



## **COMM 422: Legal Issues and New Media** **4 Units**

**Spring 2021 –**

**Monday, Wednesday: 12:00 - 1:50 pm**

**Section: 20634**

**Location: Online**

**Professor: Mark Lloyd**

**Office: zoom**

**Office Hours: by appointment, Tuesday 11am – 3pm**

**Contact Info: marklloy@usc.edu**

### **Course Description**

Legal issues impact nearly every facet of our digital age, this applies especially to new media – from how markets operate to what movies are produced to what code is introduced to the internet. What are the legal issues communication scholars and practitioners need to understand?

This is a communications seminar course which examines laws and regulatory policies shaping today's media. We will cover issues such as net neutrality, intellectual property, libel, data privacy, and other legal issues related to electronic and digital media. While the course will focus on current legal issues that impact the practice of communication in the U.S. and abroad, it will seek to ground the discussion in an historical framework. This is a rapidly changing field, as such the instructor reserves the right to modify or change the class assignments or readings listed in this Syllabus.

### **Learning Objectives:**

Students will learn to look behind the headlines and to understand the operation of communication policy related to the practice of making media (including text, sound and video) and why the rules created by government matter to the practice. As important as theory is, this is a course about how rules are made in the real world, so the student will learn who makes and enforces the rules, what the policies are today, and how they may change tomorrow.

**Special note:** This is a seminar course. It is neither a lecture course nor a Socratic law course. It is designed to help students come up with their own answers regarding the global challenges and opportunities posed by information and communications technology, with a focus on the importance of policy. I understand a seminar course as a small group discussion, where students do assigned reading and then, under the professor's guidance and direction, grapple aloud with the ideas they've read.

This course assumes the student's ability to think critically and to be ready to engage in a scholarly manner with ideas and opinions they may initially disagree with.

**Class Readings:** All assigned readings will be on Blackboard.

**Prerequisite(s):** None, however, this is an upper-level college course and students are expected to know the basics of U.S. law and legal structure and be able to write well.

**Recommended Preparation:** Read the U.S. Constitution

### **Policies and Procedures**

Students are required to do all weekly readings, and be prepared to contribute to class discussions. Class discussions should be honest but respectful, no class member should be subject to name-calling or derision in class or in any other forum (including online communication). Attendance is mandatory for both lectures and discussion section. Students who, without proof of medical or family emergency, miss more than two sections of lecture or discussion will have their grades reduced and risk failing the course.

### **Communication**

Please feel free to meet with the Professor during office hours on Zoom, *but make an appointment* and clarify whether you are open to other students meeting at the same time.

Note from Professor: I get too much email, and I will not respond to email asking procedural questions already address in this syllabus or in class, but will attempt to respond to all other email within 48 hours

### **Technological Proficiency and Hardware/Software Required**

Access to a relatively up-to-date desktop or laptop with broadband internet access is required. We will be relying on Zoom for class, and all of our coursework will be accessed via Blackboard, all software and hardware necessary to participate effectively should be available to the student before the first class.

### **Class Assignments**

**Class Presentations and Response/Reflection Posts:** Students will self-divide into groups to research selected topics, create a “wiki” which identifies both the most important aspects of the topic but takes a position on a relevant recent controversy, and present/teach what was learned about the assigned topics to class. All Wiki’s are due 24hours before the scheduled presentation.

Everyone is expected to participate regularly in class discussion. Basic questions are encouraged, as is playing “devil’s advocate.” You will be judged on quality of contribution not quantity. A demonstration of open listening skills is essential, and respectful disagreement is encouraged, but personal attacks are not acceptable under any circumstances.

At the end of the week, all students will write a two-page response/reflection on the group presentation which includes the following: 1) what were the core lessons of the presentation and reading; 2) where you agreed or disagreed with the position taken.

**Mid-term:** The mid-term will be a take-home exam intended to determine your understanding of the materials presented in the first half of class. I will be looking for a nuanced understanding of the readings and our class discussion.

**Semester Project:** Students must send to me a short description of a topic relevant to the course they would like to research in greater detail by March 1. A full proposal, roughly 3-5 pages, that includes research questions, identifies relevant readings from the course, and a research plan will be due no later than midnight March 8. A 12-15 page paper is due April 5. A short presentation of your research to the class will be scheduled after semester project is submitted.

