



Appointments Policy

OF THE ALMA MATER SOCIETY OF QUEEN'S UNIVERSITY

Responsibility	Secretary of Internal Affairs
Approved by	Assembly
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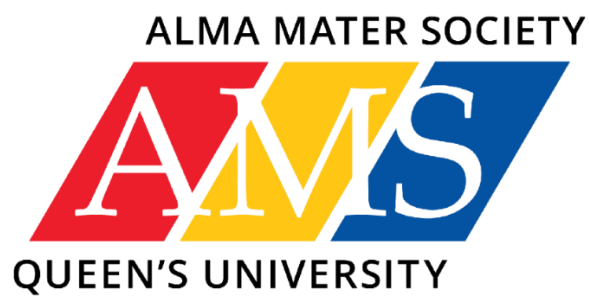


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Land Acknowledgement

We acknowledge that we are on the traditional lands of the Anishinaabe and Haudenosaunee peoples, known as Katarokwi, or colonially as “Kingston.” The Alma Mater Society at Queen’s University seeks to recognize the importance of these lands to the Indigenous peoples who have existed since time immemorial. The unjust acquisition of these lands occurred through the Crawford Purchase of 1783, a land treaty upheld by the First Peoples but later undermined by the British Crown and the “Canadian” government. This history of numerous broken promises and treaties continues to impact Indigenous communities today.

As settlers on this land, we acknowledge our continued benefit from systemic structures that marginalize Indigenous peoples. Recognizing systemic oppression, it is our duty to actively listen to and amplify Indigenous voices, addressing both past and ongoing injustices for meaningful, positive change. We are grateful to these lands for sustaining us and giving us the gift of life. This acknowledgment is a call to action, committing us to understand and respect the history and ongoing struggles of Indigenous peoples. We recognize that words alone are not enough; our actions must reflect our commitment to justice and reconciliation.

As a branch of the society that strives to connect student leaders and facilitate positive change and student advocacy on Turtle Island, we strive to maintain the core values and teachings from Indigenous peoples. We are incredibly grateful for the ability to do so. As the Secretariat Office facilitates Assembly, Elections and Judicial Affairs, it is our duty to ensure that the voices of Indigenous and marginalized peoples are amplified, as well as provide resources on how we can facilitate and help in advocacy that is important. We are set to encourage all members of the Office and student leaders such as Assembly members to reflect on the privileges that they have been on afforded on this land, and use them to ensure campus safety, accessibility, and impact for all students. As settlers on the stolen lands of the Anishinaabe and Haudenosaunee peoples, we must continue to educate ourselves and strive to decolonize every layer of our governance system and curricula to Indigenize our learning.

Purpose

The Appointment and Procedures Policy of the Alma Mater Society governs appointments and removals to various governance bodies within the Society, which includes but is not limited to the Judicial System, Election Team, Standing or Ad-Hoc Committees of Assembly; as well as all personnel who are accountable to the AMS Assembly and/or whose appointment requires ratification by the AMS Assembly. The purpose of this policy is to establish clear and simple procedure on appointments for transparency in appointments, and guidance to protect the integrity of various governance bodies of the Society. This policy also provides guidance for recognizing and addressing conflicts of interest within all the relevant bodies, as well as guidance on attendance expectations for the AMS Assembly and Judicial Committee members.

Terminology

1. **Election Officers:** refers to both the Chief Electoral Officer and Chief Returning Officer, who co-chair the Election Team.
2. **Judicial Committee** or “**JCOMM**” or “**Committee**”: refers to the same body which is authorized by the AMS Constitution to hear cases of Non-Academic Misconduct (“NAM”) or Society Policy Infringement (“SPI”)
3. **Judicial Managers:** refers to both the Judicial Case Manager and Judicial Policy (Dispute) Manager, who co-lead the Judicial Affairs Office.
4. **Secretariat:** refers to the Secretary of Internal Affairs, and the two titles are used interchangeably to refer to a person holding the same office.

Policy Statement

The Alma Mater Society exists to serve and represent the diversity of students at Queen’s University. This policy provides clear guidelines for appointments, procedures, and the management of conflicts of interest to ensure transparency, integrity, and fairness within the Alma Mater Society to ensure it can effectively meet its mandate. This policy aims to address any potential conflicts that may affect decision-making processes and maintain the highest standards of ethical conduct.

Scope

This policy generally applies to the personnel, members, committees and other governance bodies administered by the Internal Affairs Office of the Alma Mater Society, and ultimately accountable to the AMS Assembly. Issues that affect the corporation will be dealt with by the Board of Directors.

Roles and Responsibilities

Secretary of Internal Affairs (“Secretariat”): The Secretary of Internal Affairs is responsible for the administration of this policy, and making special appointments as permitted and outlined by this policy. The Secretariat is responsible for ensuring members to whom this policy applies are aware of this policy, and its requirements. The Secretariat may delegate some or all their responsibilities under this policy to the Chief Governance Officer at their discretion.

Chief Governance Officer (“CGO”): The Chief Governance Officer, at the direction of this policy and Secretariat, enforces this policy and acts as a resource for all individuals to whom this policy applies. The Chief Governance Officer must make themselves available to answer questions relating to this policy, and its administration; and is the main point of contact for any individual to whom this policy applies. In the event that the CGO has a conflict of interest, the Secretariat resumes their role.

AMS Executive: The AMS Executive responsible for ensuring that their direct reports are aware of this policy, and for directing their teams to comply with this policy as appropriate. As the Executive are responsible for the operations of the AMS in the year of their term; they are ultimately responsible for, with the support of the Secretariat, for ensuring that this policy is enforced and operational.

AMS Assembly Members, Committee Members, and other governance personnel: Are responsible for becoming familiar with this policy and making a reasonable effort to adhere and comply with this policy. Personnel to whom this policy applies are responsible for directing questions relating to this policy to the Chief Governance Officer.

