

AMS Elections Committee Report



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ELECTIONS Committee Report

Recommendations to be sent to the relevant committee for AMS Code Section IX Code Procedures A: Electoral Procedures

After the 2017 Elections it is clear to the AMS Elections Committee that the Electoral Procedures are due for some much needed updates. The following recommendations are made from the experience of this year's Elections Committee and after reviewing past election transition documents. We hope Council can adopt the recommendations sent to Governance Committee and Human Resources Committee to be completed and updated on to Council at the latest by the first meeting in August 2017. We hope Council can adopt recommendations sent to the Elections Committee for the 2017/18 academic year to be completed and updated on to Council at the latest by the first meeting in January 2018.

Written by Max Holmes

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Recommendation 1: Hiring Timeline for Elections Committee

This year's Elections Committee and past years' Elections Committees have been hired at different times in the year usually decided by the HR Committee. This year, the first EA was hired in September but resigned at the end of November. This left the AMS without an EA until the beginning of January. We feel that standardizing the hiring process for the EA and the rest of the Elections Committee will ensure they have enough time to transition and prepare for the elections.

The EA will not be needed until constituency by-elections in September so we suggest that Governance decide on a timeline to hire the EA around late August to early September. For the additional committee members (CRO, ECO/EO + CO) we recommend they be hired by late November. This will allow for the EA to plan for the elections and spend enough time transitioning into the role. It will also leave enough time to hire and transition the other Elections Committee members. Finally, this will give the EA and the Elections Committee to work with Sheldon on their relevant recommendations in this document.

Recommendation 1: BIRT Council direct Human Resources Committee to create a hiring timeline and change the term dates for the entire Elections Committee in the AMS Code of Procedure.

Recommendation 2: Abolish Events and Communications Officer

This was the first year the Elections Committee tried out a new role called the Events and Communications Officer. This year's ECO resigned before the elections without enough time to hire and transition a replacement. After reviewing old transition documents and this year's experience, the combining of the past roles of Events and Logistics Officer and Online Communications Officer into one role does not seem to have been successful. Combining these roles left the EA (before the resignation of the ECO) having to help with communications and events more than they should have. Separating the roles into two roles that equally divide the labor is probably the best option.

We do not recommend governance do a clean break and reinstitute the old positions. It makes more sense to create two new positions call Events Officer and Communications Officer. The EO will deal with events and the CO will deal with Communications. This will help the Elections Committee avoid situations where one person resigns or is in a conflict of interest and you lose

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one of two voting staff members on the Elections Committee(EA chairs and cannot vote). Finally, this helps with the committee restructuring explained in Recommendation 3.

Recommendation 2: BIRT Council direct Governance Committee to abolish the Events and Communications officer on the Elections Committee and replace the position with the Events Officer and the Communications Officer in the AMS Code of Procedure.

Recommendation 3: Elections Committee Restructure

With the new conflict of interest rules, the resignation of a committee member, and the consolidation of the Elections Committee it has become clear that the Elections Committee needs to be restructured. At first the Elections Committee had only 3 members; the EA, the CRO, and the ECO. With the EA having no voting power except to break a tie this left only two committee members voting on motions. If a conflict of interest did ever arise this would leave one committee member voting on an Elections Committee decision. The solution the Elections Committee came up with this year was to use the three empty seats on the committee and fill them with two poll clerks. This allowed for two members who had little to no interaction with candidates to sit on the committee.

We recommend the restructure of the Elections Committee to consist of the EA, the CRO, the EO, the CO, and two poll clerks. This will allow for a committee with 6 members chaired by the EA. If ever a conflict of interest does arise we know that the committee still has a sufficient amount of members to decide on an issue. Also, this will allow for quorum during the elections to be 4 members of the committee which is ideal with 4 members being staff who must attend meetings as part of their JD.

Recommendation 3: BIRT Council direct Governance Committee to restructure the Elections Committee to consist of 6 members chaired by the Elections Administrator in the AMS Code of Procedure.

