

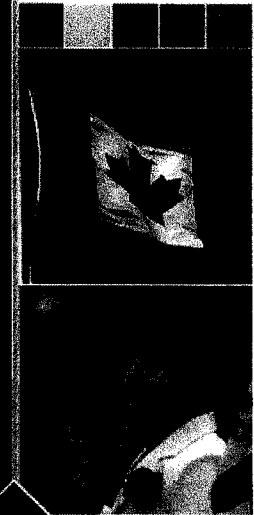


Citizenship and  
Immigration Canada

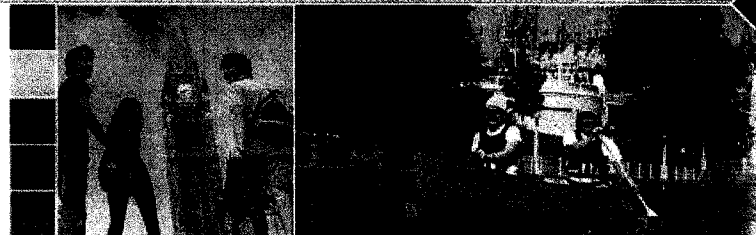
Citoyenneté et  
Immigration Canada



# Citizenship



Improving Citizenship  
Language Assessment  
December 6, 2010



Canada

## Purpose

- **Objective** –ensure new citizens meet existing language standards (CLB/NCLC 4) to enable civic participation while supporting streamlined application processing
- Previous language deck presented phased options leading to upfront (pre-application) language testing requiring longer term legislative change
- Minister requested options for shorter term including
  - third-party language assessment of applicants
  - citizenship knowledge test no longer used as proxy for language



# Language improvements underway

## Language testing

Minister confirmed language requirement as achievement of CLB/NCLC 4: basic proficiency (early 2010)

Improved consistency of language assessments through new language assessment tools for judges and screening tools for officials (implemented Fall 2010)

## Knowledge testing

Changes to knowledge test improved integrity to address memorisation concerns (March 2010)

E-testing development: medium-term proposal to further increase integrity (TBD)

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## Ideal end state: streamlined, faster citizenship process

- Modernized *Citizenship Act* with
  - streamlined decision-making model for grants
  - strengthened authority for upfront testing
  - capacity to designate third-party testing bodies
- Revised processing model, including
  - perfected applications with all evidence up front
  - electronic transfer to CPC to limit data entry
  - centralized processing in clear-cut cases, with quality assurance
- Ultimate processing goal
  - proofs: four weeks
  - grants: six months
- Expanded language assessment earlier in immigration/integration continuum benefiting citizenship applicants downstream

## Getting there sooner

- Use maximum flexibility under existing legislation to
  - implement needed regulatory changes
  - ensure upfront language evidence in vast majority of applications
  - drive people to language testing and alternatives such as LINC through administrative incentives
  - streamline processing model (Citizenship Operations Review Exercise: CORE)



## Current legal considerations

- Act requires judge to decide all elements of application including language and whether to recommend waiver. Without legislative change, cannot:
  - require applicants to meet language requirement before applying \*
  - have officials refuse an application, including for failure to meet language \*
  - limit type of acceptable evidence and designate third-party testing bodies \*
- Considerable flexibility to support increased language testing:
  - can amend Regulations to require applicants to provide evidence upfront concerning language requirement; must process without such evidence if applicant insists \*
  - can identify, by regulation or administratively, a non-exhaustive list of preferred tests and other evidence \*
  - can administratively encourage compliance by pointing out that failure to comply would result in longer processing, failure to meet requirements may mean refusal by judge \*

## Recommendations

1. **Assessment Method: language evidence upfront (test or alternative)**
  - more streamlined process by requiring evidence upfront
  - allows applicants to use test results from immigration process
  - alternative evidence
    - reduces potential barrier to citizenship applicants
    - in line with policy objective of encouraging naturalization
    - in line with legislative requirements (cannot limit type of acceptable evidence)
2. **Skills to be tested: Speaking and Listening**
  - captures most critical skills for daily interactions
  - inherent testing of reading in knowledge test would continue
  - most applicants would have already demonstrated literacy through previous external tests or alternative evidence
  - only assessing speaking and listening benefits
    - Quebec SW principal applicants, only tested on speaking/listening at immigration
    - potentially vulnerable groups who remained to be tested, including resettled refugees for whom literacy may be an issue

