknowledged and corrected, not ignored or covered up. Accuracy demands it.

As a result, advisers and editors must safeguard freedom of the press by requiring the staff to maintain accuracy in every story and in every issue or edition. ■

FAKE OR REAL?

HOW TO SELF-CHECK THE NEWS AND GET THE FACTS

Excerpt from an article by Wynne Davis

Pay attention to the domain and URL | Established news organizations usually own their domains, and they have a standard. Sites with endings such as as.com.co should tip you off that you need to dig around more to see if they can be trusted.

Read the “About Us” section | Most sites will have a lot of information about the news outlet, the company that runs it, members of leadership and the mission and ethics statement behind an organization.

Look at the quotes in a story | Most publications have multiple sources in each story. They are professionals and have expertise in the fields they talk about.

Look at who said them | Then, see who said the quotes and what they said. Are they reputable sources with a title that you can verify through a quick search?

Check the comments | If a lot of these comments call out the article for being fake or misleading, it probably is.

Reverse image search | A picture should be accurate in illustrating what the story is about. Do a little detective work and reverse search for the image.

Last thought | Satirical publications exist and serve a purpose, but are clearly labeled as exaggerated and humorous by the writers and owners. Some of the more well-known ones like *The Onion* and ClickHole use satire to talk about current events. If people don't understand that, they might share these articles after reading them in the literal sense. If this happens or if you see your friends sharing blatantly fake news, be a friend and kindly tell them it's not real. Don't shy away from these conversations even if they might be uncomfortable.

ONLY YOU CAN STOP THE SPREAD OF FAKE NEWS

Excerpt from an article by Will Oremus

At a time when trust in the media is at an all-time low and political polarization is intensifying, fake news is hardly the only pox afflicting our democracy. But it is one against which we can try to inoculate ourselves, and perhaps one another.

Slate has created a new tool for internet users to identify, debunk, and—most importantly—combat the proliferation of bogus stories. Conceived and built by Slate developers, with input and oversight from Slate editors, it's a Chrome browser extension called This Is Fake. It reminds you that, anytime you see fake news in your feed, you have an opportunity to interrupt its viral transmission, both within your network and beyond.



National Public Radio
Read the full story by Wynne Davis online at npr.org

Wynne Davis is a Digital News intern with National Public Radio. Complete, original story available on npr.org.



“This is Fake,” a browser plugin unveiled by Slate in December, gives Facebook users advance notice of illegitimate articles.

<https://www.thisisfake.org/>



Frank LoMonte, director of the Student Press Law Center, discusses media law and ethics with students at the summer North Carolina Scholastic Media Institute. Photo by Bradley Wilson

FAKE NEWS: A DANGER TO POLITICAL DISCOURSE

MANUFACTURED FACTS PUSH PEOPLE TO EXTREMES

By Frank LoMonte

Everyone can agree that “fake news” shouts for attention – but that’s about where the agreement stops.

Popularized in the days following Donald Trump’s unexpected presidential victory, the term “fake news” began as a reference to a subculture of online content-churners whose “business model” was fabricating outrageous stories about leading politicians. “I think Donald Trump is in the White House because of me,” one prolific purveyor told *The Washington Post*. The individual described how his most outlandish fictions, including President Barack Obama invalidating the election results and declaring a do-over, were shared credulously hundreds of thousands of times.

Fictitious stories are at times laughably unbelievable – but no one was laughing when a gunman misled by unhinged conspiracy theories circulated through Reddit showed up at a Washington, D.C., pizzeria. He demanded to see the imaginary dungeon where Democratic leaders operated an imaginary child-slavery ring.

Since the term entered the popular vocabulary, “fake news” has become – in the words of media columnist Margaret Sullivan – a “rhe-

torical weapon.” Stories or entire news organizations – as with the newly elected president’s belligerent refusal to call on a CNN reporter at a news conference: “You’re fake news” – have been branded “fake” when they contain innocent mistakes and when they portray facts that partisans find disagreeable.

To return fake news to its real meaning, let’s accept the authoritative Sullivan definition: “deliberately constructed lies, in the form of news articles, meant to mislead the public.”

Legally, the deliberate intent to mislead makes all the difference. A mistaken article based on information that seemed credible at the time will not be found libelous even if the information later turns out to be incorrect.

That was the conclusion of a long-running libel suit brought against the *Atlanta Journal-Constitution* by a former security guard, Richard Jewell, briefly named as a suspect in a fatal bombing during the 1996 Summer Olympic Games but later vindicated as a hero who helped save lives. The lawsuit, which dragged on for 14 years, concluded with an appeals-court ruling that the tips were substantially true at the time



