



Office of the President

November 18th, 2020

Dear Council,

I regret to inform you that upon an initial internal investigation, I have reason to believe that the Society's Vice-President External Affairs, Mr. Kalith Nanayakkara, has been in violation of the Society's conflict of interest rules. While our conflict of interest rules largely rely on Directors self-governing themselves, recent circumstances led to an internal review. The Society's conflict of interest rules are intentionally broad, covering both significant and more minor infractions like this one.

On August 25th, 2020, Mr. Nanayakkara sent an invoice to the AMS Events Manager on behalf of a Mr. Justin Chan, affiliated with both ThePlug Vancouver (Mr. Nanayakkara's own organization) and previously AMS Events for \$600.00 for filming and editing services. While I believe that Mr. Nanayakkara did not personally benefit from the transaction, this action in my opinion is still in violation of AMS Code of Procedure Section II, Article 1, Subsections (3) (11) and (13). Mr. Nanayakkara also technically utilized AMS resources (his email) to coordinate business on behalf of both the AMS and the Plug concurrently, which in my opinion is a violation of AMS Code of Procedure Section II, Article 1, Subsections (3) (10) (11) and (13).

While these violations of the Society's conflict of interest rules are important to consider, I do strongly believe that Mr. Nanayakkara believed he was keeping his interests separate, and that these interactions are honest mistakes due to a lack of careful consideration and judgement. After the release of the #FirstweekPlug series, I in my capacity as President had informally warned Mr. Nanayakkara to be more considerate of his position and to be aware of the Society's conflict of interest rules. After these discussions, Mr. Nanayakkara noted he made efforts to further separate his two roles.

However, as a Society we must uphold a strong stance on issues of conflict of interest, and ignorance or lack of judgement are not excuses for violations of these rules. This upcoming meeting I will be making the following motion to encourage the newly formed Ethics and Accountability Committee to look into disciplinary or other measures for Mr. Nanayakkara.

BE IT RESOLVED THAT AMS Council refers the case of the Vice-President External Affairs and his apparent conflict of interest to the Ethics and Accountability Committee for review.

It is important for Councillors to also consider that Mr. Nanayakkara now recognizes that his decisions were in violation of our conflict of interest rules, and sincerely regrets these actions.

Please see below for a letter from Mr. Nanayakkara, and additional materials relating to this issue.

Kind Regards,



Cole Evans

AMS President

AMS Student Society of UBC Vancouver | ams.ubc.ca/leadership

T 604 822 3972



Office of the Vice-President, External Affairs

November 17th, 2020

Dear AMS Councillors,

I hope you're all keeping healthy, safe, and happy during these extraordinary times. It's very easy to get lost in all of the uncertainty surrounding our livelihood these days but I hope you're reserving some time for yourselves as well as for those you love.

I am writing to you to sincerely apologize for not taking active steps to avoid the email-related conflict of interest I have towards our Alma Mater Society as a result of simultaneously serving as your VP External Affairs, and being the Founder and President of ThePlug Vancouver. In virtue of electing me as an Executive of the AMS, students have bestowed upon me the honour and privilege of representing them through this great organization of ours, which I will forever be grateful for. With this role comes a responsibility of carrying out my duties in a manner which does not make any of our members question my trustworthiness, loyalty, and/or service towards students. However, this is a responsibility I have failed to uphold. This letter, which serves as an apology and an expression of my regret for not identifying the conflict of interest earlier on, is also written to give you some context, an understanding of how this situation came to be, and how I will be working on addressing any future conflicts of interest. I hope that you read it in its entirety to see the full picture and understand that this is a wholehearted apology supplemented with an explanation of what happened.

I would like to begin by discussing my role within ThePlug, and preface this by also mentioning that using my role as an AMS Executive to benefit this startup for my personal gain is truly not my intention, never has, and never will be. It must also be made clear that neither myself, nor ThePlug has benefited as a result of my role within our Society. Not once have I hid the fact that I started and have been leading ThePlug since its inception in August of 2019.

My role as the Founder and President of this events, media, and marketing startup is something that I have always proudly displayed. It has been visible publicly on all my social media such as Instagram, Facebook and LinkedIn since long before I even considered running for VP External Affairs. In fact, during my election campaign back in early 2020, I openly discussed my role within ThePlug, and how the leadership, communication and the people skills I gained and continue to learn from the role, would benefit the AMS as an Executive. Whether it was through classroom announcements, my campaign Facebook page, campaign website, campaign ads, etc., this information was something I always drew on in order to gain support during the race. I am proud of all the hard work, sacrifices, and sweat and tears I have put toward building this organization



that was built on the idea of enhancing the campus life experience for students, which has now grown to a community of almost 7,000 people, voluntarily led by a team of over 30 passionate, dedicated and talented full time UBC students. I hope this communicates the intentions behind the series of events that occurred, and that I would never risk losing all of my accomplishments with ThePlug or negatively impacting my work for students as a result of any perceived conflict of interest by the Board or student body.

The next item I'd like to address is the relationship between ThePlug Vancouver and AMS Events. These two organizations have been collaborating long before I was VP External Affairs. For example, the first official partnership was in the first week of September 2019, a month after ThePlug was founded. This was when ThePlug gave away Welcome Back BBQ tickets which were donated by AMS Events due to our strong first-year student base. This strong relationship has continued consistently for over a year now with the two student-centric teams getting more and more comfortable working together, and pushing each other to grow as much as possible. My personal relationship with AMS Events was initiated back in my second year of university when I performed at Block Party 2019 as a bassist alongside my band. The department at the time was under different leadership & management.