Part A: Conflicts of Interest

Section 1: General Principles

1. **Purpose:** This section aims to address the presence of conflicts of interest which naturally arise in the peer-to-peer environment of the Alma Mater Society. The purpose of this policy is:
 - a. establish clear conflict of interest rules
 - b. minimize the possibility of conflicts arising between the private interests and public duties and provide for the resolution of those conflicts as they arise
 - c. provide the Judicial System with the mandate to determine the measures necessary to avoid conflicts of interest and to determine whether a contravention of this policy has occurred;
 - d. encourage experienced and competent persons to seek and accept governance offices; and
 - e. Uphold the integrity, fairness and transparency of governance at the Alma Mater Society
2. **Scope:** This applies whenever a conflict of interest arises or may arise, in a situation whose procedures are governed and ultimately approved by the AMS Assembly.
3. **Expectations:** It is the responsibility of each person to become familiar themselves with this policy, and act with integrity and honesty, and in a manner that will prevent the scrutiny of their decision making or ability to conduct their roles.
4. **Standards:** This section should be applied by the standard of the Reasonable Person Test. If a situation arises that is not covered by this policy, what a reasonable person would perceive is appropriate and reasonable in the specific circumstances should take precedence and guide the interpretation or application of this policy.

Section 2: Definitions

1. **Definition:** A conflict of interest exists when the decision making or exercise of an official power or duty is compromised or reasonably perceived to be compromised due to advancing the private interests of the person, or another person or organization whose interests are advanced or contradictory to the interests of the person's role. Conflicts of interest are understood to compromise the neutrality or perceived neutrality of a due process. Conflicts of Interest are generally categorised into four (4) categories; and in general, they are to be addressed as follows:
 - a. **Category I:** A situation in which a decision-makers impartiality is definitely compromised, in a manner which undermines the integrity of a process.
 - b. **Category II:** A situation in which a decision-maker's impartiality may reasonably be compromised, or the outcome of a decision may reasonably

influence the decision-maker and person(s) involved outside the context of a decision.

- c. **Category III:** A situation in which a decision-maker's impartiality is reasonably perceived to be compromised.
 - d. **Category IV:** A situation in which personal interests have negligible impact on the decision-maker's impartiality.
2. In general conflicts of interest should be addressed as follows. Different processes in this policy may have their own table, in which case, that table supersedes this.

	Personal	Group
Category I	Recuse from decision-making and the process if possible	Recuse from decision-making and the process if possible
Category II	Recuse from discussions and decision-making pertaining to the person.	Recuse from decision-making pertaining to the group.
Category III	Receive guidance from the Chief Governance Officer.	Receive guidance from the Chief Governance Officer.
Category IV	Disclose, but may continue unless directed otherwise.	Disclose, but may continue unless directed otherwise.

Section 3: Personal Conflicts of Interest

This section describes conflicts of interest that may arise between persons in the peer-to-peer environment of the Alma Mater Society. This section should guide the determination on whether a conflict of interest exists between two or more persons.

- 1. Category I Personal Conflict of Interest
 - a. Past or current romantic partnerships;
 - b. Past or current shared living spaces (ex. Housemates);
 - c. Persons related by birth, marriage, partnership, adoption or affinity in a close and familial relationship. This includes but is not limited to siblings, relatives, and other persons that a reasonable person would deem to be family;
 - d. Past or current working relationship in which there was a relationship of power or power dynamics;
 - e. Past or current close personal relationships which may arise in personal or professional settings, which for a reasonable person, would undermine the integrity of the governance proceedings, or create perceptions of bias;
 - f. Current academic relationship in which there is significant active collaboration or involved in academic activities.
- 2. Category II Personal Conflict of Interest

- a. Current working relationship in which there is no relationship of power or authority;
 - b. Past academic or work relationships in which the officer holder and the other party were actively collaborating or involved in academic activities;
- 3. Category III Personal Conflict of Interest
 - a. In which a reasonable person would associate a decision either in favour or against a party to be associated with a person. Persons must use their discretion and may consult with the Chief Governance Officer if they are unsure on whether a situation may fall under this category.
- 4. Category IV Personal Conflict of Interest
 - a. Past working relationships in which there was no relationship of power or authority; and in which collaboration was minimal (ex. being staff at Common Ground at the same time but otherwise having minimal contact);
 - b. Acquaintances, friendships and other relationships in which the person is known to be familiar with the other party, but a reasonable person would have no concerns about that relationship undermining the decision making or execution of the person's duties. Examples of such relationships include regularly attending similar events or parties or being present in the same academic spaces with little to no interaction.

Section 4: Group Conflicts of Interest

This section describes conflicts of interest which arise between a person and an organization, group, ratified club or any clearly identifiable group, regardless of the affiliation of the group and its relation to the Alma Mater Society.

- 1. Category I Group Conflicts of Interest
 - a. Having a financial or business interest in a group
 - b. Current or past leadership, executive position, or a position of power within the group in which the person has access to historical, financial, or confidential records of the group
 - c. A reasonable expectation to assume a leadership position or a position of power in a group in the future. For example, this arises when a person is undergoing a transition period into a leadership position after being elected/hired by the group into the role.
 - d. Having a Category I-III Personal Conflict of Interest with the Designated Representative(s) of a group.
- 2. Category II Group Conflicts of Interest

- a. Current membership in a group, where the person had no position power or access to any financial or confidential information relating to the group. Ex. being a member of a club.
- 3. Category III Group Conflict of Interest
 - a. In which a reasonable person would associate a decision either in favour or against the group with a person. Persons must use their discretion and may consult with the Chief Governance Officer if they are unsure on whether a situation may fall under this category.
- 4. Category IV Group Conflict of Interest
 - a. Previous membership in a group, where the person had no position power or access to any financial or confidential information relating to the group. Ex. being a member of a club.
 - b. Category IV Personal Conflict of Interest

Section 5: Positional Conflict of Interest

- 1. The following are considered a conflict of interest for all persons with a contractual employment relationship with the AMS.
 - a. Holding one or more of one of the following positions:
 - i. Commissioners, the Orientation Roundtable Coordinator and Secretariat
 - ii. All assistant management and supervisor positions in AMS Commissions
 - iii. All assistant management positions within the AMS Offices
 - iv. All members of the Judicial Affairs Office
 - v. All members of the Election Team
 - vi. Chief Governance Officer, Speaker and Deputy Speaker of Assembly
 - vii. All members of the Judicial Committee
 - viii. All members of the Judicial Advisory Board
 - ix. All executive of a member society or the Residence Society as defined by their respective constitutions.
 - b. Presence of a personal, financial or business interest in an organisation supplying property, goods, or services to the AMS in any capacity
 - c. Presence of a personal, financial or business interest in an organisation whose aims and/or mandates are in conflict with the AMS
- 2. The following are considered to be a conflict of interest for all Members of Assembly and persons holding a position under Part A, Section 5, subsec.1(a)
 - a. The use of information that is obtained through the position and that is not available to the public = to further private interests or the interests of a person who is directly associated with the person.

