



## *AMS Assembly Minutes*

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*Meeting of Thursday, 19 November 2015  
Sutherland Room, JDUC*

*Minutes are tentative until approved by AMS Assembly.*

### **Attending:**

*AMS Executive* - President Kanivanan Chinniah, Vice-President (Operations) Kyle Beaudry, Vice-President (University Affairs) Sarah Letersky

*AMS Council* – Commissioner of Internal Affairs Jon Wiseman, Social Issues Commissioner Alex Chung, Campus Activities Commissioner Danielle Kimmerly, Media Services Director Emma Fuller, Academic Affairs Commissioner Tyler Lively

*Aesculapian Society* – Senior Representative Zain Siddiqui, Junior Representative Celine Allen

*Arts & Science Undergraduate Society* – President Brandon Jamieson, Vice-President Andrew DiCapua, Interim Representative Victoria Chappell, Interim Representative Kate MacDonald, Interim Representative David Litwin, Representative Stefany Li, Representative Lucas Cohen, Representative Liam Dowling, Representative Sarah Flisikowski

*Commerce Society* – President Ana Lopez, Vice-President Vasanth Ranganathan, Vice-President Caroline Hayes, Representative Connor Bevans

*Concurrent Education Students' Association* – President David Wiercigroch, Representative Tiffany Wong, Representative Jacob Gardhouse



*Computing Students' Association* – President Max Garcia, Vice-President Mareena Mallory, Proxy Jamie Bannerman

*Engineering Society* – President Julie Tseng, Vice-President Alex Wood, Representative Matthew Lawson, Representative Callen Hageman, Representative Rigers Rukaj, Proxy Evan Dressel

*Nursing Science Society* – President Alexandra Palmeri, Vice-President Arryana Carkner

*Physical Health Education and Kinesiology Students' Association* – President Lindsay Toth, Vice-President Angie Travlos, Equity and Wellness Officer Brook Walwyn

*Ex-Officios* – Rector Mike Young, Student Senate Caucus Chair Leah Brockie, Chair of the Board of Directors Michael Blair, Undergraduate Student Trustee, Residence Society President Gregory Radisic

**Regrets:** Commissioner of the Environment and Sustainability Peter Liberty, Municipal Affairs Commissioner Matt Kussin, Hospitality and Safety Services Director Stephanie Harper, Engineering Society Representative Kevin Corey, MBA Vice-President Kamna Krishnan



*Sam Anderson shall henceforth be known as Speaker.*

**MOTION 1: That AMS Assembly approve the agenda for the Assembly meeting of 19 November 2015**

**Moved by:** Commissioner of Internal Affairs Jon Wiseman

**Seconded by:** President Kanivanan Chinniah

**Vice-President Sarah Letersky:** I would like to add a motion 8 to the agenda, regarding the CEO hiring panel.

**Moved by:** AMS Vice-President (University Affairs) Sarah Letersky

**Seconded by:** AMS President Kanivanan Chinniah

**Vote for:** All

**Against:** None

**Abstentions:** None

*Motion Carries.*

**President Kanivanan Chinniah:** I would like to have the election policy reform be struck from the agenda so that members can gain feedback from stakeholders. I would also move to strike the AMS discussion on referenda because I will be holding an open discussion period later.

**Vote for:** All

**Against:** None

**Abstentions:** None

**Vice-President (Operations) Kyle Beaudry:** I would like to add a new discussion period for student activity review.

**Vote for:** All

**Against:** None

**Abstentions:** None

*Motion Carries*

**Speaker:** Is there any further debate on the agenda? Seeing none, we will now vote.

**Vote for:** All

**Against:** None

**Abstentions:** None



**MOTION 2:** *That AMS Assembly approve the minutes of the Assembly meeting of November 5<sup>th</sup>, 2015.*

**Move by:** Commissioner of Internal Affairs Jon Wiseman

**Seconded by:** AMS President Kanivanan Chinniah

**Vote for:** All

**Against:** None

**Abstentions:** None

*Motion Carries.*

**Speaker:** Not much going on tonight, if you are a new member, please feel free to ask me any questions. Also, if you are going to have a proxy for yourself, please give me at least two days' notice.

