



Concordia Student Union - Council of Representatives

CSU Regular Council Meeting

Wednesday, February 14, 2024

H-711 OR via Zoom, 18h30

1. CALL TO ORDER

The Chairperson called this meeting to order at **18h40**

We would like to begin by acknowledging that Concordia University is located on unceded Indigenous lands. The Kanien'kehá:ka Nation is recognized as the custodians of the lands and waters on which we gather today. TiohÉá:ke/Montreal is historically known as a gathering place for many First Nations. Today, it is home to a diverse population of Indigenous and other peoples. We respect the continued connections with the past, present, and future in our ongoing relationships with Indigenous and other peoples within the Montreal community.

2. ROLL CALL

Chairperson: Michelle Lam

Council Minute Keeper: Kyla Renee Jallow

Executives present for the meeting were: Harley Martin (General Coordinator), Tanou Bah (Student Life Coordinator), Kareem Rahaman (Finance Coordinator), Maria Chitoroaga (Sustainability Coordinator), Christian Taboada (Internal Affairs Coordinator), Talya Diner (Loyola Coordinator) and Alexandrah Cardona (Academic & Advocacy Coordinator)

Executives absent for this meeting were: N/A

Councillors present for this meeting were: Adam Mills (Arts & Science), Moad Alhjoog (Arts & Science), Giancarlo Laurieri (Arts & Science), Ken Downe (Arts & Science), Dave Plant (Arts & Science), Salma Hashem (Arts & Science), Salma Abuaysheh (JMSB), Abdullah Al-Kabra (JMSB), Omar Hassanein (Gina Cody), Rohan Kumar (Gina Cody), Nizar Sukah (Gina Cody), Salma Hashem (Arts & Science), Ouswa Ben Rejeb (JMSB), Nassim Boutalbi (JMSB), Diana Levitin (JMSB), Riley Cooke (Arts & Science), Noor Al Afranji (Arts & Science), Zina Chouaibi (Arts & Science), Kareem Abdeen (Independent), Salma Bennani Khir (Arts & Science), Michael Lecchino (JMSB), Guillermo Sebastian Anderson-Diaz (Arts & Science), and Carleen Loney (Fine Arts)

Councillors absent for this meeting were: Baskaran Abishana (Independent), Isabella Providenti (Fine Arts), Gabriel Makinde (Fine Arts), Chana Leah Natanblut (Arts & Science)

Chairperson: **Hannah Jackson** has requested an excusal for tonight's meeting

Tanou Bah motions to excuse **Hannah Jackson**

Seconded by Alexandrah Cardona

3. APPROVAL OF THE AGENDA

4. CONSENT AGENDA

- a) Executive Reports
- b) Chairperson Report
- c) Approval of Previous Minutes
- d) Committee Minutes

Harley Martin motions to approve all items under the Consent Agenda

Seconded by **Kareem Rahaman**

5. PRESENTATIONS AND GUEST SPEAKERS

- a) CSU Legal Information Clinic

Walter: The LIC was open 16 years ago. At the time the CSU thought they needed a community based legal body.

Mandate:

The LIC is a free service that provides legal information, referrals, and accompaniment in both French and English to undergraduate and graduate students. The LIC offers information related to issues on immigration, discrimination, consumer protection law and any other areas of law. The LIC's mandate is to access to Justice also includes community outreach or collaborative projects with community organizations or other CSU departments.

On average, most clients require multiple consultations, appointments and follow-ups for legal information and assistance with complex and sensitive issues such as immigrants, discrimination, racial profiling, fines, sexual violence, contracts, civil dispute cases and much more.

Immigration:

We help with permanent resident applications, family sponsorships, and even visitor visas.

Discrimination:

Based on different factors such as; race, religion, ethnicity, disability, sexuality, etc

When we think about sexual violence from an outright space analysis – the prpbem with the cirminal jsutiice system is that it is not survivor centered on all kinds of discrimination- racial, ethnic, religious, sexaulity etc.

Consumer Protection:

Cell phone contracts, travel agencies, defective products, problems with a particular service or item

Our volunteer law students are available twenty hours per week.

They provide students with information on the law, procedures and resources. They also can explain how to write a letter of demand and fill in governmental forms. Additionally, they can refer students to other organisations or firms if needed.

Legal Network

We cannot represent people before the courts, but we can refer students to lawyers if needed. There is a Legal Network consisting of lawyers and notaries. The members of the Legal Network involved in a variety of ways from answering the Clinic Volunteers' questions to reducing their rates for legal consultations and fees.