- b. In the execution of their duties, accepting or receiving any gift or other advantage, including from a trust, that might reasonably be seen to have been given to influence the exercise of an official power, duty or responsibility.
 - c. Holding a position on or off-campus which is separate from their office, and whose duties or responsibilities are in conflict or may undermine the duties of their office. For example, dual employment in the Judicial Affairs Office and Student Conduct Office.
- 3. **Senate:** Membership on the Senate is not considered a conflict of interest but if a decision is made which would constitute a conflict, the person must declare the conflict at the commencement of discussion and abstain from the final decision.

Section 6: Disclosure

- 1. All persons who participate in a process ultimately governed by the AMS Assembly should disclose their conflicts of interest to the Chief Governance Officer. If the person is able to identify their conflict of interest, a simple disclosure of the category is sufficient. The Chief Governance Officer can direct the person with next steps to remain compliant with this policy.
 - 2. In the event a conflict of interest arises for the Chief Governance Officer, the Secretariat will make decisions on next step(s) and assume the role of the Chief Governance Officer.
 - 3. In the event that a person brings forward concerns under Category III (for personal or group), the Chief Governance Officer may ask the person against whom allegations are made for information and make a decision on how to proceed. Appeals of the Chief Governance Officer's decisions can be directed to the Secretariat. Further appeals should follow Part A, Section 6 of this policy.
- Section 6: Enforcement

Section 7: Enforcement

- 1. Any member of the Society may forward concerns relating to this policy to the Secretariat, who will notify the Chief Governance Officer. Any person suspected to be in violation of the conflict-of-interest guidelines, may be directed by the Chief Governance Officer to comply with this policy. If the Chief Governance Officer is unable to direct the person to comply with this policy and/or a decision has already been made; the Chief Governance Officer must, with consultation with the Judicial Disputes (Policy) Manager, initiate a hearing with the Judicial Committee.
 - a. No cases of a violation of a conflict-of-interest may resolved by agreement; and all cases must be resolved by a full Judicial Committee Hearing.

2. **Jurisdiction:** The Judicial Committee is the final authority for interpreting and applying this policy and determining where a conflict of interest exists.
3. **Procedure:** A case may be brought forward to the Judicial Committee by any Member of the Society by submitting a written complaint to the Secretariat.
 - a. **Complainant:** It is the responsibility of the complainant to demonstrate a reasonable belief that a conflict of interest exists. At the Judicial Committee hearing, the complainant is represented by the Chief Governance Officer.
 - b. **Respondent:** At the request of the Judicial Committee, the respondent must answer all questions with truth and honesty. At the Judicial Committee hearing, the respondent is represented by a member of the Judicial Affairs Office (normally the Judicial Disputes (Policy) Manager).
 - c. **Hearings:** All hearings pertaining to conflicts of interest will be closed.
 - i. The Judicial Committee may require that the complainant excuse themselves in the event that the Committee believes their presence might hinder or harm the respondent or the ability to disclose the truth in an honest manner.
 - ii. A member of the Human Resource Office (in the event the case is brought against an AMS employee), must be present at the hearing and subsequent deliberations.
 - d. **Misrepresentation:** Intentional concealment of a conflict of interest which becomes evident after this process, should be considered a serious violation of this policy; and violations of this clause may be pursued by the Judicial Affairs Office.
4. **Sanctions:** If the Committee finds that a violation has occurred the Committee may require a respondent to:
 - a. Immediately take steps to come into compliance with the guidelines.
 - b. Relinquish any material benefits gained from the violation to the Society.
 - c. Repay the Society if any such benefits have been derived from the finances of the Society and have (for whatever reason) been spent.
 - d. Relinquish any appointed or volunteer position gained through the violation.
 - e. Suspension of duties or letter delivered to the respondent's supervisor.
 - f. The Committee may also impose other penalties which are within its mandate and not specified in this section to restore any benefit or harm done to a third party as a result of the undisclosed conflict of interest, or failure to follow proper procedures
 - g. Any other sanction under the purview of the Judicial Committee as outlined in the *Judicial Policy*.
5. **Appeals:** Decisions of the Judicial Committee are final and not subject to appeal.

Part B: Attendance Expectations

Section 1: General Principles

1. This section governs attendance expectations of Assembly Members and Judicial Committee Members who are collectively referred to as “**members**”.
2. The section aims to distinguish between excused and personal absences, for the purposes of transparency and accountability while recognizing the varying commitments and conflicts which arise naturally within the scope of these roles.
3. This section is enforced normally by the Chief Governance Officer (Sept – Apr) or the Secretariat (between May-Aug), who are collectively referred to as “**officers**”.

Section 2: Personal Absences

1. **Purpose:** The purpose of “Personal Absences” is to allow members to be absent from scheduled sessions, for personal reasons that may include but are not limited to personal and/or family commitments, absences for medical reasons, and/or any reason that is not covered under “Excused Absences”. “Personal Absences” may be used at the discretion of the member, and members are not required to provide any further clarifications or justifications. Personal Absences are ‘no questions asked.’
2. **Maximum:** Where attendance is expected, each member is entitled to 2 absences between the Fall and Winter terms, and 2 in the summer term.
3. **Nature:** So long as members do not exceed **the maximum**, there should be no questions or clarifications asked on the nature or reason behind the absence. This assumes that members act in good faith.
4. **Notice:** There is no requirement to provide the Internal Affairs Office notice.

Section 3: Excused Absences

1. Absences for the grounds listed below will be considered as Excused assuming that proper notice has been given to the Internal Affairs Office (“IAO”). Proper notice is considered delivered by the completion of “**Request of Excused Absence**” by the deadlines outlined.
2. **Maximum:** There is no maximum number of excused absences that a member may request, so long as prompt notice is given, and the request is approved.
3. **Religious Observances.** Members may use this clause to request an excused absence for a pre-determined period of time or request accommodations for a scheduled session, based on religious grounds.