*No Guest Speaker.*

*President's Statement*

**President Kanivanan Chinniah:** On Monday, November 9, 2015, the Executive was notified by a participant in the Fall Referendum of concerns with regards to the status of the Chief Electoral Officer. Upon consultation with the University Registrar, the AMS determined that the Chief Electoral Officer was ineligible to hold their position during the Fall Referendum Period. As per Section 2.02 of the AMS Hiring & Appointments Policy & Procedures Manual, Sarah Letersky, then-interim AMS Commissioner of Internal Affairs, was mandated to dismiss the Chief Electoral Officer. Under authority as per Policy Manual 1, Section 2, Part A (3) B, I called a Special Assembly for Tuesday, November 10, 2015 under emergency provisions to notify Assembly of the issue at hand in closed session. The decision to enter closed session was made given the discussion involved AMS personnel, which is a best practice to protect the individual. The Executive presented three options to Assembly in light of the status of the Chief Electoral Officer. These options ranged from affirming the results of the Fall Referendum, nullifying the results of fee questions where the vote outcome was decided within a small margin, or nullifying the results of the Fall Referendum altogether. Assembly was encouraged to review any other option notwithstanding the options provided.

In the interest of perceived fairness, particularly due to the immense discretion afforded to the Chief Electoral Officer to conduct the election, Assembly expressed that a different Chief Electoral Officer could have made different rulings which might have substantially affected the results of the referendum process. Assembly also expressed that the integrity of an election where the Chief Electoral Officer did not hold AMS membership might be called into question if the results stood. Therefore, Assembly passed the following motion unanimously in closed



session: That AMS Assembly nullify the results of the 2015 fall referendum and allow the questions to be placed on the 2016 winter referendum.

The AMS Executive abstained from the vote on this motion. Most groups that participated in the Fall Referendum period were notified over phone by Jon Wiseman, Commissioner of Internal Affairs. Some groups could not be reached, and Commissioner Wiseman sent email notifications to those groups. All groups were asked to keep the information confidential until the AMS released a statement on the matter. Throughout the course of notifying the fee groups, we were notified by a group which had participated in the fall referendum process was considering legal action against the AMS. Therefore, under our fiduciary responsibility to the AMS and full disclosure to Assembly, we delayed the publication of the announcement in order to seek legal advice as to the authority of the Assembly to make this decision. We notified the Assembly on Thursday, November 12, that we were undertaking an internal review of the results and we would communicate more details at the Assembly meeting of Thursday, November 19.

We obtained two independent sources of advice which confirmed Assembly's authority to make the decision. Section 5.02.01 of the AMS Constitution provides the basis for Assembly's authority to nullify the results. Specifics of the legal advice has been provided to Assembly under separate cover of confidentiality, upon the advice of legal counsel. All fee groups that participated in the Fall Referendum will be allowed to participate in the Winter Referendum process without having to go through validation procedures. We believe that this is a fair course of action that does not compromise the integrity of the referendum process.

The AMS regrets the inconvenience caused to all participants in the referendum process.

**Speaker:** We will move on in the agenda, but during the question period, section 12, you will be able to ask questions.

**Vice-President (Operations) Kyle Beaudry:** There are extended hours at Student Wellness Services that are being discussed. They seemed incredibly open to the idea, and obviously it isn't a decision that can be made immediately. We will continue with discussion.

**Vice-President (University Affairs) Sarah Letersky:** Nothing to Add

**Board of Directors Chair Michael Blair:** Nothing to add.

**Student Senate Caucus Chair Leah Brockie:** Nothing to add.

**Rector Mike Young:** Nothing to add.

**Undergraduate Student Trustee Jennifer Li:** Nothing to add.



**Commissioner Lively:** In my report, I mentioned that the learning outcomes working group is having a focus group on Wednesday December 2<sup>nd</sup>, from 11:30 to 1. This will include lunch, and will also include dessert.

**Speaker:** Are there any questions by members?

**Commissioner Jon Wiseman:** I pass my speaking rights to a member-at-large.

**Member at Large (SGPS):** I was just wondering there was a closed session that it would be decided to nullify the AMS referendum decisions. Why weren't the clubs involved consulted? We are now suffering from an issue from the AMS.

**President Kanivanan Chinniah:** We regret that this happened. On advice of legal advice, we moved into a closed section with just AMS members.