## 1. Recommended approach: evidence upfront

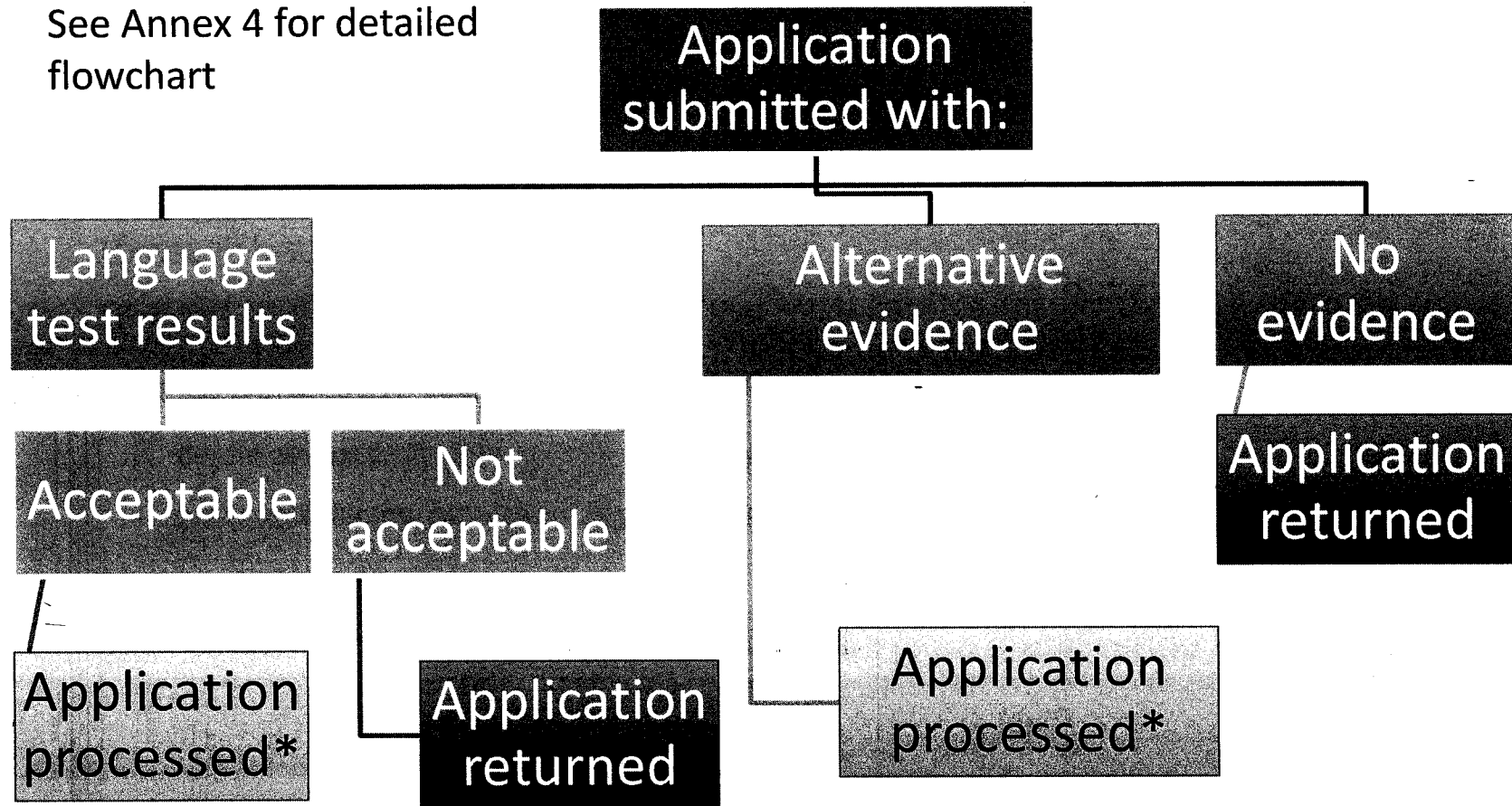
- Applicant required to submit evidence of language with application
  - evidence may include recent or previous test result, equivalent to CLB/NCLC 4, or alternative evidence (such as LINC\*, secondary or post-secondary education in French or English)
- If acceptable test result or alternative evidence, proceed to processing; status quo for processing times
- If unacceptable test result or no evidence, return application without processing and refund fee
- Legal risks mitigated by accommodating applicants who insist on processing or request waiver; would translate into lengthier processing
- Requires regulatory change

\* Also includes results from provincially-run programs using federal funding



## Recommended approach: high-level flowchart

See Annex 4 for detailed flowchart



\*Official can always refer to hearing if concerned about language

## Analysis: Pros

- 73% of citizenship applicants could use tests from immigration process or alternative evidence
  - SW/CEC principal applicants (27%) - LINC participants at CLB/NCLC 4 (13%)
  - native speakers (15%) - Canadian high school or post-secondary education (18%)
- 27% of applicants required to write a new test
- Upfront language evidence consistent with service modernisation agenda move towards perfected applications
- Benefits of allowing alternative evidence
  - consistent with facilitating access to citizenship; may mitigate criticism of stricter/upfront requirements
  - reduces cost barriers to some applicants and capacity/access issues related to testing bodies
  - will encourage greater uptake of LINC