Cases who benefitted from the LIC Legal Fee Fund May 2023 – Present

Legal representation and fees were provided for eight clients on the following subject matters:

- Receiving precarious temporary immigration status and obtaining permanent residency for an Asian survivor of conjugal violence
- Same-sex sexual harassment at work
- Review of Concordia policies on Sexual violence following lawsuit by survivor of sexual violence on campus
- Civil lawsuit against the city of Montreal police for gross negligence of survivor of sexual violence on campus
- Assisting a Palestinian refugee with Immigration Canada's overly restrictive Special Measure for Gaza to reunite with his wife.
- Defence of Black student criminally charged and assaulted by racist Concordia security guard during sports activity on campus
- **All of these complex ongoing cases involve clients who were traumatised and at risk, and who would be negatively affected should the services of the Clinic, who continuously supported them in addition to providing them with legal representation, be interrupted**

Accompaniment Service

While this is a limited service, we will do all in our power to try to answer your questions in a timely manner while staying within our legally imposed limitations.

Hannah (Supervising Lawyer): I am an external party to the CSU. However, I am deeply involved with the clinic and I want to explain that as a lawyer who has had a career for seven years now in community-oriented justice, what the clinic does is particularly unique. It is the empowerment model that I wish other clinics would replicate and it is also a clinic that we do not just provide. We help students understand their situation, understand the laws, what that means in practice, and understand the full course of actions that are presented, the risks and consequences of that. We spend an enormous amount of time with students trying to break down what is very opaque, the law. The law is a power structure that is incredibly horrible to interact with, especially if you have been a survivor of trauma. What the clinic does is we try to accompany the student and we try to make sure that the student has the social and emotional support they need as they go through these things. The clinic also has an important role in helping students get exam deferrals and hooking students up with services to support them beyond the legal issue. The trusted network of lawyers

that we have built up that we can refer students to is \$1,000,000 worth in value. These are lawyers that understand things like discrimination. They understand things like income issues They are lawyers that are competent.

Stephanie (LIC Volunteer): I was a volunteer from last winter until last fall. Around 50% of the cases the legal clinic has are cases of immigration law. By abolishing the clinic, the clinic's mandate will be abolished as well. Right now I am a student at UQAM and we have the legal protection that is offered by ASEQ. And I asked them a couple of questions and they said that they would not be able to offer any immigration resources or guidance for students that have questions regarding that. I think that it is important to consider that if you do decide to abolish the clinic, this new regime that is offered by ASEQ will not give any help regarding immigration questions. I also looked at the coverage the ASEQ offers and for labour law contracts, they do not offer any help for issues regarding health and safety.

Miranda (LIC Volunteer): The cases that we see are just so important, not only for the students but for the students who are trained at the clinic. I do not think that I would be the same lawyer that I am without having been with this clinic. A lot of the work that the legal clinic does is to keep students out of having to deal with lawyers, out of having to go to law firms to ask them questions. Most students cannot afford to work with lawyers and that is what the LIC is here for. The clinic has great reviews and gets positive feedback.

Esther (Student Testimony): My first encounter with the legal clinic was an urban planning class project I had with Chinatown. It involved research, land registration, etc. We do not have a legal program in Concordia, the legal clinic was a helpful resource because, as an urban planning student and undergraduate, we only have one legal class. That was not enough to cover all the complex laws and how Quebec works. So the LIC helped provide me with that information. The second encounter I had with them was when they informed us, international students, about new immigration policies that impacted Concordia, McGill and Bishops. As an international student, it is touching to see a student body that is connected with their students and actively informs them on important matters. The LIC also took another student and I to the Quebec Parliament to speak with the minister. That was a great opportunity for us to directly talk to the people who are in power. On top of that, I want to emphasize as a person receiving discrimination it is important to have an organization you can trust. The LIC actively helps students until the problem is completely resolved. The LIC is an important resource to the Concordia student network, and this is something that we need, an organization that we trust and we ask you to not abolish it.

Sharon: We are deeply concerned and we do not understand at all why a different plan would be brought in that is going to cost more to students, about three times more. There are many other reasons that the LIC should stay. This legal clinic has built up a network of competent, reputable lawyers who carefully go through the process of dealing with things. The LIC understands the stress and burdens students go through. We are a network of people who are sensitized and have a lot of experience in helping young people deal with all of the discrimination and harassment that they might have gone through. We refer students to this clinic because we know that they are going to be able to take care of them in a very sensitive way. After all, they have the community advocacy empowerment model. By ending the LIC you are taking away something essential for marginalized, vulnerable people who would not be able to access other forms of legal support. The legal clinic is an

essential part of our community and it would be tragic, it makes no sense to get rid of it, especially because it has been building up this reputation and this wealth of community-based knowledge for 15 years.