**Motion #3:** *That AMS Assembly ratify Jon Wiseman as Commissioner of Internal Affairs for the remainder of the 2015-2016 academic Year.*

**Moved by:** Vice-President (University Affairs) Sarah Letersky

**Seconded by:** President Kanivanan Chinniah

**ASUS Representative Liam Dowling:** Over the course of my time at Queen's, I have heard the commission as described as a commission that runs itself. How will you plan to mitigate this and ensure you are involved with the commission?

**Commissioner of Internal Affairs Jon Wiseman:** The commission is very self-regulated. However, as a commissioner, over the course of a week and a half I have been in the position, I have seen how the commission works and have been working closely with the people involved. My goal is that we have 40% voter turnout at the winter elections, and you can have that on the record.

(Question from NSS President Palmeri)

**Vote for:** All

**Against:** 0

**Abstentions:** 0

*Motions Carries.*



**Motion #4: That AMS Assembly ratify William Benwood as the AMS Assistant Club Manager for the remainder of the 2015-2016 academic year.**

**Moved by:** Clubs Manager Jennifer Williams

**Seconded by:** Commissioner of Internal Affairs Jon Wiseman

**Clubs Manager Jennifer Williams:** Working with him has been an absolute pleasure and I hope to see him ratified.

**PHEKSA President Lindsay Toth:** I am just wondering what your biggest goal moving forward is?

**Assistant Clubs Manager William Benwood:** My biggest goal is to get to know all of the clubs and get to know them better.

**EngSoc Representative Callen Hageman:** What club are you most excited to work with and why?

**Assistant Clubs Manager William Benwood:** Good question. I'd say all of them.

**Commissioner of Internal Affairs Jon Wiseman:** How many clubs are there in the AMS?

**Assistant Clubs Manager William Benwood:** There are 274.

**Vote for:** All

**Against:** 0

**Abstentions:** 0

*Motion Carries.*

**Motion #5: That AMS Assembly approve the changes to Police Manual 1, Section 7, as seen in Appendix A: #RatifyClubStauff**

**Moved by:** Clubs Manager Jennifer Williams

**Seconded by:** Commissioner of Internal Affairs Jon Wiseman

**Clubs Manager Jennifer Williams:** We have added our HR Coordinator, Marketing Coordinator, and are not currently reflected in the policy. These changes we are making are to reflect these changes.



**Vote for:** All  
**Against:** 0  
**Abstentions:** 0

*Motion Carries.*

***Motion #6: That AMS Assembly approve the changes to Policy Manual 2, Section 5, as seen in Appendix B: More Clubs Policy***

**Moved by:** Clubs Manager Jennifer Williams  
**Seconded by:** Commissioner of Internal Affairs Jon Wiseman

**Clubs Manager Jennifer Williams:** As you have seen, my offices spans two different policies. As a result, these changes are very similar to the one seen in the policy. Including my new team members and eliminating things that are no longer present.

**Vote for:** All  
**Against:** 0  
**Abstentions:** 0

*Motion Carries.*

***Motion #7: That AMS Assembly approve the changes to Policy Manual 1, Section 3, as seen in Appendix D: Student Activity Fees (Policy).***

**Moved by:** Vice-President (Operations) Kyle Beaudry  
**Seconded by:** President Kanivanan Chinniah

*5 minute recess taken to set up the presentation.*

**Vice-President (Operations) Beaudry:** You also have a briefing package that walks through each change that I would like to make, and answers some of the common questions. I guess I will start off by where this is coming from. When I took office, I was reviewing the student fee slightly. I was perplexed by how things fit together. There were a few things that didn't seem to fit, and the requirements seemed a bit fuzzy. This process started about 2 months ago, and this is the result of that process.

The first is, if we are calling something a mandatory student fee, every student on campus is assessed that fee regardless of what faculty they are in. This automatically goes on their payment of the year. Interestingly enough, the AMS has two types of mandatory fees. There are reviewable mandatory fees, and then there is non-reviewable ones, that just due to their nature, are not reviewable, like athletics and recreation and health and services.



The interesting thing, and really this is all going to come back to principle. The idea is if we want to call something a mandatory fee, we should be able to prove that it is essential to student life. The idea is, if we are going to make all 16000 students pay a fee, we need to justify that this fee is a required fee. If you look at the actual policy changes, that takes place on the first page. It states a mandatory fee must be for this reason. There is now two categories for those ones that are still non-reviewable. There are certain cases where something needs to be non-reviewable. The first is extensive oversight from student representatives. I.e., the student fee for walk home fee, which is reviewed each year at the end of the year by the board. The second one is, it is a contribution to a university run student service, or a capital project.

