

## COMM 410 - 201 The Law and Digital Media

M: 7:00-9:30 pm  
SoC: 013

### Instructor

Bastiaan Vanacker  
Office Hours: Monday: 3:00-4:00 p.m. - Tuesday: 10:00-12:00 p.m.  
Email: [bvanacker@luc.edu](mailto:bvanacker@luc.edu)  
Phone: 312-560-4392  
Twitter: @bas\_vanacker  
Class hashtag: #com410

### Course description

The purpose of this course is to familiarize you with the boundaries of press freedom, the significance of the First Amendment and the nature and limits of the laws and regulations that uniquely affect your profession. The goal is not to make you experts, nor to eliminate your need for legal advice in the future, but to prepare you to recognize the multitude of legal problems you may confront as working professionals and to help you avoid potential hazards. You will also be challenged in this course to think deeply about the theoretical, moral and ethical problems that underlie the legal issues we address in class, and to begin formulating your own ideas about the proper scope of the freedoms of speech and press. In addition to providing a general overview of the laws affecting communication, this course will also explore the main issues relating to the law of digital media. How have courts and lawmakers dealt with the proliferation of digital media and the Internet and how does this legal landscape affect communicators?

### Course outcomes

- Students will demonstrate a broad understanding of the history and scope of the First Amendment as well as a thorough knowledge of the laws and regulations that uniquely affect media industries and media professionals.
- Students will be able to identify legal problems in real and hypothetical situations and to resolve those problems by applying legal principles.
- Students will reflect on the meaning of freedom in society and the rights and duties of media professionals. They will also begin formulating their own theories about the limits of freedom of speech and press.
- Students will apply these insights to digital media
- Students will reflect on how traditional legal concepts can be applied to digital media
- Students will become familiar with the major issues legal facing digital storytellers

### Course Design

It has been my experience that students in the Digital Storytelling Masters' program do not always see the need for this class. While they like to know the basics of the law, they do not always see the need to understand the theoretical underpinnings and historical development of the law. They also seem to prefer a case-based approach over a survey approach.

In order to address these concerns I have changed the approach to this class. Instead of explaining the history and development of an area of the law, such as libel, and then move on to the current state of the law in order to finish with how these legal concepts apply to digital media, we will start with a current case and work our way back to figuring out the legal questions at play in any given case.

Students are expected to read the case assigned for that week, do some independent research and come to class

prepared to discuss the assigned case. Students will also be asked to do additional research on the reading materials or answer additional questions they will submit to the instructor before coming to class.

### **Grading**

#### *Participation 25%*

Your participation is expected, essential and graded. Those who make exceptional contributions to class discussions are also eligible for extra credit -- no more than a couple of points -- awarded at my discretion. Please note that "frequent contributions" alone are not enough to earn you a B in participation. I also expect that you display a grasp of the material in order to earn an above-average grade. Failure to come to class will negatively affect your participation grade.

A: Frequent and meaningful contributions to class discussion that show insight and understanding of material.

B: Frequent and meaningful contribution to class discussion.

C: Occasional participation to class discussion.

D: Only participates when called upon.

F : No class participation

#### *Class preparation 17.5%*

You will be expected to do some additional research on the readings of the week and/or prepare discussion questions. These will have to be submitted to the instructor via Sakai no later than midnight on Sunday.

#### *In-class activities 12.5%*

Occasionally, there will be graded in-class activities.

#### *Take home assignments 10%*

Occasionally, I will give you a take home assignment based on the evening's class that will be due no later than Saturday midnight following the class.

#### *Final project: 35%*

See below

### **Absences**

In order to get credit for participation, you need to be present and have done your readings. If I notice you have not done your readings, you will be asked to leave and will be counted as absent. The only reason you can be absent without losing points for the assignments you missed are

- Documented illness (not "I am not feeling well")
- Documented family emergency
- Mandatory presence at an official Loyola function
- Documented instances of "force majeure"

First absence: You will get the opportunity to make up assignments/activities that you missed, if any.

Participation score will not be affected.

Second absence: Your participation score will go down two grades, you will not be able to make up anything you missed.

Third absence: You will fail the class

### **Readings**

Readings and instructions for the readings will be made available through Sakai under the "lessons" tab

### **Class schedule**

August 27: Introduction

September 3: Labor Day

September 10: Legal issues in VR and AR

September 17: Hate speech and troll wars. When speech becomes conduct.

September 24: Fighting fake news via libel litigation

October 1: Protecting sources and whistleblowers in an age of data trails  
October 8: Fall Break  
October 15: The limits of privacy in a digital age. #Planebae and other stories.  
October 22: Data protection and the pitfalls of algorithms  
October 29: Copyright questions  
November 5: Access to data and information  
November 12: Digital Advertising  
November 19: TBD  
November 26: Work on final project  
December 3: Final project presentation

### **Final Project**

For this project, you are to use your own unique storytelling skills to communicate about a topic related to media law. You can develop a project according to your strengths and interests.

**Advertising:** You can work individually or in a team to produce an advertising product designed to heighten awareness, encourage change, or communicate other important messages concerning media law. You must produce at least three visual ads and a Power Point presentation on your topic. You may also include other electronic elements that contribute to the respective campaigns. You need to focus on campaign objectives, rationales, strategies etc. Your grade will be based for 40% on effectiveness of the advertising, 40% on the use of law, and 20% on the effectiveness of the presentation.

**Journalism:** You work individually to develop a work of print or video journalism that focuses upon an important controversy or issue in media law. For print, the project should be approximately 60 column inches (2000 words); for video, 10 minutes. Each project must include at least six substantial interviews, meaning that it must be evident in the project how each interview clearly and strongly contributed to the project. Interviews conducted in-person count the most in determining the grade. The grade is based on 50% effectiveness in the use of journalism, 50% on the effectiveness of the use of law.

**Broadcast:** You work in a team to produce a video designed to communicate an important message about media law. Most important is that it is done well enough to communicate its message effectively. The objective is to heighten awareness or encourage change – but you are not restricted to those approaches, if you can develop a better one. You may choose a news-oriented approach, an entertainment-oriented approach, or some combination of the two. The grade is based on 50% effectiveness in the use of broadcast/electronic media, 50% on the effectiveness of the use of law.

**Multimedia project:** You can also build a web site on a topic. Given the variety of approaches to be taken here, it is impossible to outline general guidelines. Take a look at the projects that have been submitted in years prior on the web site and propose your own proposal to me.

These general guidelines can be changed to better fit students' needs and other format are acceptable, such as developing a PR campaign or commercial, but this needs to be discussed with me.

Some topic ideas:

- How freely available is government information in Chicago under our present mayor?
- What legal recourses are available to victims of cyber bullying?
- Activist organizations like to go under cover and conduct hidden camera investigations, what are some of the legal implications?
- Develop a resource tool for high school journalists regarding privacy
- What are the legal and ethical issues regarding drones?
- What are the legal and ethical issues regarding Virtual Reality?
- What is the state of free speech at Loyola University?
- Should works of disgraced celebrities (Bill Cosby, Kevin Spacey,...) no longer be rerun? How are digital platforms dealing with this?
- Joke stealing in comedy, copyright and other issues.

Important dates:

October 15: proposal due  
December 2: final project due