

LAWS 3509A (Un)Chartered Waters: *Canadian Charter in Theory and Practice*

COURSE:	LAWS 3509A – Selected Topics in The Charter of Rights		
TERM:	Fall 2026		
PREREQUISITES:	(0.5 Credit from LAWS 2105, LAWS 2201, LAWS 2302, LAWS 2502) and 0.5 credit in LAWS at the 2000 level		
CLASS:	Day:	Wednesday	
	Time:	8:35am – 11:25am	
	Room:	Please check Carleton Central for current Class Schedule In-Person	
INSTRUCTOR:	Prof. Zoran Oklopčic		
CONTACT:	Office Hrs:	After classes in office, and upon appointment on zoom	
	Location:	D587 Loeb	
	Email:	ZoranOklopčic@cunet.carleton.ca	
BRIGHTSPACE:	https://brightspace.carleton.ca/d2l/home/450773		

COURSE DESCRIPTION

This course examines the Canadian Charter of Rights and Freedoms not as a fixed body of doctrine but as a site of enduring political, theoretical, and comparative contestation. Beginning with the Charter's origins in the patriation of 1982—and the questions of legitimacy, popular authorization, and unfinished consent that surround it—the course approaches rights as artifacts of constitutional design and imagination rather than as self-evident entitlements. Across the term we ask who "the people" of the Charter are, what work rights actually do, and how Canada's framework compares with constitutional rights regimes elsewhere. Selected topics vary by term and may be drawn from: the structure and legitimacy of the Charter and the amending process; the limitation of rights and the proportionality (Oakes) framework in comparative perspective; the notwithstanding clause and the relationship between popular sovereignty and judicial review; fundamental freedoms; equality and the recognition of difference; collective, minority, and language rights; the place of Indigenous peoples and Quebec within the constitutional order; and critical and comparative challenges to rights discourse. The emphasis throughout is on theoretically informed, contextual analysis rather than exhaustive doctrinal coverage. Particular topics, cases, and readings are selected at the instructor's discretion and may change.

LEARNING OBJECTIVES

By the end of this course, students will be able to explain the origins, institutional architecture, and core doctrines of the Canadian Charter—judicial review, proportionality under section 1, the notwithstanding clause, the living tree method, and unwritten principles—and to situate each within the political compromises of 1982 that continue to shape its legitimacy.

