



Citizenship and
Immigration Canada

Citoyenneté et
Immigration Canada

Associate Assistant
Deputy Minister

Sous-ministre
adjointe déléguée

Ottawa, Canada
K1A 1L1

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F-5292

MEMORANDUM TO THE DEPUTY MINISTER

CITIZENSHIP LANGUAGE TESTING-

SUMMARY

- The Minister has asked for short-term options for citizenship language testing within the current legal framework.
- The Department has developed the attached deck presenting a recommendation in line with the Minister's objectives.
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BACKGROUND:

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- In early October 2010, the Minister asked the Department to look again at options for testing citizenship applicants for language ability within the current legislative framework. He clarified that he would like upfront third-party language assessment of applicants and wanted to move away from using the knowledge test as a proxy test for language.
- Under the recommended approach, applicants would be required to furnish evidence of language ability with their initial application. Such evidence would include language tests or alternative evidence. The recommended approach includes alternative evidence because:
 - it is consistent with the policy approach to facilitate access to citizenship;
 - it reduces the potential barrier to citizenship applicants;

- Applications with unacceptable test results or no evidence at all would be returned with a refunded fee.

CURRENT STATUS:

- The Act requires that applicants for citizenship have "adequate knowledge" of one of Canada's official languages (s. 5(1)(d)). The regulations then set out the *criteria* for determining adequate knowledge which are whether the person has basic comprehension and expression of one of those official languages (reg. 14).
- The scheme of the Act is that citizenship judges are the decision-makers on all aspects of an application, including language. Before making a decision to non-approve an application, the Act requires judges to consider whether to recommend a waiver of certain requirements, including language, on compassionate grounds (s. 15 (1)).

Providing language evidence with application

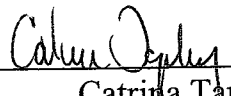
- The *Citizenship Regulations* can be amended to require applicants to provide evidence, with their initial application, concerning the requirement to show knowledge of an official language. In the same way, the regulations currently require applicants to provide evidence of residence with their application.
- If the applicant does not provide the requested evidence, the Department could return the application to the applicant and refund their citizenship fee. This would go a considerable way towards achieving the Minister's objectives.

Criteria and Evidence of Language Ability

- The Regulations can specify the *criteria* by which knowledge of an official language will be judged, setting out a common set of standards to enable objective measurement of adequate language skills. As mentioned above, reg. 14 specifies a "basic" level of comprehension and expression and says that any test must be based on "questions prepared by the Minister".
- The Minister has decided that Canadian Language Benchmark /Niveaux de compétence linguistique canadiens (CLB/NCLC) 4 meets this standard and is the appropriate threshold for citizenship. Tools at this level have been developed for the assistance of CIC officials and citizenship judges.
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NEXT STEPS:

- The language deck will be presented to the Minister in early December.
- Subject to ministerial approval, changes to the regulations would be pre-published in early 2011 and operationalized in Fall 2011.



Catrina Tapley

Attachment: Presentation Deck: *Improving Citizenship Language Assessment*