

GLOBAL POLITICAL ECOLOGY
POLSCI 4PE3
Spring 2022

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Lecture: Tue/Thu 6:30pm-9:30pm
Room: Virtual Classroom on Zoom

Office Hours: Mon – By Appt.

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Course Description

This is an advanced seminar course that examines the amorphous and complicated nature of environmental governance and law, both in Canada and abroad. Throughout this course, we shall focus on the interdependence of three major components of environmentalism – environmental jurisprudence, the politicization of environmental policy, and the role of civil society.

In terms of understanding these dynamics from a Canadian perspective, the seminar will focus on the following themes over the course of the semester - The Evolution of Environmental Jurisprudence, Indigenous Rights, Social Movements and Non-Governmental Organizations, Environmental Rights as Human Rights, Electoral Politics, Federalism and Intergovernmental Relations, Constitutional Authority, Political Economy, and Natural Resource Management.

Students will also be asked to consider Canada's position(s) on environmental governance and law from a North American and global perspective. To meet this objective, we will examine policy regimes such as - The International Joint Council and Great Lakes Management, Pacific North-West Salmon Treaties, Air Pollution Treaties, Cap and Trade, the NAFTA, the WTO, the Trans-Pacific Partnership, Arctic Sovereignty and the UNFCCC.

Course Objectives

By the end of the course students should be able to:

1. Build on your foundational knowledge of Environmental Governance, Politics and Law;
2. Be able to understand and analyze a series of critical issues or problems in Environmental Governance and understand the societal and legal implications of policy implementation;
3. Describe the key tenets of environmental jurisprudence and how it has developed since the *First Wave of Environmentalism*;
4. Assess the impact of Neoliberal/Conservative political values on the design and delivery of environmental policies;
5. Efficiently analyze the different organizational forms of environmental governance;
6. Critically assess and compare Environmental Regulation(s) in one or more countries;
7. Conduct and present suitable senior undergraduate/graduate-level research;
8. Synthesize and integrate ideas outlined in important contributions to the fields of Environmental Governance and Law; and
9. Communicate confidently, creatively and effectively with your colleagues.

Required Materials and Texts

There is one required text for this course.

Muldoon, Paul R. et al. An introduction to environmental law and policy in Canada, Third edition. Toronto, Canada: Emond Montgomery Publications 2020.

Additional required readings for each week (as listed below) will be available through the McMaster University libraries or Google Scholar.

Class Format

The course will use virtual, synchronous learning sessions to meet two objectives. First, we will discuss the theoretical aspects of the literature we will examine. Second, the virtual classroom will provide opportunities for clarification on course content and practice based and/or practical experiences in further understanding the intersection of Environmental Governance, Politics and Law. These sessions will take place in the scheduled class time slot through a Zoom group meeting.

Course Evaluation – Overview

1. Critical Analysis Paper:	20%	11:59pm, Friday May 20, 2022.
2. Seminar Participation:	20%	Ongoing throughout Semester.
3. Seminar Presentation:	25%	To be Scheduled.
4. Research Paper	35%	11:59pm, Friday June 17, 2022.

Course Evaluation – Details

Critical Analysis Paper: 20% - 11:59pm, Friday May 20, 2022

1. You are required to complete one Critical Analysis paper. Submission details will be provided in advance.
2. Your paper must be six to seven (6-7) pages in length, standard font size, 1" margins, and double-spaced, critical response paper on two readings. A list of readings shall be provided, and they will be accessible through the Library's electronic reserve system. Please note, you are not required to use any additional readings in your assignment.
3. Please do not simply summarize each of the readings separately; integration, analysis and your questions are key to achieving a good grade on this assignment.
4. Critical Analysis Papers should:
 - a. Provide a brief summary of the main issues of the readings.
 - b. Evaluate the arguments and perspectives offered by the author(s).
 - c. Identify and critically analyze the weaknesses of the readings.
 - d. Provide your own perspective on the readings.

Seminar Participation: 20%

It is critical that all students come to our online virtual wonderland having read the core readings for the week. We will be analyzing this material as a group and I expect that everyone will contribute to the discussion.