Recommendation 4: Elections Committee Conflict of Interest Rules

This year's Elections Committee quickly realised that the Elections Committee has zero conflict of interest rules in AMS Code. The Elections Committee this year adopted conflict of interest rules in the Candidate's' Handbook but this left the rules to be followed and enforced by the people who created the rules. The rules this year were presented to Council and in the opinion of the Elections Committee were successful. Without these rules we worry that future Elections

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Committees could be plagued by complaints regarding impartiality. These rules will never get rid of those complaints but will show that Elections Committee does have specific rules that bind them to impartiality.

We highly recommend that these rules are not expanded any further than were created by the Elections Committee this year in the Candidate's Handbook. Expanding the rules any further risks making any job on the Elections Committee look unattractive to those who may want to apply.

Recommendation 4: BIRT Council direct Governance Committee to create conflict of interest rules for all Elections Committee members and a way to enforce these rules if broken in the AMS Code of Procedure.

Recommendation 5: Updating Electoral Procedures for Online Voting

The current Electoral Procedures laid out in Code are written for paper balloting with Article 13 amending the Code if we use online voting. This was created some time ago(2003) when we were just starting to explore and use online voting. We think at this point it is safe to say that online voting will be the standard method we use for voting. Currently, with the Electoral Procedures written the way they are it is possible for people to understand how online voting works but it would make more sense to eliminate the old sections that are irrelevant to our current method of voting.

We recommend that the Electoral Procedures be written for online voting and Article 13 lay out how voting happens if we use paper ballots. This will allow for a more up to date and relevant document for the Elections Committee and candidates to look at when trying to follow the rules or answer questions.

Recommendation 5: BIRT Council direct Governance Committee to update the Electoral Procedures for online voting and create an article laying out how paper balloting will proceed in the AMS Code of Procedure.

Recommendation 6: Abolish VoterMedia

VoterMedia has been the bane of the EA's existence for many years. With \$1500 being allocated towards blogs and forums only AMS hacks and people really interested in AMS read it seems to be a colossal waste of resources. Most of these blogs pop up right before the Elections and write the bare minimum of whatever requirements are set by the Elections Committee and collect their money. Some blogs do a very good job but even those that do a

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good job should not necessarily be receiving funding from the Elections Committee. If the AMS wishes to support alternative forms of media they should do so but the Elections Committee should not be the body to facilitate this contest. The Elections Committee receives limited funding and for \$1500 to go to blogs and media sources that either don't do a good job, copy the name of someone who does a good job, or do a good job but would probably cover the elections even if we didn't give them money is the definition of wasted resources.

We highly recommend that VoterMedia (Article 14) be abolished in its entirety from the Electoral Procedures. It is a waste of valuable money the Elections Committee could use to set up more poll stations, buy more advertising, order food at the debates, reimburse candidates, and so many other things that actually could help inform voters and increase turnout. If the AMS really wishes to support alternative media sources we recommend they have another body, not the Elections Committee, oversee that contest. However, we believe they should just get rid of this failed experiment completely.

Recommendation 6: BIRT Council direct Governance Committee to abolish VoterMedia from the Electoral Procedures in the AMS Code of Procedure.

Recommendation 7: Remove Posters as an Approved Method of Campaigning

Posters have always been a staple of student union elections(no pun intended). However, with so many other ways of campaigning interactively on social media and in person we feel their relevance has waned significantly. In January, the Elections Committee explored the option of limiting the amount of posters candidates can use. With little time the Elections Committee tried and found their was no real way this could be monitored effectively. The EA reviewed the reimbursement forms from this year and last year and found that some candidates spend \$0 on posters but found most candidates spend upwards of %80 of their funds on posters. The average came out to %60 of funds spent on posters alone. With the EA this year receiving upwards of almost 50 complaints about poster violations alone we can safely say posters take up the resources of both the candidates and the Elections Committee.

