UNIVERSITY OF MARYLAND, COLLEGE PARK

Information Policy (LBSC 625/INFM 718P) – 3 credit hours
Spring 2011 Syllabus

Paul T. Jaeger, Ph.D., J.D. (pjaeger@umd.edu)
Assistant Professor, College of Information Studies
2118A Hornbake Building

A. Catalog Description of Course
The nature, structure, development, and application of information policy including the interactions of social objectives, stakeholders, technology, and other forces that shape policy decisions.

B. Detailed Description
The access, exchange, and management of information have been key recurring issues throughout the history of the United States, from the Declaration of the Independence through today. This course examines selected fundamental public policy questions relating to information and communications, with special attention to complex policy issues that involve value conflicts among information ownership rights, personal privacy rights, and public access rights to information. It focuses on constitutional principles, statutory provisions, laws and regulations, and federal policies. Topics include information equity, universal service, privacy, intellectual property, censorship, and e-government. The course focuses on providing library and information professionals with a fundamental understanding of the importance and impact of information policy on the information profession.

The course will introduce students to a variety of key information and telecommunications policy literature and issues. The intent of the class is to assist students:

- Understand the relationships among policy issues such as access rights, proprietary rights, consumer rights and privacy rights in the information and telecommunications policy arenas;
- Understand selected policy issues of importance to information professionals and to the general public;
- Become familiar with constitutional and statutory provisions, domestic laws, regulations and federal policies relating to selected information and telecommunications policy issues;
- Gain an appreciation for policy analysis and research; and
- Describe and analyze information policy issues.

At the completion of the course, students should be able to:

- Demonstrate a broad understanding of major information and telecommunications policy issues;
- Demonstrate familiarity with significant literature, constitutional and statutory provisions, domestic laws, regulations and federal policies relating to information and telecommunications policy issues;
- Describe and analyze information and telecommunications policy issues; and
- Demonstrate an awareness of the interrelationships among key information and telecommunications policy issues such as information access rights, universal service, and privacy.

This course is designed as a policy primer. Thus, students will be exposed to a number of policy issues and literature. Given the breadth and depth of a number of these issue areas, it will not be possible to cover all aspects of the issues throughout the course.

C. Course Approach and Expectations of Student Participation
This course meets once a week on Thursdays from 5:30pm-8:15pm in room HBK 1108. The course will be conducted as a seminar. It is essential that every student participates in the discussions of course materials. Participation means active involvement in class discussions. Students read the assigned readings for each week PRIOR TO THAT WEEK. The students are expected to question, challenge, argue, and discuss issues and topics related to that session's readings. Failure to participate in the course will result in a letter grade of F for this component.

D. Classroom Environment
As a graduate seminar, the classroom environment should be professional and respectful. Discussions should be based on course readings and critical thinking. Issues of policy can involve strongly held beliefs and current political controversies. Remember--your classmates may have different perspectives on issues than you, but they still deserve your respect. As another aspect of respect in the classroom environment, turn off or mute all phones and other communication devices during each class session. If you use your laptop in the classroom, limit the usage of the computer to course-related reasons (i.e., taking notes).

E. Students with Disabilities
Students with disabilities needing academic accommodation should: (1) register with and provide documentation to the Disability Support Services office, and (2) discuss any necessary academic accommodation with their teachers. This should be done at the beginning of the semester.

F. Extensions
Timeliness is an essential component of graduate work, and extensions will only be available during personal emergencies. Students who need to request an extension should discuss the matter in advance with the professor. If an extension is granted, the work must be submitted within the extension period to avoid grade penalties. Unexcused delays in submission of the paper will result in a deduction of a letter grade for each day the paper is late, while unexcused delays in presentations will result in a deduction of a letter grade for each class meeting the presentation is late.

G. Academic Honesty
Work submitted in this course will be individual and original, in line with the University’s Academic Honor Code and Honor Pledge. Engaging in any academic dishonesty will result in consequences in line with university policies. Academic dishonesty includes but is not limited to plagiarism, cheating, buying work, multiple submissions of the same paper, forging signatures, submitting fraudulent documents, and facilitating the academic dishonesty of others. When
writing papers, be sure to carefully and thoroughly cite all materials you use in writing your paper and make sure all ideas and quotations are properly acknowledged.