Learn about the Student Press Law Center at splc.org

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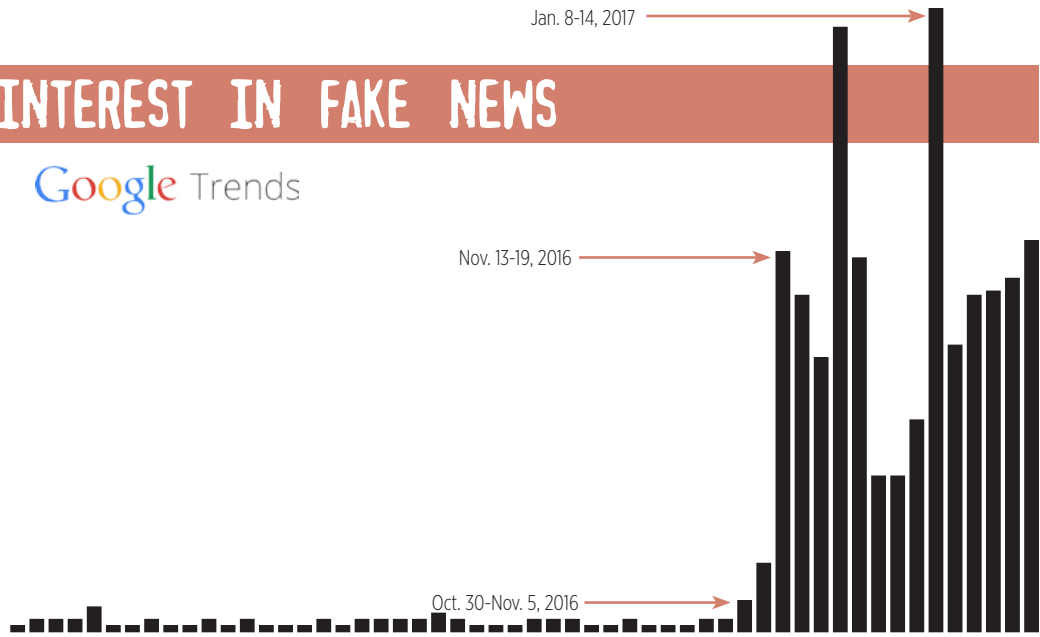
Jan. 8-14, 2017

INTEREST IN FAKE NEWS

Google Trends

Nov. 13-19, 2016

Oct. 30-Nov. 5, 2016



PUPIL INSTRUCTION: MEDIA LITERACY

Legislators in California are the latest to have proposed curriculum changes to educate students about the media they consume every minute of every day. The suggested changes have manifested in two bills: Senate Bill 135 and Assembly Bill 155.

Both proposals use the spread of false and misleading media during the 2016 presidential election as a springboard.

The Senate bill, introduced by Sen. Bill Dodd (D-Napa) and titled “Pupil instruction: media literacy,” seeks to educate California students on the inner workings of media and how to decipher the signal from the noise. Dodd said the proposal would also make media literacy resources and training available to educators.

FOR MORE INFORMATION READ

“A Pair of California Bills Tackle Media Literacy Education” by James Hoyt on splc.org.

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– police were genuinely focusing on Jewell even though the suspicions proved untrue.

Wholly fake news – news that is known from its inception to be made up – can be defamatory if presented in a way that a reasonable audience member would interpret as stating a fact. While online fabricators may insist that their articles were intended as obviously exaggerated spoofs, many are packaged in deceptive ways. Serial hoaxer Paul Horner repeatedly used a logo and URL closely resembling ABC News and a faux ABC News byline, which suggested a purposeful intent to deceive.

Ordinarily, passing off falsehoods as news would be constitutionally protected speech beyond the authority of government to regulate or of courts to penalize. The Supreme Court emphasized in its 2012 ruling, *United States v. Alvarez*, that speech does not lose its constitutional protection simply because it is deceptive — unless done fraudulently to induce a person to part with money or other valuables. But a fake-news purveyor may still be liable for trademark dilution for using the protected logos of a network such as ABC to convey a false impression.

While the original author and publisher of a fake article can be legally responsible for reputational harm caused to targeted individuals so far the courts have not extended responsibility further down the chain to those who merely repost the original story.

A federal immunity law, the Communications Decency Act, is highly protective of those who host content created by unrelated third parties, such as reader comments appended to news articles. Applying the CDA, the California Supreme Court decided in a 2006 case, *Barrett*

v. Rosenthal, that a person who shared a link to a libelous article in an online chat group was not a “publisher” but merely a “redistributor” – and thus immune from liability.

Publishers are held responsible for only the harms they directly and foreseeably cause but not for the wrongful ways in which their readers act out. In the case of the pizzeria gunman, the scandalmongers who spun the unhinged tale of a Democratic child-smuggling conspiracy could be held liable for falsely implicating prominent politicians in a crime – but not for the overreaction of a vigilante who appointed himself “rescuer.” Only if the incitement is direct and unmistakable – a “how-to map” with encouragement to use it – could the author be held responsible.

So why aren’t we seeing a flood of libel suits in response to a deluge of fake news?

Those most frequently targeted by fake news are prominent national figures, and their tormentors are small-fries, often operating beyond the jurisdiction of American courts. Suing would yield little financial recovery and invariably reignite discussion of the falsehoods. Also, no libel suit can undo an election defeat.

Ultimately, the more worrisome harm that fake news inflicts is less to any individual candidacy than to the overall devaluation of political discourse. When people fall for transparently manufactured articles that feed and inflame their preexisting prejudices, they are pushed into more irretrievably extreme positions. When people begin to doubt everything they read – even the work of reputable journalists with well-trained editors – it becomes impossible to agree on baseline facts and everything becomes a matter of opinion. That is when the fakers truly will have won. ■