We recommend that posters be removed as an approved method of campaigning. If we want to encourage our candidates to interact with students and spend the money we reimburse them on real campaigning it may be time to get rid of posters entirely. This does not mean that candidates will receive any less money but rather they will be encouraged to spend their money passing out free food and beverages, handing out leaflets, creating videos, interacting on social media and so much more. When a poster is seen by a student it doesn't encourage them to vote rather it makes the candidate seem more familiar to voters. When candidates and their

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volunteers interact with students it has a greater chance of encouraging a student to vote and makes them even more familiar to voters.

Recommendation 7: BIRT Council direct Governance Committee to remove posters as an approved method of campaigning in Elections in the AMS Code of Procedure.

Recommendation 8: Election Committee Updates to Council

Currently the Elections Administrator and the Elections Committee as a whole report to Council. However, Code only requires the Elections Administrator to report the results of elections and referenda. This year the EA attended every Council meeting since being hired and made two reports to Council before the elections but this has not always been the case. Without presenting at Council the EA and Council lose valuable time to see the progress of the Elections and their planning. There can be no accountability of the EA if they do not have to attend Council meetings and only present when everything's said and done. The alternative that has happened over the years is the EA has told the President about their progress. We are hesitant to recommend this as the only reporting done by the EA until after the elections. We have had Presidents run in races often in the past (not this year) and Code is clearly written that EA reports to Council.

We recommend that the EA must attend one Council meeting every month and must attend the Council meeting before the beginning of elections and any Council meetings during the elections. This will ensure that the EA is available to answer questions from Councillors and can be held accountable. Also, we recommend that Council require the EA to present at the last Council Meeting before nominations open about the plan for elections and at the last Council Meeting before the All Candidates Meeting. This will allow Councillors to give any recommendations they may have and voice their opinion before the nominations and the elections begin. This is of course in addition to having to present the final results of the elections to Council which is already required in Code.

Recommendation 8: BIRT Council direct Governance Committee to require the Elections Administrator at times outlined in the attached document to attend Council meetings and to present to Council in the AMS Code of Procedure.

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Recommendation 9: Banning Candidates from Endorsing Candidates

Council is all too familiar with this conversation as they suspended Code in February that allowed candidates to endorse fellow candidates. In the past, this rule allowed candidates to endorse fellow candidates publicly and was allowed despite our rules against slating. Recently, EAs decided to limit the amount of people they could say this endorsement to (3 people). In the opinion of this year's EA that violated the Code that allowed candidates to publicly endorse other candidates. After the EA stated that to Council, Council decided to suspend the Code that allowed candidates to endorse fellow candidates. After that the Elections Committee voted unanimously on a rule saying candidates endorsing and/or supporting other candidates is slate like behavior. This was done because it was stated by many current Executives and Councillors that endorsing each other could lead to animosity between Executives if they got elected but someone they didn't publicly support got elected too.

We recommend that if we have abolished slating and wish to have elected officials work cohesively we must ban candidates from endorsing fellow candidates. Also, we highly recommend that candidates be banned from supporting each other's campaigns. We banned endorsements this year but we also banned candidates from supporting each other's campaigns. This means that even if you are in private with an executive at an organization who you want to endorse you, you cannot support another candidate. We feel this must be banned as well otherwise people will just use organizations to state who they endorse.

Recommendation 9: BIRT Council direct Governance Committee to ban candidates from endorsing and supporting other candidates running in elections in the AMS Code of Procedure.

Recommendation 10: Partial and Full Reimbursement Rules

The current partial and full reimbursement rules either can't apply to the Condorcet voting system or are impossible not to achieve even as the worse joke candidate. The Elections Committee understand the importance of reimbursements but also understands the importance of who receives reimbursements. In Code there is no such thing as a "joke" candidate. The only thing that can hamper a candidate is receiving a partial reimbursement or a full reimbursement. For the past five years, the partial reimbursement has been 30% of the spending limit and the full reimbursement has been 70% of the spending limit. Nowhere is this defined in Code but the Elections Committee has always decided on these limits. We believe that there needs to be

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accountability for candidates that do not put in any effort and candidates who receive little support from the student population.

