

Course Syllabus – BUS 5100, Cyber Law, Regulation and Ethics 11/1 – 12/13/14

**Instructor Name and UVa Email Contact Information:**

Dr. David O. Ward, Adjunct Instructor, dow6p@virginia.edu and david.ward@fcc.gov, work telephone: (202) 418-2336.

**Class Description:**

This course provides an overview of the ethical challenges faced by individuals and organizations in the information age and introduces the complex and dynamic state of the law as it applies to behavior in cyberspace. Topics include the legal pitfalls of doing business in an interconnected world and an introduction to the various organizations and materials that can be turned to for assistance in understanding how to ethically and legally provide services and operate modern computer-based systems and networks.

**Learning Outcomes:**

• Identify and apply the governance processes required of the statutes and regulations pertaining to information assurance.

• Analyze and evaluate proposed or extant information security policies, practices and procedures in order to assess, in concert with their organization's legal representatives and advisors, potential legal liabilities that might flow from implementing them.

• Use basic ethical theories to evaluate the fairness of a proposed or extant collection of policies, laws, regulations, guidelines and practices designed to mitigate the liability risks and punish the misuse of on-line systems.

• Identify the public policy issues and user expectations regarding privacy and apply privacy rules to management and operation of information infrastructures.

• Identify and apply the legal and regulatory compliance requirements pertaining to the acquisition, use and licensing of intellectual property. This includes the federal laws governing copyrights, patents and trade secrets, and both federal and state laws governing trade and service marks.

• Identify and apply the legal and regulatory compliance requirements pertaining to electronic commerce.

• Be able to explain the role of scientists and engineering expert witnesses in litigation.

• Develop legally sound information handling requirements for responding to subpoenas, discovery demands, and cyber attack incident response processes and procedures.

**Assessment Components:**

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| Graded Event | % Grade | Basis Points | Date Due |
| Midterm Examination | 25 % | 250 | 11/26/14 |
| Policy Drafting Exercise | 25 % | 250 | 12/3/14 |
| Class Participation | 15 % | 150 | 12/13/14 |
| Final Exam | 35% | 350 | 12/13/14 |
| Total Grade for Course | 100% | 1,000 |  |

**Required Text:**

1. Craig, B. (2012). *Cyberlaw - the law of the Internet and information technology.* Boston, MA: Pearson ISBN 9780132560870.
2. *Publication manual of the American psychological association,* (6th edit. 2010). ISBN 9781433805615.

**Required Additional Resources and Technical Components:**

The following required texts will be provided by the Professor via UVA Collab:

1. *Guide for developing security plans for federal information systems* (NIST special publication 800-18 rev. 1 2006).

2. *Information security handbook: a guide for managers* (NIST special publication 800-100 2007).

3. *Contingency planning guide for information technology systems* (NIST Special Publication 800-34 2010).

4. *Security and privacy controls for federal information systems* (NIST Special Publication 800-53 rev. 4 2013).

5. McGuire, S. (2013). State taxation of internet transactions. Washington, D.C.: CRS.

6. Additional readings from the Professor (“Collab. downloads”) on the course schedule below.

**Other Class Expectations:**

1. Synchronous instruction component. Classes will meet live on UVaCOLLAB only, every Wednesday beginning 5 Nov 14. Students and the professor will log into UVaCOLLAB at the same time. The class will be recorded and made available for downloading and re-playing, at the students' convenience.
2. Asynchronous instruction component. Students will log into UVaCOLLAB weekly, at a time/place of their convenience, respectively, and complete the discussion topics provided for that week. The quality and quantity of student responses and interaction will determine the participation grade.
3. Grammar and Adherence to American Psychological Association (APA) Format. The rules governing the grammar and usage of standard American English must be followed, and language should be clear, precise, and appropriate for the intended scholarly audience.
4. When formatting and composing assignments, learners must follow the guidelines described in the Publication Manual of the American Psychological Association. In addition, the overall layout of assignments, including citations and reference pages, should adhere to APA style.