**Final Exam:** The final exam will be an essay in response to a question/prompt, it will seek to determine whether the student has learned the core lessons of the semester.

**Assignment Submission Policy:** All assignments are due on the dates specified. Lacking prior discussion and agreement with the instructor, late assignments will automatically be given a grade of F.

Assignments must be submitted via email in either Microsoft Word or PDF

### Grading Breakdown

Assignment	Points	% of Grade
Response/Reflection Posts	20	20%
Research Topic/Group Work	20	20%
Midterm	20	20%
Semester Project	20	20%
Final Exam	20	20%
<b>TOTAL</b>	<b>100</b>	<b>100%</b>

### Grading Scale

95 to 100%: A	90% to 94%: A-	86% to 89%: B+	82% to 85%: B
80% to 81%: B-	77% to 79%: C+	74% to 76%: C	70% to 73%: C-
67% to 69%: D+	64% to 66%: D	60% to 63%: D-	0% to 59%: F

### Grading Standards

Letter Grade	Description
A	Excellent; demonstrates extraordinarily high achievement; comprehensive knowledge and understanding of subject matter; all expectations met and exceeded.
B	Good; moderately broad knowledge and understanding of subject matter; demonstrates good, if not thorough understanding; only minor substantive shortcomings.
C	Satisfactory/Fair; reasonable knowledge and understanding of subject matter; most expectations are met; despite any shortcomings, demonstrates basic level of understanding.
D	Marginal; minimal knowledge and understanding of subject matter; more than one significant shortcoming; deficiencies indicate only the most rudimentary level of understanding.
F	Failing; unacceptably low level of knowledge and understanding of subject matter; deficiencies indicate lack of understanding.

## Grading Timeline

### Grading Timeframe and Missing or Inaccurate Score Inquiries/Disputes

Every attempt will be made to grade assignments/exams and post grades within two weeks. Scores for all assignments and exams are regularly updated on Blackboard.

You are responsible for notifying the Instructor **within one (1) week** of a score posting if you think a score is missing or inaccurate. Moreover, you only have this period of time to contest a score on an assignment/exam. If you fail to inquire/notify us of any discrepancy, missing score, or contest a score within one week of the date the score is posted, no further changes will be made.

## Assignment Submission Policy

- A. All assignments are due on the dates specified. Lacking prior discussion and agreement with the instructor, late assignments will automatically be given a grade of F.
- B. Assignments must be submitted via Blackboard and to the professor via email at marklloy@usc.edu.

## Add/Drop Dates for Session 001 (15 weeks: 1/15/2021 – 4/30/2021; Final Exam Period: 5/5-12/2021)

**Friday, February 5:** Last day to register and add classes for Session 001

**Friday, February 5:** Last day to drop a class without a mark of “W,” except for Monday-only classes, and receive a refund for Session 001

**Tuesday, February 9:** Last day to drop a Monday-only class without a mark of “W” and receive a refund for Session 001

**Friday, March 5:** Last day to drop a course without a mark of “W” on the transcript for Session 001. Mark of “W” will still appear on student record and STARS report and tuition charges still apply. [Please drop any course by the end of week three (or the 20 percent mark of the session) to avoid tuition charges.]

**Friday, March 5:** Last day to change pass/no pass to letter grade for Session 001. [All major and minor courses must be taken for a letter grade.]

**Friday, April 9:** Last day to drop a class with a mark of “W” for Session 001

## Course Schedule: A Weekly Breakdown

**Important note to students:** Be advised that this syllabus is subject to change - and probably will change - based on the progress of the class, events, and/or guest speaker availability, where relevant.

	Topics	Readings/Preparations	Deliverable/Due Dates
Week 1 Dates: 1/20	Lecture: Covering the Basics - Freedom of the Press/Copyright U.S. Government	U.S. Constitution Steal This Film-Video Terms and Conditions – Video	[ <b>MLK Day:</b> Monday, January 18]  Non-graded exam . . .
Week 2 Dates: 1/25-1/27	Lecture: Covering the Basics -Contracts, Privacy, The Internet	From Franklin to Facebook NYT- Privacy Project Section 230	
Week 3 Dates: : 2/1-2/3	Identifying a Legal Issue Anti Trust	I.R.A.C. – Legal Issue Spotting, Toward a General Theory of Law and Tech	Class Presentations
Week 4 Dates: 2/8-2/10	Intellectual Property Freedom of Expression Privacy	The Power of Privacy	Class Presentations/ Individual Reflection/Response