We recommend that reimbursements either have one reimbursement level or two reimbursement levels (partial and full) and that these levels are set more realistically. Both of these options have their benefits and losses. Having one level of reimbursement ensures all candidates have a fair chance and we avoid the perception of a useless partial reimbursement level anyone can achieve. Having two more realistic and harder to achieve levels gives reimbursements, funded by student money, to those who have received support from the student body.

Recommendation 10: BIRT Council direct Governance Committee to update the reimbursement level requirements for candidates as outlined in the attached document in the AMS Code of Procedure.

Recommendation 11: Constituency Election Oversight

The current rules about constituency election oversight are outdated and do not cover basic rules. Currently, the EA oversees Simply Voting and helps in the creation of all of the constituency ballots. However, nowhere in Code does it explain the relationship/contract we establish with constituencies in relation to using our Simply Voting platform. Constituencies have also had issues with secrecy of the ballot when allowing candidates to go around on computers and having students vote for them on the computer. In an AMS Election this would be considered a major violation by any candidate. Also, some constituencies use the platform for departmental club elections. The oversight here is even far more ambiguous. If there is a complaint it is not clear if the VP Administration of the AMS deals with this issue or if the EA deals with this issue. The relationship the Elections Committee and AMS has with constituencies on clubs regarding their elections needs to be reviewed.

We recommend that the relationship between constituencies and clubs regarding elections be reviewed. We do not have any concrete recommendations on what needs to be changed but the Elections Committee feels this needs to be reviewed and instructions on the relationship need to be more clear.

Recommendation 11: BIRT Council direct Governance Committee to review the oversight of Constituency and Club elections by the AMS.

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Recommendation 12: Violations and Punishments for Candidates

Every year there is a new EA and new Elections Committee with views of how they should punish candidates for campaign violations. As much as it is important the EA have enough room to make their own decisions regarding punishments it is also important punishments are consistent not only for the same year but compared to past years. Currently Code is very ambiguous on how punishments are decided for candidates. It gives the power to the EA and the Elections Committee but does not layout how severe punishments should be. The closest it gets to this is when it recommends people receive a warning for a minor first time violation but even then it only suggests that this happens. Technically speaking an EA could take away a candidate's entire reimbursement amount for their second minor violation as long as the EA treats all other candidates the same way. We have a system set up where an Elections Committee can be appealed but harsh punishment in relation to past years or in general is not one of the reasons a committee decision can be overturned.

We recommend that there be stricter rules regarding how harsh penalties should be and what penalties should be used when. This year, the Elections Committee tried to have punishments that were related to the crime. If you used unapproved material you lost reimbursements for material, if you campaigned before the campaign period your campaigning was suspended for a time during the campaign period, if used a platform to campaign in an improper way you were banned from using that platform for a time, and so on. This helped relate what was done to what punishment was going to be received. This year, the Elections Committee also had what was called the First Official Warning. As long as the first violation a candidate committed was not a major violation then they received their First Official Warning. This warning would not be publicised and was used to allow candidates leeway for when they made a small first mistake. This was helpful because it showed to each candidate that although you need to follow the rules it is understandable that candidates make mistakes just like everyone else.

Recommendation 12: BIRT Council direct the Elections Committee for the 2017/18 academic year to create a more detailed candidate violation and punishment procedure in the AMS Code of Procedure for the Elections Committee to follow.

Recommendation 13: Referendum Regulations

Referendums have little to barely any rules in the Electoral Procedures. These rules are often hard for the Elections Committee to enforce especially when the punishments for violations are

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either very severe, nothing at all, or impossible to enforce. With only three referendums put forward by Council this year it was a relatively calm referendum campaign during the elections. However, the AMS at times broke certain (minor) rules regarding referendums but it was not clear how the Elections Committee could actually punish the AMS for this. This issue has often arisen in the past with far more controversial referendums too. Also, the AMS has no rules regarding how much student money they can spend on referendums. While yes and no committees are limited to \$1000 reimbursement the AMS has no limit. Currently, the committee can only punish referendum committee's with reimbursement penalties and campaigning penalties. There is no way to regulate third party campaigning in any form unlike the elections where candidates are held responsible for the actions of third party endorsers. The only thing the Elections Committee can do of consequence is disqualify the results of a referendum for gross and flagrant rule violations.