I do realize that with an online setting, it is very difficult to ensure everyone that has a point can be drawn into the discussion. In a classroom I can more easily make eye contact etc. and move on from there.

To get around this limitation, and to ensure that you receive credit for work for work done in class, I will open discussion boards for each class. So, if you have questions/thoughts/observations, you can post them there, and I can ensure you are credited. In addition, use the “hand raise” feature in Zoom and I will try my best to ensure you get time. If that fails, simply yell “Sharma I have a thought/question!!!” I may, or may not, oblige your request to participate.

To ensure that everyone is given the opportunity to actively participate, I will call upon individuals to offer their thoughts.

Your involvement in the discussion may revolve around asking your classmates key questions about the readings. In doing so, they may realize that they do not understand the reading nearly as well as they initially thought. Similarly, as the discussion progresses, you may discover that you did, in fact, understand the readings and are able to clarify the concepts and ideas contained therein for your colleagues.

Ultimately, there are several ways that you can get involved in the discussion each week:

1. Ask a question.
2. Introduce a topic.
3. Provide an example to illustrate the argument being advanced or ask someone else to do so.
4. Clarify a concept.
5. Debate the opinions expressed by others.
6. Reiterate or summarize some of the points of discussion.
7. Offer your own interpretation of the material.
8. Encourage others to contribute to the discussion.

I expect you to provide me with evidence that you have **actually read** the material for the week and have made a real effort to understand it. Your participation grade will be determined on the basis of both the quality of your input and timely participation.

To make the readings more manageable and understandable, it may be helpful to consider the following questions as you prepare your notes:

1. What are the basic terms and concepts that have been identified in the readings? Do you understand all of them? Identify the ones that you found problematic.

2. What is the thesis of the reading in question? In other words, what is the main argument being advanced by the author?
3. How has this argument been structured? Are there certain themes that have been identified? What methodology has the author used to present their argument? Think about the quality of the data used to support this position – is it sufficient? Do you find the argument compelling or wanting?
4. Try to identify some of the most important questions or ideas that have been outlined in the reading.
5. Think about how these readings relate to the other material that you have examined in the course and the literature on environmental politics generally. Does this work add to existing knowledge or is it merely a reiteration of previous scholarship?
6. How would you evaluate the quality of this work?

Seminar Presentations: 25%

Ah, dreaded Group Work!!!! We will discuss this in greater detail when we meet, but until then, please take note of the information below:

On **Tuesday, May 17, 2022**, we will start Group Presentations, which are to be related to that week's topic. You are free to structure your discussion as you wish. For example, you may choose to create a PowerPoint presentation, or you may prefer to provide a lecture of sorts on the readings; in some instances, you might find it useful to organize the class to have a debate. An alternative approach would be to divide the seminar into groups or use various activities as a means of engaging your classmates and discussing and analyzing the readings in question. **I am happy to assist you in the development of your presentation.** We will discuss this component more in class.

Research Paper 35%: 11:59pm, Friday June 17, 2022

You are required to complete a major research paper for this course on an Environmental Governance and policy issue. **Your paper should be approximately 3000 words in length.**

You are required to get your topic approved by the course instructor as early as possible in the semester so that you have sufficient time to research and write your paper.

Additional details for both components shall be provided in class and posted to Courselink.

Weekly Course Schedule and Required Readings

Week 1 – May 3, 2022 – Introduction [Who am I? Who are You?]

Readings:

- Domise, Andray. "The left must stand against capitalism. Now." Maclean's, December 28, 2019. <https://www.macleans.ca/opinion/the-left-must-stand-against-capitalism-now/>
- Ehrenreich, Ben. "Climate Change Is Here—and It Looks Like Starvation." The Nation, March 1, 2019. <https://www.thenation.com/article/climate-change-media-humanitarian-crises/>
- The Holy Father Francis (2015) "Encyclical letter – Laudato Si' of the Holy Father Francis on Care for our Common Home," https://www.theguardian.com/commentisfree/2015/jun/18/pope-francis-encyclical-extract?CMP=fb_gu

Week 1 – May 5, 2022 – Environmental Law and its Evolution in Canada

Readings:

- Muldoon, Chapter 1.
- Stepan Wood, Georgia Tanner & Benjamin J. Richardson, What Ever Happened to Canadian Environmental Law, 37 Ecology L. Q. 981 (2010).
- Harrison, Kathryn. Passing the Buck: Federalism and Canadian Environmental Policy. Vancouver: UBC Press, 1996. Chapters 1 and 2.