- a. The following information may be requested to ensure members are adequately accommodated. Changes to this should only be made after consultation with the Faith and Spiritual Life's Office.
 - i. Name of the Observance
 - ii. Religious Affiliation
 - iii. Date or date range for which accommodation is required.
 - iv. Descriptions of the accommodation needed. The purpose of this question is to ensure that accommodations needs are adequately considered, and the IAO has steps to take to reflect the request.
- b. **Professionalism:** Members should review and request accommodations relating to their religious observances at the beginning of each term. Requests will not be approved if provided less than one week in advance, and members can use their Personal Absences.
- 4. **Academic Commitments.** Members may request an excused absence for purposes of meeting their academic commitments.
 - a. This clause applies to the following:
 - i. The member has an exam or mid-term on the same day or 24 hours after they have a commitment that arises within the scope of their position.
 - ii. Any other commitment which is academic in nature, and which precludes the member from attending to their responsibilities on the day and/or time of their commitment. This includes but is not limited to, practicums, academic conferences, labs and lectures.
 - b. **Professionalism:** Members should review and request accommodations relating to their academic commitments at the beginning of each term, once their schedules have been finalized, and promptly after the Registrar's Office releases exam schedules. Requests will not be approved if provided less than one week in advance, and members can use their Personal Absences.
 - c. **Information:** The member should provide the following information:
 - i. Course code, and name
 - ii. Date and time of the exam (if applicable)
 - iii. A description of the academic commitment and how it precludes the member from meeting their responsibilities (if applicable)
 - d. **Approval:** It should be at the discretion of the Secretariat or delegate, to approve requests under sec. 3, subsec. a(ii) and to request additional information as needed. The Secretariat or delegate will use the standard of a reasonable person in the discretionary approvals.

5. **Conflicting Commitments.** It is recognized that within their positional capacities, members may have commitments that arise which preclude members from attending meetings where their presence is expected.
 - a. Requests should include the following information:
 - i. Type of commitment (trip, meeting, consultation, etc.)
 - ii. Date or range of conflict
 - iii. A clear description on how the commitment relates to the nature of the role
 - iv. Justification for the timing that the request is made if necessary if provided less than 1 week in advance.
 - b. **Professionalism:** Members should provide notice as soon as a commitment becomes known, and generally one week in advance. However, in exceptional circumstances, a request may be approved as long as the request is submitted within 72 hours *after* the commitment at the discretion of the Secretariat or delegate.
6. **Summer Accommodations:** Between May-August, members may request an excused absences for employment commitments, time zone differences or any other reason that precludes their regular participation during the summer months (May – Aug). This accommodation is made in consideration of the fact that not all members are compensated in the summer months, for holding their office.
 - a. This can only be requested by a member whose position is volunteer or volunteer-honorarium.
 - b. This can only be requested for a maximum of two instances in the summer.
 - c. Should a member be completely unable to meet the duties of their position in the summer, **they should contact the Secretariat to discuss options relating to the delegation of their duties.**

Section 4: Reports

1. For assembly members from whom a report is expected, members may fail to submit the report for a maximum of 2 times within a calendar year. No further explanation is needed from members. Members do not need to write the report themselves but are ultimately accountable for the content of their reports.
2. In general, unless communicated otherwise, members should submit their reports one week (1) in advance of a scheduled assembly session. At the discretion of the Secretariat, this deadline may be adjusted in the summer months or for annual/corporate general meetings. Where there are discrepancies between the deadline communicated by the Secretariat and this policy, the Secretariat's direction prevails.

Section 5: Accountability

This section outlines the implications of absences and/or missed reports for the members whose accountability is governed by this policy.

	Assembly Member	JCOMM Member
Absences		
Excused Absence	Unlimited	Unlimited
First Absence	Notice of the 1 st Personal Absence, which is considered delivered if sent by the deadline to release meeting minutes for the meeting missed (usually 10 business days for assembly, and 72 hours for JCOMM).	
Second Absence	Meeting with the Secretariat and Speaker or JCOMM Chair (as appropriate) to discuss attendance record, accommodation needs and supports available. The purpose of this meeting will be to determine the nature and cause for absences, and any support measures that need to be placed to ensure the effective functioning of the bodies the member is a part of. A summary of the meeting will be sent within 72 hours and include information on the implications of additional absences and/or support measures being placed.	
Third Absence	<p>Voting Members – per sec. 5.3.6 of the AMS Constitution, the Speaker may motion to suspend the voting rights of an assembly member. Such a motion requires a simple majority to pass and does not require a seconder.</p> <p>For all members, the Speaker reserves the right to make a statement.</p>	Ground for removal or suspension from duties following policies governing the removal of JCOMM members.
Reports		
1st Missed Report	Warning of the 1 st Missed Report, which is considered delivered if sent by the deadline to release meeting minutes for the meeting missed.	N/a

2nd Missed Report	Part C, sec. 2, subsec. 1, c(i) of the AMS Assembly Policy. An oral report will not be permitted except by a 2/3 approval of assembly.	
3rd Missed Report	Part C, sec. 2, subsec. 2, d of the AMS Assembly Policy. The authority of the Director of Communications will be delegated to the Speaker who reserves the right to make a statement regarding missed reports from individuals or Societies.	

Section 6: Enforcement and Appeals

- Decisions may be appealed by a written notice delivered to the Secretariat within 72 hours of the receipt of a decision. Appeals are considered by:
 - Speaker of Assembly (for assembly members). In the summer months (May – August), or in the absence of the Speaker or Deputy Speaker, decisions of the Secretariat are final and not subject to appeal.
 - Judicial Committee Chair (for JCOMM members)
- Decisions pertaining to the Speaker, JCOMM Chair, Deputy Speaker or JCOMM Vice-Chair may be appealed to the President’s Caucus by a written notice delivered to the Secretariat within 72 hours of a receipt of a decision.
- The Chief Governance Officer will have autonomous decision-making ability in the approval of requests of absences free of influence from the Secretariat, AMS Executive, AMS Board of Directors or any other individual. The Secretariat enjoys the same autonomy during the summer months.
- All records relating to accommodations will be destroyed by April 30 of the academic year.

Section 7: Amendments and Monitoring

- At the end of the Fall and Winter terms, the Secretariat will submit a written report with statistical information on the use and approval of excused absences. This report will not include personal or identifying information in any capacity but should serve an item of information for purposes of transparency and discussion.

2. This section may only be amended by approval of the Judicial Committee and approval of the AMS Assembly. There is no specific order in which approvals need to occur; and members of either body may present changes via the Speaker or JCOMM Chair. However, for changes to go into effect, they must be approved by the two bodies impacted by the contents and directions of this section within the same academic year. The Secretariat must ensure that whenever changes are proposed, the other body is notified, and changes are voted on at the next regularly scheduled session/meeting.
3. All substantial changes to this section must first be approved by the AMS President before their presentation to JCOMM or Assembly.

