



**HARVARD LAW SCHOOL
STUDENT BODY
SPRING TERM
TWO THOUSAND TWENTY-TWO**



RESOLUTION NO. R.-205-007

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A RESOLUTION TO: SUPPORT HLS DLSA'S MASKING POLICY REQUESTS

THE STUDENT BODY OF HARVARD LAW SCHOOL ENACTS:

WHEREAS, the COVID-19 pandemic has devastated our globe, infecting over 472 million people and claiming more than 6 million lives since its arrival in 2020; and

WHEREAS, people with disabilities are at special risk of contracting serious cases of or dying from COVID-19, and people with intellectual disabilities are nearly six times more likely to die from COVID-19 than the general population; and

WHEREAS, Harvard Law School has recently changed their masking policy to allow students, faculty, and staff to be unmasked in virtually all on-campus situations; and

WHEREAS, the Harvard Law School Disability Law Students Association (DLSA) recently published an open letter (Appendix 1) about the masking policy, asking that it be extended until the end of the 2021-22 academic year, or in the alternative, "to create mechanisms through which individuals can request that specific spaces retain an indoor masking policy;" and

WHEREAS, we acknowledge the longing to return to a sense of normalcy present on our campus and in our world, and we also recognize that "for people with disabilities, this moment represents the beginning of a period in which they must choose between public life and their health;" and

WHEREAS, students deserve an opportunity to provide input on these decisions impacting students with additional needs; and

THEREFORE, BE IT RESOLVED, Harvard Law School Student Government expresses its solidarity with HLS students with disabilities, and supports DLSA's efforts to amplify the voices of these students; and

BE IT FURTHER RESOLVED, Student Government requests that the HLS Administration respond to the open letter by, at the very least, fulfilling their request to set aside reservable spaces on campus for students who wish to retain an indoor masking policy.

PASSED IN THE STUDENT COUNCIL: March 23, 2022

VOTE TOTALS:

__7__ YES

__4__ NO

__0__ ABSTAIN

Open Letter About Masking Policy from HLS DLSA

By **Harvard Law School Disability Law Students Association** - March 7, 2022

Tuesday, March 8, 2022

Dear Dean Manning, Dean Soban, and Dean Ball,

We, the students of the Harvard Law School Disability Law Students Association, are writing to request that you either refrain from ending the Law School's masking policy until the end of the 2021-2022 school year, or, at minimum, create mechanisms through which individuals can request that specific spaces retain an indoor masking policy.

As Harvard has noted, several states and municipalities have recently decided to end various levels of mask mandates. In New York, [Governor Hochul ended the statewide mask mandate](#) on February 10th; in Massachusetts, state officials ended [the school mask mandate on February 28th](#). The city of Cambridge, meanwhile, has announced an [upcoming end to their mask mandate on March 14th](#). Some universities have also decided to eliminate their mask mandates, such as the [University of California at Berkeley, which will end its mandate on March 7th](#).

Yesterday, in an email to the Harvard Community, President Bacow announced that Harvard will no longer require masking in most indoor spaces. This announcement follows a recent email to the Harvard Community in which Executive Director Giang T. Nguyen announced that Harvard would no longer require instructors to wear masks during classroom instruction.

Many are heralding this easing of restrictions as an exciting step on the way back to normal. But for people with disabilities, this moment represents the beginning of a period in which they must choose between public life and their health. While non-disabled people may be able to easily deal with a coronavirus infection, people with disabilities still risk severe health consequences. And, as President Bacow recognized in his email, "we still have much to learn about long COVID and other consequences of the infection."

Yes, masking is inconvenient and often uncomfortable, but it can be a key accommodation that enables some students with disabilities to take part in Law School education and activities. Ultimately, it is a small price to pay.

Ending the HLS mask mandate prematurely, on the other hand, prioritizes the comfort of non-disabled people over the health, well-being, and lives of people with disabilities. Should the Law School follow the University-wide easing of restrictions, it will be asking students with disabilities to choose between their legal education and their safety. That is not a choice that any student should be asked to make, especially in the *middle* of a semester. Please consider this perspective as you continue to make health decisions for the HLS community. Students' lives are in your hands.

We respectfully request that you keep the existing mandatory mask indoors policy until the end of the 2022 spring semester. If you nevertheless decide to go ahead with the planned March 14 change

in masking policy, we request:

- An anonymous process through which students can request that professors for specific classes explicitly encourage students in their classrooms to keep their masks on while class is in session;
- An official communication from the Dean to the entire Harvard Law School community encouraging faculty, administrators, and student leaders to (1) create opportunities for students to share their concerns about the optional masking policy and (2) do what they can to alleviate those concerns within their classrooms and meeting spaces;
- An expanded class recording policy that will allow access to recordings for students unable to share indoors classroom spaces in close quarters with unmasked individuals.

These measures, at little cost to the school, will provide tremendous health benefits and needed assurance to many members of the community who, for fear of ostracism among other reasons, might refrain from speaking up against a university-wide policy.

Thank you for your time and for your consideration of the needs of students with disabilities.

Sincerely,

Harvard Law School Disability Law Students Association

Comments