## Analysis: Cons

- Potential newcomer/stakeholder criticism of stricter upfront requirements, similar to IRPA
- Increased demand on CPC Sydney to determine if application is complete, need for guidelines on whether application can be returned
- Legal risk in returning applications, however can be mitigated
- Risks in allowing alternative evidence:
  - many applicants may not write third-party test
  - risk of fraud - can be mitigated through quality assurance
  - Immigration no longer allows alternative evidence, for the only 17% of applicants who are language assessed (varied approach to language depending on objectives of each class)
- Testing capacity for potentially 36,000 people per year would need to be developed
- Cost for those who require testing (up to \$285) likely affecting lower educated and lower income applicants the most

## 2. Recommended approach: language skills

- Regulations specify listening, and speaking or writing. In practice:
  - speaking and listening are screened to determine whether an oral hearing is needed
  - writing is not formally assessed; reading is assessed through the knowledge test
- **Considerations:**
  - in daily life, listening and speaking are the most crucial skills, although reading and writing are also useful
  - assessment and screening tools for judges and CIC officials focus on listening and speaking
  - many applicants will have demonstrated literacy through external tests or alternative evidence
  - however, requiring all applicants to demonstrate literacy, as well as speaking and listening, would impose stricter requirement which could have gender impacts and lead to higher failure rates



# Impacts of proposed changes

## Upfront evidence

### Pros:

- Language requirements will be clear and objective
- Can use previous test or LINC assessment if available
- Availability of alternative evidence more flexible - facilitates access for applicant

### Cons:

- Time and cost for test if no alternative evidence available, up to \$285

### Pros:

- Streamlines process, applications do not enter processing if no language evidence

### Cons:

- Some impact on CPC Sydney in determining whether application is complete
- Potential adjustment to GCMS

## Speaking and listening

### Pros

- Elements most critical to daily interaction
- Does not introduce new requirement for literacy for applicants who have not already demonstrated four skills
- May involve less time and cost for external test

### Cons

- Testing speaking effectively raises the bar compared to current process (impacting applicants who write above CLB 4 but speak below including individuals from countries where foreign language training emphasises writing)
- Does not encourage all applicants to read and write an official language

### Pros

- Reduced operational impact, compared to testing four skills, for those not already assessed on all skills

### Cons

- Potentially more resources to effectively test speaking as part of process for those without test result



## Groups likely to be most adversely impacted

- Based on recent changes to the knowledge test, most affected groups likely to be
  - those with lower educational qualifications
  - less educated women from India, Sri Lanka, Pakistan and Africa
- Potentially reduced access to waiver for vulnerable groups who may provide insufficient evidence or may not apply
- Mitigation strategy includes encouraging early uptake of free language training

*Handwritten notes:*  
- Advise  
- Inform  
- Informant

## Key considerations

- Proposed approach will ensure new citizens have adequate language ability to enable civic participation
- Approach is also in line with goal of perfected applications that, when fully implemented, will lead to efficiencies
- May encourage take-up of LINC training (possible financial impact for CIC)
- On the other hand, what is the cumulative impact of changes to the knowledge test and to language assessment?
  - higher failure rate
  - may create a group that will remain permanent residents
  - tougher requirements than other immigration countries
  - some family members may not meet requirements, leading to different statuses within families, lost opportunity to celebrate citizenship ceremony together
- Potential cost barrier for up to 36,000 applicants per year who require testing (\$285)
- May decrease naturalization rate (currently 85%)





## Next steps

- Prepare regulatory changes/pre-publish: early 2011
- Prepare communications strategy
- Consult with testing bodies to develop capacity
- Engage Provinces and Territories
- Prepare implementation plan linked to other streamlining initiatives (CORE), including:
  - amend IT systems, website, application forms
  - train CIC officials and judges in new processes
  - develop framework to evaluate new model, tracking impact on vulnerable groups
- Operationalize: Fall 2011