COURSE SUMMARY

LAWS 3509 Fall 2026 SUMMARY				
DATES		TOPICS AND READINGS	EXAMS*	
1	September 9	Introduction to the course.		
2	September 16	Judicial Review: Theory, History, Models. Marbury v Madison [Marshall CJ, excerpt]; Tushnet, "Alternative Forms of Judicial Review"; Hirschl, Towards Juristocracy [introduction].		
3	September 23	The History of the Charter: Adoption, Impact, Periodization. Russell, "The Political Purposes of the Canadian Charter of Rights and Freedoms"; Dodek, The Charter Debates [introduction]; Patriation Reference [holding on convention, excerpt].		
4	September 30	The Supreme Court as an Institution. Reference re Supreme Court Act, ss 5 and 6 [majority reasons, excerpt]; Mathen, Courts Without Cases, ch. 1; Macfarlane, Governing from the Bench, ch. 1.		
5	October 7	Sovereignty, Democratic Legitimacy, and the Charter's Critics. Waldron, "The Core of the Case Against Judicial Review"; Hogg and Bushell, "The Charter Dialogue Between Courts and Legislatures"; Morton and Knopff, The Charter Revolution and the Court Party, ch. 1.		
6	October 14	The Notwithstanding Clause. Ford v Quebec [formal requirements of s. 33, excerpt]; Webber, Mendelsohn and Leckey, "The Faulty Received Wisdom Around the Notwithstanding Clause"; Hak c Québec [overview and s. 33 analysis, excerpts].	In-Class Exam 1 (25%): Administered during a regular class session, covering material from classes 2-5	
7	October 21	Proportionality. R v Oakes [s. 1 framework, excerpt]; Grimm, "Proportionality in Canadian and German Constitutional Jurisprudence"; Choudhry, "So What Is the Real Legacy of Oakes?"		
Fall break – no classes				
8	November 4	Freedom of Expression. Irwin Toy v Quebec [definition of expression, excerpt]; R v Keegstra [Dickson CJ and McLachlin J, excerpts]; Cameron, "The Past, Present, and Future of Expressive Freedom Under the Charter".		
9	November 11	Democratic Rights and the Political Process. Dawood, "Democracy and the Right to Vote"; Fair Voting BC v Canada [overview, paras 40–53, and concurrence]; Hunter-Loubert, "Democratic Charter Rights and First-Past-The-Post" (ABlawg).		
10	November 18	The Charter and Parliamentary Government. Canada (House of Commons) v Vaid [necessity test, excerpt]; Mikisew Cree First Nation v Canada [excerpts]; Trudeau II Report [Shawcross doctrine, excerpt].		
11	November 25	The Charter and Constitutional Interpretation. Edwards v Attorney-General for Canada [excerpt]; Oliphant & Sirota, "Has the Supreme Court of Canada Rejected 'Originalism'?" ; Jackson, "Constitutions as 'Living Trees'?"	In-Class Exam 2 (30%): Administered during a regular class session, covering material from classes 6-10	
12	December 2	The Charter and Unwritten Principles. Provincial Judges Reference [Lamer CJ and La Forest J, excerpts]; Toronto (City) v Ontario [majority and Abella J on unwritten principles, excerpts]; Leclair, "Canada's Unfathomable Unwritten Constitutional Principles".		
13	December 9	The Charter and Federalism: Quebec, Secession, the Provinces. Reference re Secession of Quebec [four principles and duty to negotiate, excerpt]; Morton, "The Effect of the Charter of Rights on Canadian Federalism"; Clarity Act [in full].		
December 11		* total grade = exams (85%) + class participation (15%)	Final take-home exam < announced on Brightspace	
December 23			< Due date submission on Brightspace 30 %	

COURSE SCHEDULE

1. Introduction to the course

This first session introduces the course and its central concerns. We will discuss what it means to treat the Charter as a site of political and theoretical contestation rather than as a settled body of doctrine, and why comparison with rights regimes elsewhere is useful for understanding the Canadian one. The session also walks through the structure of the term, the weekly readings, and the evaluation scheme, and leaves time for questions about how the course will run.

2. Judicial Review: Theory, History, Models

This session introduces judicial review as an institution and asks where it came from and why it spread. We contrast the American model, in which ordinary courts review legislation in the course of ordinary litigation, with the centralized European model built around a specialized constitutional court, and we trace the global expansion of constitutional review after 1945. We then turn to Canada's position before 1982, when courts policed the federal division of powers but had no general mandate to protect rights, and consider why the framers of 1867 were content to leave rights in the hands of legislatures. Along the way the session establishes the basic vocabulary of constitutional supremacy, entrenchment, deference, and strong- and weak-form review.

- **Marbury v Madison**, 5 US (1 Cranch) 137 (1803) [Marshall CJ's opinion, excerpt].
- **Mark Tushnet**, 'Alternative Forms of Judicial Review' (2003) 101 Michigan Law Review 2781.
- **Ran Hirschl**, *Towards Juristocracy: The Origins and Consequences of the New Constitutionalism* (Harvard University Press, 2004), introduction.

3. The History of the Charter: Adoption, Impact, Periodization

This session tells the story of how the Charter came to be and what it has done since. We begin with the 1980 Quebec referendum and the patriation project that followed, the opposition of the dissenting provinces, and the November 1981 compromise that produced an agreement without Quebec. We then read the text itself, paying attention to which rights were included, which were deliberately left out, and how particular drafting choices have shaped everything that came after. The session closes with a broad survey of the Charter's policy impact over four decades and a rough periodization of the Supreme Court's approach from the foundational years to the present.