Week 2 – May 10, 12, 2022 – The Canadian Legal Framework and the Challenges for Environmental Law and Policy

Readings:

- Muldoon, Chapters 2, 3 and 4.
- Klautt, Dustin W. "Can Canada's "Living Tree" Constitution and Lessons from Foreign Climate Litigation Seed Climate Justice and Remedy Climate Change?" Journal of Environmental Law and Practice 31.3 (2018): 185-243.
- Ostrom, Elinor. "A General Framework for Analyzing Sustainability of Social-Ecological Systems." (2009) 325 Science 419.
- Keele, Denise M. "Climate Change Litigation and the National Environmental Policy Act." Journal of Environmental Law 30.2 (2018): 285-309.
- Preston, Brian J. "Characteristics of Successful Environmental Courts and Tribunals." Journal of Environmental Law 26.3 (2014): 365-93.

Week 3 – May 17,19, 2022 – Indigenous Approaches to Environmental Governance

Readings:

- Muldoon, Chapter 5.
- Colin H. Scott, “Co-Management and the Political of Aboriginal Consent to Resource Development: The Agreement Concerning a New Relationship between Le Gouvernement du Quebec and the Crees of Quebec (2002),” in Micheal Murphy Ed. Canada: The State of the Federation 2003 – Reconfiguring Aboriginal-State Relations. Montreal & Kingston: McGill-Queen’s University Press, 2005. Available at:
- <https://www.queensu.ca/iigr/sites/webpublish.queensu.ca.iigrwww/files/files/pub/archive/SOTF/SOTF2003.pdf>
- Jaskiran Dhillon and Will Parish. “Canada police prepared to shoot Indigenous activists, documents show,” The Guardian, December 20, 2019. <https://www.theguardian.com/world/2019/dec/20/canada-indigenous-land-defenders-police-documents>
- “B.C. Supreme Court grants injunction against Wet'suwet'en protesters in pipeline standoff,” CBC News, December 31, 2019, <https://www.cbc.ca/news/canada/british-columbia/bc-injunction-coastal-gaslink-1.5411965>
- TsleilWaututh Nation et al. v. Attorney General of Canada et al., 2018 FCA 153. Available at: <https://decisia.lexum.com/fca-caf/decisions/en/343511/1/document.do>
- Delgamuukw v. British Columbia , [1997] 3 SCR 1010. Available at: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1569/index.do>
- Haida Nation v. British Columbia (Minister of Forests), 2004 SCC 73, [2004] 3 SCR 511. Available at: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2189/index.do>
- Sparrow, R v., [1990] 1 SCR 1075. Available at: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/609/index.do>

Week 4 – May 24, 2022 – Global Environmental Governance and Law

Readings:

- Muldoon, Chapter 6.
- Charnowitz, S., & Fischer, C. “Canada–Renewable Energy: Implications for WTO Law on Green and Not-So-Green Subsidies,” World Trade Review 14:2, (2015), 177-210.
- Gunter, Michael M., “Moving beyond multilateralism: climate-change governance post-Copenhagen,” Environmental Politics, March, 2013, Vol.22(2), p.339-343.
- Rajamani, Lavanya. "The 2015 Paris Agreement: Interplay between Hard, Soft and Non-Obligations." Journal of Environmental Law 28.2 (2016): 337-58.