# Timeline

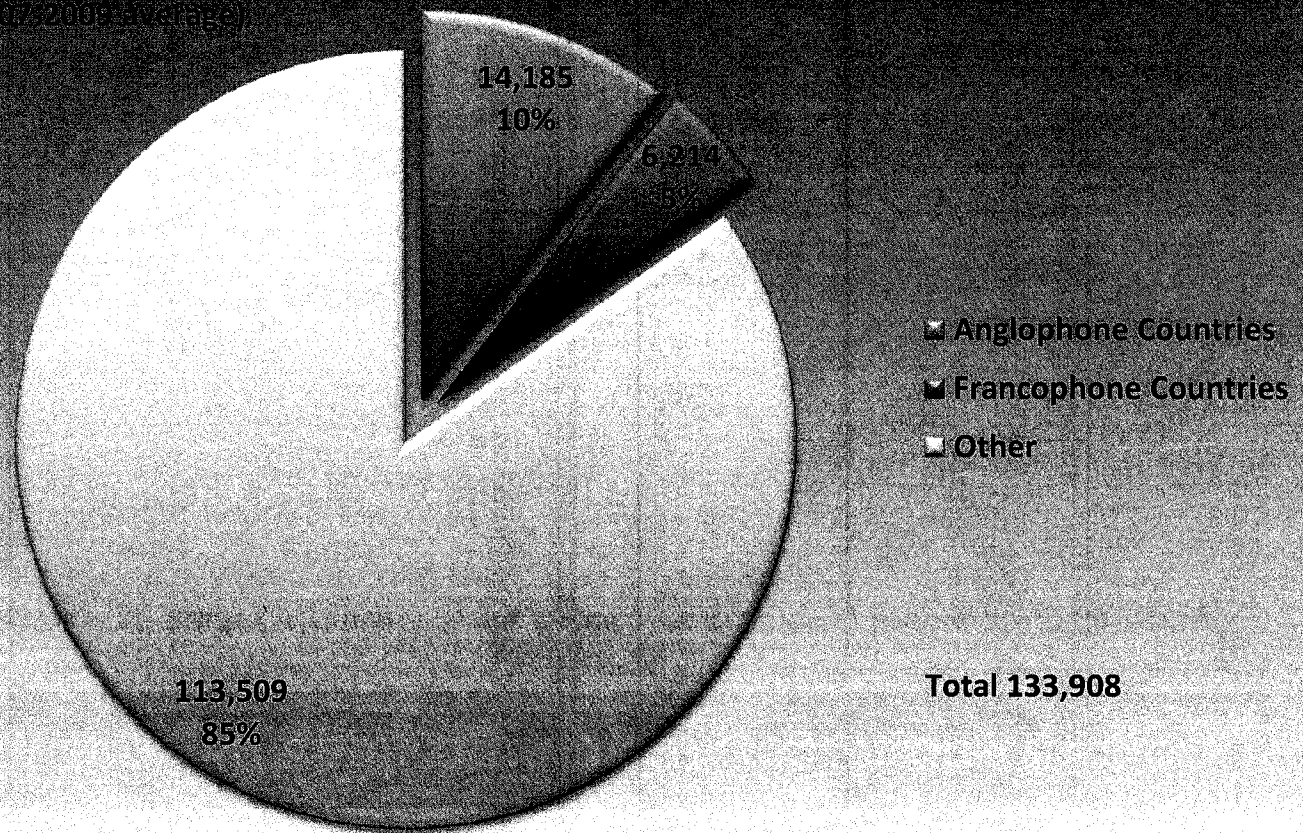
	Short-term  (Spring 2011)	Medium-term  (Fall 2011)	Longer term (Fall 2012 and beyond)
<b>Language</b>	<ul style="list-style-type: none"> <li>• Pre-publish regulations</li> <li>• Implement communications strategy</li> <li>• PT engagement</li> <li>• Establish Implementation Working Group to               <ul style="list-style-type: none"> <li>– update application forms</li> <li>– draft Manual changes</li> <li>– prepare training</li> <li>– identify IT changes</li> </ul> </li> <li>• Consult testing bodies</li> </ul>	<ul style="list-style-type: none"> <li>• Publish final regulations</li> <li>• Implement new language assessment regime</li> <li>• Add CLB achievement test to suite of available tests</li> </ul>	<ul style="list-style-type: none"> <li>• Add NCLC achievement test to suite of available tests</li> </ul>
<b>CORE</b>	<ul style="list-style-type: none"> <li>• Develop implementation plan, including               <ul style="list-style-type: none"> <li>– determine scope of system changes</li> <li>– revamp QA framework</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Implement solutions for priority areas, e.g.               <ul style="list-style-type: none"> <li>– reduce data entry</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Fully implement new citizenship processing model</li> </ul>

## Annex 1: Broader context - Immigration/Citizenship

	Objective	Implications
<b>IRPA</b>	<ul style="list-style-type: none"> <li>Economic – Economic immigrants contribute to Canadian economy, therefore higher language thresholds (CEC: CLB 5 and 7; SW: CLB 6 &amp; 8)</li> <li>Social and Humanitarian</li> </ul>	<ul style="list-style-type: none"> <li>Language assessment for 42,510 principal applicant SWs and CECs (28% of all economic class PRs or 17% of all PRs in 2009). No language assessment for 89,491 spouses and dependants of principal applicants (35.5% of all PRs in 2009).</li> <li>No language assessment for 88,046 family class and refugees (35% of all PRs in 2009), includes those with low education/literacy</li> <li>Total – 209,669 PRs not assessed for language (83%)</li> </ul>
<b>Citizenship Act</b>	<ul style="list-style-type: none"> <li>Two complementary objectives:                             <ul style="list-style-type: none"> <li>Facilitate naturalization to enable participation in Canadian society</li> <li>Nation-building objective – helps foster a sense of shared identity and sense of belonging</li> </ul> </li> <li>Language threshold appropriate to facilitate basic integration (CLB 4)</li> </ul>	<ul style="list-style-type: none"> <li>Requirements traditionally facilitative to give access to newcomers from all categories</li> <li>Overall Canadian approach facilitative, in line with other immigration based countries (e.g. US, Australia, New Zealand)</li> </ul>