- **Peter H Russell**, 'The Political Purposes of the Canadian Charter of Rights and Freedoms' (1983) 61 Canadian Bar Review 30.
- **Adam Dodek**, *The Charter Debates: The Special Joint Committee on the Constitution, 1980-81* (University of Toronto Press, 2018), introduction.
- **Reference re Resolution to Amend the Constitution** [1981] 1 SCR 753 [the holding on convention, excerpt].

4. The Supreme Court as an Institution

This session examines the Supreme Court of Canada as an institution rather than as a source of doctrine. We consider its statutory origins, the end of appeals to London, and the later entrenchment of its composition in the constitution. We look at how the Court sets its own agenda through the leave process and at the reference procedure, which allows governments to bring abstract questions directly before the judges. Considerable attention is paid to the appointment process and its recurring controversies, and the session ends with the amending formula and the argument that the Charter has become, in practice, nearly impossible to amend.

- **Reference re Supreme Court Act, ss 5 and 6, 2014 SCC 21 [majority reasons, excerpt].**
- **Carissima Mathen, *Courts Without Cases: The Law and Politics of Advisory Opinions* (Hart Publishing, 2019), ch 1.**
- **Emmett Macfarlane, *Governing from the Bench: The Supreme Court of Canada and the Judicial Role* (UBC Press, 2013), ch 1.**

5. Sovereignty, Democratic Legitimacy, and the Charter's Critics

This session confronts the question of legitimacy that any system of rights review must answer. How can a constitution that was never popularly ratified authorize unelected judges to override the choices of elected legislatures? We examine how the Court has reconciled parliamentary sovereignty with constitutional supremacy and how it has described its own democratic role. We then turn to the scholarly critics, from the principled case against judicial review as such to the Canadian arguments that the Charter legalizes politics, disguises the indeterminacy of law, and empowers a narrow constituency of litigants. Particular attention is paid to the way objections from the left and the right converge on a single charge, namely that political choices are being presented as legal necessities.

- **Jeremy Waldron, 'The Core of the Case Against Judicial Review' (2006) 115 *Yale Law Journal* 1346.**
- **Peter W Hogg & Allison A Bushell, 'The Charter Dialogue Between Courts and Legislatures (Or Perhaps the Charter of Rights Isn't Such a Bad Thing After All)' (1997) 35 *Osgoode Hall Law Journal* 75.**
- **FL Morton & Rainer Knopff, *The Charter Revolution and the Court Party* (Broadview Press, 2000), ch 1.**

6. The Notwithstanding Clause

This session covers section 33, the provision that allows legislatures to declare that a law operates notwithstanding certain Charter rights. We look at its origins in the bargaining of November 1981, at the decision to make some rights overridable while shielding others, and at the clause's uneven history, which runs from Quebec's blanket protest through decades of near disuse to its recent normalization by several provinces. We consider the difference between pre-emptive and responsive invocation, the scholarly attempts to rehabilitate the override as a form of coordinate interpretation, and its reputation abroad as the emblem of weak-form review. The session ends with the current litigation over Quebec's secularism law and the question of whether courts may still declare that rights have been violated even when an override is in force.

- **Ford v Quebec (Attorney General) [1988] 2 SCR 712 [on the formal requirements of s 33, excerpt].**
- **Grégoire Webber, Eric Mendelsohn & Robert Leckey, 'The Faulty Received Wisdom Around the Notwithstanding Clause' (Policy Options, 10 May 2019).**
- **Hak c Québec (Procureur général) 2024 QCCA 254 [overview and the s 33 analysis, excerpts].**

7. Proportionality

This session covers section 1 and the test that structures nearly every Charter case. We work through the four stages of the proportionality framework and trace its origins in German public law and its remarkable spread around the world. We then follow its evolution in Canada, as the Court has oscillated between deference and rigour, adjusted the evidentiary burdens placed on governments, and extended the analysis into administrative decision-making. The session compares Canadian and German practice, surveys the influence of the Canadian approach on courts elsewhere, and closes with the principal critiques of proportionality, including the objection that it asks judges to weigh things that cannot be measured on a common scale.

