

Course Outline

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COURSE:	LAWS 4209B – Topics in Business Law: Law of Not-For-Profits and Charities
TERM:	Winter 2015
PREREQUISITES:	Fourth-year Honours standing and one of LAWS 2201, LAWS 2202.
CLASS:	<b>Day &amp; Time:</b> Tuesdays from 6:05 PM to 8:55 PM <b>Room:</b> Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Sam Schwisberg
CONTACT:	<b>Office:</b> Loeb B442 <b>Office Hrs:</b> Following every class in class <b>Telephone:</b> 613 740 1965 <b>Email:</b> <a href="mailto:samuel.schwisberg@redcross.ca">samuel.schwisberg@redcross.ca</a>

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**Academic Accommodations**

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](mailto: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/>

**Plagiarism**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://www.carleton.ca/studentaffairs/academic-integrity/>

**Department Policy**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

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**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 is available for sale in the campus book store.

**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)**

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Essay	<b>25%</b>	
Assignment	<b>25%</b>	
Participation	<b>10%</b>	
Final Examination:	<b>40%</b>	<b>(3 hours and closed book during the formal examination period to be scheduled between April 11 and 23, 2015)</b>

The Assignment will be composed of a series of questions to be answered within 24 hours. The Assignment will be issued on February 26 2015 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 include the course content covered on February 26.

The essay is due March 26, 2015. One mark will be deducted for every day that the essay is late and in no event shall the essay be delivered later than April 2, 2015 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 2, 2014 or at another mutually convenient time. The essay grade will be assigned at the conclusion of the interview.

## **SCHEDULE**

<b>January 8</b>	<b>Welcome</b>	<b>No assigned readings</b>
<b>January 15</b>	<b>Introduction</b>	<b>Section 1 – Course Pack</b>
<b>January 22</b>	<b>The Distinction between Charities and Not for profits</b>	<b>Section 2 - Course Pack</b>
<b>January 29</b>	<b>Legal Structures</b>	<b>Section 3 - Course Pack</b>
<b>February 5</b>	<b>Governance</b>	<b>Section 4 – Course Pack</b>
<b>February 12</b>	<b>Legal Compliance</b>	<b>Section 5 – Course Pack</b>
<b>February 19</b>	<b>Reading Week - University Closed</b>	<b>No Readings</b>
<b>February 26</b>	<b>Charities in Trouble</b>	<b>Section 6 – Course Pack</b>
<b>March 5</b>	<b>Risk Management &amp; Supervision of Charities</b>	<b>Section 7 – Course Pack</b>
<b>March 12</b>	<b>Members</b>	<b>Section 8 – Course Pack</b>
<b>March 19</b>	<b>Revenues (Fundraising)</b>	<b>Section 9 – Course Pack</b>
<b>March 26</b>	<b>Taxation and Public Policy Issues Some personal interviews on essays</b>	<b>Section 10 – Course pack</b>
<b>April 2</b>	<b>Personal interviews on Essays</b>	<b>No Readings</b>