

Course Outline

COURSE:	LAWS 4607A – Immigration and Refugee Law
TERM:	Winter 2022
PREREQUISITES:	LAWS 2908 or PAPM 3000, LAWS 2502 and Fourth-Year Honours Standing
CLASS:	Day & Time: Wednesdays 2:35pm – 5:25pm (Ottawa Time) Room: Please check Carleton Central for current Class Schedule.
	<i>This will be a synchronous course facilitated on Zoom.</i>
INSTRUCTOR:	Megan Gaucher (She/Her)
CONTACT:	Office Hrs: Thursdays after seminar (Zoom) <u>OR</u> by appointment (Zoom) Telephone: Please email instead of calling, as I do not have regular access to my office phone Email: megangaucher@cunet.carleton.ca

CALENDAR COURSE DESCRIPTION

Immigrants and refugees; demographics; Canadian, international and human rights law and policy. The Canadian Immigration Act. Legal and social problems including entry and removal, family reunion, citizenship, remedies, the rights of clandestine migrants; settlement rights; non-discrimination; asylum; a nation's right to determine membership.

COURSE DESCRIPTION

Citizenship and immigration continue to be important legal issues, particularly in Canada where the welcoming and subsequent accommodation of immigrants and refugees is a longstanding part of the national imaginary. Debates on admission criteria, migrant rights, and the legal limits of integration/accommodation dominate academic and non-academic circles alike. Moreover, the question of “who belongs,” continues to underpin political and popular opinion, drawing attention to the complexity of narratives of membership and belonging. The Canadian story of multiculturalism, while no doubt pleasant, often glosses over the inequalities

immigrants and refugees experience both in seeking access to Canadian borders and integrating into Canadian society. This seminar will introduce students to a theoretical and empirical examination of these questions, while taking into account the lived experiences of immigrants and refugees. In our examination of topics ranging from questions of citizenship/non-citizenship, temporary foreign labour, and family reunification, to refugee determination, asylum seeking and national security, this seminar will address the gap between immigration and refugee law and the implications of these laws in practice.

REQUIRED TEXTS

All articles, cases and other materials can be found either on Brightspace, as an eBook at the library or online (see “Course Schedule” for details).

COURSE OBJECTIVES/EXPECTATIONS

- 1) **We didn't sign up for this** – not for a global pandemic, not for online classes, not for the current pause of our collective campus experience. While this is the safest option, I can only imagine how frustrated some of you must feel about all of this. Please know you're not alone. That being said, the current in-class structure is not without flaw – specifically with respect to accessibility – and as such, parts of the course will try to emulate the traditional 4th year seminar experience and others will involve features of online learning platforms to foster engagement that are hopefully valuable and accessible for all of us. Simply put, even though we're online, this course can still be a space for us to come together and create community.
- 2) **Be kind to yourself and others.** This unprecedented situation creates potential learning challenges for all of us (e.g. access to technology, care responsibilities; financial hardship; physical and mental health, etc.). As we navigate these challenges together, please remember to be patient and understanding with yourselves and others.
- 3) **Privacy will be respected.** Please do not share class Zoom links, meeting information or screenshots with anyone who is not enrolled in our course. Students are welcome to participate on Zoom using audio functions only (i.e. there is no requirement for video participation). Children and pets are more than welcome – the more, the merrier.
- 4) **We will remain flexible and adjust to the situation.** We don't know what will happen over the next few months. If you are in need of a personal accommodation, please contact me and we will figure out a reasonable plan that enables you to succeed in this course.

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.

Type of Assignment	Weighting	Due Date
Attendance/Participation	25%	N/A
Guest Speaker Reflection Assignment (Best 2)	30%	Chosen Week
Seminar Discussion Questions	10%	Chosen Week
Final Essay	35%	April 13 th

All written assignments are to be uploaded in the appropriate Brightspace drop-box.

Attendance/Participation (25%)

We will hold weekly class discussions on Zoom on Wednesday afternoons from 2:35pm - 3:55pm (Group One) and 4:05pm – 5:25pm (Group Two). On weeks that we have a guest speaker coming in, we will be having a single group discussion from 2:35pm – 4:00pm. All of this information can be found in the “Course Schedule” on Brightspace.