- **R v Oakes [1986] 1 SCR 103 [the s 1 framework, excerpt].**
- **Dieter Grimm, 'Proportionality in Canadian and German Constitutional Jurisprudence' (2007) 57 University of Toronto Law Journal 383.**
- **Sujit Choudhry, 'So What Is the Real Legacy of Oakes? Two Decades of Proportionality Analysis under the Canadian Charter's Section 1' (2006) 34 Supreme Court Law Review (2d) 501.**

8. Freedom of Expression

This session covers section 2(b). We begin with the Court's expansive definition of expression and its decision to push most of the real work of the analysis into the justification stage under section 1. The heart of the session is a comparison between Canadian and American approaches to hate propaganda, obscenity, and defamation, and the rival philosophies of free speech that underlie them. We then consider compelled expression, expression on government property, the divergent fortunes of commercial and labour speech, and the questions now being posed by platforms, algorithms, and machine-generated content.

- **Irwin Toy Ltd v Quebec (Attorney General) [1989] 1 SCR 927 [the definition of expression, excerpt].**
- **R v Keegstra [1990] 3 SCR 697 [Dickson CJ's majority reasons and McLachlin J's dissent, excerpts].**
- **Jamie Cameron, 'The Past, Present, and Future of Expressive Freedom Under the Charter' (1997) 35 Osgoode Hall Law Journal 1.**

9. Democratic Rights and the Political Process

This session covers the democratic rights in sections 3 to 5, with a particular focus on the electoral system. We trace the jurisprudence on the right to vote, including the Court's preference for effective representation over strict voter parity and its willingness to extend the franchise to prisoners and citizens living abroad. The second half of the class asks whether first-past-the-post,

which routinely converts pluralities into legislative majorities, can be squared with the guarantees of effective representation and meaningful participation. A recent Ontario decision upholding the system is read alongside the critique that it rests on a thin conception of democracy, and we ask whether the design of the electoral system is something courts should be deciding at all.

- Yasmin Dawood, 'Democracy and the Right to Vote' (2013) 51 Osgoode Hall LJ 251.
- Fair Voting BC v Canada (Attorney General) 2025 ONCA 581 [the overview, paras 40–53, and the concurrence].
- Hunter-Loubert, 'Democratic Charter Rights and First-Past-The-Post: A Shallow Conception of Democracy at the Ontario Court of Appeal' (ABlawg, 26 September 2025).

10. The Charter and Parliamentary Government

This session asks how much of Westminster government the Charter left untouched. We examine parliamentary privilege and its constitutional status, the immunity of the law-making process itself from judicially imposed duties, and the extent to which prerogative and Cabinet decisions are open to Charter review. We consider the conventions surrounding the Prime Minister's office and why they remain beyond the reach of the courts. The session concludes with the Attorney General's dual role as partisan minister and chief law officer, including the statutory duty to vet legislation for Charter compliance and the revival of the Shawcross doctrine in recent political controversy.

- Canada (House of Commons) v Vaid 2005 SCC 30 [the necessity test for privilege, excerpt].
- Mikisew Cree First Nation v Canada (Governor General in Council) 2018 SCC 40 [excerpts].
- Office of the Conflict of Interest and Ethics Commissioner, Trudeau II Report (2019) [the discussion of the Shawcross doctrine and the Attorney General's independence, excerpt].