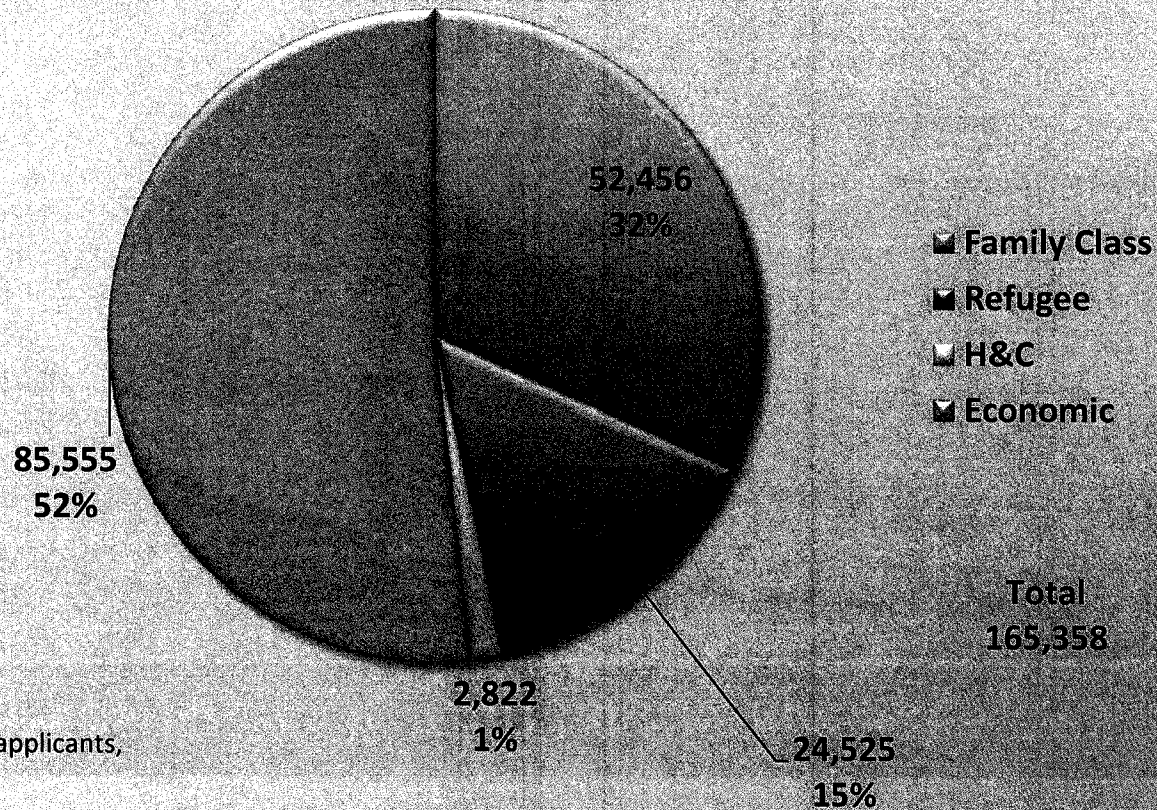
## Annex 2: Citizenship: 15% from Eng/Fr speaking countries

Total Adult (18-64 years), Citizenship Grant Applicants, by language of Country of Birth (2007-2009 average)



## Annex 3: Citizenship applicants by immigration category

Historical perspective - all Adult Citizenship Grant Applicants in 2008 by Immigration Category\*

