

RTV 4700
Telecommunications Law & Regulation

Instructor: David Ostroff
Phone: 392-0463
E-mail: dostroff@jou.ufl.edu

Office Hours: By appointment
Office: 2081 Weimer

COURSE OBJECTIVES

In this course, we are going to cover an exceptionally broad range of materials, looking at issues that affect everyone. Most of you are planning to become communication professionals, whether in news, production or operations. But even if you aren't, telecom regulation issues will impact you.

We're going to learn about how broadcasting, cable television, satellite and the Internet are regulated. You'll learn about how certain things affect regulations: how technology is used, the social and cultural issues involved in technology use, and business practices and governing philosophy. So you can understand these issues better, we'll look at how law, in general, influences and shapes electronic law and regulation.

Over the course of the semester, we'll discuss the following:

- Why do we regulate telecommunications? Is telecom special when compared to other industries? Should the government be *more* involved in its regulation?
- How does the telecom regulatory process work? What roles do regulatory, legislative and judicial bodies play in the process?
- What are the different types of policy players? How do they try to change the process?
- What are the regulatory and First Amendment issues in mass communication?
- What are "scarcity" and "public interest, convenience and necessity" when applied to broadcasting?
- What are the emerging issues regarding net neutrality?
- What are the issues regarding regulation of political speech, obscenity and indecency, and children's programming requirements?
- What are the reporting and free press issues involving defamation and privacy as applied to electronic media?
- What does "copyright" really mean in the digital age?

REQUIRED TEXT

Nuechterlein, Jonathan E., and Philip J. Weiser. *Digital crossroads: Telecommunications law and policy in the Internet age*. Cambridge, Mass.: MIT Press, 2013. Print.

ADDITIONAL READINGS

Any additional readings or course materials we'll have this semester will be linked on the course site.

The telecommunication field changes rapidly. I highly recommend reading a daily paper in order to keep up. If you don't already, you should read daily national papers (the New York Times and Wall St. Journal) and weekly trade publications (Broadcasting & Cable) to keep current.

PARTICIPATION

I expect you to participate in every module this term. We all learn more when you're actively engaged and sharing your viewpoints. You're welcome to share your opinions about controversial topics as well. I always welcome healthy and respectful debate. You are responsible for *all* materials we cover during the term, including readings, class discussions, video presentations, and any other materials I provide. Also, you must turn in any assignments on the day they're due, no exceptions.

GRADING POLICY

Your grade in this class is based solely on how well you perform on the class quizzes, assignments and group project, and the level of your participation in class discussions. I will not award credit or grades based on individual need.

At my discretion, I may offer extra credit opportunities during the semester, but don't expect them or rely on them to boost your grade. **You cannot – under *any* circumstances – make up extra credit assignments you miss.** So, if you don't turn in an extra credit assignment on the day it's due, I will not give you credit for it. I will make all extra credit assignments available to all students; I will not give individual extra credit assignments.

Your grade is based on the following:

Weekly quizzes (14, 5 pts. each): 70 points

Weekly assignments (9, 10 pts. each): 90 points

Position papers (4, 25 pts. each): 100 points

Class discussions/participation (includes peer reviews and final group project reviews): 90 points

Group project: 150 points

Total points available: 500

93-100%	(465-500 points)	= A (4.00)
88-92%	(440-464 points)	= A- (3.67)
84-87.99%	(420-439 points)	= B+ (3.33)
80-83.99%	(400-419 points)	= B (3.00)
78-79.99%	(390-399 points)	= B- (2.67)
74-77.99%	(370-389 points)	= C+ (2.33)
70-73.99%	(350-369 points)	= C (2.00)
68-69.99%	(340-349 points)	= C- (1.67)
64-66.99%	(320-339 points)	= D+ (1.33)
60-63.99%	(300-319 points)	= D (1.00)
0-59.99%	(0-299 points)	= E (0.00)

Any extra credit I offer during the semester will not alter the total number of points on which I will base your final grades. If you earn extra credit points, you'll simply add those points to the total points you earn.

I may decide to institute a grading curve at my discretion, but I will make this decision *only* at the end of the semester when I've calculated everyone's grades.