H. Course Materials
There is no required text for the course. All readings will be available to students online or in another accessible format. Nearly all the required journal article readings are accessible through the University’s library e-journal/database holdings accessible at http://www.lib.umd.edu.

I. Assignments and Grading
Your grade will be based on five items. All written materials for the course should be double-spaced, using 12-point Times New Roman font. The margins should be 1 inch exactly on each side. Citations—both in the text and in the references section—must conform to the most recent APA style manual. Pages should be numbered and format should be consistent.

1. Classroom participation (25% of your final grade). This seminar is a discussion-based course. You are expected to read all of the assignments, to think through the issues they raise, and to articulate your thoughts on the materials. Clearly, you need to attend class to participate in the discussions. Attendance will be taken every week, with absences being excused in cases of illness, religious observances, and other reasons in line with university policies, or if the university is closed due to inclement weather.

   The participation grade for this course will be based on several elements: attendance, attentiveness, focus, and participation. In order to benefit from the class meetings you must both be present and paying attention, which means refraining from using Facebook, twitter, email, and any other non-class related uses of laptops, phones, and mobile devices. These activities not only prevent you from focusing on the class, they are distracting and disrespectful to others in the classroom.

2. Who are My Legislators? Assignment (10% of final grade, due February 17)
   A key to understanding the policy environment is to know the political environment in which the policy context evolves. To better understand the policy context, you need to have a grasp on those who create the policies – your federal, state, and local representatives – as well as the legislative process. This assignment asks you to identify your representatives (the policy makers) and find out about their voting records on selected items (the legislative process).

   For this assignment, please answer the following questions:
   I. U.S. Senate
      - Identify the two senators from your state (where you currently reside)
      - Identify their respective political parties (e.g., Democrat, Independent, Republican)
      - Identify the year in which they were first elected to the Senate
      - Identify whether either is up for re-election this fall
      - Identify at least one committee on which your senators serve
      - Identify whether either of your Senators serves in a leadership position (e.g., majority leader, committee chair)
      - What is the length of term of a Senator?
II. U.S. House of Representatives

- Identify your Congressional district (hint: there are 435, one for each member of the House)
- Identify your Congressman/woman
- Identify his/her political party (e.g., Democrat, Independent, Republican)
- Identify at least one committee on which your Member serves
- Identify whether your Member serves in a leadership position (e.g., majority leader, committee chair)
- What is the length of term of a Congressman/woman?

III. Voting Records for Congressman/woman and Senators

For your representatives (both Senate and House), find out how they voted on or support the following legislation:

i. USA PATRIOT Act (original and reauthorization)
ii. Children’s Internet Protection Act (CIPA)
iii. Telecommunications Act of 1996
iv. Deleting Online Predators Act (DOPA)

Note: Your Senator(s) or Member may not have been in Congress at the time of some of these bills/legislation.

Some things to consider as you complete this assignment:

- Nearly all members of Congress have websites, etc., from which you can learn about them.
- Not all legislation is stand alone. In fact, you will soon discover that a bill may be incorporated into a larger bill for passage (typically, but not always, an appropriations bill). This is a common tactic used to get legislation enacted that would otherwise fail on its own.
- We have bicameral system (House and Senate). Legislation goes through both before final passage and signature (or veto). It is common for legislation from the House to be changed in the Senate (and vice versa), thus leading to a Conference.

An excellent place to start this assignment is on the Library of Congress’ Thomas website at http://thomas.loc.gov

3. Current Topics Analysis and Presentation Assignment (10% of final grade)

For this assignment, you are to find, analyze, and summarize a current information policy article. You will then provide a brief 5 minute presentation on the article, summarizing its key points and implications for the information policy issue. For this assignment, you may use online newspapers, news websites, and other resources (i.e., blogs) besides print newspapers, magazines, etc.

Search for a current article that reviews an information policy topic. Summarize the article and include the following:

1. The overall issue about which the article is written;
2. The specific issue that the article addresses;
3. The key stakeholders regarding the issue and their stances on the issue;
4. The potential impact of the policy issue on individuals and society at large; and
5. And, of course, the full citation of the article.

You will hand in your summary after the presentation. Sign up for presentation dates will occur in the second week of class.