11. The Charter and Constitutional Interpretation

This session steps back to examine the interpretive method that has been at work in every case we have read so far. We begin with the living tree doctrine, its origins in the Privy Council's decision that women were persons, and its career in the Charter era, where it has been used to justify both expansive readings of rights and the recognition of limits that the text does not state. We then consider the critiques, including the democratic objection to unelected judges updating the constitution, the empirical claim that the Court's rejection of originalism is more selective than it admits, and the analytical worry that the metaphor constrains nothing at all. The session compares Canada's metaphor with those used elsewhere and asks what doctrinal work the Court's other favourite images, from architecture to dialogue to watertight compartments, actually perform.

- Edwards v Attorney-General for Canada [1930] AC 124 (JCPC) [Lord Sankey's reasons, excerpt].

- Benjamin Oliphant & Léonid Sirota, 'Has the Supreme Court of Canada Rejected "Originalism"?' (2016) 42 Queen's Law Journal 107.
- Vicki C Jackson, 'Constitutions as "Living Trees"? Comparative Constitutional Law and Interpretive Metaphors' (2006) 75 Fordham Law Review 921.

12. The Charter and Unwritten Principles

This session covers the part of the constitution that is not written down. We distinguish written from unwritten constitutions and consider Canada's hybrid character, and we separate unwritten constitutional principles from the conventions with which they are sometimes confused. We trace the rise of these principles through the implied bill of rights cases, the decisions on language rights and judicial independence, and the Secession Reference, and then their retrenchment in more recent judgments that confine them to interpretive and gap-filling roles. The session asks why the Charter first energized and then subordinated the unwritten constitution, and whether the principles retain any independent force today.

- Reference re Remuneration of Judges of the Provincial Court of Prince Edward Island [1997] 3 SCR 3 [Lamer CJ's reasons and La Forest J's dissent, excerpts].
- Toronto (City) v Ontario (Attorney General) 2021 SCC 34 [the majority and Abella J's dissent on unwritten principles, excerpts].
- Jean Leclair, 'Canada's Unfathomable Unwritten Constitutional Principles' (2002) 27 Queen's Law Journal 389.

13. The Charter and Federalism: Quebec, Secession, the Provinces

This final session examines what a nation-building instrument does to a federation. We consider the general difficulties of rights review in federal states, including the problem of who acts as umpire, the worry that uniform rights flatten provincial diversity, and the question of how asymmetry can be accommodated. We look at the Charter's standardizing effect on provincial policy and at the counterweights that preserve room for provincial difference. We then turn to Quebec, which has never formally consented to the 1982 settlement, and to its recent legislative strategy, before taking up the framework governing secession and its relevance both to Quebec historically and to Alberta today. The course ends with a structured discussion, drawing on the semester as a whole, of the principal challenges the Charter is likely to face over the next twenty years.

- Reference re Secession of Quebec [1998] 2 SCR 217 [the four principles and the duty to negotiate, excerpt].
- FL Morton, 'The Effect of the Charter of Rights on Canadian Federalism' (1995) 25:3 Publius: The Journal of Federalism.
- Clarity Act, SC 2000, c 26 [read in full – it is short].

GRADING SCHEME

Component	Weight
Participation	15%
In-Class Exam 1	25%
In-Class Exam 2	30%
Take-Home Exam	30%
Total	100%

Participation (15%): Assessed based on attendance, engagement in class discussions, and contributions to in-class activities. **In-Class Exam 1 (25%):** A timed exam administered during a regular class session, covering material from the first portion of the course. **In-Class Exam 2 (30%):** A timed exam administered during a regular class session, covering material from the second portion of the course. **Take-Home Exam (30%):** Distributed at the end of the term and completed independently outside of class, due by the announced deadline.

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. Standing in courses will be shown by alphabetical grades following the University grading scale. NOTE: All components must be successfully completed in order to get a passing grade – this includes the attendance and participation components.

