



# Canadian Common Law and International Business Law Handbook

[www.osgoodepd.ca](http://www.osgoodepd.ca)

2016-2017

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## **Welcome**

Osgoode Hall Law School has a long and distinguished history, and a strong record of commitment to legal scholarship, social reform, and innovative approaches to the law. In 1996, Osgoode recognized that the rapid development and transformation of knowledge requires lawyers to engage in lifelong learning leading to the creation of the Professional LLM. With a large and varied faculty, including instructors from Osgoode Hall Law School and other law schools, leading practitioners and specialists from the Bench, a broad range of courses, access to a wide range of teaching and other resources for graduate study, and one of the finest research law libraries in the Commonwealth, Osgoode Professional Development (OsgoodePD) is dedicated to giving you the very best in this unique program.

The Professional LLMs in Canadian Common Law and International Business Law are designed primarily for internationally trained lawyers and law students and include academic and career supports and opportunities to help you maximize your graduate study experience.

This Student Handbook reflects the current policies in areas of particular interest to students in the Professional LLM Program. For additional information and policies, please consult York University's Faculty of Graduate Studies (FGS) Faculty Regulations. In the event of conflict between this Student Handbook and the FGS Faculty Regulations, the FGS Faculty Regulations govern.

## **Program Structure**

OsgoodePD offers 18+ areas of specialization. Each specialization has unique academic requirements (i.e. required courses and electives), but all specializations require the completion of 36 credits (see degree requirements for more information). Some specializations operate on a 'rolling' basis (i.e. new students are admitted once or twice a year) while others operate on a cohort basis (i.e. new students are only admitted at the beginning of a cohort - typically once every two to three years).

The Canadian Common Law admits full-time and part-time students every Fall and in addition part-time students every Winter. The International Business Law program admits full-time students every Summer.

## **E-mail Communication Expectations**

To ensure that you receive responses in a timely manner, it's important to direct questions to the correct contact. Our expectations for your e-mail communications are:

- ALWAYS include your 9-digit York University student number in the subject line of your email
- Allow a reasonable period of time for a response; our protocol for response time is within 2 business days
- Remember business hours are typically 8:30 a.m. to 4:30 p.m. Toronto time, Monday to Friday
- Before sending a question, please check your orientation course page and/or student handbook to see if the answer is already there
- Remember that we cannot give immigration advice – for those matters please consult York International at <http://yorkinternational.yorku.ca/current-international-students/before-you-arrive/>

Summer Orientation Contact

**During the summer your primary administrative contact is Amrita Pal, our summer LLM student assistant, by email at [apal@osgoode.yorku.ca](mailto:apal@osgoode.yorku.ca).**

**Graduate Program Assistants**

Each program has a dedicated Graduate Program Assistant (GPA), who is an invaluable resource. The GPA for your home program will be your primary administrative contact throughout the program and is your primary contact for all administrative matters during your time in the program, such as registration, enrollment, fees, Major Research Papers, leaves of absence, grades, course drops/adds, etc. Your GPA can advise you around most matters related to university/program policies, degree requirements, and where she is unable to assist you, she will ensure you're put in touch with the appropriate person.

If there is any change to your personal information (email address, phone numbers, address) or academic status, please ensure your GPA is kept up-to-date.

Your primary contact will be your graduate program assistant, Eriona Tarelli:

<b>Eriona Tarelli</b> 416-597-9171 <a href="mailto:etarelli@osgoode.yorku.ca">etarelli@osgoode.yorku.ca</a>	<ul style="list-style-type: none"><li>• International Business Law</li><li>• Canadian Common Law</li><li>• General Law (Full-time)</li><li>• Tax Law (Full-time)</li></ul>
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Note that Eriona will make best efforts to respond to your e-mail within two business days; however, in peak periods this might not be possible. Requests to add/drop courses will not be accepted over telephone or e-mail and must be made via the enrollment request form.

Please remember that our program assistants have multi-faceted roles. If you need to speak to Eriona in person, please adhere to pre-announced drop-in hours or contact her in advance to make an appointment.

If you are taking electives outside of the Canadian Common Law or International Business Law programs, please note that the following program assistants are responsible for those courses:

<b>Deirdre Hussey</b> 416-597-9735 <a href="mailto:dhussey@osgoode.yorku.ca">dhussey@osgoode.yorku.ca</a>	<ul style="list-style-type: none"><li>• Dispute Resolution</li><li>• Business Law</li><li>• Civil Litigation &amp; Dispute Resolution</li><li>• Constitutional Law</li><li>• Energy and Infrastructure</li><li>• Family Law</li><li>• Intellectual Property Law</li></ul>
<b>Maxine Malcolm</b> 416-597-9728 <a href="mailto:mmalcolm@osgoode.yorku.ca">mmalcolm@osgoode.yorku.ca</a>	<ul style="list-style-type: none"><li>• Administrative Law</li><li>• Banking and Financial Services Law</li><li>• Bankruptcy and Insolvency Law</li><li>• Criminal Law and Procedure</li><li>• General Law (Part-time)</li><li>• Health Law</li><li>• Labour Relations and Employment Law</li><li>• Securities Law</li><li>• Tax Law (Part-time)</li></ul>

The Graduate Program Assistants support the students in the programs listed as well as the courses offered within the programs listed. If you're concerned about an issue with a particular course you should contact the GPA for the course, not the GPA for your home program. When in doubt, contact the GPA for your home program first.

### **Course Structure**

In the Canadian Common Law and International Business Law program, class sizes are typically 20-40 students. Canadian Common Law courses are designed for students who obtained their LLB/JD outside of Canada who are seeking accreditation through the National Committee on Accreditation (NCA) in order to become licensed to practice law in Canada. These courses are generally evaluated by an in-person final examination plus a research and writing assignment.

