

## JANUARY 2021 COMMITTEE REPORT TO AMS COUNCIL:

AMS Governance Committee

February 24, 2021

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

### 1. Works in progress:

#### **Committees and Chair Transitions**

Govcomm has drafted I-22 Policy on Committee Chair Transition Reports, which 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. HR Committee has also reviewed I-22, and it has been brought to Steering Committee. The aim is to bring it to Council ASAP.

#### **Policy I-10: Petition Privacy**

This was up for review by Govcomm. Govcomm has consulted and has found that no changes are warranted. Govcomm is bringing a proposal to Council to renew the policy.

#### **Policy I-19: Records Policy Amendments**

The changes to Bylaw 18 on records, made by the AMS AGM, contains language that is broader than the current internal policy on records. Govcomm is bringing proposed changes to Council to ensure the records policy reflects the Bylaw.

#### **Code Clean-Up**

Clerk of Council has brought to Govcomm's attention several inaccuracies and redundancies in the current Code. Govcomm has reviewed the issues and will be bringing proposed changes to Council.

#### **Policy I-21: Committee Appointments**

Following a suggestion from the VP Finance, Govcomm has explored amending I-21 to give greater clarity to what should be contained in the written statements provided by committee chair nominees. Govcomm will bring proposed language to Council soon.

#### **Policy I-9: Executive Goals**

Policy I-9 is up for review by Govcomm. We will be consulting with executives and other parties on how to improve the Policy's goal of encouraging accountability.

#### **Faculty Senator Elections**

Council has tasked Govcomm with looking at how Code can be amended to ensure *inter alia* that AMS Elections, along with constituencies, continues to run student elections for UBC-Vancouver faculty-student senators. Govcomm is beginning this review.

### **Referenda Responsibilities**

Following discussions at the January 22 Council meeting, Govcomm is reviewing the issue of responsibility for referenda. Currently this is located entirely under the purview of the VP AUA, but several councillors supported the idea that some of the responsibilities could be undertaken by the Chief Electoral Officer.

### **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.

## **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.

Council approved the revised Code language on November 25, 2020.

### **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 reviewed the amendments. Council approved them on November 25, 2020.

### **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.

### **Code Amendments Necessary for a COVID-safe AMS Election**

Govcomm 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. The Chief Electoral Officer has subsequently brought forward proposals to Council.