Walter: Some of the problems with the alternative, ASEQ is that it is a private legal insurance plan and when we are talking about access to justice, it is what the client is all about. When it comes down to it the LIC has to people look after. We are legal caregivers and we try to ensure that students have the capacity to continue to fight whatever case it may be. It is so difficult to provide for others when you do not know if your employer is going to back you. That is why we wanted to do this presentation to increase awareness and also bring a motion to the table.

Moad Alhjoor: You mentioned that as a legal clinic, you can provide representation, does this mean you hire external lawyers?

Sharon: As explained, not every student that comes to us needs a lawyer. We have several volunteers that help answer legal questions, advocate for the students, and help guide the students. Additionally, the lawyers we refer them to use a holistic approach and tend to be people who know, therefore they would not charge the same as a private company. The LIC does a lot of the work that a regular lawyer would charge \$300/hr.

Dave Plant: Thank you to everyone it was informative. I just wanted to ask the executives, why is this being cancelled?

Harley Martin: The executive is not submitting the motion today, Ken is, on behalf of the LIC, so that is why we are discussing this. We had an initial meeting with Walter on the 26th of January to discuss that. Coming out of that first meeting there were some issues and we wanted to address them. Initially in that meeting, our intent was to bring a proposal to the council for discussion at this meeting. We decided to postpone that given some of the concerns that have been raised to better address them. However, we are here tonight because the motion has been brought forward but the executive thought that more time was needed for evaluation and investigation.

Adam Mills: Thanks so much for coming here and presenting and giving us a great deal of information. The personal touch that you guys have indicated is extremely helpful to students. Are there any services that the alternative that you mentioned that McGill and other universities have? Is there anything that they provide that the LIC does not and if so if the LIC was given the resources, would the LIC be able to provide?

Walter: The LIC offers much more than any other legal information clinic in Quebec. This legal clinic supports student's advocacy efforts. We help students and we stand up for students when they need it most. We hold Concordia University accountable on behalf of the students. We answer to the students, we do not answer to the university.

Giancarlo Laurieri: In December 2023, you reported that you worked on ninety cases, and while that may seem like a lot, if there are 37,000 students at Concordia, that is a small number of cases. If we were to shift to a private firm, they would have more resources and funding to support more students.

Sharon: One must be very careful about numbers because the 90-95 students we help, each have complex cases. These cases take time as we must ensure the wellness of the students is our priority.

Walter: We have heard from law students from UQAM and McGill where ASEQ is available, and they mentioned the difficulties of access. Just because you pay more money does not mean you get better service. Instead of keeping the resources within the community run by the community owned by the community in the network supporting each other, the university now wants to give over the power to a private entity that does not connect with the Concordia community like we do. A lot of Concordia students probably do not know that such a service exists, but if we were to publicise this, the number of cases would go up. Additionally, if students have questions for a licensed lawyer, they will charge for their time, while the LIC does this for free. I would also like to add that any immigration case will not go towards the private company's numbers. Anything that they do not see as fundamental will not be covered.

Ken Downe: Does the LIC turn away students?

Walter: Even students who have graduated often come back and we still provide them help. We do not turn anyone away. We see at least two students a day during the three and a half hours that we are operational.

Giancarlo Laurieri: Of the 90 cases, how many of those were outsourced? How many cases can you handle at one time? What is the most you have dealt with?

Walter: Since October there have been hiring groups. Right now, we have two staff members and everyone else are contractual volunteers. In our budget right now, students would pay \$8 or \$9 a year vs the \$30 ASEQ charges. We try to provide quality services while keeping in mind the limitations for students.

Adam Mills: Do the case numbers include the full picture of in-depth interactions?

Walter: The case number does not include the full picture, every day people stop by for information, we do a lot of referrals to HOJO and other CSU organizations. The ninety cases are the more in-depth interactions, and we have a case management system. Transparency is very important to us to ensure that the organization can be held accountable.

Representative from The Link: One of the lawyers mentioned that you work three and a half operational hours.

Sharon: The clinic is open from 1-5

Walter: I am going to be honest; we are billing you about 3.5 hours at an extremely reduced rate. My colleague who does some supervising charges two times what she bills us because she believes in the clinic.

Harley Martin: I just want to point out that this is a procedural matter. Documents were not submitted, so it means that people are alluding to something in hypothetical terms. What we are attempting to do here is to discuss the merits of what has been brought up in this motion. You mentioned that the LIC is directly accountable to the student's response to the student's needs. There is some ambiguity in the motion.