Shown on this slide are my suggestions thus far. If you go through the current mandatory fee slate, there are four that can be moved from mandatory to an opt-out slate. They do not meet this new definition, and it is up to interpretation, so it is up to assembly to decide if that is the case. What I will do when we pass this motion, I will strike a little committee to have whoever in this room wants to come speak to me about the slate to see what the slate may look like.

So a couple of logistic things. Moving fees can be complicated. Fees that are in next assembly, this transition to an opt-out fee, will be when the triennial review comes next. It isn't something that takes place immediately. A suggestion we make for groups is to increase their opt out fee to make up for lost revenue. If the increase in the fee is rejected, they can come back in the winter referendum with their old fee price and try to be passed. We also talked about charity groups. Here, charity is a personal group. If you are going to make a fee for a charity, it cannot be mandatory.

Budget Transparency is something that was brought up in our council meeting. The organizations that are seeking a fee, so think back to the Fall referendum, there will also be a blue link there that will allow the person to review the budget of the organization so they can make the decision to support the fee or not.

When can the fee come back? You are only allowed to come back and test the student body again if your group A: Changes what it is doing (changes mandate of the group) or the rationale for your funding.

I am now open to questions.

**Speaker:** Is there any debate on the motion?

**COMPSA President Max Garcia:** My question is regarding CFRC becoming an opt-out fee now? This is one of those fees that if it is not paid for by the students, it can be completely shut down, since they have to pay rent to the university.

**Vice-President (Operations) Kyle Beaudry:** The vote tonight does not affect what goes where. My view is perhaps 7 dollars is a lot to charge 16 000 students.



**ASUS Representative Liam Dowling:** Perhaps it should say the majority of the student fee should go to student wellness as opposed to “some”?

**Vice-President (Operations) Kyle Beaudry:** I find that friendly.

**EngSoc Representative Rikers Rukaj:** I propose service fees be mandatory but reviewable. I don't believe opting out reflects anything in the service.

**PHEKSA President Lindsay Toth:** I know that there are a lot of charitable organizations at Queen's that currently do receive fees. I am just wondering if we think it is realistic that these charitable organizations are going to be spending the majority of their money for initiatives on campus.

**Vice-President (Operations) Kyle Beaudry:** This was part of initiatives that we wanted to take on for the year, and this something I spent a lot of time on. The second is, the groups that are going forward next Fall, to give them as much time as possible. They shouldn't find out mid-summer when they are not on campus. I think we have already discussed this twice at assembly.

**EngSoc Vice-President Alex Wood:** Why isn't Golden Words isn't included as a mandatory fee?

**Vice-President (Operations) Kyle Beaudry:** We only need one, and the Journal is already the biggest one in my four years at Queen's.

**Vote For:** All

**Against:** None

**Abstentions:** None

***Motion #8: That AMS Assembly strike the CEO Hiring panel consisting of the AMS President and four members of the assembly.***

**Moved by:** Vice-President (University Affairs) Sarah Letersky

**Seconded by:** Commissioner of Internal Affairs Jon Wiseman

**President Kanivanan Chinniah:** The constitution stipulates that the CEO is hired by the outgoing president and four other members of assembly. There is no stipulation that you have to be a voting member to sit on the hiring panel. The hiring period for this position will begin tomorrow, and will close on Thursday next week, and then the hiring panel would be meeting, and making a hiring decision prior to the next assembly so the CEO can be ratified by the assembly.



**Speaker:** We are going to go through a nomination period.

*The following are nominated to sit on the hiring panel: Garcia, Lawson, Bevans, and JT.*

### **Discussion Period**

**Vice-President (Operations) Kyle Beaudry:** We want to have a higher threshold. Should the threshold for passing a student fee be higher than 50%? The arguments for this are:

1. It legitimizes the fee after the fact because the decision is made by over "X%" of the student body.
2. We have seen some fees pass with 51% and 52% which speaks to a large number of students who voted against.