Week 5 Dates: 2/17	Privacy/Facebook Anti-Trust/Google		Individual Reflection/Response
Week 6 Dates: 2/22-2/24	Review Midterm		
Week 7 Dates: 3/1-3/3	Broadcast Regulation Group Work #2	Red Lion/Red Lion Confusion	Semester Project Description due
Week 8 Dates: 3/8-3/10	Reforming Sec. 230 Regulating the Internet of Things	See Class Folder	Semester Project Proposal due Class Presentations/ Individual Reflection/Response
Week 9 Dates: 3/15-3/17	Broadband Deployment Regulating Police Surveillance	Unconscionable Adhesion Contracts/ Regulating Artificial Intelligence See Class Folder	Individual Reflection/Response Semester Project Proposal Due
Week 10 Dates: 3/22-3/24	Semester Project Proposal Discussions Semester Project work		
Week 11 Dates: 3/29-3/31	Semester Project work		
Week 12 Dates: 4/5	Semester Project Due		Semester Project Due
Week 13 Dates: 4/12-4/14	Semester Project Presentations	Copyright/Fair Use- M Copyright/Trademark- W	
Week 14 Dates: 4/19-4/21	Semester Project Presentations	Speech Rights – M Political Ads/- W	
Week 15 Dates: 4/26-4/28	Semester Project Presentations	Data Protection -M Anti-Trust - W	[USC Course Evaluations.]
STUDY DAYS Dates: 5/1-5/4		<b>Note:</b> No final examinations may be scheduled on Study Days.	
FINAL EXAM PERIOD Dates: 5/5-5/12		<b>Note:</b> All classes must have a scheduled exam or equivalent summative experience (paper/project) due on the scheduled date of the final exam.	<b>Date:</b> For the date and time of the final for this class, please consult the <a href="#">Spring 2021 Final Exam Schedule</a> .

## Statement on Academic Conduct and Support Systems

### a. Academic Conduct

#### *Plagiarism*

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in *SCampus* in Part B, Section 11, “Behavior Violating University Standards” [policy.usc.edu/scampus-part-b](https://policy.usc.edu/scampus-part-b). Other forms of academic dishonesty are equally unacceptable. See additional information in *SCampus* and university policies on scientific misconduct, [policy.usc.edu/scientific-misconduct](https://policy.usc.edu/scientific-misconduct).

The School of Communication maintains a commitment to the highest standards of ethical conduct and academic excellence. Any student found responsible for plagiarism, fabrication, cheating on examinations, or purchasing papers or other assignments will be reported to the Office of Student Judicial Affairs and Community Standards and may be dismissed from the School of Communication. There are no exceptions to the school’s policy.

In addition, it is assumed that the work you submit for this course is work you have produced entirely by yourself, and has not been previously produced by you for submission in another course, without approval of the instructor.

## **b. Support Systems**

*Counseling and Mental Health - (213) 740-9355 – 24/7 on call*

[studenthealth.usc.edu/counseling](http://studenthealth.usc.edu/counseling)

Free and confidential mental health treatment for students, including short-term psychotherapy, group counseling, stress fitness workshops, and crisis intervention.

*National Suicide Prevention Lifeline - 1 (800) 273-8255 – 24/7 on call*

[suicidepreventionlifeline.org](http://suicidepreventionlifeline.org)

Free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week.

*Relationship and Sexual Violence Prevention and Services (RSVP) - (213) 740-9355(WELL), press "0" after hours – 24/7 on call*

[studenthealth.usc.edu/sexual-assault](http://studenthealth.usc.edu/sexual-assault)

Free and confidential therapy services, workshops, and training for situations related to gender-based harm.

*Office of Equity and Diversity (OED)- (213) 740-5086 | Title IX – (213) 821-8298*

[equity.usc.edu](http://equity.usc.edu), [titleix.usc.edu](http://titleix.usc.edu)

Information about how to get help or help someone affected by harassment or discrimination, rights of protected classes, reporting options, and additional resources for students, faculty, staff, visitors, and applicants. The university prohibits discrimination or harassment based on the following *protected characteristics*: race, color, national origin, ancestry, religion, sex, gender, gender identity, gender expression, sexual orientation, age, physical disability, medical condition, mental disability, marital status, pregnancy, veteran status, genetic information, and any other characteristic which may be specified in applicable laws and governmental regulations. The university also prohibits sexual assault, non-consensual sexual contact, sexual misconduct, intimate partner violence, stalking, malicious dissuasion, retaliation, and violation of interim measures.