ACADEMIC INTEGRITY POLICY

UF expects its students to understand and conform to the letter and spirit of the University of Florida Code of Conduct. If you violate the code, you are **subject to immediate failure of the course**, and I will refer your case to the College of Journalism and Communications Dean's Office for further action.

Preamble: In adopting this Honor Code, the students of the University of Florida recognize that academic honesty and integrity are fundamental values of the University community. Students who enroll at the University commit to holding themselves and their peers to the high standard of honor required by the Honor Code. Any individual who becomes aware of a violation of the Honor Code is bound by honor to take corrective action. A student-run Honor Court and faculty support are crucial to the success of the Honor Code. The quality of a University of Florida education is dependent upon the community acceptance and enforcement of the Honor Code.

The Honor Code: We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity. On all work submitted for credit by students at the University of Florida, the following pledge is implied:

“On my honor, I have neither given nor received unauthorized aid in doing this assignment.”

For more information about academic honesty, please contact Student Judicial Affairs, P202 Peabody Hall, (352) 392-1261.

ACADEMIC MISCONDUCT

UF expects you to be honorable and observe the standards of conduct appropriate to a community of scholars. All acts of dishonesty in any academic work will constitute academic misconduct. This includes, but is not limited to, the following:

- **Cheating** – Using or attempting to use unauthorized materials, information, or study aids in any academic exercise
- **Plagiarism** – Representing the words, ideas, or data of another as one's own in any academic exercise
- **Fabrication** – Unauthorized falsification or invention of any information or citation in an academic exercise
- **Aiding and abetting academic dishonesty** – Intentionally or knowingly helping or attempting to help another student commit an act of academic dishonesty

STUDENTS WITH DISABILITIES

The Office of Student Services has indicated that students with disabilities should contact their instructors at the beginning of the term. When possible and reasonable, individual arrangements will be made to provide special services necessary for assisting students with disabilities.

Students requesting classroom/testing accommodations must first register with the Dean of Students Office. This office will provide documentation to the student, who must then give the documentation to the instructor. You **MUST** give the instructor the documentation at least three weeks before the first scheduled test.

MENTAL HEALTH/COUNSELING SERVICES

UF provides mental health and counseling services to students. If you feel you need these services, please use this contact information:

Counseling & Wellness Center
3190 Radio Rd.
(352) 392-1575
Hours: Monday through Friday, 8:00 a.m. to 5:00 p.m.

SALE OF NOTES

Lecture materials are my property. Please do not use these materials for any commercial purpose, including selling the notes to any retail distributor who reproduces them for resale to other students. If you violate this provision, you may be subject to discipline under UF's Student Conduct Code.

TENTATIVE READING SCHEDULE

As needed, I will change the following schedule to reflect any updates/revisions to the readings.

Module #	Topic	Readings & Other Materials
Module 1	Introduction to course – why does law matter; what does the legal system look like; how to read and brief court opinions	
Module 2	The main player: the FCC – why and how does it regulate; Radio Act of 1927; Communications Act of 1934; Telecomm Act of 1996	
Module 3	Telephony; the rise of mobile; AT&T	
Module 4	Cable television regulations; satellite regulations	How HD Radio Works, at: http://electronics.howstuffworks.com/hd-radio.htm How HDTV Works, at: http://electronics.howstuffworks.com/hdtv.htm
Module 5	The digital divide; the National Broadband Plan	
Module 6	Net neutrality	John Oliver – Last Week Tonight clip on net neutrality Wired magazine – “What Everyone Gets Wrong in the Debate About Net Neutrality” http://www.wired.com/2014/06/net_neutrality_missing/ FCC set to adopt net neutrality rules, at: http://www.latimes.com/business/la-fi-fcc-net-neutrality-20101221,0,4595705,full.story FCC approves net neutrality regulations, at: http://latimesblogs.latimes.com/technology/2010/12/fcc-approves-net-neutrality-regulations.html