*Arguments against:*

1. We already have a tiered system that ties required of votes to threshold.
2. Implication for mandatory fees – does there need to be different thresholds?

I wanted you guys to see the historical voter turnout the AMS has been dealing with. If less than 5% of the student body votes, then it needs 70% yes to allow the fee against. In year 2013, just over 15% went through and actually clicked on the ballots, which means it already needed more than 50%.

I am happy to hear everyone's thoughts.

**ComSoc Representative Connor Bevans:** Do we have any data as to why turnout is so low, and how can we increase it?

**President Kanivanan Chinniah:** In 2012 and 2013, we used Votenet, which had different functionalities. Before 2013 we had high 20% votes. In 2013, what happened is not everyone got their ballots online so paper ballots had to be issued which decreased voting. After 2014, we have a system that continues to send voting email reminders until someone votes.

**EngSoc Vice-President Alex Wood:** I like the current system which is the majority. When it comes to mandatory, having 50% is too little.

**ComSoc President Ana Lopez:** I was just wondering if we looked into perhaps raising the floor for the voter turnout where you would have more than 50% to maybe 25%?



**Vice-President (Operations) Kyle Beaudry:** We can address that here.

**EngSoc Representative Matthew Lawson:** I agree with that statement.

**ASUS Representative Lucas Cohen:** I think the threshold system should be increased to 25%.

**Vice-President Kyle Beaudry:** We will do two votes. One is if you are in the favour of raising the bars for opt out, and then for mandatory.

Do you support for opt-out fees having a higher baseline?

All voted yes except 1.

Do you support for mandatory fees?

All in favour.

Moving on, should student fees fund a single event (conferences)?

Arguments for:

1. The event's deficit is recouped by the use of fees.
2. Overall issue of financial sustainability is not being addressed – we only have a few examples of this on the slate.
3. Conferences could support themselves through grants, delegate fees, sponsorship fees, etc.

Arguments Against:

1. Not all groups have the same access to funding sources.
2. The fees are opt-out so student choice already exist.
3. Execution of a broader solution may be more complex.

**EngSoc Representative Callen Hageman:** One thing I have seen before, is conferences and single events shouldn't base their budget around a student fee. They still should be able to support themselves in some way. We should set some number that the AMS will fund at most.

**EngSoc Vice-President Alex Wood:** A couple things that could be said here, is that it is super hard to define a group that runs a single event. These groups are running additional marketing events, and that definition doesn't match up with what we are trying to do. One way we could mitigate this is having a bursary. As it is currently worded, it is very easy to get around. This is a very fuzzy definitions.



**Clubs Manager Jennifer Williams:** As a representative that looks and works with clubs, I understand the intent of what this is going for, but it is very hard to define as Representative Wood a single event that a club runs. I could name a bunch of clubs that have an event that they are known for. This would be putting a group into too much of a box. Bursaries are something my office is exploring as of right now.

**NSS Vice-President Arryana Carkner:** Make opt-out fees just for the faculties that they represent, as opposed to the entire school.

**EngSoc Representative Matthew Lawson:** Conference bursary student fee is something a member of my constituency agrees with, and they don't support individual conferences getting a student fee.

**EngSoc Vice-President Alex Wood:** I might even add that having some sort of seed funding for new events and new groups that would like that, and kind of need that push to start off and get up and running. Our conversation has gotten broader and now we are talking about what is a conference.

**Campus Activities Commissioner Danielle Kimmerly:** My commission facilitates a new events grant so there is that seed funding in existence.

**EngSoc Representative Rikers Rukaj:** While I support a needs based bursary something, I just want to say that since we are moving to having budgets on the referenda that will provide students with a lot more clarity with what they are giving money to, I think students should be able to make the decision that way.

**Vice-President (Operations) Kyle Beaudry:** Everyone should make a differentiation between "We shouldn't open a can of gray worms" and "it is a gray area so we should keep it the same". As AMS members, we should be discussing these gray area issues.

**EngSoc Representative Matthew Lawson:** Have clubs been told we are reevaluated the fees? This could affect their budgets.



**Vice-President (Operations) Beaudry:** No, because this isn't something that can happen in a day. This will be a long process.

1. Do you think we should keep coming back to assembly discussing this and other alternatives?

All except 4 people.

2. No, I am happy with the ways things stand.

4 No's.

**ASSEMBLY CLOSED**