4. **Information Policy Issue Op/Ed Assignment (15% of final grade, due March 10)**

Write a 750-1000 word (three-four double-spaced typed pages) article of opinion/editorial in support of, in opposition to, or using as a point of departure any one of the following assertions. In addition to the below topics, students are encouraged to seek out their own articles/issues to which to react. There are many information policy-related issues in the news on a daily basis from which to choose. Don't be shy or hesitant. If an issue strikes you as interesting, pursue it!

1. "If words don't incite action, I'm in the wrong line of work. I'm a librarian. My life's work is based on the belief that words and images stimulate action....We can't support free expression by saying it won't do any harm." (John N. Berry III, "If Words Will Never Hurt Me, Then...," *Library Journal*, January 1992, p. 6).


3. "Too often, casual observers treat privacy as a singular trait. We either have privacy or we do not. Personal information is either within the control of the data subject or privacy does not exist....Analyzing privacy is considerably more complex than examining a light switch to see if it is on or off" (Robert Gellman, "Perspectives on Privacy and terrorism: All is not list -- yet," *Government Information Quarterly, 19*(3), 255-264, 2002).

4. “A new political system is taking shape in the United States. As we approach the twenty-first century, America is turning into an electronic republic, a democratic system that is vastly increasing the people's day-to-day influence on the decisions of state." (Lawrence K. Grossman, *The Electronic Republic: Reshaping Democracy in the Information Age*. New York: Viking, 1995, p. 3).


Be aware that editorial writing is a different style of writing than normal descriptive prose. After you've decided which journal you are writing for, but before you start writing, read several editorials and letters to the editor in back issues of that publishing venue to get a sense of the style and tone of the "editorial voice."

Since your purpose is to persuade the reader that your opinion is the correct one, you need not be concerned about presenting a balanced view of the issue. Your text should not be documented or footnoted, but you should attach a list of "Sources" listing relevant readings.
Before you start, familiarize yourself with the editorial pages of at least one or two major newspapers. Both the New York Times (http://www.nytimes.com) and the Washington Post (http://www.washingtonpost.com) are available free of charge online, though you may have to go through a site registration process to access the sites. Finally, many of you have local and/or regional newspapers that are accessible via the Web (or you have delivered).

5. Issue Brief Assignment (40% of final grade, due April 28)
The final assignment consists of writing an issue brief on an information policy topic of your choice. Students are to model their issue briefs on those of the Congressional Research Service (CRS). CRS reports are available online in a range of places, though not directly by CRS itself. A good place to start is http://digital.library.unt.edu/govdocs/crs/, a project by the University of North Texas library to digitize and make available CRS reports. This is a very useful resource.

Please discuss your topic choice with the instructor PRIOR to working on the Brief.

The paper should follow the formatting and styling of a CRS issue brief. Remember, the purpose of an issue brief is to inform policy makers on a particular topic. This means that you will need to present technical, legislative, and policy issues in a concise and informative format. Policy makers have little time to digest large amounts of information, and yet need to be aware of the key issues and debates surrounding a particular topic. The briefs should be no longer than 10-12 pages, excluding references, as well as any charts, tables, or appendices you might include.

J. Office Hours & Contact Information
My office hours for Spring 2010 are Thursdays from 3:00 to 5:00 pm in HBK 2118B, and I can be contacted via phone (301-405-1741) or email (pjaeger@umd.edu).

K. Weekly Topics, Readings, and Review Material
The class begins on January 27, 2009 and ends May 5, 2009 for a total of 14 class sessions. There is no class the Spring Break week of March 21, 2009.

WEEK 1: INTRODUCTORY MATTERS (JANUARY 27)
   A. Introduction to course and discussion of course expectations
   B. Sources of information policy and locating policy resources
   C. Overview of topics and concepts to be covered
   D. The differences between politics and policy

WEEK 2: ORIGINS OF INFORMATION POLICY (FEBRUARY 3)
   A. Constitutional origins of federal information policy
   B. Development of information policy
   C. Information policy and the political environment
   D. Stakeholders related to information policy

Preparation:
- U.S. Constitution, Articles 1-3, VI, Amendments I, IV, X, XIV. You can get an online version in the historical documents section of Thomas (http://thomas.loc.gov)

**WEEK 3: THE DIGITAL AND POLICY DIVIDES: STAKEHOLDERS AND ISSUES (FEBRUARY 10)**

A. What is the digital divide? Does it exist?
B. Who are the digitally divided?
C. Implications of the divide on policy, access, dissemination of government information, policies, and e-government

**Preparation:**
- Go to the Pew Internet and American Life site (http://www.pewinternet.org/) and review most recent Home Broadband Penetration and Internet Penetration and Impact reports. Look for trends in users, who has access, who doesn't; who uses the Internet, who doesn't. Also, note that there are many reports of interest and relevance under the Technology & Media Use and Internet Evolution topic areas that you may want to browse.