Walter: We said we work using the knowledge of the caregiver for the LIC or any other CSU service is needed to operate in a safe and stable way. There needs to be stability.

Harley Martin: One the point of stability, there is a fee levy voted on by referendum. That is stability until that is overturned. We operate in a democratic environment that is stable when it comes to what the CSU does, but it is inherently subject to change like that. Therefore, the protection is already in place.

Ken Downe: I just wanted to address the way this has been brought to the council and the ambiguity that we are currently dealing with, and I want to state that this was brought up because the LIC received a notice on this proposal without having consulted with councillors. So, to all our knowledge we were just expecting a motion to be brought up by the executives at this meeting. That is what they told the legal clinic, which is why we are acting proactively, presumably that the motion would have been voted on in this meeting.

Giancarlo Laurieri: My question is, you represent all students and their legal rights, , given that you have limited resources and given that you are in your present state, can you fulfil your mandate to all students at Concordia University in an effective way?

Walter: I think there is some confusion as to what our mandate is. We are not the lawyers for all Concordia students. I suggest you take the time to read over the materials we provided and went over. We are a legal information clinic, an empowerment model, we provide services to anyone who comes through the door.

Representative from The Link: From my understanding, the LIC costs \$8 while ASEQ costs \$30. Why such a significant jump?

Alexandrah Cardona: We are discussing specific numbers the whys, pros and cons. We do not have a proposal today and a decision has not been made. There are multiple steps, and we must do our due diligence. What we are discussing today is too theoretical. I worry that evaluating something that is not on the table is not in anyone's interest. A lot of information was sent out to everyone except the executive team. The documents we received today were supposed to be sent since last Friday. I had to read over the information right before today's meeting.

Ken Downe presents motion

WHEREAS the CSU's Legal Information Clinic received on Friday, 26 January 2024, notice of the intent of this years' 2023-2024 CSU executives to abolish the Concordia community-based Clinic and replace it with external services from a private ASEQ legal insurance corporation (Studentcare Legal Care Program) outsourcing to private law firms;

WHEREAS the Clinic's long serving manager and senior supervising lawyer Walter Chi-Yan-Tom and CUPE union president Yu-Hui Yu were in shock since this announcement came without any warning or previous notice;

WHEREAS the Clinic uses an empowerment model to check the wellness of the student clientele and to take the necessary time and care to listen to them, their questions, their frustrations, their confusion and to help them arrange their thoughts;

WHEREAS with the assistance of supervising lawyers and law students, we initially meet and help clients to organize their documents and the facts pertaining to their situation, to understand

their needs and issues, both legal and non-legal, such as stress, trauma, academics, mental health, immigration or other difficulties affecting them in their immediate lives;

WHEREAS the Clinic carefully explains and educates students through legal information, research and examples on all their possible options so that they can come to a fully informed decision themselves on which choices are best for them, especially since they are the ones who will assume the consequences of their decisions;

WHEREAS the Clinic spends at least 2-8 hours for simpler cases and many more hours for more complex cases, applying a survivor-centered, trauma-informed approach, especially for those cases involving sexual violence, discrimination and trauma;

WHEREAS the Clinic is an integral part of the ecosystem of CSU services for students, Concordia and the community at large along with our in-depth grassroots knowledge and collaboration with the resources available to students at the CSU, Concordia University and Concordia community, (eg: HOJO, CSU Advocacy, International Student Office, Sexual Assault Resource Center, Counselling and Psychological Services, Centre for Gender Advocacy, Access Centre for Students with Disabilities, Multi-faith and Spirituality Centre, Center for Research Action and Race Relations, Solidarity Across Borders, etc. etc);

WHEREAS the Clinic provides timely, holistic, multifaceted, and intersectional services to persons in need;

WHEREAS the Clinic's mandate of access to justice also includes many community outreach or collaborative projects with community organizations or other CSU departments to address issues of systemic racism and discrimination, all of which will be abolished along with the Clinic;

WHEREAS by shutting down the Clinic and replacing and outsourcing its services to a private legal insurance corporation outside of the Concordia community, the CSU execs are acting against the fundamental values and principles of the CSU and the very reasons why the CSU formed its own student community-based services in the first place;

WHEREAS although the Clinic and its law student volunteers cannot act as lawyers for the

clients, the Clinic does provide legal representation and advice to students through our Legal Network list where we refer them to qualified and experienced lawyers and advocates, who are community- minded and engaged;