A number of courses offered within the Canadian Common Law and International Business Law program are offered on-campus at Osgoode Hall Law School. Note that meals are not provided for Canadian Common Law / International Business Law courses that take place at Osgoode Hall. Please ensure you check the course schedule on the OsgoodePD website to determine which campus the course you are interested in takes place at.

### In-Class Examinations in the Canadian Common Law Program

Canadian Common Law courses that have NCA approval must have a final examination as their part of their method of evaluation. You have the option to opt to hand-write or use ExamSoft (a computer-based, secure exam writing software).

### **ExamSoft FAQ**

ExamSoft is software that enables you to write exams on your laptop. It turns off your Internet connection and closes all documents and applications on your computer. The only thing that you will have access to is a text box, where you will type the answers to the exam questions. You will still receive the exam questions in hard copy format the day of the exam. Only your responses will be input via ExamSoft.

#### *Why would I want to use ExamSoft?*

Students prefer ExamSoft if they can type more quickly and accurately than they can handwrite. Often, students who use ExamSoft will either be able to write longer responses or have extra time to plan and edit their answers. ExamSoft is also a good idea for those with illegible handwriting.

ExamSoft does not offer advantages that students who are hand-writing do not have. For instance, there is no spell-check on ExamSoft. However, students are able to see the current time, elapsed time and remaining time on their screen.

#### *How much does it cost?*

For LLM students, ExamSoft costs \$75.00. This one-time fee allows you to use ExamSoft throughout your LLM. Information about purchasing ExamSoft will be made available via the Full-Time Students Moodle Page. Note that there are deadlines at the beginning of each term associated with opting in.

*Exam Policies:*

- The examination will begin promptly at the listed start time – late comers will only be seated during the first 10 minutes of the examination. Students arriving more than 10 minutes late will not be permitted to write the examination;
- Late comers will not receive additional time;
- Bring photo ID and your student number with you. If you do not bring photo ID, you will not be permitted to write the exam. If your YU Card has your photo, that is sufficient ID. Otherwise, bring a driver's licence or something else with your photo;
- You will be required to stop writing IMMEDIATELY at the conclusion of the examination time and to return your copy of the examination paper in your personalized envelope to the invigilator. Failing to do either of these things constitutes a breach of faculty regulations.
- Academic integrity rules, including those relating to plagiarism, apply to final exams
- If using ExamSoft:
  - Ensure you have installed ExamSoft and run a test to make sure it works on your laptop. You MUST have downloaded the exam template to your laptop BEFORE entering the examination room.
  - Your laptop will be the only electronic equipment permitted on the desk.
  - When you arrive, go directly to the exam room and ensure you can start ExamSoft successfully (this must be done approximately 45 minutes before the exam start time).
  - Bring your power cord.
  - Ensure you have your Passport York credentials for Air York wi-fi available so that you can upload the exam at the conclusion of the exam.
  - If you have technical problems, especially with connecting to the internet for the purpose of uploading the examination, you must remain in your seat and immediately inform the invigilator.
  - Should you experience any computer problems whatsoever, which are not corrected within a couple of minutes, you are required to begin handwriting immediately. Extra time will not be provided.

Course Materials

Effective Fall 2016, textbooks for Canadian Common Law and International Business Law courses are available for pick up at the Osgoode Book Store/Materials Distribution Centre (please watch for announcements via Moodle about specific textbook pick up dates). Note that your York University student card is REQUIRED for textbook pick up. If your YU card does not include a photo, you must also bring photo ID. You must pick up your own textbooks. Textbook costs are included in your tuition fees.

If you are taking courses outside of the Canadian Common Law or International Business Law program, the Graduate Program Assistant responsible for the course will advise you when the hardcopy textbooks (if any) for these courses are available for pick up. These can be picked up at OsgoodePD.

**Academic Information**

Degree Requirements

*Canadian Common Law Program*

<b>Option</b>	<b>Overview of Requirements</b>
Coursework Only	36 Credits of Coursework:

	<ul style="list-style-type: none"> <li>• At least 18 credits from Canadian Common Law core courses, plus remaining credits from: <ul style="list-style-type: none"> <li>○ Select other LLM specialization course offerings and/or</li> <li>○ Select upper year JD courses (with graduate level evaluation)</li> </ul> </li> </ul>
Coursework + Research Paper	<p>36 Credits of Coursework:</p> <ul style="list-style-type: none"> <li>• At least 18 credits from Canadian Common Law core courses, plus remaining credits from: <ul style="list-style-type: none"> <li>○ Select other LLM specialization course offerings and/or</li> <li>○ Select upper year JD courses (with graduate level evaluation)</li> </ul> </li> <li>• A Major Research Paper (70 pages) [6 credits] or</li> <li>• An Independent Significant Research Paper [3 credits] (30 pages)</li> </ul>

### *International Business Law Program*

- 6 credits are drawn from required courses in Legal Research and Writing (3 credits) and Introduction to Canadian Law (3 credits)
- 21 credits are drawn from a selection of the International Business Law core courses, including:
  - International Business Transactions (6 credits)
  - International Finance (3 credits)
  - Taxation of Cross-Border Transactions (6 credits)
  - International Trade Law (6 credits)
  - International Commercial Arbitration (6 credits)
  - International Sales Law (3 credits)
- 9 elective credits are drawn from remaining International Business Law core courses, complementary LLM specializations and/or select upper year JD courses

You are also required to complete a minimum 30 page research paper as part of your degree. You may complete the research paper requirement by either:

- Submitting a 30 page Significant Research Paper as a form of evaluation in at least one course
- Completing an Independent Significant Research Paper [3 credits] (30 pages); or
- Completing a Major Research Paper [6 credits] (70 pages)

### Major Research Paper

A Major Research Paper (MRP) of approximately 70 pages (double-spaced, 12 point font, 1" margins) is an optional part of the requirements for completion of an LLM at Osgoode Professional Development. The MRP should go beyond merely describing legal developments to include independent critical analysis of its subject matter. It should be work of publishable quality.