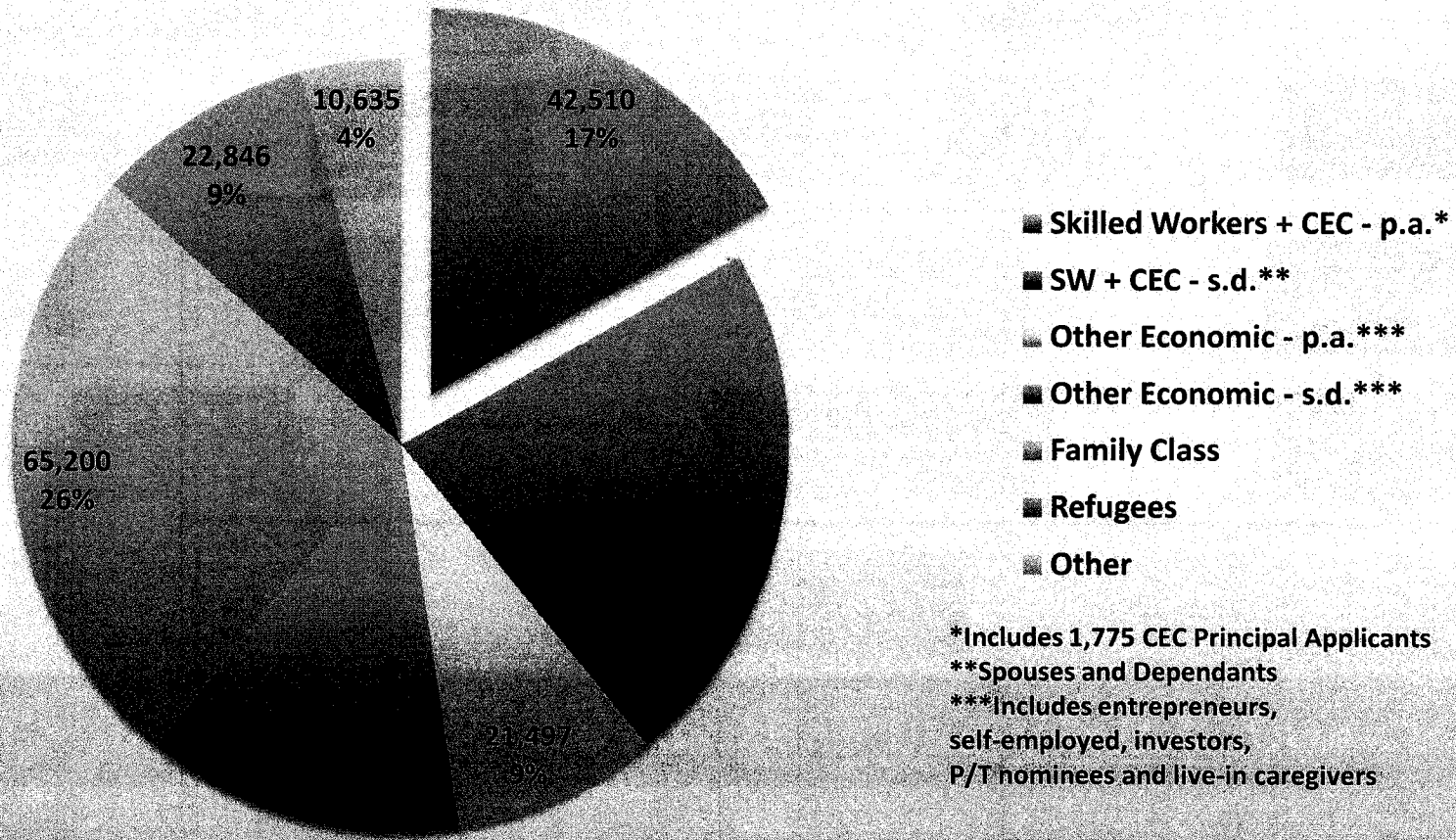


\*All classes include principal applicants, spouses and dependants



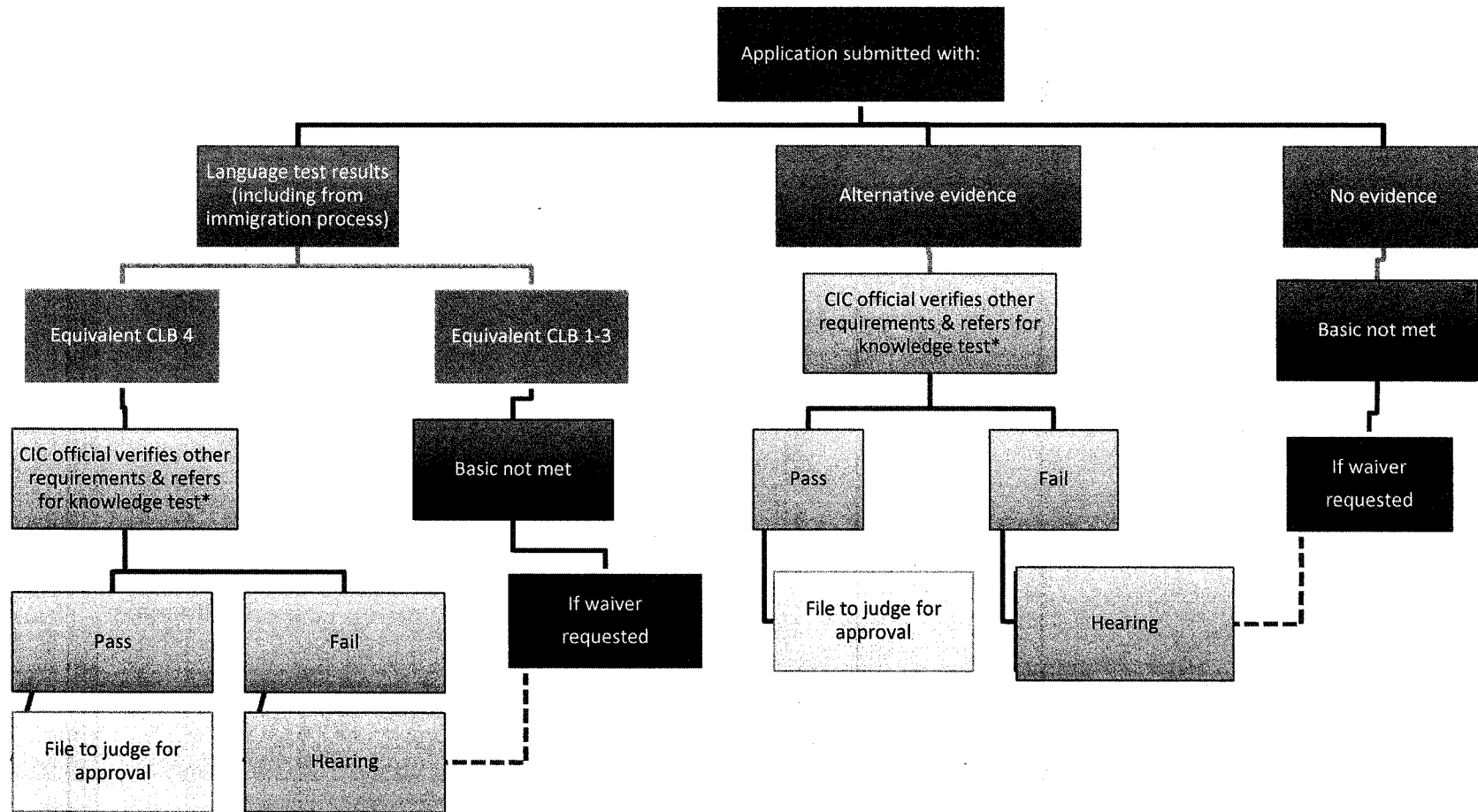
# Annex 4: Immigration: 17% of PRs tested for language