- Government of Canada. The Pan-Canadian Framework on Clean Growth and Climate Change.
<https://www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework.html>
- Office of the Auditor General of Canada. 2017 Fall Reports of the Commissioner of the Environment and Sustainable Development. http://www.oag-bvg.gc.ca/internet/English/parl_cesd_201710_e_42475.html
- Kaminsky, Isabella. “Dutch supreme court upholds landmark ruling demanding climate action.” *The Guardian*, December 20, 2019.
<https://www.theguardian.com/world/2019/dec/20/dutch-supreme-court-upholds-landmark-ruling-demanding-climate-action>

Week 4 – May 26, 2022 – Round Table Discussion

Readings:

- No Assigned Readings

Week 5 – May 31, 2022 – Environmental Regulatory Regimes – Measuring Efficiency and Effectiveness

Readings:

- Muldoon, Chapters 7, 8, 9 and 10.

Week 5 – June 2, 2022 – The Public-Private Dichotomy of Environmental Regulation

Readings:

- Muldoon, Chapters 11 and 12.
- Bradshaw, C. (2018). Waste law and the value of food. *Journal of Environmental Law*, 30(2), 311-331.
- Greendex 2014: Consumer Choice and the Environment – A Worldwide Tracking Survey, National Geographic. Available at: <https://globescan.com/greendex-2014-consumer-choice-and-the-environment-a-worldwide-tracking-survey-full-report/>
- Barlow, Maude. (2001, Spring). *Blue Gold: The Global Water Crisis and the Commodification of the World’s Water Supply: Revised Edition*. Available at: <https://ratical.org/co-globalize/BlueGold.pdf>
- McKittrick, Ross. *Economic Analysis of Environmental Policy*. University of Toronto Press, 2011.
- Balkwill, Mike. “Doug Ford government puts Ontario's water up for grabs.” *Now Toronto*, November 7, 2019. <https://nowtoronto.com/news/doug-ford-nestle-ontario-water/>
- “Ontario extends water bottling moratorium by 9 months.” *CBC News*, December 23, 2019. <https://www.cbc.ca/news/canada/kitchener-waterloo/ontario-water-bottling-moratorium-extended-9-months-1.5406836>

Week 6 – June 7, 9, 2022 – The Protection of Environmental Rights and Culture

Readings:

- Muldoon, Chapter 13, 14 and 15.
- “What are Environmental Rights?” United Nations Environment Programme. Available at: <https://www.unenvironment.org/explore-topics/environmental-rights-and-governance/what-we-do/advancing-environmental-rights/what>
- Renteln, Alison Dundes. “Environmental Rights vs. Cultural Rights.” Human Rights Dialogue: “Environmental Rights” (Spring 2004). Available at https://www.carnegiecouncil.org/publications/archive/dialogue/2_11/section_2/4453
- Bailey, Jennifer. “Arrested Development: The Fight to End Commercial Whaling as a Case of Failed Norm Change.” *European Journal of International Relations* 14.2 (2008): 289-318.
- Edgar, Andrew. “Environmental Protests and Constitutional Protection of Political Communication: *Brown v Tasmania*.” *Journal of Environmental Law* 30.2 (2018): 333-41.
- O’Donnell, Erin L. “At the Intersection of the Sacred and the Legal: Rights for Nature in Uttarakhand, India.” *Journal of Environmental Law* 30.1 (2018): 135-44.
- “Amazon ‘threatens to fire’ climate change activists.” BBC News, Jan 3, 2020. <https://www.bbc.com/news/business-50953719>

Week 7 – June 14, 2022 – Climate Change, Natural Disasters, Resilience and Government Adaptation/Mitigation.

Readings:

- Benevolenza, Mia A. & LeaAnne DeRigne (2019) The impact of climate change and natural disasters on vulnerable populations: A systematic review of literature, *Journal of Human Behavior in the Social Environment*, 29:2, 266-281.
- Dixon, Graham., Olivia Bullock & Dinah Adams (2019) Unintended Effects of Emphasizing the Role of Climate Change in Recent Natural Disasters, *Environmental Communication*, 13:2, 135-143
- Halkos, S. Matsiori, “Environmental attitudes and preferences for coastal zone improvements”, *Econ. Anal. Policy*, 58 (2018), pp. 153-166.
- Labbé, Jolène., James D. Ford, Malcolm Araos, Melanie Flynn, “The government-led climate change adaptation landscape in Nunavut, Canada,” *Environmental Reviews*, 2017, 25:12-25
- Oulahen, Greg., Yaheli Klein, Linda Mortsch, Erin O’Connell & Deborah Harford (2018) Barriers and Drivers of Planning for Climate Change Adaptation across Three Levels of Government in Canada, *Planning Theory & Practice*, 19:3, 405-421
- Rochette, Annie. “Climate Change is a Social Justice Issue: The Need for a Gender-Based Analysis of Mitigation and Adaptation Policies in Canada and Québec.” *Journal of Environmental Law and Practice* 29 (2016): 383-410.