**WEEK 4: THE DIGITAL AND POLICY DIVIDES: CONT’D (FEBRUARY 17)**

A. Special and underserved populations
B. Implications of the divide on policy, access, dissemination of government information, policies, and e-government
C. Universal access to telecommunications

**Assignment Due: Who Are My Legislators?**

**Preparation:**
WEEK 5: ACCESS AND PARTICIPATION (FEBRUARY 24)
A. Importance of information policy in shaping information access
B. Importance of information policy in promoting participation
Preparation:

WEEK 6: E-GOVERNMENT AND ACCESS TO GOVERNMENT INFORMATION (MARCH 3)
A. The E-government Act
B. Current state of e-government
Assignment Due (IN CLASS): First Current Topic Analysis Presentations
Preparation:

WEEK 7: E-GOVERNMENT AND ACCESS TO GOVERNMENT INFORMATION CONT’D (MARCH 10)
A. E-government services
B. E-government challenges
Assignment Due: Information Policy Op-Ed
Preparation:


• Listen to Kojo Nnandi Show (WAMU) from January 13, 2009, on “The Obama Era & The Digital White House” at http://www.wamu.org/programs/kn/09/01/13.php#23934.

**WEEK 8: OPEN GOVERNMENT AND TRANSPARENCY (MARCH 17)**

A. The First Amendment
B. Freedom of Information Act (FOIA)
C. Transparency

**Preparation:**


**WEEK 9: SPRING BREAK (MARCH 24)**

**WEEK 10: PRIVACY, SECRECY, & SECURITY (MARCH 31)**

A. Information Privacy
B. Secrecy and Security
C. Other Approaches

**Preparation:**


WEEK 11: INTELLECTUAL FREEDOM (APRIL 7)
A. Banned Books and Materials Challenges
B. Filtering

Assignment Due (IN CLASS): Second Current Topic Analysis Presentations
Preparation:
- Review the ALA Office for Intellectual Freedom blog at http://www.oif.ala.org/oif/.

WEEK 12: INFORMATION COLLECTION POST-9/11 (APRIL 14)
A. Foreign Intelligence Surveillance Act and the FISA Court
B. Homeland Security Act and USA PATRIOT Act
C. Data mining and information sharing

Assignment Due (IN CLASS): Third Current Topic Analysis Presentations
Preparation:
- Watch the Frontline video (available through streaming) entitled "Spying on the Home Front". It is divided into several parts, and you can watch the show in QuickTime or Windows Media. Available at http://www.pbs.org/wgbh/pages/frontline/homefront/
- Review Science Friday's area on the science of wiretapping at http://www.sciencefriday.com/news/080907/wiretapping0809071.html. The audio files with wiretapping experts are particularly useful.

WEEK 13: PRESERVING ACCESS (APRIL 21)
A. Preserving Future Access
B. E-records

Preparation:


• Singel, R. (2009). DOJ pays $4m a year to read public court records. [http://www.wired.com](http://www.wired.com)

**WEEK 14: EMERGING TECHNOLOGIES (APRIL 28)**

A. Social Media
B. Cloud Computing

**Assignment: Issue Brief due**

**Preparation:**


**WEEK 15: WILD CARD AND COURSE WRAP-UP (MAY 5)**

A. Future issues in information policy
B. Discussion of papers, course grades, and other administrative matters

**Preparation:**

• Readings TBD based on class interests

This syllabus is a guide for the course and is subject to change with advance notice.

**L. Key Characteristics of a Policy**

The word policy is used in a number of different ways, ranging from a large-scale meaning (“foreign policy”) to a very particular meaning (“the police chief’s policy of ticketing people driving yellow cars”).

In studying information policy, policy can be used collectively (“information policy in the United States”) to refer to particular policies (“the policy of filtering Internet access in public
libraries‖). As an area of study, information is rife with specific policy issues; often these policies have an acronym or shorthand descriptor—DOPA, CIPA, USA PATRIOT, DMCA, Section 508, IP, E-gov, etc.