Looking forward - Permanent Residents (PRs) by Class - 2009



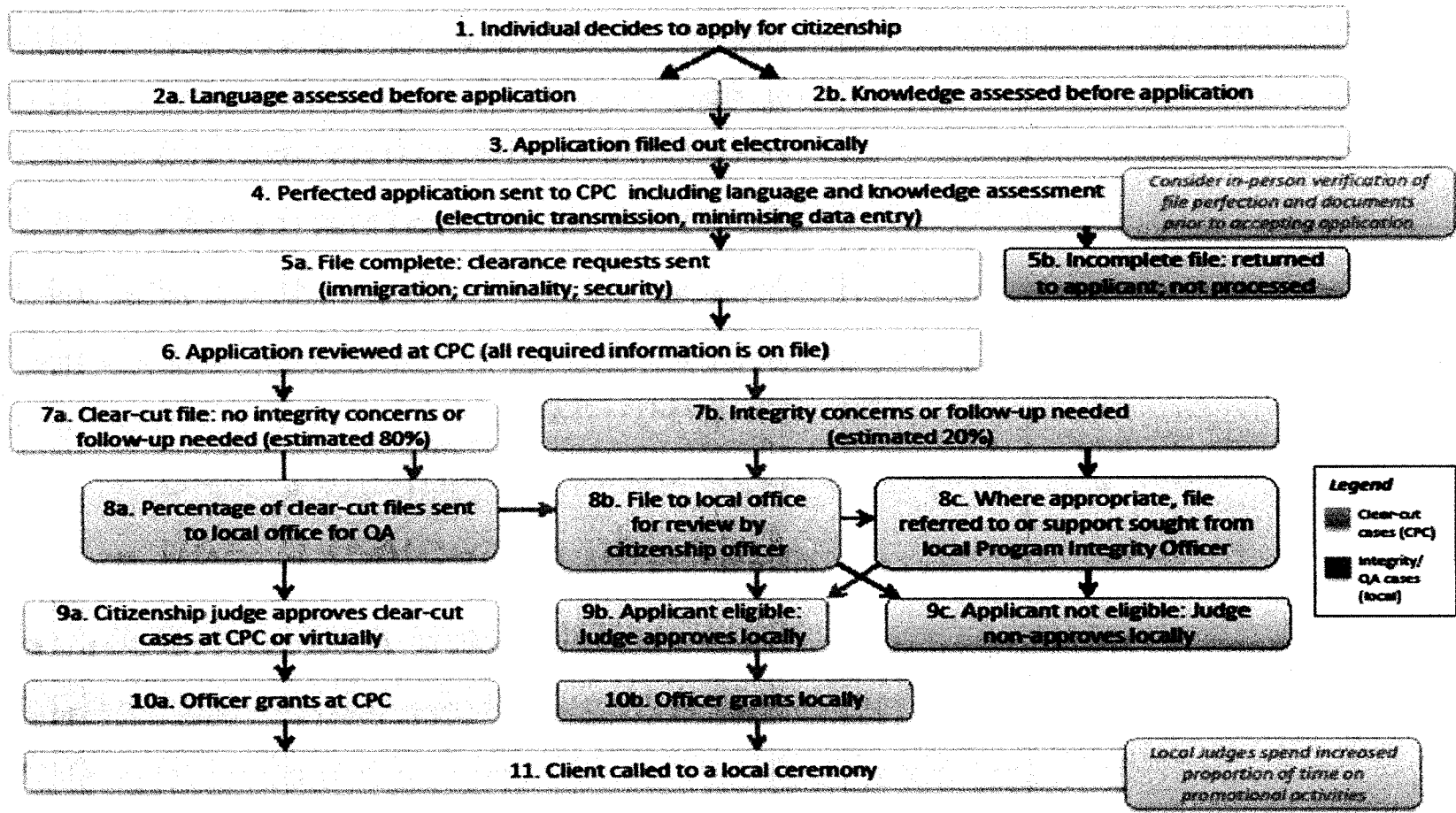
\*Includes 1,775 CEC Principal Applicants  
 \*\*Spouses and Dependants  
 \*\*\*Includes entrepreneurs, self-employed, investors, P/T nominees and live-in caregivers