We recommend that there be a review of the regulations regarding referendums. Referendums can often be very controversial and can affect the entire student population. When we allow for rules to be broken because the rules cannot be enforced we risk making the system unfair towards those who cannot break the rules without consequences. There needs to be regulations regarding not only the actions of yes and no committees but also of third party entities and the AMS itself.

Recommendation 13: BIRT Council direct the Elections Committee for the 2017/18 academic year to review the referendum campaign regulations and create more enforceable rules for all referendum campaigns in the AMS Code of Procedure.

Recommendation 14: Uncontested Races and No-Campaigns

This issue has arisen not only during constituency elections but also during AMS elections. With uncontested races almost every year it seems those who run unopposed have little to no opposition. Part of the reason is we do not set out any way for someone to run a No campaign against an uncontested candidate. The Elections Committee was troubled by this because it essentially meant we would give a candidate up to \$350 to spend on their campaign when there is no organized opposition. If we wish to hold all candidates accountable and ensure fair elections we must have an organized system to oppose uncontested candidates.

We recommend that a system be set up to create a No Campaign for an uncontested race after the all candidates meeting and before voting begins. We suggest the rules for this are similar to the amount of money and rights candidates have in an election. This will ensure candidates who even run in uncontested race can have an opposition and can be held accountable.

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Recommendation 14: BIRT Council direct the Elections Committee for the 2017/18 academic year to create a No Campaign process for uncontested races in the AMS Code of Procedure.

Recommendation 15: Executive, Staff, and Council Involvement in Elections

This issue was first brought to the attention of the Elections Committee in the middle of the campaign period this year. Currently, Student Services is not allowed to be involved in the elections and the offices and resources of the AMS are not allowed to be used at all by any candidate during the elections. Often every year we have staff members who are very involved in campaigns or are even candidates themselves. Some people felt staff should be allowed to be involved in campaigns but should be careful not to discuss campaigning in any form in the offices. There was also a discussion on whether current Executives and Councillors should be allowed to volunteer or help other campaigns.

We recommend that there are clear rules about how involved staff, Executives, and Councillors should be in any election campaigns. We feel that the rules regarding Executives and Councillors should be the same or at least similar that way all board of director members are held equally accountable. We feel that staff should be allowed to be involved in campaigns however there should be strict rules regarding conduct in the office during elections. We feel these rules will ensure the AMS keeps its neutrality in tact during the elections but also allows students who are involved in the AMS to be involved in campaigns too.

Recommendation 15: BIRT Council direct the Elections Committee for the 2017/18 academic year to create new rules regarding the involvement of student staff, executives, and Councillors in the AMS elections in the AMS Code of Procedure.

Recommendation 16: Affordability of Campaigning for Candidates

Currently candidates are reimbursed for their campaign expenditures after they spend a significant amount of money on their campaign. It is not affordable for many people to spend up to \$500 and wait until a week or two after the elections to receive their reimbursement. This leaves potential candidates who wish to run in a situation where they may be discouraged and decide not to run in the elections. An idea has been explored for the AMS elections to create an invoice system where candidates can receive money before the campaign period allowing them to not have to spend their own money on their campaign material.

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We recommend that there be a system created that allows for candidates to receive money before the campaign period but they must be bound by a contract to repay that money if they withdraw from the race or don't hit the full reimbursement mark. This will help candidates who cannot afford up to \$500 of their own money on campaign material. Hopefully, this system may also encourage candidates to run who might not have otherwise. This system must have a contract that clearly stipulates that candidates must repay any money given to them that they fail to spend, if they don't meet the full reimbursement threshold, and/or they withdraw from the elections before the results are announced.

Recommendation 16: BIRT Council direct the Elections Committee for the 2017/18 academic year to create a system that allows candidates to receive reimbursement money before the campaign period to alleviate candidate's financial burdens in the AMS Code of Procedure.