Students may write a major research paper on any topic related to their LLM program specialization (i.e. Criminal Law students are expected to write an MRP related to Criminal Law).

The MRP may be related to work completed in a previous course – however, it cannot simply be a reiteration of a previous course paper. Per York University's Senate Policy on Academic Honesty "submitting the work one has done for one class or project to a second class, or as a second project, without the prior informed consent of the relevant instructors" is considered a breach of academic honesty.



The MRP cannot serve as the means of evaluation for a course – meaning that, unlike the Significant Research Paper, students cannot submit an MRP as the final assignment in a course to earn course credit and MRP credit.

The MRP final paper is marked on a pass/fail basis, which is the grade that will appear on the academic record. The supervisor will also indicate on the paper a ‘notional’ letter grade so that the student has some idea of their standing.

It is the student’s responsibility to find a supervisor to oversee their MRP.

### Independent Significant Research Paper

An Independent Significant Research Paper (ISRP) of approximately 30 pages (double-spaced, 12 point font, 1” margins) is an optional part of the requirements for completion of an LLM at Osgoode Professional Development. The ISRP should go beyond merely describing legal developments to include independent critical analysis of its subject matter.

Students may write an ISRP on any topic related to their LLM program specialization.

The ISRP may be related to work completed in a previous course – however, it cannot simply be a reiteration of a previous course paper. Per York University’s Senate Policy on Academic Honesty “submitting the work one has done for one class or project to a second class, or as a second project, without the prior informed consent of the relevant instructors” is considered a breach of academic honesty.

The ISRP final paper is marked on a letter-graded basis, which is the grade that will appear on the academic record.

### **It is the student’s responsibility to find a supervisor to oversee their ISRP. Online Resources**

<b>Platform</b>	<b>Primary Purpose</b>	<b>How to Access</b>
<b>Moodle</b>	Course materials, program-specific materials	<a href="https://courses.osgoode.yorku.ca">https://courses.osgoode.yorku.ca</a>
<b>Passport York</b>	Access to your central university record, including student financial account and official grade records	<a href="https://my.yorku.ca">https://my.yorku.ca</a>
<b>MyOPD</b>	OsgoodePD specific information, important links	<a href="https://abstract.osgoode.yorku.ca/myopd.nsf/StudentPortal">https://abstract.osgoode.yorku.ca/myopd.nsf/StudentPortal</a>
<b>MyCareer</b>	Career development information; legal job postings; career, wellness, or academic counselling appointment booking; academic success resources; event invitations	<a href="http://law-york.12twenty.com/">http://law-york.12twenty.com/</a>

### **Moodle**

All LLM students have access to Moodle (our learning management system). On Moodle you will have access to a page for your LLM Program, and (as materials become available) a page for each course you are enrolled in.

On your program page you will find important information related to your program (degree requirements, enrollment request forms, etc). Your GPA (and other program administrators) will use the program page send messages to all students in a given program.

As you enroll in courses, you will also gain access to additional pages for your courses. The course pages will contain the course outline and is where you access course materials (excluding hard copy textbooks – see below). You will also upload final assignments using the course page.

Hard copy textbooks (where assigned) will be sent by mail for all programs excluding Canadian Common Law and International Business Law. Canadian Common Law and International Business Law have separate policies related to textbook distribution. These policies are available on the Moodle program pages for Canadian Common Law and International Business Law.

### **Passport York**

While Moodle is home to all your course related information, York has a separate system that is used to house all the information related to your official record with the University. This system is called Passport York.

All students must create and use a Passport York username and password to log onto York's online services and tools. Your Passport York login is used to:

- View official final grades
- Look up financial statements online
- Download tax forms
- Change address and contact information
- Change email address
- Verify official name
- Apply to Graduate
- Others

### **MyOPD and Osgoode Email**

As part of your program at Osgoode Professional Development you have access to a student portal called MyOPD. This portal allows you access to LLM announcements, relevant University resources, the Professional LLM Student Handbook, to enter Moodle, and details about upcoming Osgoode and OsgoodePD events.

An Osgoode email account has been created for you. You can also access this account through MyOPD, on the top left hand corner. You can set this e-mail address to forward communications to your preferred e-mail address.

## **Registration and Enrollment**

### Overview

Registration and enrollment are different. Registration is the status that you have with the University vis à vis your program; enrollment refers to your status within a course.

As a Professional LLM student you do not enroll yourself in your courses. Instead, during the designated enrollment request period, you will submit your enrollment requests online. Please ensure you submit your enrollment requests each term before the deadline. If you do not submit your requests before the deadline, you will not be registered on time and may be required to pay late fees of \$200 per term. Space in courses is limited and submitting your course selection in a timely manner will increase the likelihood of enrollment in the requested course. You must clear previous balances from prior terms before you can be enrolled in a subsequent term. If your balance is in excess of \$1000, you cannot enroll and you will be subject to the \$200 late fee if your balance is not cleared by the enrollment deadlines.

If you enroll in a course and drop it after the materials have been ordered, you are responsible for the cost of the materials and shipping, if applicable.

Once registered, you are considered to have accepted the terms of a contract with the University that requires you to abide by the Faculty Regulations of the Faculty of Graduate Studies (FGS). You are required to read the information in this program handbook and in the FGS Faculty Regulations.

### Enrollment Requests

Each term you will be asked to submit your enrollment requests online via Moodle. Requests must be submitted via Moodle and selections cannot be taken over the phone or e-mail. We strive to ensure that students are able to enroll in the courses they would like to take. However, because some courses have limited space, requests to take courses outside of your area of specialization are subject to approval and available space.

