

Minutes

16 August 2020

12:00 – 1:00 PM EST

Zoom

Present: Karin Kazakevich (Chair), Rachael Glassman, Reilly Everitt-Cunningham, Sydney McIvor, Jordan Crocker, Alex Mulligan, Nushrah Amod

Regrets: Aishwariya Haran, Mario Lofranco, Akshay Aurora

This was an Emergency Meeting of the Legal and Literary Society Executive.

Call to Order (12:03 PM)

President's Items

L&L In-Person Policy

Karin: Need this meeting because precedent setting. Some clubs are hosting in-person events. BLSA holding a picnic but York is cancelling in-person things. There hasn't been a follow-up communication so the last thing we knew was that in-person events wasn't allowed. Messaged York Student Life Office. Response: York does not recognize in-person events. If something happens, York is not responsible. Also messaged Mya. Response: Don't want to create a separate policy on in-person events. Will abide by York's rules and abide by Ontario rules. Messaged York Risk Management Team. Response: York does not recognize off-campus events, in-person events are not allowed. In addition, the clubs are not recognized by York so by promoting them the liability would fall on students. If L&L promotes, then could be liable for \$2mil.

What do we do with liability for ourselves as well as how do we promote and encourage the events to happen? York will not help us — liability will fall on the club which is affiliated with L&L.

Don't like having to have everyone sign a waiver.

Could have a policy which states that students attend these events at their own risk. Not checking if health guidelines are followed. Make it clear that we do not take any responsible for any liability.

Rachael: 1L Discord server. Not moderating. They have been meeting in-person and organized events. Not organized on behalf of L&L. So, some people have met. Issue is O-Week. O-Week is part of L&L. Concerned about in-person events and the liability L&L could face. Could ask for waivers from the 1Ls. For other clubs = can't promote on our pages but can email members. Note to clubs that they have to adhere to guidelines. Stay 2-meters apart and get the COVID app. Can also have clubs sign saying that L&L has no liability.

Sydney: York hasn't got any guidelines for O-Week. Open to a waiver for the 1Ls. The logistics would be tricky in-person but can do it online. At this point I don't think based on Admin's reaction that it would be reasonable that we can't do it and have a stronger stance than Admin is having.

Karin: York would probably step in for O-Week. Online waiver a good idea. Let's park O-Week for now and talk about clubs.

Sydney: what if we only fund virtual events as well? Keeps them at arms length and is not sanctioning events. Ridiculous to ban and if people have to make these events 'cloak and dagger' could mean more risk.

Rachael: agreed. Students are worried that they won't be able to create virtual connections.

Sydney: most 1Ls in Toronto. 98% or so in the GTA for O-Week. Remaining 2% is everywhere.

Rachael: there needs to be a separation between these events and us. Not prohibiting but also not sanctioning. Partly due to the delayed 1L formal. People may be frustrated that we are doing events and the formal has been delayed to March.

Alex: about online events. Working on branding for everything. Every event is set-up so you can do it in your room, but you can also bubble up with friends and participate in the events with others. Branding will be 'grab your friends and join us for__'. If we prohibit in-person events then branding needs to change, but people are going to do in-person things anyway.

Karin: just strange that we're encouraging grabbing friends but also not supporting in-person club events.

Reilly: most important thing is to follow Ontario's guidelines. Could absolve some liability.

Alex: don't understand the liability argument. How can I sue BLSA? If I go to a restaurant and get COVID-19, I can't sue the restaurant. What is the legal opinion?

Karin: problem is we're not there to monitor the event and question of people voluntarily going to an event, but still we won't know if clubs follow the Ontario guidelines.

Rachael: not in a position to monitor what every club is doing. We can tell the clubs that they assume all risk. We will continue to fund online events.

Karin: would we have supported an event if it met every guideline? If we knew?

Sydney: until we get more guidance from York and Osgoode, best not to sanction the events. We need to be clear we will not sanction until we hear back.

Rachael: York's policy is that they don't recognize the events so can't sanction.

Karin: Not just during COVID, they don't usually recognize anyhow so that situation isn't really new.

Rachael: What about the 'no off-campus events' directive?

Karin: unclear if that directive is still in effect, people don't have an answer.

Reilly: Osgoode admin could support us more.

Karin: seems like admin is covering themselves.

Sydney: we don't have to set a policy and never change it.

Karin: what happens when people post in the groups?

Sydney: don't think we should restrict the posting, but we won't send any emails about it.

Rachael: we do moderate the pages. If we're not sanctioning, then we should remove the post. Fine to join the member lists and they can email but can't really sanction any promotion for these events.

Sydney: that will only drive people underground. 1Ls might not have that communication on the emails.

