Minutes of the AMS Governance Committee
(Minutes for November 22nd, 2021 Meeting at 4pm | AMS Nest Room: 3529)

Attendance

Present: Kamil Kanji (Chair), Sheldon Goldfarb (Archivist and Clerk of Council), Saad Shoaib (VP External), Romina Hajizadeh, Alina Bhimji (Vice-Chair), Cole Evans (President), Rebecca Liu, Teddy O’Donnell

Regrets: Katherine Feng

Guests: Oscar Yu (CEO), Dana Turdy

Recording Secretary: Alina Bhimji (Vice-Chair)

Call to Order

The meeting was called to order at 4:03 pm.

Territorial Acknowledgement

Approval of the Agenda

Moved: Romina        Seconded: Saad

“BE IT RESOLVED THAT the agenda be adopted.”
**Agenda Items**

1. **Introductions**

2. **Approval of Minutes**

   Moved: Saad    Seconded: Romina

   “BE IT RESOLVED the Governance Committee meeting minutes of November 15 are approved”

3. **Governance Review**

   Cole: in 2017 the exec committee passed a motion to look into doing a recurring review of committees similar to the senate. At the AMS we usually just update things when we want to. This motion requires reviews over time to make sure the structure is functioning well. Committees like student life seem to be drifting in the void. Operations evolved from previous body but is that the most effective. The goal of this process is to do a governance review of council structures, focusing on committees. Want to develop an approach to follow when looking at structures under council. Allows us to stop talking about ourselves (code and committee structure etc), we should be talking about things that actually affect the student body. Essentially committee restructuring. It’s up to the committees to look intrinsically and recommend what they want to be done. We will consult with council and committees to make recommended changes. The first step is to do a survey to council about governance principles. Will use that data for guiding questions to ask committees to look at themselves. We should discuss the survey and then review data from council.

   Dana: the questions in the survey come from a document called restructuring...

   Sheldon: some things from MNP were discussed at great length but no one saw how we could do it so it was dropped. We can discuss it again but there is history to these things.

   Cole: the MNP recommendations are included so we can put them to rest. We have never “closed” the governance review so we want feedback on these things to see
where council is at on those recommendations. We can investigate ways to implement them if council is interested in them and they can no longer be outstanding items.

Sheldon: governance review implementation committee was not able to find a way to implement the 2 year term.

Kamil: we can still get feedback from council to see what recommendations they want to pursue

Saad: are there questions about non-voting members on committees?

Cole: not included because it is another issue.

Saad: hm could be included.

Dana: included recommendation to implement a regular review of committees. Can be a good idea. Part of best principles for committees. To make sure we are keeping up with the times and the operational needs of the council.

Saad: So far it's a great survey.

Kamil: do we need to vote to pass it along?

Sheldon: no

Kamil: so we can move forward with this. It will be a standing item on govcomm agenda for us to revisit.

4. Senator Elections

Kamil: contract is available on onboard for review. Continuing our last conversation

Saad: friendly amendments - minor grammar changes and section numbering.

Kamil: we are drafting this, send to Jessica for confirmation, then if Olivia wishes it will be recommended to council
Sheldon: The issue is how we are running senate elections. Last time we were unclear who would be running the election.

Olivia: i would say that it’s clear in #11 and #12. I think that’s specific enough.

Sheldon: is that good enough?

Saad: the contract is clear enough for it to be drawn out between AMS and UBC. Are the specifics necessary? It pretty much mandates the election should follow AMS code of procedure and University regulations. It seems dependent on our own code.

Sheldon: 11 and 12 make it clearer. CEO or elections committee?

Olivia: There is no committee so it should say CEO. Committee ends on march 15th so they can’t run the election. Their main job is the 2022 election. Constituency elections and senate are overseen by CEO.

Romina: do we need to extend the committee contract so they can run this election?

Olivia: they aren't going to do much for this election. Maybe promotional stuff is involved.

Saad: it would be good to extend the term of elections committee. I think it should be operating year round but it should at least be extended in the case of appeals or things like that.

Sheldon: Appeals after election go to the senate.

Olivia: see 6c. People can appeal either to the appeal committee or to UBC.

Saad: what about contradicting opinions?

Olivia: they appeal to who they want to.

Saad: whatever that person (candidate) decides then should be a final decision on appeal.

Sheldon: we can’t say that because UBC has the final say.
Saad: we should include that in the clause.

Cole: it's tough because for senator elections, appeals should be distinguished to go to the university because it's a university election. The university isn't delegating that to us. We can say we will run the election, and any appeals can go to UBC. It can get messy in future years with miscommunication. To make it easy we should say that any appeals or concerns about the election process should be given to UBC. AMS just runs the election, according to our rules. If people have concerns about our rules they can take it to UBC as well. Especially with constituency elections that is another messy process.

Saad: how have appeals with senate and bog been dealt with in the past?

Sheldon: one time a bog candidate was disqualified and got upset, and they appealed to the university and got it reversed.

Olivia: the main aspect of the AMS appeals committee being included is for campaign issues and such. The university doesn't really care about that. I want to say the appeals committee is for campaign decisions.

Saad: any complaints or appeals made during the electoral period can...

Olivia: the wording is almost there. 6c.

Saad: the AMS handbook already distinguishes appeals. What if we say during the campaign period ...

Sheldon: this has been defined in 6d. It makes sense to say during the campaign period. I think it would go to AMS appeal committee and then senate. The election appeals committee could just function during the campaign.

Olivia: I don't think the university will appreciate appeals for campaign material like dates or warnings.