Part C: Election Team

Section 1: Hiring Panels

1. **Election Officers:** Election Officers will be hired by a panel consisting of at least two of the following:
 - a. President (elect)
 - b. Incoming Secretariat
 - c. Outgoing Secretariat
2. **Election Deputies:** Election Deputies are to be hired by a panel consisting of:
 - a. Incoming Secretariat
 - b. Incoming Election Officers
3. **Contingency:** In the event that a member of a hiring panel has a conflict of interest or is unable to be on the panel for any reason, the following individuals can replace the member within the same seniority level. These appointments are subject to approval by the Human Resource Office.
 - a. Vice-President of University Affairs (elect)
 - b. AMS President
 - c. Chief Governance Officer
4. **Ratification:** All appointments are subject to ratification by the AMS Assembly at the next assembly after the decision is made.

Section 2: Conflicts of Interest

1. Procedure for determining conflicts of interests will follow **Part A** of this policy. Where a conflict of interest has been determined to exist for any member of the Election Team, the person will be required to appropriately alter their responsibilities. Any member of the society who has concerns relating to conflicts of

interest can express the concern, through a written notice delivered to the Secretariat.

	Personal	Group
Category I	The Election Officer or Deputy should disclose their conflict of interest, and must recuse themselves from all communication and decision making.	
Category II	The Election Officer or Deputy should disclose their conflict of interest and must recuse themselves from all decision making. They may still be looped in communication.	
Category III	N/A. this is addressed based on the facts of the situation and at the direction of the Secretariat. Unless doing so causes undue hardship, the Election Officer or Deputy should recuse themselves, and duties be redistributed in the Election Team only pertaining to the group/person with whom there is a conflict of interest.	
Category IV	The Election Officer or Deputy should disclose their conflict of interest, and may continue their duties unless directed otherwise by the Secretariat.	

2. Election Officers must declare any potential conflicts of interests to the Secretariat, who, for the purposes of protecting the integrity of the Elections, will notify the AMS Assembly of the nature of the conflict (by indicating the Level), and steps taken by the Secretariat to alter the responsibilities of the officer. Should assembly have concerns or request further clarification, the Secretariat will motion to move the discussion into a closed session to protect the privacy of the officer.
 - a. The Human Resource Manager will be present at the assembly when this notification takes place, and any related closed sessions to support and protect the privacy of the officer.
 - b.
3. The Elections Deputies must declare any potential conflict of interest to the Secretariat and the Election Officers. The Secretariat Will notify the President's Caucus of the nature (level) of conflict of interest, and steps taken by the Election Team to alter the responsibilities of the deputy.

Section 3: Removals

1. A member of the Election Team may not be removed from their position during the election period (defined from 12:00 AM on the day in which the information session takes place, until 11:59 PM on the day election expense forms are due), except by:

- a. 2/3 approval of the Judicial Committee in a meeting in which at least 2/3 of members are present. If the motion to remove fails at this step, the process cannot proceed to the President's Caucus; and
 - b. 2/3 approval of President's Caucus, in a meeting in which at least 2/3 members are president.
2. The motion for removal shall read as follows:
That (name of the body) approve the removal of (full name of person) from the position of (insert position name) for (insert reason) effective immediately.

In all meetings where a decision to remove is discussed, the affected person has the right to be present. A member of the Human Resource Office must also be present. The approval requirements do not constitute an opportunity for members of the Judicial Committee or President's Caucus to inquire into the details of the situation, nor is this intended to be a hearing where the AMS is required to submit evidence, or proof or disclose confidential information to either body. The approval requirement exists as a check, to allow the Election Team the autonomy and independence to enforce the Election and Referenda Policy of the AMS; and protect the team from removals in the course of their rightful enforcement of relevant policies.

3. Additionally, the approval requirement exists to ensure that members are removed for good reason and given an opportunity to voice concerns relating to the removal decision if applicable. It should normally be sufficient that the Judicial Committee or President's Caucus is notified that a member has violated a specific employment policy. The Judicial Committee and President's Caucus may request that the AMS disclose the sections of policy, and/or specific grounds for removal *but not* the confidential details of a situation.
4. Outside of the election period, members of the Election Team may be removed from their position following terms outlined in their contracts, and policies governing the Human Resource Office of the AMS.

Part D: Judicial Affairs Office

Section 1: Appointment Pillars

1. The AMS shall strive to ensure that the appointment of student leaders within the Judicial System (Judicial Affairs Office "JAO" or Judicial Committee "JCOMM") represents and upholds the best interests of the student body, including

consideration for diversity amongst identities, membership to faculty societies, and experiences within the University community.

2. Where possible, there shall be a presumption in favour of those applicants who have previously served in the Judicial System. However, such a presumption does not obligate the hiring panel of choosing the applicant if there is a stronger candidate or the applicant's performance has been unsatisfactory.
3. Members of the Judicial Affairs Office will receive training in two cycles. Completion of this training is mandatory to be eligible to hold the position for the appointed year.
 - a. Transition training, which occurs at the end of the winter term facilitated by the outgoing members of the office.
 - b. Fall training, hosted by the Student Conduct Office prior to being deemed qualified to accept case referrals.
4. All applicants to the Judicial Affairs Office will be required to agree to the following:
 - a. That they have not been found responsible for a Category 2 violation under the Student Code of Conduct, the Policy on Sexual Violence Involving Queen's University Students, or the Harassment and Discrimination Prevention and Response Policy, and agree that Alma Mater Society may verify this with the Student Conduct Office.
 - b. That the AMS Judicial Committee has not restricted the applicant's ability to join the Judicial Affairs Office for a specified period of time.

Section 2: Hiring Panels

1. **Judicial Managers:** Judicial Managers are to be hired by a panel consisting of:
 - a. President-elect (non-voting)
 - b. Incoming Secretariat
 - c. Outgoing Secretariat
 - d. Outgoing Judicial Committee Chair
2. **Judicial Deputies:** Judicial Deputies are to be hired by a panel consisting of:
 - a. Incoming Secretariat
 - b. Incoming Judicial Managers
3. **Contingency:** In the event that a member of a hiring panel has a conflict of interest or is unable to be on the panel for any reason, the following individuals can replace the member within the same seniority level. These appointments are subject to approval by the Human Resource Office.
 - a. Vice-President of University Affairs (elect)
 - b. Chief Governance Officer
 - c. Outgoing Judicial Committee Vice-Chair

4. All appointments are subject to ratification by the AMS Assembly at the next assembly after the decision is made.

Section 3: Conflicts of Interest

1. **Conflicts of Interest in Judicial Affairs Office:** In the event of a conflict of interest, to be determined as outlined in this policy, the case will be reassigned in this order:
 - a. Other Judicial Manager
 - b. Secretary of Internal Affairs
 - c. Student Conduct Office if the case falls under the purview of NAM; or the Chief Governance Officer for all other cases.

