

Course Outline

COURSE: LAWS 4209 B LAW OF CHARITIES & NOT FOR PROFIT ORGS.

TERM: Winter 2013

PREREQUISITES: Fourth-year Honours standing and one of LAWS 2201, LAWS 2202.

CLASS: Day & Time: Mondays 6:05 – 8:55pm
Room: Please check with Carleton Central for current room location

INSTRUCTOR: Sam Schwisberg (Contract)

CONTACT: Office: B 442 Loeb Building
Office Hours: Mondays 5:30 to 5:55pm or by appointment
Telephone: (613) 740-1965
Email: samuel.schwisberg@redcross.ca

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

The course will introduce students to the laws of Canada that govern or affect not for profit organizations and charities. The course will deal with contemporary and practical issues. The Course Pack for the course will serve as an outline of the major legal issues and serve as a framework for the consideration of topical issues and policy discussions. Supplemental materials will be periodically distributed during the seminars to permit fuller consideration of some of the major issues.

Seminar Format

The Instructor will facilitate discussion, but the objective is to encourage a considerable degree of class participation and dialogue. The expectation is that students will have read the assigned readings prior to the seminars. Supplementary materials may be introduced at the seminars from time to time to encourage deeper consideration of the key issues and to update the assigned text.

REQUIRED TEXTS

The Course Pack developed for the course.

SUPPLEMENTARY TEXTS

“The Management of Non-profit and Charitable Organizations in Canada” (second edition) by Vic Murray; published by LexisNexis, ISBN 978-0-433-46299-3

“The Law of Charitable and Not-for-Profit Organizations” (fourth edition) by Donald Bourgeois; published by LexisNexis, ISBN 978-0-433-45822-7

EVALUATION

(All components must be completed in order to get a passing grade)

- 1. Participation: 10%**
- 2. Essay: 25%**
- 3. Assignment: 25%**
- 4. Final Examination: 40% (3 hours and closed book)**

The Assignment will be composed of a series of questions to be answered within 24 hours. The Assignment will be issued on February 25 2013 immediately following the end of the class and will be due the next day at 9 PM. It will cover the course content from Sections 1 through 5 of the Course Pack and will not cover the course content covered on February 25.

The essay is due March 28, 2013. One mark will be deducted for every day that the essay is late and in no event shall the essay be delivered later than March 31 in the absence of medical or other valid reasons. This will be followed by a 10 minute personal interview with me on the essay on either April 1 or April 8. The essay grade will be assigned at the conclusion of the interview.

SCHEDULE

January 7	Welcome	No assigned readings
January 14	Introduction	Section 1 – Course Pack
January 21	The Distinction between Charities and Not for profits	Section 2 - Course Pack
January 28	Legal Structures	Section 3 - Course Pack
February 4	Governance	Section 4 – Course Pack
February 11	Legal Compliance	Section 5 – Course Pack

February 18	University Closed	No Readings
February 25	Charities in Trouble	Section 6 – Course Pack
March 4	Risk Management & Supervision of Charities	Section 7 – Course Pack
March 11	Members	Section 8 – Course Pack
March 18	Revenues (Fundraising)	Section 9 – Course Pack
March 25	Taxation and Public Policy Issues	Section 10 – Course pack
April 1	Personal interviews on Essays	No Readings
April 8	Review (1 hour) and conclude interviews	No Readings