### Continuous Registration

Graduate students are required to maintain continuous registration throughout their academic career at York University. This means that you are required to register (either as active or inactive - for more information on registering as inactive see 'Academic Petitions') and pay the applicable fees, in every fall, winter and summer term from entry into program and until the degree requirements have been successfully completed, in accordance with Faculty and program regulations. Students who fail to maintain continuous registration, including payment of applicable fees, will lose their status as full-time or part-time graduate students and will be withdrawn from their program of study. The onus is on you to ensure that your registration status remains in good standing throughout the program.

The Faculty of Graduate Studies sets out the deadlines for registration each term (typically November 30 for the Fall term; February 28 for the Winter term and July 30 for the Summer term). If you have not registered as of this deadline the Faculty will withdraw you from the program for 'failure to maintain continuous registration'. However, this does not have a negative impact should you wish to return to the program in future; you do have the option to petition for reinstatement (if you have been away from the program for no more than one year) or apply for re-admission.

### Program Length

Graduate Programs have both a minimum and a maximum length. The Canadian Common Law has a minimum length of 6 part-time terms or 3 full-time terms. Part-time students are generally permitted to take 6.0 credits per term; full-time students are generally permitted to take a maximum 12.0 credits per term. All degree requirements must be fulfilled within 12 terms (4 years) of active registration as a full-time or part-time master's student, in accordance with Faculty of Graduate Studies Registration Policies, including the requirement of continuous registration. Full-time students should note that additional terms beyond the three active full-time terms will be carried out in part-time status.

The International Business Law Program has a minimum length of four full-time terms.

### Top-Up Fees

Should you finish your degree requirements in fewer than the minimum terms, any remaining installments will be posted to your financial account prior to graduation. For more information please contact your graduate program assistant.

### Extra Courses

You may wish to take extra courses within or outside of your home LLM specialization. Requests for extra courses are subject to considerations including space availability, any applicable prerequisites or anti-requisites, and the suitability of the course for you. In general, requests for an extra course will be given the lowest priority for space availability.

In almost all cases, if you take courses that exceed the credit requirements for your degree, you will be billed for extra courses. Where the course is over and above your degree credit requirements, you will be advised of the applicable fee (calculated using the fees for LLM Single Course Enrollment). Billing for the course is done through your York Student Account.

The only circumstance in which an extra course fee will not be charged is where you are in your last term of enrolment and your final course results in an excess of credits. For example, if you have reached 33 credits and in the last term wish to take a 6-credit course, no extra fee is payable. The same treatment applies if you are a full-time student who has reached 27 credits and in the last term wish to take two 6-credit courses. However, in this last example, if you wish to take one 6-credit course and two 3-credit courses, an extra fee would be billed for one 3-credit course.

When taking extra courses, the course will not be included in your current LLM program, but will be added to your non-degree record. Non degree courses are subject to the Professional LLM – Non Degree Refund schedule (<http://sfs.yorku.ca/refunds/tables>).

### **Academic Petitions**

If there is any change in circumstances regarding your academic status, please notify your GPA immediately. Any official change to your academic status is done through the petition process with the Faculty of Graduate Studies. Although your GPA can assist you in completing your petition or clarifying the administrative options it is the student's responsibility to complete the required paperwork. All petitions must be in writing.

You may be required to submit a petition for a number of reasons including, but not limited to, the following:

- Leaves of Absence
- No Course Available
- Withdrawing from a required course
- Extension of time to complete course work
- Other

A specific detail on each type of petition follow:

(a) Leaves of Absence

The University allows students to take a leave of absence under certain conditions. Students are responsible for paying a fee for Leave of Absence Status (approximately \$185 per term). If you are considering any of the following leaves, please contact your GPA.

Exceptional Circumstances/Petitioned Leave: In exceptional circumstances, students may be granted a leave of absence from the University for three (3) terms in addition to medical, professional, compassionate, elective Leave.

Elective Leave: A student may elect to take a one-time-only one-term leave of absence, after enrollment of at least two consecutive terms. For example, if you begin your program in the Fall of 2013, you are not entitled to take an Elective Leave until the Summer 2014 term.

Maternity Leave: Available to students during or following a pregnancy. Maximum 3 terms per pregnancy.

Parental Leave: Available to students for whom parental responsibilities are such that they require the student to be absent from their studies. Maximum one term per child.

Once you submit your petition and it has been processed, the Faculty of Graduate Studies will send you a letter electronically to inform you of the decision. All students on leave are still required to maintain continuous registration and pay the appropriate leave of absence and registration fees – these are available through the Faculty of Graduate Studies website, or from your GPA. It is your responsibility to contact your GPA once your leave of absence has expired, prior to the start of the term in which you need to register.

If you have withdrawn from the program, either voluntarily or involuntarily, you must contact your GPA to arrange for reinstatement. Please contact your GPA at least six weeks prior to the term in which you wish to resume your studies.

(b) No Course Available

Students may register as No Course Available (NCA) if there is no course available for in a particular term (i.e. the student has already completed the courses offered in their specialization, a course is cancelled unexpectedly or if there is no course within the students specialization offered). This is only available after students have completed one term of course work. Students are not eligible to apply for an NCA leave of absence if:

- They are registered as “working on a major research paper/project”;
- They have an incomplete grade recorded for a course;

- They have outstanding debt; and/or:
- If there is a course within the student's specialization that they have not completed offered in the given term

Although the GPA will submit the necessary paperwork on your behalf, candidates must still register for any term in which no course is available to them. All students registered as "No Course Available" are still required to maintain continuous registration and pay the appropriate registration fees based on your program fees. Contact your GPA for details.

(c) Withdrawal from Course

Required Course: You may not, at any time, withdraw from a required course without prior permission from the program.

If you wish to withdraw from a course, please contact your GPA. You will be provided with information on all the consequences, options and reinstatement requirements.

