

Course Outline

COURSE:	LAWS 3800A – Law of Environmental Quality
TERM:	FALL 2020
PREREQUISITES:	1.0 credit in LAWS at the 2000 level
CLASS:	Day & Time: Mondays 8:30 a.m. - 11:30 a.m.
	Room: All Courses in the Fall 2020 term are offered online. Lectures in this course will be delivered “live”, online during our regularly scheduled class time using the Zoom conferencing platform.
INSTRUCTOR: (CONTRACT)	Stephen Waxman, BA (Hon) LLB
CONTACT:	Office: N/A
	Office Hrs: TBD
	Tele- phone: 613-286-2788
	Email: stephen.waxman@carleton.ca

CALENDAR COURSE DESCRIPTION

Various aspects of environmental law; pollution control, legal actions and remedies; legal foundations for participation in decision-making processes. Social, economic and political forces influencing the formulation and implementation of environmental law. Alternative forms of regulation that may articulate different demands.

COURSE DESCRIPTION

The purpose of the course is to review and enhance the students' knowledge of the dynamics involved in the development and implementation of environmental law. The course will explore criminal and regulatory approaches, constitutional law, private law and voluntary approaches.

The course will also explore the interrelationship between the environment and human health issues as well the wide variety of non-legal factors that can and do affect the development of the law.

REQUIRED TEXTS

Environmental Law, Jamie Benidickson (available in the CU Bookstore)

Students can either opt for curb side pick-up or order from www.carletonshop.ca. The textbooks will be received within 2 business days anywhere within Canada.

EVALUATION

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.

1. Essay (45% - Friday, December 11th)

Students will write an essay on a topic agreed upon by the instructor. The instructor will discuss in class a range of possible essay topics. The paper, worth 40% of the final mark, will be between 2500 and 3000 words. (10-12 double spaced typed pages). Maximum length is 3500 words or approximately 15 double spaced typed pages. The marking of the assignments will be in letter grades. Late assignments will be penalized at the rate of ½ full letter grade per day (e.g. original mark B: one day late B-, two days late C etc.). The paper should include a cover sheet, which should include the title of your paper, your name and student number. Quality of expression is essential. Care must be taken to ensure proper spelling, grammar and style, as each will be taken into account in assigning a mark. Use headings for each section of your paper. Include a table of contents, with page numbers, for each section of your paper. The title should accurately reflect the subject matter of your paper. The introduction should include a position statement which is then explored in the paper. The introduction should define your topic and indicate the problem to be addressed. The body of the paper should include analysis, and demonstrate that you have done research and reading including course materials and other publications. Possible reform options should be explored. A conclusion which concisely and cogently summarizes your discussion is invaluable. Proper footnoting and bibliography are required. You may use any commonly accepted style.

Note that there are Instructional Offences: Assignments must be original. It is an instructional offence for any student to copy the work of another student or to submit work that is not his or her own. In relying on the ideas of others, it is important to acknowledge that you are doing so. This does not apply merely when you are paraphrasing or quoting the work of an author, but also when you are using your own words to describe the ideas of others. The onus is on each student to retain a copy of her or his assignment until the graded assignment is returned. This will avoid the risk of an assignment being lost.

2. Presentation (25%)

Each student is responsible for making a presentation of 20 minutes before the class based on the subject matter of the essay. The presentation will outline the main issues raised in the paper and the student must be prepared to address any questions posed as a result of the exercise.

3. Commentary Exercise (20%) : Posted Nov.25 -Due Friday Nov 27th

Students will be required to respond to 3 questions posted on cuLearn concerning key areas in environmental law discussed during the term. The maximum length of the responses should be 6 pages single spaced.

4. Outline (10% -Due Friday, Oct 23rd)

Each student is required to submit an outline regarding the subject matter of their paper. The outline should describe in general the paper to be researched and submitted at the end of the term, and should not be more than 3 pages single spaced.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late assignments will be penalized at the rate of ½ full letter grade per day (e.g. original mark B: one day late B-, two days late C etc.).

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

SCHEDULE

Class 1: Introduction, marking, course structure
 Class 2: Constitutional Allocation of Environmental Authorities
 Class 3: Civil Liability for Environmental Harm
 Class 4: Regulations and Approvals
 Class 5: Administrative Compliance Mechanisms
 Class 6: Offences, Prosecution and Penalties
 Class 7: Corporate Obligations and Directors Liability
 Class 8: Environmental Assessment
 Class 9: Environmental Valuation
 Class 10: Toxic Substances
 Class 11: Endangered Spaces and Species
 Class 12: Environmental Law and the Citizen and Climate Change

September 7, 2020	Statutory Holiday, University Closed
September 9, 2020	Fall Term Begins. Fall and Fall/Winter Classes Begin
October 12, 2020	Statutory Holiday, University Closed
October 26 – 30, 2020	Fall Break, No Classes
December 11, 2020	Fall Term Ends
	Last Day of Fall Term Classes
	Classes follow a Monday Schedule
December 12 – 23, 2020	Formally Scheduled Final Exams May Be Held
December 25 – 31, 2020	University Closed
January 1, 2021	University Closed

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

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) <https://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: <https://carleton.ca/registrar/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: <https://carleton.ca/studentssupport/svpolicy/>

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: <https://students.carleton.ca/services/accommodation/>

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