

John Marshall Law School - Center for Information Technology and Privacy Law
IT 855 GLOBAL PRIVACY LAW SPRING 2011: (TENTATIVE)
Online

Professor Panagiota Kelali

Course description:

This seminar explores the global implications of the flow of information across jurisdictional lines and the conflicts of laws and culture regarding the protection of information and information privacy especially in the context of content or expression in communications. Students will examine and compare international laws and other mechanisms that regulate privacy and information exchange across national boundaries. Special attention is given to European Union, Asia/Pacific and Canadian privacy directives and their impact on global commerce. This is an online course that will run for 10 weeks starting on February 10, 2011.

General Course Objectives:

By the end of this course students shall be able to:

- Recognize and understand various international approaches and interests related to the regulation of privacy.
- Identify privacy issues in emerging international law areas.
- Determine creative approaches to advising and litigating privacy matters on the international level.
- Debate the merits of potentially competing interests in privacy.
- Identify and apply privacy regulatory mechanisms in various contexts.

Course prerequisite

All students registered for the course need to successfully complete the online “Privacy 101” module. This module provides an overview of basic U.S. privacy law, policies and concepts. Privacy 101 consists of an introduction and a number of substantive sections, each followed by a quiz. Students must complete each quiz in sequence. Each substantive section should take between 1-2 hours to complete.

Course Textbooks

- Andrew B. Serwin, *Information Security and Privacy: A Guide to International Law and Compliance* (available on Westlaw; Westlaw login required)
- Judy R. Westby, *International Guide to Privacy*

Recommended Texts

1. Recommended texts for those who have limited access to Privacy concepts:
 - a. Privacy Law in a nutshell
2. Recommended text for those who want a paper copy of applicable Statutes and Regulations
 - a. Information Privacy – Statutes and Regulations (2010-2011) by Paul. M. Schwartz and Daniel J. Solove

Contact Information:

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Course Guidelines:

eClass Website: The materials for this course can be found at the JMLS eClass web site located at <http://jmls.mrooms2.net/course/view.php?id=25>. Students registered for this course will receive instructions for enrolling and accessing the course web site approximately one week prior to the start of the course. These instructions will be emailed to each registered student's JMLS email address.

Moodle and Moodle Orientation: This course uses Moodle as its platform. Moodle is an Open Source Virtual Learning Environment designed for interactive online learning between students and teachers. At JMLS, it is used as a platform for our eClass program and to supplement our traditional "face-to-face" courses. Professors will post course materials on Moodle and may ask students to complete assignments, download handouts, chat with classmates, or participate in group work.

An online *Moodle Orientation* has been created to assist students in navigating JMLS Moodle sites. Completion of this orientation is mandatory for this course. Students should complete the Moodle Orientation by the end of the first week of class. Students may access this orientation from the log-in page of the JMLS eClass web site in the "My Courses" block or by clicking here: <http://jmls.mrooms2.net/course/view.php?id=25>

Attendance and Participation: Students are expected to log in on the course site at least three times each week and participate frequently in the online discussions. Participation implies meaningful, relevant, respectful and thoughtful interactions with fellow students that promote and advance the goals of the class. Credit does not accrue from merely logging in and reading fellow students' responses. The quality of the postings and how the submissions enhance the discussion will significantly influence the grade in this course.

Professor Presentations and Reading Assignments: Reading assignments will come from a variety of sources posted on the course site. Each class will usually contain a presentation or note from the professor. Students should read/view this presentation or note before tackling other assigned readings, then, click on the other readings in the order in which they are posted (top to bottom) for each class. Readings and task assignments for each class session will be posted on Thursday, no later than 12:00 pm noon (beginning on February 10, 2011). Students will have until the following Thursday at 12:00pm noon to submit the completed assignments unless otherwise indicated or agreed.

Participation in Forums, Synchronous Chats, and other Learning Tools (depending on the week): In addition to the graded written assignments for this course, each week, students will participate in some learning activity using a forum or other learning tool as assigned.

Forums: Forums are online message boards where the Professor and students can post information and communicate with each other. Forums allow for communication to take place at any time, from anywhere with an Internet connection. Students do not have to be logged in at the same time communicate with the Professor or their classmates. This type of communication is called asynchronous, meaning “not at the same time.”

Asynchronous communications are contrasted with synchronous forms such as chat rooms, instant messaging, or face-to-face conversations. Because forums are asynchronous, students can (and should) take their time composing postings and replies. This course will use forums for a variety of purposes including facilitating discussion of the course materials and consideration of current events that impact health information privacy.

News Forum: The “Global Privacy News Forum” is a place where students and the Professor post and discuss news and current events that affect international privacy. Students are expected to regularly visit this forum, post items of relevance to this class, and comment on others’ postings

Discussion Forums: This type of forum will generally be used to facilitate interactive dialogue between students on particular points drawn from the Professor’s presentation and readings.