Withdrawal from Course in Good Standing: Students may withdraw from a course provided not more than 2/3 of the course has been completed and program fees are applicable. After this time, students must remain registered and will be assigned grades as appropriate. The symbol "W" will be recorded in place of a grade to indicate that a student was authorized to withdraw from a course in which he or she was enrolled. If a student withdraws before 1/3 of the course has been given, the requirement to record a "W" may be waived at the discretion of the Graduate Program. Note that students may re-take courses from which they have withdrawn in good standing if/when the course is offered in future, but students are not permitted to simply 'submit the work' for the course to have a 'W' changed to a grade at a later date.

(d) Withdrawing from Program/Graduate Studies

Voluntary withdrawal from the program may happen for various reasons (i.e. work or family commitments). If you feel you will not be able to enroll for classes for two terms or more, you have the option to withdraw from the program in good standing. In this case, you must obtain a program withdrawal form from GPA, sign it and return it prior to the registration deadline.

The effective date of withdrawal will be the date your withdrawal form is received. This date is used to determine if you will be eligible for any refund. Please note that simply dropping courses, or failing to attend classes, is not recognized as an official withdrawal and as such you would still be responsible to pay your program and other associated fees. Therefore, please provide your GPA with official notice of withdrawal.

For information about refund deadlines please see: <http://sfs.yorku.ca/refunds/tables>.

Reinstatement: If you have been withdrawn from the Program by the Faculty of Graduate Studies for failure to maintain continuous registration, or you voluntarily withdrew, you will be required to file a petition for reinstatement so long as you have only been away from the program for three terms or less preceding the term in which you wish to register.

Re-admission: Students who have been withdrawn or have been away from the program for more than three consecutive terms are not eligible for reinstatement. They must apply for re-admission into the program. Please contact you GPA at least six weeks prior to the start of the term you intend to go back to the program to ensure that your application for re-admission can be processed.

(d) Course Extensions

Note: The below policy does not apply to students in the Canadian Common Law or International Business Law streams. Policies for extensions in courses in these streams are outlined on the course syllabus.

Our extension policy aims to balance the need for administrative consistency and fairness with the understanding that many of our students are working professionals who may need additional time to complete assignments due to work priorities. However, extensions are not guaranteed, our expectation is that students will make every effort to plan around work commitments, requesting extensions only in exceptional circumstances and making these requests well in advance of the assignment deadline.

Extensions are granted at the discretion of the course instructor when extenuating circumstances warrant. Requests for extension should be made well in advance of the assignment deadline.

Requests for extension must be made via e-mail to the course instructor with the GPA responsible for the course cc'd. The request must outline:

- The reason for the extension
- The proposed date when the work will be submitted

Note that in order for an extension to be valid, the student and course instructor MUST agree upon a firm date at which the work will be submitted. Your GPA will advise on any important administrative considerations (i.e. if a petition would be required, if the extension could delay graduation, etc.)

In instances where an extension agreement cannot be reached or a student determines it is not feasible for them to complete the assignment(s) associated with the course we will support requests for late withdrawals from courses. Note that in these situations a "W" will be recorded as the course grade as outlined in the section on 'withdrawing from a course'.

(e) "Blank Grades" / Unsubmitted Work

Per Faculty of Graduate Studies regulations, "If a course grade or approved Incomplete is not reported to the Registrar's Office within one month of the appropriate reporting date, the course will be assigned a grade of 'F'." This means that 'blank' grades are automatically changed to 'F' grades after the grades reporting deadlines unless there is a formal extension in place, and that extensions that lapse past their deadline are also changed to 'F' grades.

Please note that receiving 'F' grades can impact your student status (see: XII (e) Grading and Evaluation). As such, you are strongly encouraged to take care to resolve blank grades in a prompt manner.

**Academic Regulations**

For academic regulations not covered in this Student Handbook, please consult the Faculty of Graduate Studies Faculty Regulations.

(a) Attendance and Participation

Students are expected to attend all classes in each course. If absence from class is unavoidable, students can miss up to 20% of class time. Choosing two courses with conflicting schedules does not constitute an unavoidable absence. Please choose courses carefully.

Exceeding that, and subject to the instructor's approval, students will be required to do an assignment relating to the missed material. The details of the assignment are up to each Instructor, but might include watching a video archive of the missed class time and writing a comment. If a student misses more than 50% of class time they are not eligible to pass the course.

(b) Academic Honesty

Candidates in the Professional LLM are required to maintain high standards of academic integrity and are subject to the York University Senate Policy on Academic Honesty. Professional LLM students must adhere to the Faculty of Graduate Studies Procedural Guidelines on Academic Honesty, which incorporates the Senate Policy on Academic Honesty.

Conduct that violates the ethical or legal standards of the University community is a serious matter. In particular, any breach of academic honesty is a most serious offence to both the University community and the academic enterprise.

As an investigative aid, OsgoodePD utilizes a text matching tool and follows the guidelines of York University.

Students are strongly encouraged to visit York University's informational websites on academic integrity, including the Faculty of Graduate Studies' page at <http://gradstudies.yorku.ca/current-students/regulations/academic-honesty/>.

(c) Ethics Review

Students are required to notify their GPA if they plan on conducting research involving human participants. Research involving human participants for law students (typically, questionnaires, surveys and interviews) must comply with York University's policy, administered by the Human Participants Review Committee (HPRC), a subcommittee of the Senate Committee on Research (SCOR). The HPRC requires that all research by York students involving humans must meet the HPRC's ethical guidelines and, in the case of MRPs, must be reviewed by an Ethics Review Committee of the Faculty or department where the research is being conducted. In addition, an online ethics tutorial must be completed. You will be required to obtain informed consent from all participants prior to conducting interviews or completing questionnaires. The consent form, together with a brief description of the research project and an assessment of whether the research poses a risk to participants, must be reviewed by the OsgoodePD Ethics Review Committee prior to commencing the research. For more information, please see the full details of the Procedures.

(d) Academic Penalties

Academic penalties, such as loss of course credit, grade reduction or assignment of additional work, may be imposed for violations of academic regulations. These include attendance requirements and course assignment deadlines.

