

September 2020 COMMITTEE REPORT TO AMS COUNCIL:

AMS Governance Committee

September 30, 2020

Prepared by Sebastian Cooper, Chair



Govcomm meets weekly or biweekly (at a set time to be determined once reconstitution is complete)

(Zoom link: <https://zoom.us/j/91681615917>).

1. Works in progress:

AMS Bylaws

Govcomm is working with the AMS President and his office on proposed bylaw amendments that could be brought forward at the AMS AGM. This includes a review of past bylaw amendment proposals that received enough votes in referenda but did not meet quorum to be applicable. The aim to bring these forward as a consultation to Council, and then have Council vote on them at a special meeting.

AMS Disciplinary Action / Ad Hoc Governance Committee Review

Govcomm has been mandated by Council to “Investigate new guidelines or procedures regarding disciplinary action at AMS Council and report back to Council with a report and/or relevant Code changes by the last Council meeting of August”. Following discussions regarding research undertaken by Justin Zheng into the practices of other Canadian universities’ student societies, Sheldon Goldfarb, Clerk, drafted potential Code language to create a Discipline Committee. The aim is to provide a mechanism for Council to ensure both Councillors and Executive are able to fulfill their mandates effectively. Govcomm will be bringing the draft Code language to Council for consultation.

Committees and Chair Transitions

Govcomm has discussed the issue of committee members, committee chairs, and executives not receiving adequate assistance with transitions. Following discussions with the AMS President and his office, Govcomm is continuing to look at the issue, including the potential creation of a new Policy on Transitions (I-23). Thus far, Govcomm has created a draft based on previous Code requirements for transition reports and has reached out to outgoing chairs for their input.

Vote Tallies on Recommendations from Committee

Following a recommendation from the President’s office, Govcomm has looked at introducing a requirement that when Committees make recommendations to Council, such motions include a vote count representing the margin by which they passed through the Committee stage. Sheldon Goldfarb, Clerk, has drafted Code language, which Govcomm will bring forward to Council.

Membership of Representatives from the Senate and the Board of Governors on AMS committees

Following a recommendation from the President’s office, Govcomm has looked at whether representatives from the Student Senate Caucus as well as the Board of Governors should continue to

hold voting positions on Committees, given their lack of an explicit fiduciary duty to the AMS. Govcomm reached out to the current reps for input. Govcomm will likely be moving forward by including a reminder of the reps' obligations regarding conflict of interest in the Committee Chair transition report; this should ensure that reps on Committees are not able to vote where it would be a conflict of interest for them to do so.

I-1: Policy on Policies

Following a recommendation from the President's office, Govcomm is looking at amending Policy I-1 to include framework-level policies, such as the AMS Sustainability Action Plan and the AMS Equity Plan, to ensure such plans have formal recognition and standing.

Policy I-9 / Executive KPIs

Following discussion at the June Council meeting regarding the AMS Executive Goals for 2020-2021, Govcomm has discussed Policy I-9, especially with regards to the requirement that the Goals include Key Performance Indicators (para 13). Given that Policy I-9 is up for review by Govcomm in February 2021, we will be continuing our discussion of this topic later in the year. We also hope that our examination at that time will be partially informed by Executives' updates to Council regarding their KPIs.

Committee reporting

The President's office has recommended changes to how Committee Chairs report to Council. Govcomm has requested draft reports of the proposed changes, to better evaluate them.

Constituency Membership

Govcomm is looking at this project, which was first raised by the previous Govcomm (2019-2020). Some AMS members are not represented by constituencies, and others are represented by more than one constituency. The first issue presents an obvious concern regarding democratic representation. The second represents a concern regarding students in the same situation paying different student fees. Govcomm has examined the materials developed by last year's Committee and has spoken with Katherine Westerlund (Govcomm chair 2019-2020). Govcomm is considering whether to pursue this project at this time.

2. Works completed:

Distance Education - Code Definition

AMS Code provides that Active Members taking only distance education courses are exempt from paying Society fees. Govcomm proposed a clarification to Code that distance education courses do not refer to courses that are regularly in-person but have been moved online due to COVID-19. (Definition adopted by Council on June 24).

Finance and Operations Committee Chairpersonships

After considering the motion from Council that the VPs Finance and Administration no longer be required to chair the Finance and Operations Committees, respectively, Govcomm brought this change forward to Council for approval, to be in place for the September reconstitution of committees. Govcomm aims to evaluate this change before May 2021. (Adopted by Council on July 30.)

Policy I-21 / AMS Committee Appointments

After working closely with the AMS President's office, Govcomm brought forward Policy I-21, *Policy on Committee Appointments* to Council on August 26. Govcomm's priorities in the drafting of I-21 were to address the issues of efficiency and accessibility that arose during the May 2020 appointment process and to provide a clear and streamlined process for appointing members to AMS Council. (Policy I-21 and associated Code changes was adopted by Council on August 26.)

Change to AMS Code Section 9, A, Article 9, (l) and (m)

Govcomm worked with the AMS Chief Electoral Officer to ensure that the Code allowed for the common practice of constituencies to have certain elected positions that represent groups based on year standing. Elections officials have never considered these positions, for which both candidates and voters are restricted based on affiliation with that year or program, to be in contravention of Code. It has been understood that these positions follow the spirit, if not the exact letter of the law. Therefore, amendments were brought forward to Council to bring the wording of the clauses into line with longstanding AMS Elections official interpretation, they should specify that these rules apply within the bounds of representation. (Adopted by Council on September 16, 2020).