

## Course Outline

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<b>COURSE:</b>	<b>LAWS 3506 A – Administrative Law</b>
<b>TERM:</b>	<b>Winter 2026</b>
<b>PREREQUISITES:</b>	<b>LAWS 2502 and 0.5 credit in LAWS at the 2000 level</b>
<b>CLASS:</b>	<b>Day &amp; Time: Mondays, 6:05 pm - 8:55 pm</b> <b>Room: Please check Carleton Central for current Class Schedule</b> <b>This course is presented in person and in a lecture format that is supported through Brightspace &amp; Zoom.</b>
<b>INSTRUCTOR:</b>	<b>Nick E. Milanovic</b>
<b>CONTACT:</b>	<b>Office Hrs: By appointment only via Zoom. TA contact information, when finalized, will be posted on the class Brightspace page</b> <b>Telephone:</b> <b>Email: <a href="mailto:nikolamilanovic@cunet.carleton.ca">nikolamilanovic@cunet.carleton.ca</a></b>
<b>BRIGHTSPACE:</b>	<b><a href="https://brightspace.carleton.ca/d2l/home/366358">https://brightspace.carleton.ca/d2l/home/366358</a></b>

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### 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 deals with the body of law that regulates the ways in which government operates and interacts with itself and its citizens. This course provides a broad and current review of Canadian administrative law doctrine. It focuses on the legal framework governing government operations and interactions with citizens. Using a case-analysis approach, the course aims to provide students with a current understanding of legal principles ensuring accountability, fairness, and transparency for public authorities. This course aims to help students prepare themselves to navigate complex regulatory environments, whether as legal professionals, public administrators, or as informed citizens interacting with government.

## **LEARNING OUTCOMES**

- **Understanding Fundamental Principles:** Students learn to identify and critically analyze the fundamental principles underlying administrative law, such as the rule of law, the separation of powers, accountability, and the balance between private interests and public good.
- **Analyzing the Scope of Public Power:** Students gain an understanding of how administrative bodies obtain and exercise their power, which is delegated by statute. This includes learning about the different types of administrative authorities at the federal and provincial levels of government.
- **Applying Procedural Fairness Principles:** An important component is the study and application of procedural safeguards (e.g., the right to notice and a fair hearing, and the rules against bias) that administrative decision-makers must follow.
- **Evaluating Substantive Review Standards:** Students learn the principles and standards courts use to review the substance (or "merits") of administrative decisions, focusing heavily on modern Canadian jurisprudence (like the Supreme Court's decision in *Vavilov*) to determine if a decision was reasonable or lawful.
- **Identifying and Utilizing Remedies:** A practical outcome is the ability to determine available remedies (e.g., judicial review, appeals, complaints to an ombudsperson) for individuals or groups affected by unlawful or unfair government actions.
- **Honing Practical Legal Skills:** Courses aim to develop skills in analyzing complex fact situations, interpreting statutory provisions, performing legal research, and effectively communicating legal arguments in the context of administrative hearings or judicial review applications.
- **Addressing Constitutional Values:** This course familiarizes students with the impact of constitutional law, including the *Canadian Charter of Rights and Freedoms* and the Crown's obligations regarding the duty to consult and accommodate Indigenous peoples, on administrative decision-making.

## **REQUIRED TEXTS**

Required text: **Gerald Heckman, Janna Promislow, David Mullan, Gus Van Harten, Administrative Law: Cases, Text and Materials, 8th Edition (Toronto; Emond 2022)**. You should purchase this text, the returnable hardcover retails for \$166 and the one-year digital e-text is \$119. Earlier versions are not applicable. It is available from Carleton University's The Campus Store in hardcover or as an e-text on-line. For most classes you will be responsible for reading about 100 pages of the textbook each week and hard copy is easier to work with. It is expected that you will have read the materials before class so that you will be prepared to discuss, engage with them, and you will be assessed on them as the class progresses.

Students are also expected to consult the course's Brightspace page several times a week. PowerPoint lecture slides and other materials and information will be available there for your review.

## **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.

- (a) Four quizzes on the readings (**held on Brightspace Jan. 26, Feb. 23, March 23, April 6**) each quiz is about 10 minutes and are worth 5 % each for a total of **20 %**
- (b) Essay (**due via Brightspace on or before March 23, 2026**, topics to be announced in class) **40%**
- (c) Final Exam (**during April 11-23, 2026**, formally scheduled, up to 2 hours in length, in-person, open book) **40%**

**All components must be successfully completed in order to get a passing grade.**

## **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

Late penalties are 4% per day up to a maximum of 7 days without extension. Beyond that period the student will receive zero on the assignment.

The granting of extensions is at the discretion of the instructor, who will confirm whether an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page. All requests must be submitted to the instructor before the assignment due date or, in the case of exam deferrals, directly to the Registrar's Office. Full details and instructions can be found here: <https://carleton.ca/registrar/academic-consideration-policy/>.