# Annex 5: Detailed flowchart: recommended approach



\*Official can always refer to hearing if concerned about language

# Annex 6: CORE - Proposed Citizenship Process Model



## Annex 7: List of likely amendments to be made

- Regulatory amendments:
  - Reg. 3 (evidence upfront)
  - Reg. 14 (align criteria with CLB/NCLC 4, specify speaking and listening)
- Administrative changes:
  - CIC IT system and website
  - Citizenship Policy Manual
  - citizenship application forms
  - workflow issues
  - develop checklist for CPC Sydney



## Annex 8: Preferred alternative evidence

- LINC or LINC equivalent (provincially-run, federally-funded language training)
- Secondary education in French or English
- Post-secondary education in French or English

## Annex 9: List of tests equivalent to CLB/NCLC 4

Test	Listening	Reading	Writing	Speaking	Cost to app
CELP	2 High	2 High	2 High	2 High	\$250
IELTS (test after 28 Nov 2008)	4.5	3.5	4.0	4.0	\$285
IELTS (test before 28 Nov 2008)	4.0	4.0	4.0	4.0	Not applicable
TEF	Level 3, 145 pts	Level 3, 121 points	Level 3 – 181 points	Level 3 - 181 points	\$175 (listen/speak) \$360 (all skills)
LINC assessment	Completed LINC 3	Completed LINC 3	Completed LINC 3	Completed LINC 3	Free

Note: Precise correlations to be confirmed

## Annex 10: Explanation of calculations

133,908

- Adult citizenship grant applicants per year age 18-54 (2007-2009 average)

20,399

- Applicants from English/French speaking countries between ages 18-54

36,183

- Applicants assessed at immigration at minimum CLB/NCLC 4 (assuming 85% naturalization rate for 42,510 SW and CEC principal applicants\*)

18,000

- Applicants assessed at CLB/NCLC 4 or higher through LINC\*\* (85% of 21,000)

24,103

- Applicants studying in Canada to obtain high school, university or college diploma (18% of 2004 Citizenship Language Survey respondents)

35,223

- Remaining testing capacity to be developed

\*Of this number, 16,410 are Quebec principal applicants tested only for speaking and listening

\*\* May be some overlap between LINC participants and those already assessed at immigration, likely offset by numbers who have gone through other provincially run, federally funded language training programs



## Annex 11: International comparisons

Citizenship Language Testing	Canada	United States	Australia	New Zealand	United Kingdom	France
Requirement	Adequate knowledge of English or French	Understanding of English	Basic knowledge of English	Sufficient knowledge of English language	Ability to communicate in English, Welsh or Scottish Gaelic to an acceptable degree	Adequate knowledge of the French language
Criteria	CLB/NCLC level 4 - Comprehends basic spoken statements and questions, can convey orally or in writing basic information or answers to questions	Read, write and speak words in ordinary usage + excerpts from Service approved Textbooks on Citizenship written at the "elementary literacy level"	Able to exist independently in the wider Australian community	Manage independently in everyday situations	For native English speakers – successful completion of Life in UK test Non-English speakers – English for Speakers of Other Languages (ESOL) course	Lower than CEFR* level A1 (roughly below CLB 4). 4 levels: 4 = immediately eligible, 3 = deferred for 2 years, 2 or 1 = rejected
Assessment	Oral interaction with officer prior to written test and written knowledge test both used to assess language. Judge orally assesses if client fails test or officer flags concerns	Interview with officer – Read + Write 1/3 sentences correctly. Ability to speak English determined at naturalization application interview	20 question, computer-based, multiple-choice knowledge test, 75% pass or 20 hour course for groups unlikely to pass – completion replaces test	Review of standard of education, nature of employment, and any face-to-face communication with the office. Some applicants called for a 1 hr officer interview	24 question, Computer-based, multiple-choice test, 75% pass mark, successful completion of 3 ESOL levels (or Scottish Intermediate 1)	20-30 minute informal/conversational interview with officer. If rejected, referred for language classes (same as PR classes)