

COURSE OUTLINE		
TERM: Fall 2022	COURSE NO: LAW 355	
INSTRUCTOR:	COURSE TITLE: Immigration Law	
OFFICE: LOCAL: E-MAIL: @capilanou.ca	SECTION NO:	CREDITS: 3.0
OFFICE HOURS: TBA		
COURSE WEBSITE: eLearn		

Capilano University acknowledges with respect the Lil'wat, Musqueam, Squamish, Sechelt, and Tsleil-Waututh people on whose territories our campuses are located.

COURSE FORMAT

Three hours of class time, plus an additional hour delivered through on-line or other activities for a 15-week semester, which includes two weeks for final exams. This course may also be offered via mixed mode or online.

COURSE PREREQUISITES

LAW 101, LAW 110, and LAW 210; OR 45 credits of 100 level or higher coursework

CALENDAR DESCRIPTION

This course will introduce students to the principles and practices of immigration, citizenship, and refugee law in Canada. The course will focus on the main areas of immigration – admissibility and inadmissibility, and temporary and permanent entry to Canada. It will also deal with citizenship, and refugees and protected persons.

REQUIRED TEXTS AND/OR RESOURCES

Lynn Fournier-Ruggles, *Canadian Immigration and Refugee Law for Legal Professionals, 5th ed* (Toronto: Emond, 2021)

Immigration and Refugee Protection Act, SC 2001, c 27

COURSE STUDENT LEARNING OUTCOMES

General Outcomes:

To provide students with the ability to understand and apply the principles of law relating to immigration, refugee, and citizenship law in Canada.

Specific Student Learning Outcomes:

On successful completion of this course, students will be able to do the following:

- Answer questions on immigration law matters in writing in a clear, concise manner;

- Analyze weekly review questions in small groups and then present the group's conclusions/recommendations on eLearn;
- Prepare a legal memorandum analyzing an immigration law issue;
- Determine the differences between immigration, refugee, and citizenship issues;
- Understand the process of immigration and the roles of the various stakeholders; analyze different fact patterns and determine the appropriate admissibility and entry issues and recommend a course of action for particular stakeholders based on a reasoned legal analysis;
- Understand and be able to conduct research of basic issues on immigration, refugee, and citizenship through online resources;
- Work in discussion groups to analyze immigration law issues and present analysis to the instructor;
- Work in groups to research, analyze, interpret and share information relating to immigration law; and
- Discuss current events from newspapers and the internet concerning immigration law on a local, national, and international level.

COURSE CONTENT

WEEKLY COURSE CONTENT	
WEEK	CONTENT
PART I – LEGAL FRAMEWORK	
1	INTRODUCTION TO IMMIGRATION and REFUGEE LAW The nature of historic and contemporary immigration law in Canada and the challenges of a settler society.
2	NATURAL JUSTICE and the CHARTER Natural justice and the essential rights of fairness in administrative law, the framework for constitutional power, and the rights of individuals under the <i>Canadian Charter of Rights and Freedoms</i> .
PART II – IMMIGRATION LAW	
3	SOVEREIGNTY and BORDERS Immigration policy goes hand in hand with national sovereignty and border protection. This lecture looks at the protection of national rights and Canada's responses to the challenges of migrant smuggling.
4 & 5	ADMISSIBILITY & INADMISSIBILITY The general rules of admissibility and the grounds for inadmissibility.
6	TEMPORARY ENTRY Temporary entry and temporary residence, including students and workers.
7	MID-TERM EXAM
8 & 9	PERMANENT ENTRY Permanent entry, including visas and the different “classes” of applicants: family, economic, and humanitarian and compassionate consideration.
10	CITIZENSHIP How to become a citizen and the grant of citizenship process.

WEEKLY COURSE CONTENT	
WEEK	CONTENT
PART III – REFUGEE LAW & CITIZENSHIP	
11	REFUGEES and PROTECTED PERSONS International conventions, as well as the refugee determination system in Canada.
12	ENFORCEMENT Immigration hearings and detentions.
PART IV – APPEALS	
13	APPEALS and REGULATING the PRACTICE OF IMMIGRATION, REFUGEE, and CITIZENSHIP LAW Immigration, refugee, and citizenship appeals and the regulation of immigration consultants and the role of paralegals in the process.
14-15	FINAL EXAM PERIOD: Final Exam

EVALUATION PROFILE

Midterm Exam	30-35%
Final Exam	30-35%
Group Discussions and Participation	0-10%
Research Paper	<u>30%</u>
TOTAL	100%

Research Paper

This course will include a research paper on a matter related to immigration law.

Participation

If a participation grade is provided, then it is allocated to the consistency, quality, and frequency of contributions to class discussions and class presentations. Consistency means attending every class and actively contributing to discussions on a regular basis. Quality means demonstrating respect for peers and their contributions, listening attentively during lectures and when other students are speaking, and participating in all activities with an open and inquisitive mind.

Mid-Term and Final Exams

There will be a mid-term exam in Week 7 covering Weeks 1-6 of the materials and a final exam covering Weeks 8-13 of the materials. The format of the exams will be determined by the instructor and may include a combination of true/false, multiple choice, matching, short answer, and essay questions. The final exam will be scheduled at a date to be determined by the Registrar's Office. Please plan to be available to write the final exam at any point during the final exam period.