Rachael: need to protect L&L and if I need to remove a post that is against guidelines, then we can't have these promotions on our page. I have removed some posts this summer and can't have a different treatment.

Sydney: difference between prohibiting and not sanctioning.

Alex: when Reilly holds the clubs meeting, can she discourage in-person events and go with Sydney's point that it won't be funded by L&L and then have a waiver for those events that still go forward? Seems problematic to police the social media pages because then we don't know anything. Better to see what's happening and then call clubs out on what is happening.

Rachael: not saying I want to ban the events, but don't want our spaces to be used to promote these events. Not really a problem if we don't know what's happening.

Alex: But then we're intentionally turning a blind eye and could be approving funds for events which are held in-person. It's gonna happen. People are going to meet in-person. Might as well know what's going on and then if we see something ridiculous then can intervene.

Sydney: Equity seeking clubs are going to need to be supporting each other this year and they will need the support network. BLSA also has unofficial events. 1Ls need to feel like they have that community. Could alienate 1Ls.

Rachael: there is a difference between sanctioning, prohibiting, and promoting. Are we going to allow promoting on the pages and then add that L&L does not sanction the event? We're trying to have it both ways here.

Karin: could say: L&L discourages in-person events and if a club is hosting an in-person event, they are required to follow Toronto/Ontario health guidelines ([link](#)) and because L&L will not be present at the events, we take no responsibility. We should have every club sign a memorandum with us that specifies whatever happens we are not liable and that we encourage them to do waivers and we can provide you with a template waiver because at the end of the day the club will be responsible. Funding piece: could put us a step away, might get push back that clubs.

Sydney: firms are hesitant to sponsor in-person events as well.

Karin: Also, if clubs don't promote on our pages where will they promote?

Rachael: Could turn on FB feature where every post has to be approved by a moderator and then have them tell us where they are with waivers and such and that they have signed the MOU.

Reilly: can have it with ratification.

Karin: if the MOU is ratified then they know and if we have the policy pinned to the top of the website and email to students and are clear and transparent that could work. What about funding? Will there be push back?

Sydney: Can use the Accessibility Policy. Don't fund because in-person events aren't accessible to the immune compromised so they will not be funded.

Alex: Having the posting on FB will be good for us to be aware of what's going on. Should discourage in-person events, so the lack of funding is a good idea. People will just hold in-person events anyway.

Karin: what about the newsletter?

Rachael: no.

Jordan: Very uncomfortable with putting the information out via the newsletter. There is a difference between people posting on Facebook and us sending in the newsletter. Makes it look like we're promoting it. Don't think the newsletter should have in-person event advertising.

Alex: Agreed. End of the day, people will get together. Either say: you can't do in-person or if you are you do it this way.

Nushrah: agree with Alex. Let clubs know where we stand but in-person events would fall on the clubs.

Karin: Develop in-person event policy that we put on our website and send via email. Will discourage in-person events and they won't be shared in the newsletter. If in-person events still occur, L&L takes no responsibility because we are not the ones that are at the event. The students are going at their own risk. Additionally, will have an MOU with every club which states the above. Will also encourage waivers and provide a template. Can also outline health and safety guidelines. Clubs can post in-person events on FB, won't take it down.

Rachael: Until the MOU is signed, turn on the moderator post check and if they post we can make sure that the poster knows what to add.

Sydney: For O-Week we'll just use the O-Week pages. Can also add 'these guidelines are subject to change as York/Osgoode policy develops'.

Reilly: anticipating fielding a lot of questions about discouraging the events and can't say yes or no.

Alex: Say 'we discourage, but if you do it, then follow these guidelines.'

Karin: can also point to the policy. Now, O-Week.

Sydney: admin didn't even bring up waivers, but we should have waivers for the in-person events. Would be great to set up a waiver on the website. Checked with admin. Osgoode will be having in-person classes.

Rachael: 1Ls are aware for ELGC. Discord has tons of misinformation but mostly just doesn't intervene. Might need to take a more proactive stance with the Discord. FB is not popular. Tons of messages on Discord.

Karin: might be doing Discord just because they know people aren't monitoring there.

Rachael: there is an appetite to connect with upper years. Might be good to have a channel to ask an upper year.

Sydney: most of O-Week will be like that. After O-Week we can talk about it, but we don't necessarily need to make more work for ourselves.

Rachael: already talking about the curve. Karin: they'll start using the FB groups eventually probably. Right now, just anxious before O-Week starts. Will send policy to the group.

Motion: THAT the meeting be Adjourned.

(Crocker/Kazakevich) CARRIED

Adjournment (1:00 PM)

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Next Meeting

Sunday, 23 August 2020, 6:00PM EST