Glossary: The “Glossary of Key Terms” is place where students and the Professor create a shared dictionary for the course. Students may add entries and comments to definitions. Once a term is included in the glossary, every appearance of that term in the course web site will link to the glossary definition. Any entries made to the glossary will count toward students’ participation grade.

Wikis: A wiki is a website designed for multiple people to collaborate by adding and editing content. Wikipedia is an example of a wiki. For this course, wikis may be used as a tool to allow the entire class to collectively create and edit a single document.

Synchronous Chat: Synchronous chat is a communication tool allowing the Professor and students to communicate in real time. Moodle chat system is similar to instant messaging systems like AIM or iChat. Students enter synchronous chat sessions through the “Virtual Office” link or block on the course web page.

This course will use synchronous or “live” chat in two ways:

Virtual Office Hours – regularly scheduled times when the Professor is available online to answer student questions. See details regarding scheduled times below.

RSS Feed: RSS stands for Really Simple Syndication. An RSS feed is a summary of content from other web sites. This course uses an RSS News Feed (located on the right side of the course page) to publish frequently updated health and health information privacy-related news headlines from a variety of sources. The RSS Feed is provided for students’ convenience.

Virtual Office: Wednesday from 12:00pm to 1:00pm and again on Wednesdays at 8:00pm to 9:00pm are the designated times for virtual office hours. This schedule is designed to accommodate business and off-hour preferences. Students who have a conflict with both these scheduled times, should e-mail Professor Kelali at 6kelali@jmls.edu.

Virtual Office Hours: During virtual office hours, The Professor will be available live online to answer students' questions and discuss the course materials. Student participation is voluntary however students are strongly encouraged to use this time to communicate with the Professor regarding any issues relating to the course.

Synchronous Chat Sessions: There will be one required conference call on a day that will be determined after consulting with all registered students. . If you are unable to stay for the entire call, plan to attend this meeting for at least 30 minutes. The professor will provide background and guidance during this time. Students will be expected to introduce themselves to fellow class members and to share information about their personal goals for taking the class.

Professor's Offline Availability: To contact the Professor at times other than during virtual office hours, students can e-mail Professor Kelali at 6kelali@jmls.edu or call her at (312) 427 2737 x 306.

Grading and Assignments

Grades:

Course Participation: Discussion Forums, Synchronous Chats and Other learning tools (collectively) – 30%
First Written Assignment (assigned Week TBD): 10%
Second Written Assignment (assigned Week #TBD): 20%
Third Written Assignment (assigned Week #TBD):–40%

Final Paper

Each student must complete an original, well-researched policy paper on how to solve a single or a group of privacy problems. The policy paper will be discussed briefly in the Meet and Greet forum. Final guidance on the paper will be provided in Week 5 to give students more time to research and complete the final paper. The ideal paper will offer a position and justify the position with authority, citing applicable law, policies or theories. There is no length requirement but this topic will likely require at least 10 pages to adequately address the issue. Remember quality is more important than quantity.

- Papers will be evaluated on the basis of clarity of analysis, persuasiveness of argument, depth of research, originality of thought, readability, and understanding of the course materials. Proper use of authority is required (footnotes preferred).
- The instructor is available to discuss questions regarding papers through email and the online forum.
- Papers are due on or before 11:59 pm May 19, 2011.

Contact Information

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Syllabus

Class No.	Date	Topic
Week 1:	February 10	Class Conference Call; meet & greet; set the guidelines for the course. Privacy Primer: General privacy principles U.S federal Regulation of privacy;
Week 2:	February 17	Introduction to International privacy : International legal framework: OECD principles, APEC privacy principles, Council of Europe. Students will pick the topic of their presentations.
Week 3:	February 24	Regional Schemes: EU Privacy and Electronic Communication Directives: Current framework and the proposed revisions
Week 4:	March 3	Cross-Country Cooperation: EU Decisions of Adequacy (Argentina, Canada, Switzerland, Andorra, and Israel), Binding Corporate Rules, and Model Contracts ,EU-US safe harbor agreement
Week 5:	March 10	Domestic Approach: Americas: Canadian, Mexico and Argentine Regulation of Privacy
Week 6:	March 24	Domestic Approach: Asia Pacific: Australian, Japanese and Hong Kong Regulation of Privacy
Week 7:	March 31	Comparative study: workplace privacy
Week 8:	April 7	Comparative study: litigation issues. Evidence/e-discovery, jurisdiction
Week 9:	April 14	Comparative study: Crisis management: cyber-terrorism, national security, pandemic
Week 10	April 22	Comparative study: TBA