WHEREAS the Clinic has an annual budget line of at least 18000\$ for Legal Fee Funding which the Clinic provides to students who truly need a lawyer for legal representation and advice, especially if they do not qualify for government legal aid which pays for their lawyer's legal fees and costs;

WHEREAS the LIC's 2023-2024 annual budget is 375000\$ of which only 319000\$ comes from its CSU fee levy of 0.28\$/credit or about 8.4\$/academic year per undergrad (0,28 x 30 credits) and the rest consists of 50000\$ from the GSA, 6000\$ from work study;

WHEREAS the cost of the privatized ASEQ Studentcare Legal Care Program originally proposed and rejected in March 2021 was 25.00\$/academic year per undergrad, about THREE times more expensive for Concordia undergrads than the present Clinic fee levy;

WHEREAS for 2023-2024, the cost of the proposed privatized ASEQ Studentcare Legal Care Program for McGill Undergrads SSMU is 30.00\$ year, almost FOUR times more expensive than the present the present 8.40\$ fee levy for the Clinic;

WHEREAS upon verification of their websites and call centres, it is clear that ASEQ Studentcare Legal Insurance Program does not cover any legal services for immigration, which constitutes the majority of the cases usually handled by the Clinic in assisting and advocating for international students and their families, who are particularly vulnerable and marginalized;

WHEREAS ASEQ's legal insurance program declares it provides coverage for Human Rights disputes and Employment disputes, yet in reading the fine details, students are excluded from coverage if they eligible for legal representation services provided by a government agency, such as the Commission des droits de la personne et des droits de la jeunesse which handles

human rights complaints in Quebec or CNESST which handles labor standards and employment complaints;

WHEREAS occupational health and safety disputes are also excluded from ASEQ's legal representation services, but are issues which with which the Clinic can assist students;

~~**BE IT RESOLVED** that for the reasons mentioned hereinabove, the CSU Legal Information Clinic be maintained as a crucial service to members of the CSU, not to be replaced by private, outsourced service providers;~~

BE IT FURTHER RESOLVED that before a Motion can be considered for adoption to abolish the CSU Legal Information Clinic, the CSU must review and analyze the impact and effects such proposal would have in accordance with its own positions and policies, particularly on sexual violence, racism, social justice and discrimination;

BE IT FURTHER RESOLVED that before any CSU fee levy service be abolished, that there must be an obligatory proper and comprehensive review by Student Council for the reasons justifying the proposition, with due process and in accordance with all of the CSU regulations, bylaws and policies;

The budgetary impact is nil.

Seconded by Adam Mills

Guillermo Sebastian Anderson-Diaz: I would like to divide the motion and remove the first **Be it resolved** clause

Seconded by **Giancarlo**

Motivation

Guillermo Sebastian Anderson-Diaz: I would like for this to be further communicated with council and for us to be able to have both sides of the information before we pass any motion that says that the clinic must be maintained. We all need to be well informed on either decision we make

Chairperson (Michelle Lam): I am opening the floor for comments or questions for pro or against striking the first be it resolved clause

If there's no objection, the motion to amend has passed and the first be it resolve clause has been stricken from the main motion.

Chairperson: Are there any questions and comments on the main motion? If not, we can go into a vote for this one as well. Is there any objection?

Harley Martin motions to officially change the budgetary impact so that the budgetary impact is nil.

Seconded by **Kareem Rahaman**

There are no objections, this motion was passed unanimously by council.

6. APPOINTMENTS

a) Appointments Committee CEO Recommendations

Closed session

Harley motions to ratify the decisions from the closed session

Seconded by Moad

Motion to Appoint Chief Electoral Officer of the Concordia Student Union

WHEREAS the position of Chief Electoral Officer is currently vacant;

WHEREAS the Appointments Committee has reviewed applications and conducted interviews and decided upon a candidate;

BE IT RESOLVED that **Ekamjot Kaur** be appointed CEO of the CSU;

THE BUDGETARY IMPACT is nil.

8. NEW BUSINESS – SUBSTANTIVE

9. NEW BUSINESS – INFORMATIONAL

10. QUESTION PERIOD & BUSINESS ARISING

11. ANNOUNCEMENTS

Adam Mills: I have been building a councillor web page that you can see on the home page of the councillor SharePoint site. If there is anything you want to add, I would be more than happy to make it easier for people to find out everything that they need.

Giancarlo: What would the timeline look like for the issue we discussed today.

Kareem Rahaman: We need to collect data. This means depending on the amount of data it could take long or could be done in a short period of time.

12. ADJOURNMENT

Kareem Rahaman motions to adjourn meeting at **20h50**

Seconded by **Adam Mills**