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| Class Instruction | Access: UVA Collab: <https://collab.itc.virginia.edu/portal>  Student Technical Requirements:   * UVA Computing IDs and Passwords * Internet Explorer (7.0 or above) or * Mozilla Firefox Headset/Mic: Recommended Logitech Headset with USB |
| Class Requirements: | Attend weekly lectures online (synchronous)  Participate in the weekly discussion topics online (asynchronous) |
| Evaluation Standards | Policy drafting exercise, midterm and final exams, and participation are the graded components. |
| Class Schedule | Synchronous classes meet on Wednesdays at 7 PM Eastern time |
| Communication | Primary via e-mail; secondarily via UvaCollab; thirdly telephone. |
| Assignments | Weekly reading assignments posted on UvaCollab. |
| Resources | No additional resources are required. |
| Gradebook | Available online at UVaCOLLAB |
| Technical Support | * Email to: [idtteam@virginia.edu](mailto:idtteam@virginia.edu) * Login/password: [scpshelpdesk@virginia.edu](mailto:scpshelpdesk@virginia.edu) * UVACollab: [collab-support@virginia.edu](mailto:collab-support@virginia.edu)   BbCollaborate (Elluminate) Support: [idtteam@virginia.edu](mailto:idtteam@virginia.edu) or <http://support.blackboardcollaborate.com> |
| Honor Code  Special Needs  Purpose  Statement  Content and  Disclosure  FERPA | **University of Virginia Honor Code:** All work should be pledged in the spirit of the Honor System of the University of Virginia.The instructor will indicate which assignments and activities are to be done individually and which permit collaboration. The following pledge should be written out at the end of all quizzes, examinations, individual assignments and papers: “I pledge that I have neither given nor received help on this examination (quiz, assignment, etc.)”. The pledge should be signed by the student. Students should refer to the University Graduate Record (pages 36 & 37) for more information concerning the Honor Code. **You must also attach the university honor council statement.**  **Special Needs:** If you are a student with special needs you should let the instructor know within the first week of class. Written documentation will be required. You should also visit the following website to review your rights and responsibilities as a student (<http://www.virginia.edu/vpsa/rights.html>) and the following website for the Learning Needs and Evaluation Center (<http://www.virginia.edu/studenthealth/lnec/>).  **Purpose Statement:** The central purpose of the University of Virginia is to enrich the mind by stimulating and sustaining a spirit of free inquiry directed to understanding the nature of the universe and the role of mankind in it. Activities designed to quicken, discipline, and enlarge the intellectual and creative capacities, as well as the aesthetic and ethical awareness, of the members of the University and to record, preserve, and disseminate the results of intellectual discovery and creative endeavor serve this purpose. In fulfilling it, the University places the highest priority on achieving eminence as a center of higher learning.  **Content and Discourse in Professional Education Courses (Classes):** Study of the role of public schools in society, including the content of the PreK-12 curriculum, raises complex issues about which thoughtful people may disagree. Students are expected to discuss issues respectfully and to honor differing points of view. The University and its School of Continuing and Professional Studies do not discriminate in any of their programs, procedures, or practices against any person on the basis of age, citizenship, color, handicap, national origin, political affiliation, race, religion, sex, sexual orientation, or status as a disabled veteran or veteran of the Vietnam era. The University operates equal opportunity and affirmative action programs for faculty, staff, and students. The University of Virginia is an Equal Opportunity/Affirmative Action Employer. Any applicant for admission or employment, or any student who feels discriminated against should contact the University’s Office of Equal Opportunity Programs (EOP) at Poe Alley, West Lawn, Charlottesville,Virginia , 22903.  **FERPA**  Academic Policy  –<http://www.virginia.edu/registrar/privacy.html>  Family Educational Rights & Privacy Act (FERPA)  Annual Notification  Students attending, or who have attended, the University of Virginia are given certain rights under the Family Educational Rights and Privacy Act of 1974 as amended (20 U.S.C. 1232g) and Rules of the Department of Education (34 C.F.R. Part 99) implementing this Act. |