In terms of policy research and analysis, a policy can be generated by executive or legislative arms of a local, state or provincial, or federal government; the judiciary; supranational organizations; and sometimes even professional or governing bodies. A policy can be articulated through the creation, enactment, implementation, or enforcement of legislation, executive orders, judicial holdings, administrative rules or guidelines, proposals, authorizations, programs, outputs, outcomes, or processes.

M. Key Characteristics of Policy Research and Analysis
1. It is about real social and political problems that exist in society.

2. It is oriented toward identifying and solving social and political problems that arise from the creation, implementation, and enforcement of public policy. It can also serve to evaluate and improve the effectiveness of the policy process.

3. It is multi-disciplinary. Research methods, approaches, and perspectives can be drawn from numerous academic disciplines—primarily those of social science, behavioral science, and law—in analyzing policy. The methods can include quantitative and qualitative approaches. The tools used will depend heavily on the policy at hand and the design of the researcher.

4. It can employ literature reviews, scientific research methods, and interpretation and analysis based on the findings of the research.

5. It is influenced by contextual factors, often beyond the control of the researcher. Policy research does not occur in laboratory; as a result, the researcher cannot change many factors that influence a policy and its implementation. Research must be designed with such realities in mind.

6. It accounts for the populations, organizations, and government agencies affected by the policy and the significance of the impacts.

7. The findings and recommendations should be actionable. Findings from policy research can be innovative and creative, but they must also be practicable and practical.

N. Major Areas in which to Analyze a Policy
1. Clarity – Does it have a clear meaning? Can a reasonable person understand the intent? Are the key terms carefully defined? Are there examples or applications in the policy?

2. Consistency – Is the policy internally consistent?

3. Ambiguity – Can the policy be interpreted in multiple plausible ways? Are there established parameters for the policy? Does the policy cover one topic or multiple topics?
4. Contradiction – Does this policy run counter to another policy? Are there inherent contradictions within the policy? Does the policy comply with related judicial holdings? Is it constitutional?

5. Duplication – Does the policy duplicate another policy?

6. Implementation – Are methods of implementation defined? Are responsibilities in implementation defined? Are timelines for implementation defined?

7. Enforcement – Are methods of enforcement defined? Are responsibilities for enforcement defined? Are timelines for enforcement defined?

8. Gaps – Is additional guidance not in the document needed to implement it? Is there sufficient detail to implement and enforce the policy?

9. Combination – What happens when the policy is viewed in combination with other policies?

10. Evaluation – Are there mechanisms for citizen or agency input? Are there modification processes? Are there sunset clauses? Are there timeframes or benchmarks for policy evaluation or reevaluation?

11. Impacts – What populations, organizations, or government agencies are affected? Are there disproportionate impacts on certain populations? Is the policy biased in favor of or against certain groups? What short-term and long-term social impacts can be reasonably foreseen from the policy? What is the best-case impact of the policy? What is the worst-case impact?

O. Identifying and Focusing Policy Issues for Research
Does the policy create a social or political problem?

Is the problem of significance?

Who is affected by the problem?

Is the problem solvable?

Can actions be taken?

P. Research Materials
In conducting policy research, there are several important types of materials.

1. Source policy documents. The laws, regulations, executive orders, guidelines, and other government documents are the literal source of public policy. These can be retrieved from Lexis-Nexis, Thomas, FirstGov, and other sources.

2. Scholarly materials. Key journals that feature scholarly materials related to information policy include:
Also, check for relevant scholarly books and academic studies. If you go trolling for materials on the Internets, make sure that they are from legitimate sources. There is a big difference in academic merit between reports from respected think tanks and reports from lobbying groups.

3. Popular media. The media often provide reports on perceptions or impacts of policies. Generally, it is best to use only materials from highly regarded media, such as major newspapers (i.e., New York Times, Los Angeles Times, Washington Post), major news magazines (i.e., Economist, Newsweek), and prominent news websites (i.e., CNN.com, MSNBC.com). Keep in mind that most media outlets, even the well-respected ones, still will have a particular perspective on most policy issues.

4. Professional organizations. Perspectives on policy issues are often provided by related professional organizations, though these will directly reflect the goals of the organization.