

Course Outline

COURSE:	LAWS 3506A – Administrative Law
TERM:	WINTER 2019
PREREQUISITES:	LAWS 2502 and 0.5 credit in LAWS at the 2000 level
CLASS:	Day & Time: Tuesdays 18:05pm - 20:55pm
	Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Bahaa I. Sunallah, of the Ontario Bar
CONTACT:	Office: B442 Loeb Building (Contract Instructor's Office)
	Office Hrs: By appointment. Please email
	Email: bahaa.sunallah@carleton.ca

CALENDAR COURSE DESCRIPTION

Structure and procedure of Canadian administrative authorities; policy, statutory and judicial environments in which they operate. Topics include techniques for implementing public policy and structuring public authorities; statutory interpretation; procedural safeguards; exercise of statutory discretion; reconciling efficiency and fairness.

COURSE DESCRIPTION

Administrative law is a branch of public law. It places legal limitation on a wide range of government actions and provides for the remedies which are available through appeals before administrative tribunals and judicial reviews before the Courts. The course will generally cover the following topics: I. Key Principles and Foundations of Administrative Law; II. Administrative Agencies, Board, and Commissions; III. Fairness: The Right to be Heard; IV. Fairness: Bias; V. Constitutional Rights in Administrative Law; VI. The Standard of Review; and VII. Challenging Decisions of Tribunals and Administrative Agencies.

The course format is lecture style, with emphasis on class discussions and students' participation based on your readings of the course materials and the academic views being discussed. You are expected to participate actively in class discussions. It is recognized that the class will include students with various and diverse views, and a respectful dialogue should be maintained at all times. You are, of course, free to disagree with opinions expressed by other students and myself, but should do so in a respectful and non-personalized way. All students should be permitted an equal opportunity to voice their opinions.

REQUIRED TEXTS

Selected Readings in Administrative Law, LAWS 3506 (Winter 2019), Bahaa I. Sunallah, Emond Montgomery Publications (EMP). ISBN 978-1-77255-576-9.

I am aware that most of us are on a tight budget. To reduce the cost of purchasing multiple textbooks to achieve the course description, I designed a customized textbook containing the most relevant materials from leading Administrative Law texts available from EMP. This custom textbook is designed exclusively for LAWS 3506 and

is available for purchase at the University's bookstore only.

Other readings may be assigned and would be available online or through the online Library system.

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.

Attendance (10%)

1% per class to a total of 10%, excluding the midterm. Students who register late will have the attendance mark prorated to the remainder number of classes.

Optional Assignment (10%)

Due date to be announced after the mid-term. If you chose this option, your midterm will count for 30%.

Mid-term Exam (40% or 30% if you chose the Optional Assignment)

2.0 hours. In-class on Tuesday February 12, 2019.

Final Exam (50%)

3.0 hours. Formally scheduled during the University's final examination period (April 12-27, 2019).

IMPORTANT NOTES

I am available to help you. If you have any questions, please contact me. Do not wait until a few days before the deadline of an assignment or an examination to reach out for help. Plan ahead.

Reading and participation are very important. Please come to class having read the assigned materials and prepared to participate meaningfully.

CLASSROOM ETIQUETTE

Laptops are to be used in class only for note taking or accessing the virtual campus. It is easy for your laptop to become a distraction to you and to those around you, and therefore you are asked to avoid using computers for entertainment during class. If you fail to honour this request, you will be asked to leave the classroom. Repeated or particularly egregious disregard of this laptop etiquette request will result in a referral of the matter to the Department's Chairperson for appropriate sanction.

The instructor will occasionally call for "laptops down" and conduct a brief discussion or exercise with all laptop screens down.

Finally, please turn off cell phones when you are in the classroom.

SCHEDULE

The first full class will be held on Tuesday January 8, 2019 and will include an ice-breaker, course orientation, a discussion of the evaluation methods and a substantive introduction to Administrative Law. Please ensure that you attend the entire class.

January 7, 2019: Winter term classes begin

- #1 January 8**
Orientation, Course Introduction and Objective
Chapter 1: Key Principles (Statutory Interpretation, Rules, and Discretion)
- #2 January 15**
Chapter 2: Administrative Agencies, Boards, and Commissions
- #3 January 22**
Chapter 2: Administrative Agencies, Boards, and Commissions (Cont'd)
Chapter 3: Fairness: The Right to Be Heard
- #4 January 29**
Chapter 3: Fairness: The Right to Be Heard (Cont'd)
- #5 February 5**
Oral Hearing: *Khan v. University of Ottawa*, (1997) 34 O.R. (3d) 535 (C.A.)
Chapter 4: Fairness: Impartiality and Bias
Midterm Review
- #6 February 12**
Midterm
- February 19**
(February 18-22, 2019, Winter break, classes are suspended)
- #7 February 26**
Midterm discussion
Chapter 4: Fairness: Impartiality and Bias (Cont'd)
- #8 March 5**
Chapter 5: Constitutional Rights in Administrative Law
- #9 March 12**
Chapter 5: Constitutional Rights in Administrative Law (Cont'd)

- #10 **March 19**
Chapter 6: The Standard of Review in Administrative Law
- #11 **March 26**
Chapter 6: The Standard of Review in Administrative Law (Cont'd)
- #12 **April 2**
Chapter 7: Challenging Decisions of Tribunals and Administrative Agencies
Final Exam Review

April 12-27, 2019: Final examinations in Winter term courses.

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: Please contact 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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

Academic Accommodations for Students with Disabilities: If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) www.carleton.ca/pmc

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://carleton.ca/studentaffairs/academic-integrity/>

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: carleton.ca/sexual-violence-support

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: students.carleton.ca/course-outline

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://carleton.ca/law/current-students/>