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Student Caucus of Osgoode Hall Law School

# Minutes

27 November 2019 (12:30pm – 2:30pm)

OHLS RM 2010

**Present:** Bobby MacKenzie (Chair), Sara Omar, Jordan Crocker, Mihail Salariu, Akshay Aurora, Andrew Tebbi, Rachael Glassman, Marcel Beaudoin, Priyanka Sharma

**Regrets:** Fatimah Khan, Gaby Pellerin, Madi Pulfer, Genevieve Giesbrecht, Sabah Kalim, Chloé Duggal, Nora Parker, Alannah Marrazza-Radeschi

**CALL TO ORDER** (12:34pm)

**APPROVAL OF THE AGENDA**

***Motion: THAT the Agenda be approved. (Crocker/Omar) CARRIED***

**APPROVAL OF THE PREVIOUS MINUTES**

***Motion: THAT the Caucus Minutes of 13 November 2019 be approved. (Crocker/Omar)***  
**CARRIED**

## **COMMENTS FROM THE EXECUTIVE**

Bobby: Faculty Council update. Bulletin board/planning for study space/banner/questionnaires

Sara: FC members have been good at sending minutes. Meeting schedule should be sent and availability should be sent ASAP if not decided on schedule. Any concerns can go to SC Exec.

## **REPORTS FROM COMMITTEES**

Sara: **Libraries and Clin-Ed: Library** – 1) Committee making commons policy, using prof materials and general support ON HOLD until approved by Faculty and review by YU libraries. 2) Omni-Search Interface since 2017 and may be rolled out. Journals can be searched at article level. Concerns on implementation. Late fees may be happening, but will likely be waived. Unclear if other library materials could be accessed.

Bobby: What prof materials?

Sara: Prof research and articles.

Bobby: Other Ontario schools adopting omni-interface (except UofT)

**Clin-Ed:** 1) Expanding mandate beyond what is is, 2) cohesion of planning process and 3) getting reviews done this year. Want to include mootings, etc, aside from just clinics/intensives. Doing this informally, want to do formally. Mooting is just a Director — want them to sit on Committee. Caution: not sure if this is a sustainable expansion. May consult with other Committees. CLASP/PCLS — have seats, but want to move beyond including some courses. Provide report to APPC and/or get involved before approval at APPC for a course. Law Society may also want to change praxicum requirements in line with Ryerson. Want to draft final doc and sent to APPC/FC by end of term. Adopted revised definition, part of materials. Broad. Experiential education not included just yet. Can email Sara with feedback. Not a final doc, just what has been approved.

Cohesion of planning process: past couple of years has seen a moratorium on new programs, but changing. Privacy Law/Animal Law clinics. Discussion so far only.

New planning document. Consultation with directors. Using terms like "best efforts" where they have approached but no response, they will note it and make best efforts to approve with feedback. Also proposed bona fide workplace requirements to be in the program description (speaking on phone, etc). Will provide liability protection. Too late now, but will be done for next year. Reviewing of programs hasn't been done, but doing so now, Last 3 years of students will be sent review doc. Working on what it will look like.

Two sub-committees: OPIR and Experiential Education. Sara will have reports next year.

**APPC:** Meeting now. Berger = looking for student perception on under 30 grading profile (median B+) because there is a conception that students may be gaming the system to get a better grade. Data was created and did not show this is what was happening. High proportion of A's usually under 10 students. Doesn't look like abuse of the system. Bobby: initial thought — same course could have under 30 or at 90 so different curve. Sara = happened a couple of years ago.

Racheal: people more concerned about prof teaching rather than median.

Marcel: happens occasionally, why not? Might be a good idea to have cap where grading profile is not of 'classic curve'. Rachael = that would be a nightmare for some courses. Marcel: not sure as to how to do it, but might need to look at.

Bobby: thresholds and you'll have different things to hand in. Big issue: Are students gaming the students? Bring up in new term. Berger = no possibility of change really

Pri: 1Ls ot familiar yet. Bobby: under 30 students have a different profile. Rachael: Median is up to prof. Pri: papers? Bobby: usually because they are seminars, but some exceptions. Pri: limiting student choice could be an issue. Jordan: cap already exists. Rachael: can waive.

**Admissions:** Andrew — LSAT electronic. Taken a while to get responses for essays. All grades are in, but written portion not in there. Will we be at a disadvantage if we get offers out later? What does it say if we were to ignore paper? Indication: other schools willing to wait. Os de will be in line with them. If other schools start offering, might change. Meeting used sample.

Review and discuss as Committee. Despite that, wild and subjective. Some pros: if your story didn't help your grades/LSAT then you should not accept, other pros disagree. If you have lower scores, your option to Osgoode isn't going to be there, but metrics aren't the whole story. Balance: lower your score, the more you need an explanation. Want people to get jobs, but also don't want cut-offs necessarily.

Marcel: Explanation as to why their scores are low?

Andrew: Three optional questions for equity. One question is to explain anything that is low.

Marcel: just wanted to make sure that if it were obvious so students had the opportunity. Also, students who are lower if they gave some specifics on type of law — may be more beneficial to adopt a nuance approach, there could be other good reasons for bringing someone in.