(e) Grading and Evaluation

The following grades may be awarded in the LLM program:



A+	(Exceptional)	90 - 100%
A	(Excellent)	85 - 89%
A-	(High)	80 - 84%
B+	(Highly Satisfactory)	75 - 79%
B	(Satisfactory)	70 - 74%
C	(Conditional)	60 - 69%
I	(Incomplete)	N/A
F	(Fail)	0-59%
P	(Pass)	

The course outline indicates if a course is graded on a pass/fail or letter grade basis. Students do not have the discretion to opt to be graded on a pass/fail basis in a letter graded course or vice versa.

The evaluation method for each course is determined by the instructor. Please check with your instructor if you have any questions about the evaluation method or procedure.

Students are usually required to complete a final paper or exam for their final evaluation. Instructors may also evaluate using journals, presentations, class participation, etc.

Students are required to submit their course assignments through Moodle for grading.

Deadlines for submission of required written work are set by the instructor in each course. Ordinarily, the deadline will vary depending on the credit value of the course and the format: usually two to four weeks after the last class in the course for weekly courses; longer for intensive courses. The course instructor has discretion to grant short extensions to students who are unable to meet the deadline because of illness or other matters beyond their control.

Instructors are required to complete marking and submit grades by January 15 for Fall courses, May 15 for Winter courses and September 15 for Summer courses. Sometimes, however, instructors are unavoidably delayed in submitting grades. You should allow at least four weeks after the final evaluation method in the course is submitted for grades to be reported. Instructors submit the graded assignments to your GPA. Your GPA will then report your grade to the Office of the Registrar and your grade will be posted. Grades are available for viewing online via Passport York.

Grading of exams and term papers is the responsibility of the lead instructor(s) in each course. In some courses additional instructors/guest speakers may be used, but normally a guest instructor who teaches only one or two classes would not be expected to do any grading. Our office is required to report grades to the Faculty of Graduate Studies and the Office of the Registrar. Grades are official only once they are posted on your official student record - which you can access via Passport York.

Please note that a student who received in total any of the following combinations of grades for graduate courses may not continue to be registered in the Faculty of Graduate Studies and in a graduate program unless this continuation is recommended by the graduate program director concerned and approved by the Dean:

- (a) two C grades for six credit courses;
- (b) one C grade for a six credit course and one C grade for a three credit course;
- (c) a total of three C grades for three credit courses.

In no cases will grades be averaged.

A student will be required to withdraw from a graduate program and registration in the Faculty of Graduate Studies will be terminated if the student receives in total for graduate courses, during enrollment at York University:

- (a) one F grade for a six credit course or two F grades for three credit courses; or
- (b) one F grade for a three credit course and one C grade for a six credit or three credit course.

In no case will grades be averaged.

Visit the FGS Faculty Regulations on Courses and Grading for complete details.

(f) Grade Reappraisals

Professional LLM students are subject to the Grade Reappraisals Policy as set out in the Faculty of Graduate Studies Faculty Regulations.

(g) Course Feedback

An evaluation form is prepared for every LLM course and the program overall, and we rely on student feedback when revising our program planning. We have made numerous changes to courses and programs based on the comments and suggestions we have received from our students and encourage students to continue to take the time to share their course and program evaluations with us.

### **Documentation Requests**

(a) Transcripts

Transcripts can be ordered online here: <http://www.registrar.yorku.ca/transcripts>

Note that grades will show on your transcript only after the grades deadline for the term (i.e. December 15 for Fall course; May 15 for Winter courses; September 15 for Summer term courses).

(b) Letters to the National Committee on Accreditation

If you require a notification of course completion to the NCA on an urgent basis (i.e. more quickly than transcripts can be ordered), you may send a request including your NCA candidate number along with the reason for the request and the information to be included in the letter, to the Director, International Programs.

(c) Letters confirming student status (convocation, enrollment, etc.)

Please make a request via the letter request form on the Full-Time students Moodle page. Note that letters will be sent to you via e-mail in approximately 5 business days.

### **Fees**

(a) Program Fees and Accounts

Tuition fees are established by the Board of Governors of York University. The Board of Governors reserves the right to make changes without notice in its published schedule of fees.

The cost of the Professional LLM is referred to as “the program fee”. Tuition fees for part-time students are normally payable in six installments over the six terms of the program. If you complete the program in fewer than six terms, you will be required to pay the remaining installments prior to graduation. Tuition fees for full-time students are normally payable in three installments over the three terms of the program. If you complete the program in fewer than three terms, you will be required to pay the remaining installments prior to graduation. Students are responsible for viewing their online financial statements using their Passport York accounts.

The program fee consists of tuition, catering for students who attend courses in-person at OsgoodePD, where provided, and course materials. The Faculty of Graduate Studies also charges an administrative registration fee (currently \$15 per term) which is levied each term. Students who participate in the program by videoconference are required to purchase the hardware and software necessary for participation from OsgoodePD at a cost in addition to regular tuition fees. Students who take courses that exceed the credit requirements for their degree or who request to audit a course will be billed for extra credit courses. Please note that taking additional credits or auditing a course must have an academic rationale and in both instances, approval by the Graduate Program Director is required. Please contact your GPA for details.

Sometimes students require additional terms beyond the normal program duration time to complete their degrees. It is expected that part-time Professional LLM students will complete their degree requirements over the course of six active terms, generally taking six credits per term. It is expected that full-time students complete their degree requirements over the course of three active terms, generally taking twelve credits per term. If you require additional time, you will pay additional fees each additional term. These additional fees are charged at the Faculty of Graduate Studies part-time tuition rate. For more information please contact your GPA.

If you complete the program in less than six terms (part-time) or three terms (full-time), you still have to pay the full program fee. The remaining installment(s) will be added to your online Passport York student financial account.