In the event that a party has concerns about conflicts of interest, that they feel are not addressed, such concerns must be forwarded to the Secretariat and/or the Judicial Committee Chair.

2. The following table should serve as a guide on addressing conflicts of interest:

	Personal	Group
Category I	The JAO members should disclose their conflict of interest and must recuse themselves from all communication and decision making.	
Category II	The JAO members should disclose their conflict of interest and must recuse themselves from all communication and decision making.	
Category III	N/A. Unless doing so causes undue hardship, the JAO members should recuse themselves from all communication and decision making.	
Category IV	JAO members must disclose this to the Secretariat, and other parties (if required by the Secretariat) and may process as normal unless directed otherwise by the Secretariat.	

3. **Approval of Case Delegation:** In the event of a conflict of interest, where cases may need to be delegated as outlined above, the following approval levels apply:
 - a. Where one of the Judicial Managers can take the case, the case may be reassigned or delegated by the Secretariat.
 - b. Where both Judicial Managers are unavailable, the case may be delegated to the Secretariat first, or Chief Governance Officer (excluding NAM cases) with approval the following:
 - i. Judicial Committee Chair; and
 - ii. Judicial Committee Vice-Chair

Section 4: Removal

1. A member of the Judicial Affairs Office may not be removed from their position while there is an ongoing case in which they preside as the Case Officer (as defined by the Judicial Policy); except by:
 - a. Following the procedures outlined for removal in the Agency Agreement; or
 - b. 2/3 approval of the Judicial Committee in a meeting in which at least 2/3 of members are present. If the motion to remove fails at this step, the process cannot proceed to the President's Caucus; and
 - c. 2/3 approval of President's Caucus, in a meeting in which at least 2/3 members are president.

The motion for removal shall read as follows:

That (name of the body) approve the removal of (full name of person) from the position of (insert position name) for (insert reason) effective immediately.

2. In all meetings where a decision to remove is discussed, the affected person has the right to be present. A member of the Human Resource Office must also be present. The approval requirements do not constitute and opportunity for members of the Judicial Committee or President's Caucus to inquire into the details of the situation, nor is this intended to be a hearing where the AMS is required to submit evidence, or proof or disclose confidential information to either body. The approval requirement exists as a check, to allow the Case Officer the autonomy and independence to follow the judicial process, as outlined in the Judicial Policy, without risk of reprisal in the course of rightful enforcement of relevant policies.
3. Additionally, the approval requirement exists to ensure that members are removed for good reason and given an opportunity to voice concerns relating to the removal decision if applicable. It should normally be sufficient that the Judicial Committee or President's Caucus is notified that a member has violated a specific employment policy. The Judicial Committee and President's Caucus may request that the AMS disclose the sections of policy, and/or specific grounds for removal *but not* the confidential details of a situation.
4. When members are not presiding over a case, members of the Judicial Affairs Office may be removed from their position following terms outlined in their contracts, and policies governing the Human Resource Office of the AMS or by following the procedures outlined in the Agency Agreement.

Part E: Judicial Committee

Section 1: Appointment Pillars

1. The Alma Mater Society recognizes the diversity of thought and experience which students develop by virtue of their membership in Member Societies. The AMS will strive to hire students to the Judicial Committee from diverse experiences and affiliations. This will be done as follows:
 - a. The AMS will allocate 1 seat on the Judicial Committee for each Member Society, with the exception of the Arts and Science Undergraduate Society (ASUS) which be allocated two seats: one for Bachelor of Arts students, and one for Bachelor of Science students.
 - b. In the event that the hiring panel does not deem any applicant for a Member Society seat qualified, or there are no applicants for that position, the seats will be filled as follows:
 - i. For Member Societies which are sibling societies of ASUS, their seat will be filled by the next best qualified applicant from the ASUS application pool or another sibling society pool.
 - ii. For other societies, the seat will be filled by the next best qualified applicant at the discretion of the hiring panel.
2. Insofar as the system is peer-based and should be representative of the demographics of the student body, the AMS will strive throughout the process of hiring members of the Judicial Committee to ensure a diversity of genders and faculty society affiliations are represented.
3. All members of the Judicial Committee are appointed on a 12-month term which begins on September 1st of the year they are appointed, and until August 31st of the subsequent year.
4. All applicants to the Judicial Committee will be required to agree to the following:
 - a. That they have not been found responsible for a Category 2 violation under the Student Code of Conduct, the Policy on Sexual Violence Involving Queen's University Students, or the Harassment and Discrimination Prevention and Response Policy, and agree that Alma Mater Society may verify this with the Student Conduct Office.
 - b. That the AMS Judicial Committee has not restricted the applicant's ability to join the Judicial System for a specified period of time.
5. All appointments are subject to ratification by the AMS Assembly at the next session after a hiring decision is made, and the person completes all required training as determined by the Secretariat. Failure to complete training disqualifies a person from an appointment.

Section 2: Hiring Panels

1. **Judicial Committee Chair:** JCOMM Chair is to be hired by a panel consisting of at least two of the following:

- a. Incoming Secretary of Internal Affairs
- b. Outgoing Secretary of Internal Affairs
- c. Outgoing Chief Governance Officer

In the event of a vacancy in this position, the Vice-Chair will resume the duties of the Chair. However, in the event that both positions are vacant, the Secretariat may appoint a Chair with 2/3 approval of President's Caucus if the appointee is a member of the Judicial Committee. Otherwise, the application period may reopen.

In the event that hiring takes place in the summer or the fall, or in the absence of the outgoing members, the following will form a hiring panel:

- a. Secretary of Internal Affairs
- b. Chief Governance Officer
- c. AMS President (observer)

In the event there is a vacancy on either hiring panel, and/or a member is not available due to the timing of the hiring, the AMS President may resume their role at the hiring panel with the approval of the Human Resource Office of the AMS.