## **SCHEDULE**

### **Week 1 (January 5, 2026)**

**Introduction to the course. Themes, operation, assessment**

**Reading:** None

### **Week 2 (January 12, 2026)**

#### **Part I: Introduction**

**Reading:** Heckman et al., **Administrative Law pp. 3-56**

1. **Chapter One:** The Administrative State and the Rule of Law
2. **Chapter Two:** The Role of Judicial Review

### Week 3 (January 19, 2026)

#### Part II: Procedures

**Readings:** Heckman et al., **Administrative Law** pp. 59-63; pp. 65-156

1. General Introduction
2. **Chapter Three:** Fairness: Sources and Thresholds

### Week 4 (January 26, 2026)

#### Part II: Procedures

**Reading:** Heckman et al., **Administrative Law** pp. 159-265

1. **Chapter Four:** The Level and Choice of Procedures

**Note:** Reading Quiz 1 – 5 %, due January 26, Quiz on Brightspace.

### Week 5 (February 2, 2026)

#### Parts II: Procedure

**Reading:** Heckman et al., **Administrative Law** pp. 267-319

1. **Chapter Five:** Bias and Lack of Independence

### Week 6 (February 9, 2026)

#### Part II: Procedure

**Reading:** Heckman et al., **Administrative Law** pp. 391-432

1. **Chapter Eight:** The Duty to Consult and Accommodate Aboriginal Peoples

### Week 7 (February 16-20, 2026)

**Winter break: No Classes**

### Week 8 (February 23, 2026)

#### Part III: Substantive Review

**Reading:** Heckman et al., **Administrative Law**, pp. 439-456

1. General Introduction
2. **Chapter Nine:** The Standard of Review

**Note:** Reading Quiz 2 – 5 %, due February 23, Quiz on Brightspace.

**Week 9 (March 2, 2026)****Part III: Substantive Review**

**Readings:** Heckman et al., **Administrative Law**, pp. 457-539

1. **Chapter Ten:** Selecting the Standard of Review

**Week 10 (March 9, 2026)****Part III: Substantive Review**

**Readings:** Heckman et al., **Administrative Law**, pp. 543-718

1. **Chapter Eleven:** Applying the Standard of Review

**Week 11 (March 16, 2026)****Part III: Substantive Review**

**Readings:** Heckman et al., **Administrative Law**, pp. 761-806

1. **Chapter Thirteen:** Tribunals and the Constitution: Jurisdiction, Obligations, and Substantive Review

**Week 12 (March 23, 2026)****Part IV: Remedies**

**Reading:** Heckman et al., **Administrative Law**, pp. 809-813, pp. 815-890

1. **Chapter Fourteen:** Remedies for Unlawful Administrative Action

**Note:** Reading Quiz 3 – 5 %, due March 23, Quiz on Brightspace.

**Week 13 (March 30, 2026)****Review & Recap of Themes, operation, assessment**

**Readings:** None

**Note:** Reading Quiz 4 – 5 %, due April 6, Quiz on Brightspace.

**POLICY ON PERMISSIBILITY OF SUBMITTING SAME WORK MORE THAN ONCE, PERMISSIBILITY OF GROUP OR COLLABORATIVE WORK, AND PERMISSIBILITY OF USING GENERATIVE AI**

Students are strictly prohibited from submitting any work that has been previously submitted for academic credit in another course. Any such submission will result in an academic integrity violation, and the student will be referred to the university's academic integrity office for review. Re-using any portion of previous work, regardless of its extent, will be treated as a

violation of academic integrity.

Students are not permitted to cooperate or collaborate on any academic assignments unless explicitly stated by the instructor. Any unauthorized collaboration will result in the assignment not receiving a grade and the student being referred to the academic integrity office. This policy applies to all tests, exams, and individual assignments. Proofreading by others is not allowed.

The use of AI tools (e.g., ChatGPT) to generate any part of an assignment or test is strictly prohibited. Unauthorized use of AI in this course will be treated as a violation of academic integrity.

<b>Winter 2026 Sessional Dates and University Closures</b>	
Please find a full list of important academic dates on the calendar website: <a href="https://calendar.carleton.ca/academicyear/">https://calendar.carleton.ca/academicyear/</a>	
<b>January 5, 2026</b>	Winter term begins.
<b>January 16, 2026</b>	Last day for registration and course changes (including auditing) for Winter courses.
<b>January 31, 2026</b>	Last day to withdraw from full winter courses and the winter portion of fall/winter courses with a full fee adjustment.
<b>February 16, 2026</b>	Statutory holiday. University closed.
<b>February 16-20, 2026</b>	Winter break. No classes.
<b>March 15, 2026</b>	Last day for academic withdrawal from Winter courses.
	Last day to request Formal Examination Accommodations for April full winter, late winter, and fall/winter final examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
<b>March 25, 2026</b>	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full winter term or fall/winter undergraduate courses, before the official April final examination period.
<b>April 3, 2026</b>	Statutory holiday. University closed.
<b>April 8, 2026</b>	Winter term ends.
	Last day of winter and fall/winter classes.
	Classes follow a Friday schedule.

	Last day for take home examinations to be assigned.
<b>April 9-10, 2026</b>	No classes or examinations take place.
<b>April 11-23, 2026</b>	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
<b>April 23, 2026</b>	All final 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**

The University Academic Integrity Policy defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one’s own; and
- failing to acknowledge sources through the use of proper citations when using another’s work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the

student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of “F” for the course.

### **STATEMENT ON STUDENT MENTAL HEALTH**

As a University student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you.

For more information, please consult <https://wellness.carleton.ca/>

Emergency Resources (on and off campus):

- <https://wellness.carleton.ca/get-help-now/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

### **ACADEMIC ACCOMMODATIONS**

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances, are outlined on the Academic Accommodations website ([students.carleton.ca/course-outline](https://students.carleton.ca/course-outline)).

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

#### **Pregnancy and Family-Status Related Accommodations**

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 about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

**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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>.

**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. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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 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/>.

**Academic Consideration for Medical and Other Extenuating Circumstances**

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to

succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).