Once you are registered in a term, your fees for that term are posted to your student account. You can view your account at any time using your Passport York online access. Students with outstanding student account balances will be charged interest at the rate of approximately 1.0% per month on the previous month’s minimum amount due and may be denied registration. Transactions made after the statement date (e.g. adds, payments) will appear on your online account. Note: Dropping a course does not trigger a refund or changes to your account - only withdrawals from the term or changing your status from active to inactive impacts your term tuition fee.

If you think there is a problem or if you have any questions concerning your account, please contact your GPA, who will review your account and liaise with the relevant University department(s) to clarify the situation.

Graduate students who have an outstanding financial debt to the University of \$1,000 or greater will be blocked from registering in a current or future academic term. University Senate policy stipulates that enrollment, graduation privileges, academic services, transcript requests, etc., be withheld from any student until all financial liabilities are settled. Students are strongly encouraged to keep their account current. If you are having difficulty with this, please speak to the GPA.

(b) Academic Fee Waiver

LLM students who are 60 years of age or older automatically receive a partial tuition fee waiver. See Student Financial Services Fee Waiver for details. Conditions apply.

(c) Methods of Payment (credit cards are not accepted)

The University accepts payment in a variety of ways.

1. Telephone or Internet:

Contact your financial institution in order to set up your bank account(s) for telephone or online banking. The company name/payee is York University. Use your York student number as the York account number to pay your bill. For further details, please refer to this [link](#), or check your bank's web site. When you make a payment by telephone or through the Internet, you will be given a reference number for the transaction. (Make a note of this transaction number for your records in case the payment is challenged.)

2. Bank:

You may pay at a teller service or an automated banking machine. Your bank may charge for the service. The University has arranged with the major Canadian banks for electronic transfer of the payment to your York account. The University honours the payment on the date it is made at the bank.

Remember: Be sure to have your payment stub stamped and signed by the bank teller. If paying at an automated banking machine, be sure to keep your transaction record. This is your receipt and proof you have paid.

(d) Returned/Declined Payments

Students whose payments are declined for any reason are subject to a \$50 administrative charge which is a non-refundable, non-petitionable flat fee, payable by certified cheque only. Other penalties may also apply.

(e) Financial Assistance

The Marilyn L. Pilkington Award

Professor Marilyn L. Pilkington, the Dean of Osgoode Hall Law School from 1993 to 1998 and founder of Osgoode Professional Development established this award to be given to a student pursuing studies in the Professional LLM program. The award will be granted annually to a Canadian citizen, permanent resident or protected person, who is a resident of Ontario, on the basis of academic achievement and financial need. Preference will be given to a graduate of Osgoode Hall Law School. Note: Applications for this award are only accepted during the Fall term.

Osgoode Professional LLM Bursaries

Students must successfully complete one term before applying for an OsgoodePD bursary. The amount available for bursaries for Professional LLM students is very limited. Students who receive bursaries in one term will not necessarily receive bursaries in subsequent terms. Bursaries are awarded on the basis of financial need.

Visit the Professional LLM tuition webpage for additional information on Financial Assistance.

(f) Refunds

The refund schedule for the Professional LLM program is currently governed by the Faculty of Graduate Studies. For further details please contact your GPA.

(g) Tuition Fee Receipts (Tuition and Education Credit Certificate)

Tuition Fee receipts for income tax purposes are provided by the Office of Student Financial Services (OSFS) for the Academic and Registration Fee portion only. Income tax receipts will only be accessible by download from the OSFS website at the end of February, using your Passport York access.

(h) Tuition and Education Tax Credit

Students may qualify for a tax credit for tuition fees and education amounts. The amount of the tax credit depends on your taxable income. For information, please consult Canada Revenue Agency's Information on Students and Income Tax.

### **Transferring to a Different Specialization/Program**

Students wishing to take a number of courses from more than one specialization are encouraged to enroll in the General LLM. However, should you wish to transfer to a different specialization, please contact your GPA, who will forward your request and student file Director, Professional LLM.

Note that transfers require an academic petition.

### **Video and Audio Lecture Capture**

Video or audio recordings of many courses are archived and made available to students registered in the course through the course page on Moodle. The recordings are intended for use by students registered in the course who were unable to attend the class and for students to review. A student who is provided access to the recording of a class is prohibited from reproducing or distributing the recording or any portion thereof to anyone.

Video or audio archives are created only for courses that are video conferenced. There are no video or audio archives of courses that require in person attendance. Please see the OsgoodePD Lecture Recording Policy.

### **Library Services**

Osgoode Hall Law School Library is one of the largest in the Commonwealth. Professional LLM students are encouraged to make use of the Law Library's extensive collection and its reference and online services.

The University issues a York University (YU) Card to registered students. This card provides you with Library borrowing privileges. Only registered students who are 'active' will receive a card.

You are expected to go to the YU card office during your program orientation to obtain a YU card with photograph. The YU card is valid for 5 years from issue date but only if a student is actively registered with the University.

All York U LLM students are entitled to remote user accounts which allow them to search not only the York Card Catalogue, but many proprietary databases, including QuickLaw, E-Carswell, Lexis, Westlaw and indices (including the Index to Legal Periodicals and some full text services), which are not available over the Internet. To make these arrangements, you must contact the Computing and Network Services

department (CNS) at York University. They will provide you with the information you will need to set up your account.

To access the library information on-line, you need an account number, a York email address and password and software.

York University has direct borrowing agreements with members of the Ontario Council of University Libraries including Brock, Carleton, Guelph, Lakehead, Laurentian, McMaster, Nipissing, Ontario College of Art and Design, Ottawa, Queen's, Royal Military College, Ryerson, Trent, Waterloo, Western, Wilfrid Laurier and Windsor. York University also has direct borrowing agreements with members of the Council of Prairie and Pacific University Libraries including University of Alberta, Athabasca University, University of Calgary, University of Lethbridge, King's University College, University of British Columbia, University of Northern British Columbia, Royal Roads University, Simon Fraser University, Trinity Western University, University of Victoria, Brandon University, University of Manitoba, University of Winnipeg, University of Regina, and University of Saskatchewan.