		<p>Keeping the Internet Neutral?: Tim Woo and Christopher Yoo Debate, download at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=953989</p> <p>Read Sections III, IX & X of FTC Report on Net Neutrality, at: http://www.ftc.gov/reports/broadband/v070000report.pdf</p> <p>FCC seeks input on National Broadband Plan, at: http://news.cnet.com/8301-13578_3-10214974-38.html</p> <p>Reformers, ISPs Clash on National Broadband Plan, at: http://arstechnica.com/tech-policy/news/2009/06/reformers-isps-clash-on-national-broadband-plan.ars</p> <p>Watch Net @ Risk Video, at: http://www.pbs.org/moyers/moyersonamerica/net/index.html#updates</p>
Module 7	Copyright	
Module 8	First Amendment theory; obscenity and indecency	
Module 9	Advertising; children's programming regulations	John Oliver – Last Week Tonight clip on Dr. Oz
Module 10	Political speech regulations; Citizens United	
Module 11	Defamation	
Module 12	Privacy torts	
Module 13	Privacy and security	
Module 14	Media liability and “copycats”; media responsibility	

COURSE ASSIGNMENTS AND DUE DATES

Module	Assignment/Quiz	Open	Close
1	Read and brief a court opinion	Jan 6	Jan 17
	Intro DB	Jan 6	Jan 17
	M 1 quiz	Jan 6	Jan 17
2	Digital scavenger hunt	Jan 11	Jan 17
	Scarcity DB	Jan 11	Jan 17
	M 2 quiz	Jan 11	Jan 17
3	Group introduction DB	Jan 18	Jan 24
	Group selects and ranks topic	Jan 18	Jan 24
	Recorded conference link	Jan 18	Jan 24
	Regulatory issues DB	Jan 18	Jan 24
	AT&T monopoly DB	Jan 18	Jan 24
	M 3 quiz	Jan 18	Jan 24
4	Position paper 1	Jan 25	Jan 31
	Sports blackout DB	Jan 25	Jan 31
	Peer review position paper 1	Jan 25	Jan 31
	Quiz 4	Jan 25	Jan 31
5	E Accessibility interview	Feb 1	Feb 7
	Group topic submission	Feb 1	Feb 7
	A National Broadband debate DB	Feb 1	Feb 7
	M 5 quiz	Feb 1	Feb 7
6	Position paper #2	Feb 8	Feb 14
	Per review position paper #2	Feb 8	Feb 14

	Analyzing public comments DB	Feb 8	Feb 14
	Quiz 6	Feb 8	Feb 14
7	The game winning shot	Feb 15	Feb 21
	It is infringement DB	Feb 15	Feb 21
	Group project proposal	Feb 15	Feb 21
	Quiz 7	Feb 15	Feb 21
Module	Assignment/Quiz	open	close
8	Position paper #3	Feb 22	Feb 28
	Position paper 3 peer review	Feb 22	Feb 28
	What did you learn DB	Feb 22	Feb 28
	Quiz 8	Feb 22	Feb 28
9	Children's programming analysis	Mar 8	Mar 14
	Regulating food	Mar 8	Mar 14
	Quiz 9	Mar 8	Mar 14
10	Position paper #4	Mar 15	Mar 21
	Position paper #4 peer review	Mar 15	Mar 21
	Fairness doctrine	Mar 15	Mar 21
	Quiz 10	Mar 15	Mar 21
11	Defame me!	Mar 22	Mar 28
	Online product review	Mar 22	Mar 28
	Quiz 11	Mar 22	Mar 28
12	Analyzing privacy interest	Mar 29	Apr 4
	Coverage of a crime DB	Mar 29	Apr 4
	Quiz 12	Mar 29	Apr 4
13	Group project draft	Apr 5	Apr 11
	Analyzing wikileaks	Apr 5	Apr 11

	Updated work plan memorandum	Apr 5	Apr 11
	Quiz 13	Apr 5	Apr 11
14	Social media liability DB	Apr 12	Apr 18
	Violent videogames	Apr 12	Apr 18
	Quiz 14	Apr 12	Apr 18
Final module (15)	Group project final submission	Apr 19	Apr 25
	Peer project review	Apr 19	Apr 25
	Individual submission group project	Apr 19	Apr 25
	Teammate evaluation	Apr 19	Apr 25

SYLLABUS AMENDMENTS

I may modify or supplement this syllabus in any manner as needed.

I look forward to working with all of you this semester.