*Reporting Incidents of Bias or Harassment - (213) 740-5086 or (213) 821-8298*

[usc-advocate.symplicity.com/care\\_report](http://usc-advocate.symplicity.com/care_report)

Avenue to report incidents of bias, hate crimes, and microaggressions to the Office of Equity and Diversity | Title IX for appropriate investigation, supportive measures, and response.

*The Office of Disability Services and Programs - (213) 740-0776*

[dsp.usc.edu](http://dsp.usc.edu)

Support and accommodations for students with disabilities. Services include assistance in providing readers/notetakers/interpreters, special accommodations for test taking needs, assistance with architectural barriers, assistive technology, and support for individual needs.

*USC Campus Support and Intervention - (213) 821-4710*

[campussupport.usc.edu](http://campussupport.usc.edu)

Assists students and families in resolving complex personal, financial, and academic issues adversely affecting their success as a student.

*Diversity at USC - (213) 740-2101*

[diversity.usc.edu](http://diversity.usc.edu)

Information on events, programs and training, the Provost's Diversity and Inclusion Council, Diversity Liaisons for each academic school, chronology, participation, and various resources for students.

*USC Emergency - UPC: (213) 740-4321, HSC: (323) 442-1000 – 24/7 on call*

[dps.usc.edu](https://dps.usc.edu), [emergency.usc.edu](https://emergency.usc.edu)

Emergency assistance and avenue to report a crime. Latest updates regarding safety, including ways in which instruction will be continued if an officially declared emergency makes travel to campus infeasible.

*USC Department of Public Safety - UPC: (213) 740-6000, HSC: (323) 442-120 – 24/7 on call*

[dps.usc.edu](https://dps.usc.edu)

Non-emergency assistance or information.

*Annenberg Student Success Fund*

<https://annenberg.usc.edu/current-students/resources/additional-funding-resources>

The Annenberg Student Success Fund is a donor-funded financial aid account available to USC Annenberg undergraduate and graduate students for non-tuition expenses related to extra- and co-curricular programs and opportunities.

*Professor bio:*

Mark Lloyd is a Clinical Professor at the University of Southern California-Annenberg School of communication. He is a communication lawyer and a journalist.

From 2009-2012 he served as an associate general counsel at the Federal Communications Commission, advising the Commission on how to promote diverse participation in the communications field with a focus on research into critical information needs and broadband adoption by low-income populations. His other government service includes time on the Clinton Transition Team, and working in the personnel office of the Clinton White House. He also served as a member of the Biden Policy Committee on Innovation, serving on the subcommittee on Digital Equity.

Prior to joining the FCC, Mr. Lloyd was the vice president for strategic initiatives at the Leadership Conference on Civil Rights/Education Fund, where, among other duties, he led a national campaign to assist vulnerable communities make the successful transition to digital television service. He was also the Director of the Media Policy Initiative at New America, a Senior Fellow at the Center for American Progress, and the Director of a research and advocacy group he co-founded, The Civil Rights Forum on Communication Policy, where he led a national campaign to establish public interest obligations for digital television broadcasters – People for Better TV.

Previously Prof. Lloyd has been the General Counsel of the Benton Foundation, and an attorney at the DC law firm Dow, Lohnes & Albertson. Before becoming a communications lawyer, he was an Emmy award-winning broadcast journalist, working for public and commercial radio and television, including time at NBC and CNN.

Professor Lloyd has been teaching at the USC/Annenberg School since 2013. His academic career includes two years as a visiting scholar at MIT, several years teaching communication policy at the Georgetown University Public Policy Institute, and from 2018 to 2020 he was a professor of professional practice in the Max Bell School of Public Policy at McGill University in Montreal.

The author of numerous articles, his book *Prologue to a Farce, Communication and Democracy in America* was published by the University of Illinois Press in 2007, and he co-edited *The Communication Crisis in America and How to Fix It*, published by Palgrave/Macmillan in 2016.

Prof. Lloyd graduated from the University of Michigan-Ann Arbor with a double major in journalism and political science, and from the Georgetown University Law Center.