The third hour of our allotted class time is reserved for post-seminar “hallway chats” and office hour appointments.

I know that life happens and sometimes things come up that are out of our control (especially during all of this *gestures wildly*) – to accommodate this, I am giving each student **TWO** free absences. This means that you can miss two online sessions without explanation and without penalty. If illness or other unavoidable issues cause you to miss multiple classes, please keep me advised of the situation and we can figure out a reasonable accommodation plan.

Since this is a seminar, active participation is a key element. Minimal participation from students will make for a long Zoom chat; therefore, while you will get marks for attendance, you will not get full participation marks just for showing up.

Attendance/Participation will be broken down as follows:

- **1) Live Discussion Attendance/Participation (15%)** – Discussion can take place via microphone or the chat function. You get full attendance marks if you attend 10/12 seminars (see above).
- **2) Discussion Forum Posts (10%)** – You will be each be taking a turn to post discussion questions pertaining to the reading(s) each week (see below) and everyone is encouraged to either comment/answer your peers’ posted discussion questions or add your own that builds on that particular discussion. Posts should be no more than 200 words. You are required to upload five posts to get the full 10%. Discussion forum posts will be live from the Wednesday of that specific reading until the following Wednesday.

Guest Speaker Reflection Assignment (25%)

You are required to submit two one-page (single spaced) reflections on two guest speakers of your choice (Weeks Three, Five, Seven, Eight, Nine and Ten). To be clear, this is not an evaluation of the speaker themselves; rather, I want you to reflect on what you got from that discussion (e.g. what you learned, relevance to course/current events, questions you still have, etc.). This assignment does not require any outside sources/citations. Your reflection assignments are due the week **AFTER** the guest speaker; if you are writing a reflection on the week three guest speaker, the assignment is due before class on week four.

Seminar Discussion Questions (10%)

There will be an online discussion forum for each week of readings. You will be responsible for initiating one of these discussion forums by contributing two questions – one specific to your chosen reading, and one that more generally connects the readings/theme for that week. Questions need to be emailed to me the Tuesday before your chosen class. Readings will be assigned the first week once seminar groups are determined.

Final Essay (35%)

You are required to submit a 10-12 page paper on a topic that builds and expands on some of the course readings. Further information will be posted on Brightspace. This assignment must be uploaded on Brightspace by **April 13th**.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

This course has assignment deadlines for two reasons: (1) fairness to everyone, and (2) we want to be able to stay on track. I recognize however that meeting all deadlines might not be possible for everyone and as such, some flexibility is required.

All I ask is that if you find yourself falling behind, please just keep me in the loop. If you are dealing with circumstances (medical or otherwise) that prevent you from dedicating the usual amount of time to this class and you require an extension on any of the assignments, please let me know. Fourth-year is stressful enough when you aren't trying to finish it during a global pandemic. That being said, it is challenging for me to help you when I don't know what is going on. This does not mean you have to divulge all personal information – you can share what you're comfortable with. But the sooner I know that we need to figure out a reasonably adjusted game plan that enables you to complete all course requirements, the better.

SCHEDULE

See “LAWS 4607 – Course Schedule” for course readings, guest speakers, seminar schedule, etc.

Winter 2022 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
January 5, 2022	University Reopens.
January 10, 2022	Winter term classes begin.
January 31, 2022	Last day for withdrawal from winter term and winter portion of fall/winter courses with full fee adjustment. Withdrawals after this date will result in a permanent notation of WDN on the official transcript.
February 18, 2022	April examination schedule available online.
February 21, 2022	Statutory holiday. University closed.
February 22-25, 2022	Winter break, no classes.
March 29, 2022	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade before the official examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
April 12, 2022	Winter Term Ends. Last day of fall/winter and winter term classes.
April 13, 2022	No classes or examinations take place.
April 14- 28, 2022	Final examinations in winter term and fall/winter courses may be held. Examinations are normally held all seven days of the week.
April 15, 2022	Statutory holiday. University closed.
April 28, 2022	All take home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

University and Departmental Policies

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/>.

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/student-experience-resources/>.

COVID-19 PREVENTION MEASURES

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits,

designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

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 [click here](#).

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).

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 where 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/equity/sexual-assault-support-services>

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 will be provided to students who compete or perform at the national or international level. 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: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.