Andrew: We look at the nuances. Some stories are very compelling and wanted to offer the chance to do better.

Marcel: stats matter as well. UofT competition. Should be looking at view of school.

Andrew: That was the view of one camp. Need to keep standards high for respect in the legal profession.

Rachael: Many years ago, Osgoode did a report to make admissions more holistic. I take pride in that. Would rather diversity. Want to make sure the report is taken seriously.

Andrew: Lot of support behind that sentiment. There was an incident of someone with high scores, but terrible letters. Committee denied.

Bobby: Holistic approach, but not to the detriment of traditional stats. What are the numbers on how often low scores/story happens?

Andrew: high cut offs — 181 presumed admits last year and 35 accepts. Interviews are unique scenarios. Not sure what designation should be. Need some information in order to make decision. VERY FEW interviews. Have standard questions for interview. Some uniformity.

Rachael: Many interviews with mature students — why are you making the change and what experiences do you have? Why will it help

Michail: is that a problem that so few accept the offer out of presumed admits?

Bobby: Perspective. Get 3000 applications. Taking a  $\frac{1}{3}$  of top applicants is a pretty good number.

Andrew: so many factors

Marcel: how high would these scores be? Probably pretty high.

Jordan: Can't expect all of them to come.

Mihail: But should we be saying that we shouldn't expect them?

Pri: Some people do pick Oz over Ivy league/UofT and for various reasons. There should be weight to diversity. Oz offers something different.

Marcel: It's why I chose Oz, something that was different.

Bobby: It would be interesting to see the progression of students who were admitted holistically just to assure people.

Andrew: They do track LSAT and performance in first year. Weak correlation. Even if you have a low LSAT, good chance to be average just because of curve.

Pri: people can benefit from Oz resources and their personality should define how they will do.

**Pri-Fi:** No meeting/updates.

**Faculty Recruitment/Appointment:** Process is done. Pri: FAC — conflict of interest policy discussion vs collegiality which should disclose conflicts. Personal topic. Hard to speak at meetings, so how can students bring opinions? Thoughts? What concerns would you prioritize?

Bobby: conflict not necessarily a bad hire — need to focus on quality. Pri: what if two candidates that are equally merit based and faculty know one of them? Bobby: nature of making the decision.

Mihail: This is a group deciding. 'Fit' is important too. Pri: issue is that profs should tell Chair about conflicts but policy unclear so someone will say they went to a party with X and someone else will not disclose this. Mihail: But this is a group, the things you are saying will be around merits.

Sara: different conflict of interest policy for FAC and FRC?

Pri: Yes, FAC has not adopted York policy, FRC has. Issues with second degree conflicts, should profs be self-regulating?

Rachael: FRC/FAC should be on same page, profession is very small, but maybe not during actual process now. 2nd degree conflict doesn't mean I can't be unbiased.

Sara: reasonable apprehension of bias standard. Can't make changes during the process, but transparency moving forward.

Marcel: Objective standard is good. You could even be more informed and have a better opinion on candidacy if you know them in the 2nd degree conflict.

Rachael: Cities have integrity commissioners. If this is a concern going forward, having an independent person might be helpful.

**Working Group on Student Rights and Responsibilities:** Rachael: updated now. Feedback came back. Students don't know code exists. York students have to click they've read it when accepting place (terms and conditions), but Oz don't have to know about it (still applies to us). How to tell students that this is a Code that could help you.

Mihail: We could start ourselves. Look at it and speak with a different kind of authority.

Pri: infographic and campaign.

Sara: adding to Orientation package.

Rachael: building awareness. OSCR — reach out to student government heads.

**Digital Innovation (Marcel):** Strategic Plan. Trying to keep Oz at forefront. Challenge = tuition being rolled back. Can't really innovate. 15-20% loss of what they could be working with. YorkU looking at AI initiatives and how faculties could use. Centralization of IT between faculties and YorkU. York has most power, Oz needs to reach out and really can't fix issues on the spot. Might make sense to have a decentralized system in relation to Oz. 5-Year Plan revamp of myJD. Ability to see courses, career all in one location. Digital transcripts: Oz doesn't have jurisdiction but York is looking into this. Especially beneficial for Oz because of transcripts and how firms need PDFs. Student data and OneDrive = student data is everywhere. Want to centralize the system more.

Rachael: what data?

Marcel: Grades, application info, home address, etc. Looking at putting this together. Storage system, probably won't benefit us much but would help IT.

Mihail: is this part of the 42mil overhaul? Doesn't seem like there will be decentralization if York is investing so much.

Marcel: More of an autonomy for Oz to do what they need. So keep same system, but allow staff to do more. Benefits to centralization.