- Vogel, B., Henstra, D. & McBean, G. "Sub-national government efforts to activate and motivate local climate change adaptation: Nova Scotia, Canada," *Environment, Development and Sustainability* (2018), 1-21. <https://doi.org/10.1007/s10668-018-0242-8>
- Wheeler S, A. Zuo, H. Bjornlund "Farmers' climate change beliefs and adaptation strategies for a water scarce future in Australia" *Glob. Environ. Chang. Part A*, 23 (2) (2013), pp. 537-547.

Week 7 – June 16, 2022 – Last Class: Catch-up and Wrap-up

Readings:

- No Assigned Readings

Course Policies

Submission of Assignments

All assignments must be submitted to the appropriate **drop box** in Avenue to Learn. Emailed submissions will not be accepted unless expressly approved well before the deadline.

Grades

Grades will be based on the McMaster University grading scale:

MARK	GRADE
90-100	A+
85-90	A
80-84	A-
77-79	B+
73-76	B
70-72	B-
67-69	C+
63-66	C
60-62	C-
57-59	D+
53-56	D
50-52	D-
0-49	F

Late Assignments

SUGGESTED: Extensions for course assignments will only be granted under conditions of medical, family, or other extraordinary circumstances. All other late assignments will be assigned a one-time penalty of 25%. Late assignments will not be accepted after 7 days beyond the original deadline without appropriate documentation from the Office of the Associate Dean of Social Sciences. Add in a policy on grade adjustments (grade re-weighting) to your course outline if applicable.

Absences, Missed Work, Illness

McMaster Student Absence Form (MSAF): In the event of an absence for medical or other reasons, students should review and follow the Academic Regulation in the Undergraduate Calendar “Requests for Relief for Missed Academic Term Work”.

Courses with An On-Line Element

Some courses may use on-line elements (e.g. e-mail, Avenue to Learn (A2L), LearnLink, web pages, capa, Moodle, ThinkingCap, etc.). Students should be aware that, when they access the electronic components of a course using these elements, private information such as first and last names, user names for the McMaster e-mail accounts, and program affiliation may become apparent to all other students in the same course. The available information is dependent on the technology used. Continuation in a course that uses on-line elements will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

Online Proctoring

Some courses may use online proctoring software for tests and exams. This software may require students to turn on their video camera, present identification, monitor and record their computer activities, and/or lock/restrict their browser or other applications/software during tests or exams. This software may be required to be installed before the test/exam begins.

Authenticity / Plagiarism Detection

Some courses may use a web-based service (Turnitin.com) to reveal authenticity and ownership of student submitted work. For courses using such software, students will be expected to submit their work electronically either directly to Turnitin.com or via an online learning platform (e.g. A2L, etc.) using plagiarism detection (a service supported by Turnitin.com) so it can be checked for academic dishonesty.

Students who do not wish their work to be submitted through the plagiarism detection software must inform the Instructor before the assignment is due. No penalty will be assigned to a student who does not submit work to the plagiarism detection software.

All submitted work is subject to normal verification that standards of academic integrity have been upheld (e.g., on-line search, other software, etc.). For more details about McMaster’s use of Turnitin.com please go to www.mcmaster.ca/academicintegrity.

Copyright and Recording

Students are advised that lectures, demonstrations, performances, and any other course material provided by an instructor include copyright protected works. The Copyright Act and copyright law protect every original literary, dramatic, musical and artistic work, **including lectures** by University instructors

The recording of lectures, tutorials, or other methods of instruction may occur during a course. Recording may be done by either the instructor for the purpose of authorized distribution, or by a student for the purpose of personal study. Students should be aware that their voice and/or image may be recorded by others during the class. Please speak with the instructor if this is a concern for you.