Another key reason this relationship continued on even after I was elected VP External Affairs was because ThePlug Vancouver, in addition to its primary Instagram page (@theplugubc) also manages a few other pages, most notably a page that had garnered a following of several thousand first-year students at UBC, which AMS Events wanted access to. With AMS Events beginning to release Firstweek events and initiatives amidst the ongoing pandemic, the department faced unprecedented challenges reaching its targeted audience, and as a result, decided to contact the most popular first-year Instagram page at the time which was, as I mentioned just above, run by ThePlug. With the team at ThePlug having worked with AMS Events multiple times before, they agreed to allow AMS Events to use that page which resulted with a video series produced by the two organizations called AMS #FirstweekPlug that was catered to these incoming UBC students. This video series was supplemented by two giveaways, one iPad and a pair of AirPods. It is very important to make clear that ThePlug did not make any direct or indirect monetary gain out of this relationship, and that this collaboration as well as those that followed were led by team members of ThePlug, and not me. As a result of gaining access to this page that was owned and managed by ThePlug, its unique audience, and all of the engagements and benefits that come with it, AMS Events paid for the videographer that was independently contracted to make the AMS #FirstweekPlug videos and to cover half of the cost of the giveaways. This videographer has worked with AMS Events in the past prior to ThePlug being founded.



While not attending meetings in order to distance myself from AMS Events and ThePlug partnerships, the videographer's invoice for the project mentioned above was sent through my professional AMS email, which upon reflection was an unintentional conflict of interest.

As I elaborate later, ThePlug should have not worked with AMS Events to any extent while I serve my current role to avoid any perception of conflict of interest. Through this collaboration, AMS Events was able to post and promote whatever they wanted on the aforementioned Instagram page and engage with ThePlug audience to their liking. It would also be helpful to clarify that this was ThePlug Vancouver team's way of giving back to AMS Events for helping us when we first started in 2019 by donating Welcome Back BBQ tickets to be given away. That being said, I can see how and why students would question my ethics and accountability while holding these two influential positions, and that I should have known better and not allowed ThePlug to collaborate with AMS Events while I serve my term as an Executive of the AMS. Again, I sincerely apologize for this and regret my actions.

I accept and welcome all of the criticism and negative remarks I have received on both a personal and professional level for my actions.

As someone that has always and consistently worked either part time or full time jobs over the past 6 years to fund my own education and living alone, while being a new immigrant, full time student, and balancing all my numerous extracurriculars, I have proudly worked very hard to get to where I am at the age of 21. I always strive to learn from my failures and become a better person than I was the day before, and I hope that you see that I have nothing but profound regret for my lack of better judgement. This is a mistake that I should have avoided by putting more thought and consideration into my decisions. I truly care about the students of this university, and I work tirelessly every day to live up to the promises I made to the students that trusted me to be the Vice-President External Affairs of their AMS, whether it's working 60-hour weeks, going to the office during weekends and often putting my work duties before my own education and personal wellbeing. My goal is to leave a strong positive impact on the lives of our members through my work as an advocate and an AMS Executive during my term and I will do whatever it takes to achieve that. My strong commitment to this is not only because of my role, its expectations, or my legacy within the AMS but because I have experienced a variety of hardships that students face, which I am passionate about resolving through this privileged position that I am currently in. Moving forward for the rest of my term, all AMS Events and ThePlug collaborations will cease to exist immediately.

I truly am grateful for the Board's considerateness and sympathy in this anomalous situation, and I hope you get a chance to review the exceptionally successful work that has been accomplished by the External Affairs Office under my leadership over the past few months on the job in the upcoming midterm review.



I would also like to thank the Board for taking the time and effort to read this letter in its entirety. I wanted to include as many details as I could to be as transparent as possible. I am an open book, and I invite you to get to know me better, especially if we haven't met already, as I'd be more than happy to answer your questions and/or receive any comments, feedback or advice you may have. It was never my intention to make students or the Board doubt me, or to allow any external factors to get in the way of the valuable work the AMS aims to fulfil. I am sorry for my actions and for putting us in this undesirable position during such tumultuous times. I am taking the time to reach out to students and others around me to understand how I can do better moving forward and reflect on the harms of my actions, in order to ensure that this will not happen again. Once again, I apologize, regret and take full responsibility for this email-related conflict of interest.

Thank you and keep well,

Kalith Nanayakkara

AMS Vice-President External Affairs

vpexternal@ams.ubc.ca

AMS Student Society of UBC Vancouver | ams.ubc.ca/leadership

T 604 822 2050

Apple iPad Receipt + Invoice for Justin Chan



Kalith Nanayakkara

Tue 8/25, 3:35 PM

Rishavraj Das; AA

Reply all



Invoice # 2 (1).pdf
18 KB



AMS Events iPad Givea...
65 KB

2 attachments (83 KB) Download all

Hi Rish,

Attached are the invoices for both #firstweekplug and the Apple products.

Please note that the Apple invoice contains two separate receipts, one for each product. Let me know if you need more information.

Cheers,

Kalith Nanayakkara ([he/him](#))

Vice-President External Affairs

AMS Student Society of UBC Vancouver

T 604 822 2050 M 604 379 4394 F 604 822 9019



AMS Student Society of UBC Vancouver | ams.ubc.ca

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cc:AAccount

Justin Chan

INVOICE

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Bill To:
AMS Events - AMS of UBC

Date: Aug 25, 2020
Payment Terms: Cash or E-Transfer
Due Date: Sep 8, 2020

Balance Due: CA\$600.00

Item	Quantity	Rate	Amount
Filming and Editing #firstweekPlug with AMS Events & ThePlug	1	CA\$600.00	CA\$600.00

Total: CA\$600.00

Notes:

E-Transfer to justinrichardchan@gmail.com.
\$150 per episode x 4