STATEMENT ON AI USE

Students may use AI tools for basic word processing functions, including grammar and spell checking (e.g. Grammarly, Microsoft Word Editor, Copilot). This policy ensures that student voices and ideas are prioritized and authentically represented, maintaining the integrity of the work produced by students while allowing basic support to enhance clarity, correctness, layout and flow of ideas. The goal of adopting a limited use of AI is to help students develop foundational skills in writing and critical thinking by practicing substantive content creation without the support of AI.

SUMMARY LIST OF READINGS

Cases and Primary Materials

1. *Canada (House of Commons) v Vaid* 2005 SCC 30 [the necessity test for privilege, excerpt]
2. *Clarity Act*, SC 2000, c 26 [read in full]
3. *Dickson v Vuntut Gwitchin First Nation* 2024 SCC 10 [majority and dissenting reasons on s 25, excerpts]
4. *Edwards v Attorney-General for Canada* [1930] AC 124 (JCPC) [Lord Sankey's reasons, excerpt]

5. *Fair Voting BC v Canada (Attorney General)* 2025 ONCA 581 [overview, paras 40–53, and the concurrence]
6. *Ford v Quebec (Attorney General)* [1988] 2 SCR 712 [on the formal requirements of s 33, excerpt]
7. *Fraser v Canada (Attorney General)* 2020 SCC 28 [the adverse-effects framework, excerpt]
8. *Hak c Québec (Procureur général)* 2024 QCCA 254 [overview and the s 33 analysis, excerpts]
9. *Irwin Toy Ltd v Quebec (Attorney General)* [1989] 1 SCR 927 [the definition of expression, excerpt]
10. *Marbury v Madison*, 5 US (1 Cranch) 137 (1803) [Marshall CJ's opinion, excerpt]
11. *Mikisew Cree First Nation v Canada (Governor General in Council)* 2018 SCC 40 [excerpts]
12. Office of the Conflict of Interest and Ethics Commissioner, *Trudeau II Report* (2019) [Shawcross doctrine and Attorney General's independence, excerpt]
13. *R v Keegstra* [1990] 3 SCR 697 [Dickson CJ's majority reasons and McLachlin J's dissent, excerpts]
14. *R v Oakes* [1986] 1 SCR 103 [the s 1 framework, excerpt]
15. *Reference re Remuneration of Judges of the Provincial Court of Prince Edward Island* [1997] 3 SCR 3 [Lamer CJ's reasons and La Forest J's dissent, excerpts]
16. *Reference re Resolution to Amend the Constitution* [1981] 1 SCR 753 [the holding on convention, excerpt]
17. *Reference re Secession of Quebec* [1998] 2 SCR 217 [the four principles and the duty to negotiate, excerpt]
18. *Reference re Supreme Court Act, ss 5 and 6*, 2014 SCC 21 [majority reasons, excerpt]
19. *Toronto (City) v Ontario (Attorney General)* 2021 SCC 34 [the majority and Abella J's dissent on unwritten principles, excerpts]
20. **Scholarly Readings** (by author surname)
21. Cameron, Jamie, 'The Past, Present, and Future of Expressive Freedom Under the Charter' (1997) 35 Osgoode Hall Law Journal 1
22. Choudhry, Sujit, 'So What Is the Real Legacy of Oakes? Two Decades of Proportionality Analysis under the Canadian Charter's Section 1' (2006) 34 Supreme Court Law Review (2d) 501
23. Dawood, Yasmin, 'Democracy and the Right to Vote' (2013) 51 Osgoode Hall LJ 251
24. Dodek, Adam, *The Charter Debates: The Special Joint Committee on the Constitution, 1980–81* (University of Toronto Press, 2018), introduction
25. Grimm, Dieter, 'Proportionality in Canadian and German Constitutional Jurisprudence' (2007) 57 University of Toronto Law Journal 383
26. Hirschl, Ran, *Towards Juristocracy: The Origins and Consequences of the New Constitutionalism* (Harvard University Press, 2004), introduction
27. Hogg, Peter W & Allison A Bushell, 'The Charter Dialogue Between Courts and Legislatures (Or Perhaps the Charter of Rights Isn't Such a Bad Thing After All)' (1997) 35 Osgoode Hall Law Journal 75
28. Hunter-Loubert, 'Democratic Charter Rights and First-Past-The-Post: A Shallow Conception of Democracy at the Ontario Court of Appeal' (ABlawg, 26 September 2025)
29. Jackson, Vicki C, 'Constitutions as "Living Trees"? Comparative Constitutional Law and Interpretive Metaphors' (2006) 75 Fordham Law Review 921
30. Leclair, Jean, 'Canada's Unfathomable Unwritten Constitutional Principles' (2002) 27 Queen's Law Journal 389
31. Macfarlane, Emmett, *Governing from the Bench: The Supreme Court of Canada and the Judicial Role* (UBC Press, 2013), ch 1