Sheldon: code says we must define a procedure

Cole: what if there are no appeals during campaign process for bog and senate. The delegation for running the election is to AMS and if they feel unfairly penalized they can take it up with the university based on the university act. Then the university decides if
the suspicion by the AMS was valid. The concern is that if there are multiple appeals processes, the candidate will always appeal to more than one body. It makes more sense to send formal appeals to university. Maybe we can have informal appeals but formal appeals should only exist with the university. I'm worried that people will appeal to both bodies anyways.

Sheldon: the previous contract didn't give them a choice.

Olivia: people should be able to appeal to the university. If they want to appeal against the AMS decision they should be able to go to the university.

Sheldon: the way it's written is that it's a choice.

Romina: but they can't do that.

Sheldon: it has to be one or the other, not a choice.

Olivia: someone in the past said candidates should be able to appeal to the university if they want to.

Kamil: the purpose is if there is campaign material it goes to AMS and election issues can go to the university.

Olivia: that makes sense but for campaign material too they can choose to go to the university.

Romina: we need proper wording so they can't shop for an opinion but also make it clear that the university has the final decision. It makes sense, it just needs to be very clear. For any decision they should have the choice to go to university.

Sheldon: if we are talking about levels of appeal we should write that they can go to AMS first and then university.

Kamil: but the university has the final say. So we need to write that they can choose to go to AMS first if they want and then go to the university but the university has final say.

Olivia: I don't know how the university will feel but we can see. About candidates being able to go directly to the university.
Sheldon: i’m suggesting elections committee to elections appeals committee to the university

Cole: you can raise to the senate office either: 1. everything directed to the senate 2. Senate changes its rules and delegates appeals to the AMS. AMS takes care of all appeals. We need to make sure the authority rests somewhere.

Kamil: I don't know how the university would react because it kind of takes away their authority.

Cole: then we should suggest that they take the appeals because they are more than welcome to deal with it.

Kamil: Would you want to suggest that the AMS can take on some appeals because it would make the process easier?

Olivia: I could suggest it.

Cole: the first question to ask is what does the university want for appeals? Do they want to hear them themselves or do they not care? If they don’t care then AMS can take all appeals and deal with it internally. If they do care, we have to ask if they want to do all appeals or some appeals or however. The easiest thing to do if AMS already runs the election, is to also do the appeals process. But we need to know if the university wants to do that.

Sheldon: university probably still wants to deal with appeals, especially disqualification. The university needs to be part of that.

Olivia: we could just say we don’t make any disqualifications or suspensions on campaign material, suspensions etc and let the university go from there.

Sheldon: I like the original distinction in 6c. At the end of the election if there is a disqualification or something the university might want to be part of that.

Cole: the simplest solution is the best solution. The least amount of prescriptiveness is the best here. We just need to delegate the responsibility and go from there.
Olivia: the university has no regulations or rules on campaign material or campaigns. I don't know how they will feel about AMS penalties for campaign materials.

Kamil: next steps -- do we want to follow up about appeals with Jessica or is it worth just tweaking the contract and sending it to Jessica?

Saad: we can email Jessica to find her opinion on appeals, and subsequently send her an amended contract.

Olivia: she had no issues with the contract we sent her initially in this part of the contract. I changed it because of something from previous meeting minutes of council. Jessica seems fine with the elections appeal committee doing appeals during election.

Sheldon: Have you asked her specifically?

Olivia: no but she said there’s no issues with the contract. I only added the part about the university taking on appeals. We can just change the wording to make it more clear. And then the university will be fine with it.

Kamil: let’s tweak the language and send it off to Jessica.

Olivia: can send to Jessica by tonight. If it’s good then it will be sent to Mary and then if she’s good with it I will send it to Kamil.

Sheldon: then it goes to VP fin or VP admin to be sent to council.

Kamil: so after Mary it can go straight to council?

Sheldon: it can unless govcomm wants to vote on it again.

Romina: HR com would be good with changing 11 to elections committee.

Olivia: I can change it and specify for 12 that the CEO creates the ballot because elections committee doesn’t do that.

Kamil: With the language changes it should be good to go.
Olivia: I sent emails to all constituency presidents and Eng president replied. She had concerns:
- Concerned with the rigidity
- Generally if students don't care to vote for EUS they won't vote for both, they just won't vote at all
- EUS typically holds elections in the march period but just because it is planned to be held doesn't mean it will be held -- when things like that happen the timeline is thrown off and the combination of ballots will be useless
- Ridiculously tight timeline and elections com will be overworked
- Baffled that all constituencies expected to hold elections over the same days - doesn't see any benefit, just sees rigid guidelines making elections committees' jobs more difficult
- Says she will recommend the dates but if the committee decides they can't use those dates

Saad: valid concerns. Let's bring this to council.

Cole: We can do that.

Kamil: it is still valuable to move the contract forward but have a conversation with council about the constituencies.

Saad: So we want this on this week's council agenda.

Cole: I don't understand the concerns about dates because their elections are always at the same time

Kamil: other constituencies have concerns about timelines too.

Cole: what are the other concerns?

Romina: concerns about timeline and elections staff. Always concerns about something going wrong like the wrong people voting. Worried about the chaos of all constituencies voting at once.

Kamil: I think council feedback will be valuable for this.
Cole: We need to make sure it is articulated well because if we don’t there will be many concerns. If we articulate it well it will make more sense to them. I still don’t understand the hesitancy because even for Arts the election is always at the same time period. We’re not saying you will be deleted if you don’t hold election during that time.

Olivia: Do you think we can get this to council by Dec. 1?

Kamil: as long as we make those tweaks.

**Next Meeting**

The next meeting is Nov 29 @ 4 pm

**Adjournment**

The meeting was adjourned at 4:59 pm.