

NOVEMBER 2020 COMMITTEE REPORT TO AMS COUNCIL:

AMS Governance Committee

November 25, 2020

Prepared by Sebastian Cooper, Chair



Govcomm meets weekly or biweekly at 4pm on Mondays (Zoom link: <https://zoom.us/j/91681615917>).

1. Works in progress:

Ethics and Accountability Committee

Govcomm was 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.” Following discussions regarding research undertaken by Justin Zheng into the practices of other Canadian universities’ student societies, Govcomm drafted Code language to create a committee that would be responsible for such issues. The proposed Ethics and Accountability Committee to look into issues involving violations of the Society’s Constitution Code, Bylaws, Policies, or where a member of Council has otherwise brought the Society into disrepute. The Committee would be empowered to recommend a wide range of measures, from asking for an apology to requiring reports or training, in addition to the option of censure. The final decision on what measures to take would still be up to Council.

Govcomm brought this proposal to Council for consultation on October 23, 2020 and met subsequently to edit the proposed language in response to that feedback, including making Council Speaker chair, using a new name for the Committee, and excising references to discipline. Govcomm will bring this edited proposal to Council for approval on November 25, 2020.

Committees and Chair Transitions

Govcomm has discussed the issue of committee members, committee chairs, and executives not receiving adequate assistance with transitions. After consulting with outgoing and incoming committee chairs in September and October, Govcomm has drafted I-22 Policy on Committee Chair Transition Reports. Govcomm has aimed to create language that would provide clear guidance to outgoing chairs as to what is expected of them, and that would ensure continuity of work between years. Govcomm brought draft I-22 to Council for consultation on October 23, 2020. Work continues.

Code Amendments – Bylaws

Clerk of Council prepared Code amendments required to ensure that it remains consistent with AMS Bylaws, following the Bylaw amendments accepted at the AMS AGM. Govcomm has reviewed the amendments and will bring them to Council for approval on November 25, 2020.

Code Amendments Necessary for a COVID-safe AMS Election

Govcomm has met with Isabelle Ava-Pointon, Chief Electoral Officer, to discuss potential Code amendments and suspensions required to ensure the AMS election can be carried out in a manner that reflects public health guidelines. Govcomm will continue to assist the Chief Electoral Officer.

I-21: Committee Appointments

Following a suggestion from the VP Finance, Govcomm is exploring amending I-21 to give greater clarity to what should be contained in the written statements provided by committee chair nominees.

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. Following consultations, Govcomm will move forward by including a reminder of the reps' obligations regarding conflicts of interest in the Committee Chair transition report; this should ensure that reps on Committees are not able to vote where they would be in a conflict of interest.

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 is reviewing draft templates provided by the President's office.

Constituency Membership

This issue 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 recommending that the AMS website be updated to include information for students facing these issues, including information on who to contact for assistance. Govcomm Chair has also met with the GSS on this issue, who are pursuing the issue of representation for post-bac certificates.

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).

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. (Adopted by Council on September 30, 2020.)

AMS Bylaws

Govcomm has worked with Council, the Executive, and with the AMS President on proposed bylaw amendments that will be brought forward at the AMS AGM. Council was consulted on September 30, 2020 and approved the majority of proposed amendments on October 7, 2020. All bylaw amendments were passed at the AMS AGM on October 29. Govcomm will also consider reviewing the proposed amendments that Council decided on October 7, 2020 to not approve for the AGM.

I-1: Policy on Policies

I-1 was up for review this year. Govcomm reviewed the policy and, after consultation with the President's office, determined that there was a governance gap regarding AMS strategic-level plans (e.g. AMS Sustainability Action Plan). Govcomm subsequently proposed amendments to I-1 clarify that it does not apply to strategic plans or frameworks (given the nature of strategic plans, it would be highly impractical to force them into the policy template required by I-1). Govcomm also proposed Code changes that clarified Council's ability to create strategic plans and frameworks. The proposals were presented to and accepted by Council on October 23.