BUS 5100 Course Schedule

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| Class Meeting Dates | Assignments | Required Reading |
| Meeting 1, 11/1/14 (asynchronous) (“A”) | Course housekeeping and introduction. Jurisdiction and venue in cyberspace.  Discussion topics uploaded to UVA Collab. | Craig, ch. 1  Collab. downloads |
| Meeting 2, 11/5/14  (synchronous) (“S”) | Copyright and trademark law in the digital age.  Discussion topics uploaded to UVA Collab. | Craig, chs. 2 and 3  Collab. downloads |
| Meeting 3, 11/8/14 (A) | The legal and regulatory issues regarding incident response and disaster recovery plans and operations.  Discussion topics uploaded to UVA Collab. | Collab. downloads |
| Meeting 4, 11/12/14 (S) | Patents and trade secrets.  Discussion topics uploaded to UVA Collab. | Craig, ch. 4  Collab. downloads |
| Meeting 5, 11/15/14 (A) | Online tax-related issues.  Discussion topics uploaded to UVA Collab. | Craig, ch. 6  Collab. downloads |
| Meeting 6, 11/19/14 (S) | E-commerce and online contracts.  Discussion topics uploaded to UVA Collab. | Craig, ch. 5  Collab. downloads |
| Meeting 7, 11/22/14 (A) | Online contract enforcement and remedies.  Issue the midterm exam | Collab. downloads |
| Meeting 8, 11/26/14 (S) | The law, regulation and ethics of policies. The midterm exam is due.  Issue the policy drafting exercise.  Discussion topics uploaded to UVA Collab. | Collab. downloads |
| Meeting 9, 11/29/14 (A) | Drafting effective and enforceable policies.  Discussion topics uploaded to UVA Collab. | Collab. downloads |
| Meeting 10, 12/3/14 (S) | Cybercrime.  Tort law in cyberspace.  The policy drafting exercise is due.  Discussion topics uploaded to UVA Collab. | Craig, chs. 7 and 8  Collab. downloads |
| Meeting 11, 12/6/14 (A) | Regulating online speech.  Discussion topics uploaded to UVA Collab. | Craig, ch. 9  Collab. downloads |
| Meeting 12, 12/10/14 (S) | Constitutional and statutory privacy protections.  Discussion topics uploaded to UVA Collab.  Issue the final exam | Craig, chs. 10 and 11  Collab. downloads |
| Final Meeting, 12/13/14 (A) | The final exam is due. | Course evaluations are due. |

Professor Profile

David O. Ward, Ph.D., J.D., M.S., B.A. Adjunct Instructor - University of Virginia and Senior Legal Advisor (GS-15) in the Policy Division, Public Safety and Homeland Security Bureau, Federal Communications Commission. Develop and implement network interconnection policies and requirements so that telecommunications carriers and law emergency first responders can pass traffic between each other. Subject areas include: national security and emergency preparedness of the public switched telephone network, the North American Numbering Plan, Telephone Service Priority regulations, the Communications Assistance for Law Enforcement Act, E911, the Emergency Alert System, Telephone System Priority (wireline), Priority Access Service (wireless), network infrastructure survivability, customer premises equipment standards and waivers, telephone relay services for the handicapped, public safety spectrum licensing criteria and advanced services (e.g., broadband and Internet facilities and applications). Serve as a member of the U.S. delegation to the ITU-T on Study Groups 2 (numbering and addressing), 3 (tariffs and accounting rates), 5 (information and communications technologies (ICT) environment), 13 (next generation networks (NGN)), and 17 (information assurance).

Lieutenant Colonel, USMCR (ret.), communications-electronics and command and control systems (7 years regular, 17 years reserve). Combat veteran of operations Desert Shield and Desert Storm, and a participant in several NATO deployments overseas. Formerly Assistant Attorney General for New York State; prosecuted antitrust cases related mostly to the telecommunications and software markets (5 years). Formerly with the New York Telephone Company, AT&T and later NYNEX, starting out in a management development program as an installer-repairman, and later serving in the operating and complex network planning departments (12 years).