## **BUSINESS ARISING**

### ***OLD BUSINESS***

#### **1. CONSTITUTION AND BYLAWS (Jordan)**

***Motion: THAT Caucus approves the updated Caucus Constitution and Bylaws AND THAT Caucus directs the Director of Communications to put forward the updated Constitution for a vote at an AGM no later than March 2020. (Crocker/Aurora) CARRIED***

#### **APPROVED UNANIMOUSLY**

*The Vice-Chair took the minutes of the discussion of this agenda item*

Jordan: incorporated changes into constitution – spoke privately to Akshay, Bobby, Madi

We need  $\frac{2}{3}$  majority at this meeting to pass this. There are only 9 of us here. We need 7 votes to agree to this.

Andrew: any changes since last meeting?

Jordan: there have been – clinic intensives and exchange programs grouped under one heading

If you're running for an exec you can't be in a clinic, otherwise there's leeway

Bobby: all changes that were discussed have been incorporated

Rachael: to be brought forward at an AGM?

Jordan: Yes, at the time of speeches for elections as everyone is already there – can advertise accordingly.

Pri: when is AGM?

Jordan: March or Feb – have to talk to CEO (Malika)

Bobby: we'll talk about elections in the new year

Jordan: before new caucus comes in, there will be a new constitution they will follow – the one approved at the AGM

Rachael: does voting happen online?

Jordan: No, it will be done at the AGM. comments and questions can be raised at the meeting itself. In online votings, quorum is difficult. It's too stringent and very challenging.

As part of ratification process, the 3 execs have to put name on it or some way (year) and deposit physical copies with dufraimont so that it is set.

Rachael: deposit with L&L as well

Jordan: electronic and/or physical copy with L&L



Vote carried.

## ***NEW BUSINESS***

### **1. CLINICAL EDUCATION REVISED DEFINITIONS (Sara)**

Spoke to this in Reports from Committees.

### **2. WAGES FOR RESEARCH ASSISTANTS (Bobby)**

Bobby: we should look to change this. Look at other schools. Akshay: \$15 isn't a standard. Depends on profs. Bobby: should look at raising the minimum. Rachael: \$15 is the undergrad minimum. \$45 for TA at graduate level. So we can look at RAs. Not unreasonable to ask and use as benchmark.

Bobby: what are profs paying? Should pitch to increase the base-line.

## ***OTHER BUSINESS/UPDATES***

### **1. WINTER TERM MEETING TIMES (Jordan)**

Meeting times set. OEO needs to be informed and confirmed.

Jan 15 is the first meeting, 29, etc. skipping reading week.

Sara: inform committee chairs/admin assistants

Rachael: we need to meet our minimum number of meetings over the year so suggesting switching with us every other week.

Bobby: check in with all L&L and Caucus and pick your ideal dates then we can convene for people who sit on both meetings.

### **2. WINTER ACCESSIBILITY (Bobby)**

Bobby: Keep top-of-mind. Raise with Dufraimont and can develop a record. Deliberate approach this year, but we'll see.

### 3. FACULTY COUNCIL ATTENDANCE (Jordan)

Jordan: if you can't attend FAC please let me know – this was an important meeting (budget discussed)- missing 6-7 students people. Only ~10 people from Caucus present.

Please attend and otherwise let Jordan know why.

### 4. ANY FURTHER BUSINESS

**Mihail: course evaluations:** most profs have not allowed in time in class. Torts course eval has been problematic for Section D. They have had to take it down and lost all the data. Will make extra effort to fill out.

Bobby: unilateral decision by staff to eliminate in-person monitor. Implemented approach where they have done less, but students doing more. Gen reminded students. Will open up conversations and engage in discussion.

**Pri: Reach out to get another Oz student on the Free Speech Working Group?** Bobby: reached out, sounds like not. If there is an open call, feel free to reach out.

**Akshay: There aren't enough Indigenous Requirement Courses.** All 2Ls will be taking their indigenous requirement course next year! These courses are all small. One major class and others are 20 person seminars.

Jordan: We have discussed this at APPC. Gus noticed students aren't taking the requirement enough. Students told him there aren't enough courses!

Gus looking at having an indigenous course next year with multiple sections. We reminded Gus that students are not lazy in not fulfilling the requirement.

There was a course last year that was 'indigenous' but it wasn't in the basket.

Jordan: mix up of communication and some faculty not happy with that course being included in the basket.

Akshay: There is a problem with the term 'indigenous' being in the name –

Jordan: we haven't received this course in the APPC yet to re-evaluate it for being put in the basket. Will find out more and inform widely.

Akshay: the only way to find out if a course is in the basket is going in the course description – but it doesn't say it's not in the basket, just doesn't say anything about the basket at all

Rachael: prof who is on sabbatical this year is coming back next year and most 2Ls are waiting to get in it – better be a large course

Bobby: Gus has an understanding of number of students who need to take it. He knows the number of spots available now and later. I raised concern whether all of this is clear in 3 weeks when course selection/intensives/clinics application happens.

Admin needs to send an email in ~3 weeks when they're filling out apps to know their grad requirements i.e. indigenous requirement etc. A lot of clinics have same offering times over the past years. We can post and let students know via caucus as well

Rachael: has there been discussion about what will happen if they select those courses in course picking and they don't get it?

Bobby: priority will be given to students who require the course for grad i.e. 3Ls

***ADJOURNMENT (2:11pm)***