GRADING PROFILE

A+ = 90-100	B+ = 77-79	C+ = 67-69	D = 50-59
A = 85-89	B = 73-76	C = 63-66	F = 0-49
A- = 80-84	B- = 70-72	C- = 60-62	

Incomplete Grades

Grades of Incomplete "I" are assigned only in exceptional circumstances when a student requests extra time to complete their coursework. Such agreements are made only at the request of the student, who is responsible to determine from the instructor the outstanding requirements of the course.

Late Assignments

Assignments are due at the beginning of the class on the due date listed. ** There is up to a 10% penalty for the first day any assignment is late and a further up to 5% penalty for each subsequent day any assignment is late ** If you anticipate handing in an assignment late, please consult with your instructor beforehand.

Missed Exams/Quizzes/Labs etc.

Make-up exams, quizzes and/or tests are given at the discretion of the instructor. They are generally given only in medical emergencies or severe personal crises. Some missed activities may not be able to be accommodated. Please consult with your instructor.

Attendance

Regular attendance and punctuality are both essential and expected due to the nature and format of the course materials.

English Usage

Students are expected to proofread all written work for any grammatical, spelling and stylistic errors. Instructors may deduct marks for incorrect grammar and spelling in written assignments.

Electronic Devices

Students may use electronic devices during class for note-taking only.

On-line Communication

Outside of the classroom, instructors will (if necessary) communicate with students using either their official Capilano University email or eLearn; please check both regularly. Official communication between Capilano University and students is delivered to students' Capilano University email addresses only.

UNIVERSITY OPERATIONAL DETAILS**Tools for Success**

Many services are available to support student success for Capilano University students. A central navigation point for all services can be found at: <https://www.capilanou.ca/student-life/>

Capilano University Security: download the [CapU Mobile Safety App](#)

Policy Statement (S2009-06)

Capilano University has policies on Academic Appeals (including appeal of final grade), Student Conduct, Cheating and Plagiarism, Academic Probation and other educational issues. These and other policies are available on the University website.

Academic Integrity (S2017-05)

Any instance of academic dishonesty or breach of the standards of academic integrity is serious and students will be held accountable for their actions, whether acting alone or in a group. See policy and procedures S2017-05 Academic Integrity for more information: <https://www.capilanou.ca/about-capu/governance/policies/>

Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances, are prohibited and will be handled in accordance with the Student Academic Integrity Procedures.

Academic dishonesty is any act that breaches one or more of the principles of academic integrity. Acts of academic dishonesty may include but are not limited to the following types:

Cheating: Using or providing unauthorized aids, assistance or materials while preparing or completing assessments, or when completing practical work (in clinical, practicum, or lab settings), including but not limited to the following:

- Copying or attempting to copy the work of another during an assessment;
- Communicating work to another student during an examination;
- Using unauthorized aids, notes, or electronic devices or means during an examination;
- Unauthorized possession of an assessment or answer key; and/or,
- Submitting of a substantially similar assessment by two or more students, except in the case where such submission is specifically authorized by the instructor.

Fraud: Creation or use of falsified documents.

Misuse or misrepresentation of sources: Presenting source material in such a way as to distort its original purpose or implication(s); misattributing words, ideas, etc. to someone other than the original source; misrepresenting or manipulating research findings or data; and/or suppressing aspects of findings or data in order to present conclusions in a light other than the research, taken as a whole, would support.

Plagiarism: Presenting or submitting, as one's own work, the research, words, ideas, artistic imagery, arguments, calculations, illustrations, or diagrams of another person or persons without explicit or accurate citation or credit.

Self-Plagiarism: Submitting one's own work for credit in more than one course without the permission of the instructors, or re-submitting work, in whole or in part, for which credit has already been granted without permission of the instructors.

Prohibited Conduct: The following are examples of other conduct specifically prohibited:

- Taking unauthorized possession of the work of another student (for example, intercepting and removing such work from a photocopier or printer, or collecting the graded work of another student from a stack of papers);
- Falsifying one's own and/or other students' attendance in a course;
- Impersonating or allowing the impersonation of an individual;

- Modifying a graded assessment then submitting it for re-grading; or,
- Assisting or attempting to assist another person to commit any breach of academic integrity.

Sexual Violence and Misconduct

All Members of the University Community have the right to work, teach and study in an environment that is free from all forms of sexual violence and misconduct. Policy B401 defines sexual assault as follows:

Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent, including the threat of sexual contact without consent. Sexual assault can be committed by a stranger, someone known to the survivor or an intimate partner.

Safety and security at the University are a priority and any form of sexual violence and misconduct will not be tolerated or condoned. The University expects all Students and Members of the University Community to abide by all laws and University policies, including B.401 Sexual Violence and Misconduct Policy and B.401.1 Sexual Violence and Misconduct Procedure (found on Policy page <https://www.capilanou.ca/about-capu/governance/policies/>)

Emergencies: Students are expected to familiarise themselves with the emergency policies where appropriate and the emergency procedures posted on the wall of the classroom.