2. **Judicial Committee Member:** JCOMM members are to be hired by a panel consisting of the following:

- a. Outgoing Secretary of Internal Affairs
- b. Outgoing Chief Governance Officer
- c. Incoming Judicial Committee Chair

In the event that hiring takes place in the summer or the fall, or in the absence of the outgoing members, the following will form a hiring panel:

- d. Secretary of Internal Affairs
- e. Chief Governance Officer
- f. Judicial Committee Chair

In the event there is a vacancy on either hiring panel, and/or a member if not available due to the timing of the hiring, the AMS President may resume their role at the hiring panel with the approval of the Human Resource Office of the AMS.

3. **Judicial Committee Vice-Chair:** The Vice-Chair of JCOMM is a member of the Judicial Committee and appointed by a 2/3 majority vote of committee members prior to the commencement of the first hearing. In the event of a vacancy in this

position and/or if the Vice-Chair resumes the role of the Chair, JCOMM is empowered to appoint a new Vice-Chair per this section.

4. All appointments are subject to ratification by the AMS Assembly at the next assembly after the decision is made.

Section 3: Conflicts of Interest

1. Members of the Judicial Committee will follow the same procedure for determining conflicts of interest as outlined in Part A and are expected to act with integrity and show due respect to the Judicial System whenever they suspect that their involvement with a hearing may undermine the integrity of the Judicial System or scandalize the judicial proceedings. Conflicts of Interests for Judicial Committee members may arise with any party in a judicial process, including but not limited to respondents, complainants, and the Judicial Managers as defined by the *Judicial Policy*. Members should recuse themselves for a conflict of interest under Category I-III, and receive guidance from the Chief Governance Officer for Category IV.
2. In the event that quorum cannot be achieved, special appointments can be made as outlined in Part F, sec. 4.

Section 4: Removal

Judicial Committee Chair and Vice-Chair:

1. The Judicial Committee Chair or Vice-Chair may be removed from their role by a 2/3 majority vote by 3/4 of the Judicial Committee Members.
2. The removed person will continue to serve in the same capacity as all other members unless the person needs to be removed from the Judicial Committee following procedures governing the removal of a Member of the Judicial Committee.
3. Appointments to the vacant position follow Part D, Section 2 of this policy.

Judicial Committee Member:

4. Members of the Judicial Committee may only be removed from their position on the following grounds, and with a 2/3 approval of President's Caucus where proper notice of such a motion has been given on the following grounds:
 - a. Failure to comply with the attendance expectations of Part B.
 - b. Ineligibility to be a member of the society
 - c. Failure to pay Member Society or Society membership fees
 - d. Misconduct that may retroactively make an individual ineligible to hold their position per Part E, Section 1(4)

- e. There is a reasonable belief that a conflict of interest was intentionally concealed in a manner which undermined the judicial process or breached their confidentiality agreement.
5. In all meetings where a decision to remove is discussed, the affected person has the right to be present. A member of the Human Resource Office must also be present.
6. After a motion passes at the President's Caucus for the removal of the member,
 - a. The Secretariat must notify the AMS Assembly by stating that a member of the Judicial Committee was removed, and the ground(s) on which they were removed. The name of the person and details must remain confidential.
 - b. The person may appeal the decision to the AMS Assembly at the next scheduled session of Assembly where proper notice has been given. The Secretariat must motion to enter into a closed session, and the AMS Assembly may overturn a decision of removal by a simple majority.
7. Proper notice is considered a notice of motion included in the agenda of the meeting prior to the meeting where the vote to remove occurs.

Part F: Other Judicial Bodies

Section 1: Judicial Advisory Board

1. There will be a Judicial Advisory Board ("Board"), whose jurisdiction is defined by the Judicial Policy consisting of the Chairs of the Advisory Boards for any Member Society which has an advisory board or a group, which is delegated the authority to discipline students in the Member Society. Chairs must be appointed to the their position in the Member Societies following the policies and constitutions of the Member Societies. Each September, the Secretariat or delegate must notify the relevant individuals of their appointment to the Board de-facto holding their position in the Member Society.
2. **Members – Conflict of Interest:** In the event that Board members are not available due to a vacancy or a conflict of interest, the vice-chair of the member may substitute. However, in the event that both are unavailable, the appointment to the Judicial Advisory Board will follow the process of Part F, sec. 4.
3. **Chair of the Board:** The Chair is the Speaker of the AMS Assembly, who is appointed in accordance with this policy, and is a non-voting member of the board, empowered to speak on behalf of the Board. In the event of a vacancy or a conflict of interest, the deputy Speaker will resume this role. If both positions are vacant, the Secretary may make appointments subject to 2/3 approval of the AMS Assembly.
4. **Eligibility:** To be eligible to hold a position on the Board, all Chairs (or Vice-Chairs) of Member Society advisory boards, must:

- a. Complete mandatory training as determined by the Secretariat, which all Judicial Committee members must undergo.
- b. Sign a **Non-Disclosure Agreement** with the AMS.
- c. Meet all eligibility requirement that the Judicial Committee members must meet (Ex. membership in the Society, etc..).

Section 2: Alternate Judicial Committee

1. There will be an **Alternate Judicial Committee “AJC”** which is formed whenever the Judicial Affairs Office is addressing a case with a group which warrant an appointment of a non-voting advisory person, who is appointed for their expertise of procedure or policy. The AJC composition is defined as follows:
 - a. Chair of the Judicial Committee
 - b. 2/3 of the members of the Judicial Committee
 - c. A non-voting advisor. Examples of non-voting advisors are listed below, but not limited to this list below:
 - i. The president of the Member Society if the case is being brought forward against a group affiliated with a member society. This excludes any governance related cases of the AMS.
 - ii. The Club’s Commissioner or a delegate if the case is brought forward against a Queen’s Club.
 - iii. The Human Resource Manager or a representative of the Human Resource Office of the AMS.
5. In the event that the president of the member society has a conflict of interest, another executive of the society may be appointed by recommendation of the society’s executive. In the appointment of the executive, special consideration should be given to ensuring that students are not deprived of an opportunity to be supported by their executive members if there is a direct working relationship.
6. All appointments for non-voting advisors to the AJC must be approved by the
 - a. Secretary of Internal Affairs
 - b. Chair of the Judicial Committee

Section 3: NAM Judicial Committee

1. In all matters relating to the administration of Category 1 Non-Academic Misconduct cases, a NAM Judicial Committee (NJC) will form as a subset of the regular Judicial Committee. This committee will include the following:
 - a. Chair of the Judicial Committee
 - b. 1/3 of regular members of the Judicial Committee to be appointed for each case by the following:

- i. Chair of the Judicial Committee
 - ii. Secretary of Internal Affairs
- 2. Where possible, one of the members of the NJC should be a member of the same member society which the respondent is a member of. This is in recognition that for the administration of restorative justice, and an understanding of the culture surrounding infractions of the code, a student from the same member society will be able to provide insight that can support JCOMM.