32. Mathen, Carissima, *Courts Without Cases: The Law and Politics of Advisory Opinions* (Hart Publishing, 2019), ch 1
33. Metallic, Naiomi, 'Checking Our Attachment to the Charter and Respecting Indigenous Legal Orders: A Framework for Charter Application to Indigenous Governments' (2022) 31 Constitutional Forum constitutionnel
34. Morton, FL, 'The Effect of the Charter of Rights on Canadian Federalism' (1995) 25:3 Publius: The Journal of Federalism
35. Morton, FL & Rainer Knopff, *The Charter Revolution and the Court Party* (Broadview Press, 2000), ch 1
36. Oliphant, Benjamin & Léonid Sirota, 'Has the Supreme Court of Canada Rejected "Originalism"?' (2016) 42 Queen's Law Journal 107
37. Russell, Peter H, 'The Political Purposes of the Canadian Charter of Rights and Freedoms' (1983) 61 Canadian Bar Review 30
38. Tushnet, Mark, 'Alternative Forms of Judicial Review' (2003) 101 Michigan Law Review 2781
39. Waldron, Jeremy, 'The Core of the Case Against Judicial Review' (2006) 115 Yale Law Journal 1346
40. Webber, Grégoire, Eric Mendelsohn & Robert Leckey, 'The Faulty Received Wisdom Around the Notwithstanding Clause' (Policy Options, 10 May 2019)

UNIVERSITY AND DEPARTMENTAL POLICIES

Statement on academic integrity

Carleton University's Academic Integrity Policy (available at <https://carleton.ca/secretariat/wp-content/uploads/Academic-Integrity-Policy-2021.pdf>) governs student academic integrity. The integrity of a student's academic work is critical to enabling student success and ensuring fairness and reliability in the awarding of grades and degrees. Students who violate the principles of academic integrity undermine the quality of their education and the value of a Carleton University degree. The policy includes such areas as plagiarism, misrepresentation, and improper access to information. Please consider the following as additional considerations for this course.

Statement on 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
- failing to acknowledge sources with 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 follows a rigorous [process for academic integrity allegations](#), including reviewing documents and interviewing the student, when an instructor suspects a violation has been committed. Penalties for violations may include a final grade of "F" for the course.

Statement on student mental health

As a 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](#))

- Crisis/Urgent Counselling Support: 613-520-6674 (Mon-Fri, 8:30-4:30)
- Suicide Crisis Helpline: call or text 9-8-8, 24 hours a day, 7 days a week.
- For immediate danger or urgent medical support: call 9-1-1

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: call 613-238-3311, text 343-306-5550, or connect online at <https://www.dcottawa.on.ca>
- Mental Health Crisis Service: call 613-722-6914 or toll-free 1-866-996-0991, or connect online at <http://www.crisisline.ca>
- Good2Talk: call 1-866-925-5454 or connect online at <https://good2talk.ca>
- The Walk-In Counselling Clinic: for online or on-site service <https://walkincounselling.com>

Requests for 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). 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 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 [at the Registrar's Office website](#)