### **Convocation**

Convocation is a special event for our students. All graduates are encouraged to attend.

There are two main convocation ceremonies at York for Professional LLM students: Fall (usually in October) and Spring (usually in June). Your GPA will be able to provide you with details.

Please keep in mind that academic deadlines for the Convocation ceremony are separate from financial deadlines. Please contact your GPA at the beginning of your last term so that we may begin to assess Convocation eligibility.

### **Counselling & Disability Services**

York University is committed to assisting those students with special needs. To be eligible for the services provided, you must identify yourself as someone who has special needs and provide the appropriate documentation for inclusion in your file. Students requiring accommodations should provide as much notice as possible so arrangements can be made. As soon as you believe an accommodation may be needed, please contact Counselling and Disability Services at York University for an intake meeting. If an accommodation letter is issued, please ensure it is sent immediately to Christine Briggs, Manager Administration, Credit Programs, so that your accommodations may be put in place.

Osgoode's Student Handbook delineates grounds supporting relief: "medical" and "compassionate", which are relatively self-explanatory; "equitable", which provides relief for obligations and burdens of an ongoing and ordinary nature as opposed to circumstances which are isolated and extraordinary, and which unavoidably compete with a student's ability to complete academic work. These could include disability, care-giving responsibilities, or persons subject to domestic violence or abuse. If you have any questions regarding this, please get in touch with the appropriate person/office (listed below) and identify yourself as a graduate student at Osgoode Hall Law School. If you are unsure whom to contact, please contact your GPA.

### **York University Support Services**

York Counselling and Disability Services (CDS) provides a professional and supportive environment in which all York students have equitable access to a range of essential psychological services that assist in

facilitating their academic success. The primary objective is to assist students in fulfilling their personal potential in order to maximally benefit from their university experience. The services that CDS provides include: Physical, Sensory & Medical Disability Services, Learning Disability Services, Mental Health Disability Services, Personal Counselling Services, and Learning Skills Services.

#### Physical, Sensory & Medical Disability Services (416-736-5140)

Physical, Sensory & Medical Disability Services (PSMDS) provides information, support and advocacy to students with physical, sensory and medical disabilities. If you have received your admission acceptance to York University, it is advisable that you contact PSMDS as soon as possible to facilitate the academic accommodation process. The office assists with required equipment, housing, attendant services, parking services, peer mentoring and transcription services.

#### Learning Disability Services (416-736-5383)

Learning Disability Services provides educational support and career counselling to students with documented learning disabilities. Services include: advising and orientation, individual counselling, workshops, mentorship programs, work shadow programs, success groups and alumni networking.

#### Mental Health Disability Services (416-736-5297)

Support is also available for York University students who have been living with a mental health disability through Mental Health Disability Services. Services include: academic support, supportive counseling, weekly support groups, advocacy and referral to community resources.

#### Personal Counselling Services (416-736-5297)

Personal Counselling Services assists students in managing the challenges of university life, which helps to fulfill personal and academic achievement. The services include: counselling for individuals and couples, groups and workshops, crisis response and support, consultative activities and outreach activities.

#### Learning Skills Services (416-736-5297)

Learning Skills Services provides resources to help students to learn how to study more effectively through workshops, academic success resources and one to one learning skills.

### **Continuing Legal Education**

OsgoodePD also offers a curriculum of non-credit continuing legal education courses. These offerings address the needs of lawyers to refine specific practice skills, expand their knowledge of specialized applied areas, and keep up with new developments.

A major programming focus is the provision of accessible skills education to complement substantive academic legal knowledge. We also provide in-house training courses and workshops.

Active Professional LLM students receive a 50% discount on CLE programs (excluding the Intensive Trial Advocacy Workshop, Written Advocacy and Certificate Programs). In order to receive this discount, students must provide their York student number at the time of registration.

Osgoode alumni receive a 10% discount on continuing legal education programs (excluding Written Advocacy and the Intensive Trial Advocacy Workshop).

## **Continuing Professional Development (CPD)**

Professional LLM courses can count toward your CPD requirement in many Canadian jurisdictions.

For practicing lawyers, most provincial bars require full-time practicing members to complete a minimum number of CPD hours in each calendar and/or reporting year. In many jurisdictions, a minimum number of hours must be on topics related to professional responsibility, ethics and/or practice management.

Although the CPD requirement and definition varies across Canadian jurisdictions, participation in any of the Professional LLM courses can be counted towards your substantive CPD hours (i.e. hours that are not considered to be ethics and/or professionalism). Where applicable, we have accredited LLM courses for professionalism/ethics content and have indicated this on the LLM schedules. However, many students will not be able to get all or some of their professionalism content through LLM courses at this time.

To ensure you meet your CPD requirements, OsgoodePD offers current (active) Professional LLM students one complimentary program per calendar year for a CLE program with professionalism hours. Discount applies to webinars (up to a maximum of six per calendar year), OR up to two half OR one full day live program per calendar year. A 50% discount off other CPD programs is also offered. Please note that the following CLE offerings are not included in this offer: ITAW, Written Advocacy, Joint Programs and Certificate programs.

Many CLE programs require in person attendance. Therefore, students located outside Toronto who are not able to attend in person should look for programs that are available online, such as webinars or those available by webcast.

To register please complete the form found on MyOPD and send it to our registration team.

This offer is non-transferrable and cannot be retroactively applied to past registrations, nor can you roll-over your complimentary registration to another CPD year.

### **2016/17 Important Dates**

Visit the Faculty of Graduate Studies' website to view important dates including refund deadlines, etc. <http://gradstudies.yorku.ca/current-students/student-status/important-dates/>