Section 4: Special Appointments

1. In the event of a vacancy on the Committee as a result of removal or resignation, or where quorum cannot be achieved in extra-ordinary circumstances, special appointments to JCOMM may be made by:
 - a. The Secretary of Internal Affairs
 - b. Chair of the Judicial Committee

In the event of a conflict of interest, the appointments may be approved

- c. At least one of the individuals listed above, and
 - d. Chair of the Judicial Advisory Board
2. Appointments are final, and subject to appeal to the President's Caucus by a written notice delivered to the Secretariat, within 48 hours of a receipt of a notice of appointment. Appeals may only be entertained if the respondents or complainant have a reasonable apprehension of bias in one or more of the appointed members.
3. These members will be selected from an expanded pool of candidates that includes all current AMS members who have training and experience in the Judicial System.
4. All regular members who do not have conflicts will continue to serve on the Committee for the case in question. As such, the number to be appointed shall be such as is necessary to achieve quorum.
5. Notwithstanding Part F, sec. 4, sec. 1, between May-August, the Secretariat or President can make appointments as stipulated under Part F, sec. 4, subsec. 3 above, with a 2/3 approval of the President's Caucus.
6. This section may be used for special appointments to any judicial body, including but not limited to the Judicial Committee, Judicial Advisory Board, Alternate Judicial Committee and NAM Judicial Committee in the event that quorum cannot be reached.

Part G: Assembly Appointments

Section 1: Speaker of Assembly

1. The Speaker of Assembly is the chair of assembly, and the chair of Judicial Advisory Board. The deputy speaker is empowered to the same authority where the speaker is unable to meet their duties for any reason, including conflicts of interest.
2. Appointment of the Speaker follows procedures outlined in the *Assembly Policy*.

Section 2: Assembly Committees – Student Appointments

1. The Nominating Committee of Assembly is responsible for making appointments to all committees of Assembly, including where students-at-large may be appointed.
2. Awards, grants and bursaries and other financial allocations that are under the purview of the AMS Assembly must outline, where possible, a plan for substitution of members in the event of a vacancy or a conflict of interest. In the absence of such a plan, this section applies.
3. Quorum for selection committees is 2/3 of members.
4. Substitutions: substitutions are generally outlined by the *Award, Grant and Bursary Policy*. In the absence of substitutions, the special appointment process applies.
5. Substitutions and special appointments must only occur if:
 - a. A member of the Selection Committee is unable to fulfill any of their duties for duration of the time they would be a member of the Committee ex. due to the presence of a Category 1 conflict of interest.
 - b. AND after the member recuses themselves or due to a vacancy, quorum cannot be achieved.
 - c. Substitutions are not made to achieve quorum for one (1) decision. All members appointed as substitutes become members of the Committee and must observe all Committee sessions and proceedings. However, their appointment does not change the number of people required for quorum.
3. Conflicts of Interest procedures must follow Part A of this policy. If a committee cannot achieve quorum due to a persistent vacancy or conflict of interest, the Secretariat may make appointments subject to the following restrictions:
 - a. Only voting members of assembly can substitute for a seat reserved for voting members of assembly.
 - b. Only AMS executive can substitute for a seat reserved for the AMS executive. Unless states otherwise, the order the executive fill this seat is as follows: Vice-President of University, President, Vice-President of Operations. In the event that all AMS executives are unavailable, the Secretariat

- i. May appoint a voting member of assembly as their substitute, if the AMS executive were members of a Selection Committee.
 - ii. Assume the role of the chair as a non-voting member, if the AMS executive reserved a seat as the chair of a Selection Committee.
 - iii. Motion to suspend the administration of the award, grant or bursary. Such a motion is exempt from any time requirements outlined in the Awards/Grants and Bursary policy.
- c. Only a non-executive, student member of the Board of Directors may substitute for the Chair of the Board of Directors.
- d. All appointments which deviate from the requirements of this policy due to persistent vacancies or conflicts of interest, must be approved by the Secretariat.
- 4. In the event that a situation occurs relating to quorum or composition not covered by this policy, the Secretariat (or delegate) retains the authority to determine quorum requirements and composition.

Section 3: Assembly Committee – Non-Student Appointments

1. This section governs appointments of non-students, ex. faculty or community members to committees of the AMS Assembly.
2. Faculty member appointees must be instructors at Queen's University. It is the responsibility of the Chair to identify potential appointees, solicit for their interest, and make recommendations to the Chair of the Nominating Committee, who must bring the request forward to the Committee for their appointment. The Nominating Committee retains the final authority to approve appointments to the Selection Committee.
3. Community member appointees must be residents of the Kingston community. It is the responsibility of the Chair to identify potential appointees, solicit for their interest, make recommendations to Chair of the Nominating Committee, who must bring the request forward to the Committee for their appointment.
4. The Nominating Committee reserves the right to reject any recommendation for any reason, at its discretion. The Committee must consider the interests of the student body in making appointments.
5. In the event of a vacancy or a conflict of interest, it is the responsibility of the Chair to notify the Secretariat. The Secretariat may, at their discretion, determine an appropriate form of action.
6. All appointments of non-students to Assembly Committees require approval from the Nominating Committee. The Secretariat may not make appointments without approval from the Nominating Committee. This is to ensure there is oversight, and proper vetting of appointees who will be accessing confidential student information.

Monitoring

Compliance with this policy will be monitored by the Secretariat and enforced by the Chief Governance Officer. The AMS Judicial Committee has the final authority to interpret and resolve disputes of the application of this policy. However, the AMS Assembly retains the right to alter and amend this policy by a simple majority vote.

Contact person	<i>Secretary of Internal Affairs</i>
Date of next review	<i>August 2027</i>
Related policies, procedures and guidelines	<i>AMS Constitution Conflict of Interest Act of Canada Elections Policy Judicial Policy Awards, Grants and Bursary Policy</i>
Policies superseded by this policy	<i>AMS Procedures Policy</i>