Academic Accommodation for Religious, Indigenous or Spiritual Observances (RISO)

Students requiring academic accommodation based on religious, indigenous or spiritual observances should follow the procedures set out in the [RISO](#) policy. Students should submit their request to their Faculty Office **normally within 10 working days** of the beginning of term in which they anticipate a need for accommodation or to the Registrar's Office prior to their examinations. Students should also contact their instructors as soon as possible to make alternative arrangements for classes, assignments, and tests.

Academic Integrity Statement

You are expected to exhibit honesty and use ethical behaviour in all aspects of the learning process. Academic credentials you earn are rooted in principles of honesty and academic integrity. **It is your responsibility to understand what constitutes academic dishonesty.**

Academic dishonesty is to knowingly act or fail to act in a way that results or could result in unearned academic credit or advantage. This behaviour can result in serious consequences, e.g. the grade of zero on an assignment, loss of credit with a notation on the transcript (notation reads: "Grade of F assigned for academic dishonesty"), and/or suspension or expulsion from the university. For information on the various types of academic dishonesty please refer to the [Academic Integrity Policy](#), located at <https://secretariat.mcmaster.ca/university-policies-procedures-guidelines/>

The following illustrates only three forms of academic dishonesty:

- plagiarism, e.g. the submission of work that is not one's own or for which other credit has been obtained.
- improper collaboration in group work.
- copying or using unauthorized aids in tests and examinations.

Conduct Expectations

As a McMaster student, you have the right to experience, and the responsibility to demonstrate, respectful and dignified interactions within all of our living, learning and working communities. These expectations are described in the [Code of Student Rights & Responsibilities](#) (the "Code"). All students share the responsibility of maintaining a

positive environment for the academic and personal growth of all McMaster community members, **whether in person or online.**

It is essential that students be mindful of their interactions online, as the Code remains in effect in virtual learning environments. The Code applies to any interactions that adversely affect, disrupt, or interfere with reasonable participation in University activities. Student disruptions or behaviours that interfere with university functions on online platforms (e.g. use of Avenue 2 Learn, WebEx or Zoom for delivery), will be taken very seriously and will be investigated. Outcomes may include restriction or removal of the involved students' access to these platforms

Academic Accommodation of Students with Disabilities

Students with disabilities who require academic accommodation must contact [Student Accessibility Services](#) (SAS) at 905-525-9140 ext. 28652 or sas@mcmaster.ca to make arrangements with a Program Coordinator. For further information, consult McMaster University's [Academic Accommodation of Students with Disabilities](#) policy.

Faculty of Social Sciences E-mail Communication Policy

Effective September 1, 2010, it is the policy of the Faculty of Social Sciences that all e-mail communication sent from students to instructors (including TAs), and from students to staff, must originate from the student's own McMaster University e-mail account. This policy protects confidentiality and confirms the identity of the student. It is the student's responsibility to ensure that communication is sent to the university from a McMaster account. If an instructor becomes aware that a communication has come from an alternate address, the instructor may not reply at his or her discretion.

Course Modification

The instructor and university reserve the right to modify elements of the course during the term. The university may change the dates and deadlines for any or all courses in extreme circumstances. If either type of modification becomes necessary, reasonable notice and communication with the students will be given with explanation and the opportunity to comment on changes. It is the responsibility of the student to check his/her McMaster email and course websites weekly during the term and to note any changes.

If the instructor or a teaching assistant is not able to pass the daily COVID screening, they cannot provide an in-class meeting. In the case that the instructor cannot attend the lecture, this will be announced on Avenue to Learn by 3pm on the day of the lecture. The lecture will be replaced by either an on-line lecture (which will be audio-recorded and posted to Avenue) or asynchronous lecture(s) posted to Avenue.

Extreme Circumstances

The University reserves the right to change the dates and deadlines for any or all courses in extreme circumstances (e.g., severe weather, labour disruptions, etc.).

Changes will be communicated through regular McMaster communication channels, such as McMaster Daily News, A2L and/or McMaster email.