

## **MSS November 2023 AMA-MSS Speakers' Ruling**

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**Morales R.C. & Conry A.**

### **Dear Candidates and AMA-MSS Leadership,**

In accordance with MSS IOP 6.5.3, your Speakers have established this document of Rulings so that all candidates have equal access to all guidelines. This document will be open to the AMA-MSS and specifically targeted towards individuals seeking candidacy for the positions of the AMA-MSS Chair-Elect and AMA Board of Trustees (BOT) Student Member. Candidates who submit campaign materials by the deadline will receive a copy of this document, and a copy will be provided in the meeting Election Manual. Pursuant to MSS IOP 6.5.3, "Once released, the AMA-MSS Speakers reserve the right to issue addendums or announcements during the campaign period as needed. Any addendums or amendments to the election rules also shall be shared with all candidates."

This document outlines prior Speakers' Rulings that remain in effect, new Speakers' Rulings, and how your Speakers plan to enforce the rules. Remember that campaign rules outlined in the MSS Internal Operating Procedures (IOPs) are always in effect. This document clarifies some of those rules and procedures. Region Bylaws should be followed in all instances, but are superseded by the MSS IOPs and the Speakers' Ruling. MSS IOP 4.4.5.2 charges your Speakers to "Provide for oversight and enforcement of the Campaign Rules, including responsibility for investigation of alleged infractions and reporting of substantiated infractions to the Assembly prior to balloting." Such Rulings ensure that elections held at the national meeting are in accordance with the Bylaws and procedures of our AMA and AMA-MSS IOPs. Clarifying your Speakers' interpretations of the MSS IOPs early allows candidates to campaign accordingly and avoids members misinterpreting ambiguous IOPs.

**This Speakers' Ruling may be subject to modification following projected passage of the new AMA-MSS IOPs in September 2023.** Any changes will be highlighted and explicated in a subsequent Speakers' Update(s), at that time.

In order to receive the most up-to-date information, candidates should contact your Speakers once they have decided to seek candidacy. Candidates are encouraged to ask your Speakers and/or the Chair of the Rules Committee to clarify any rules in the Speakers' Ruling in order to avoid misapplication of the rules. Misunderstanding a rule's application does not absolve the candidate from an infraction.

### **I. Deadline for Material Submission**

1. The deadline for submitting applications including materials to be included in the I-23 Election Guide is October 8, 2023 by 1:59 AM Central Time. We strongly encourage students to submit application materials ahead of time.

2. No new applications will be accepted after this deadline, although supporting materials may be accepted at the discretion of the AMA staff.
3. After this date, candidates must be nominated and run from the floor for any of the MSS positions that are up for election at the I-23 meeting in future Speakers' communications.
4. If a candidate who is nominated from the floor would like to have their completed application materials and Conflict of Interest disclosures uploaded to the AMA website for section reference, they must send these materials to AMA staff by 11 AM Central Time on the day of nomination.
5. Candidates who run from the floor will not have materials included in the official I-23 Election Guide, but they will be included on the MSS website after receipt and approval by staff.
6. Candidates who run from the floor will not be able to participate in the I-23 Candidate Forum if the nomination period follows the Candidate Forum.

## II. Campaign Period

1. No campaigning for any other election besides those elections taking place at the upcoming meeting will be permitted. The official campaign period shall be defined as starting the first day the Speakers' Ruling is made available to MSS members. (MSS IOP 6.5.2.3)

a. All activities related to announcement of candidacy, endorsement, or campaigning, including but not limited to communications, and speaking opportunities shall be limited to the campaign period defined above (MSS IOP 6.5.2.4).

i. **Permissible** communication outside of the campaign period includes, but is not limited to:

1. Discussing one's viability as a potential candidate with individual MSS members before deciding to declare candidacy.

2. Reaching out to current and previous MSS members individually for more information on the responsibilities of a position

3. Assembling individuals to serve as a member's campaign manager team, should they decide to run.

a. Candidates cannot enlist more than two (2) members to serve as their campaign manager(s).

b. As part of these conversations, it is permissible for candidates to speak on their own behalf and announce their candidacy, for the purpose of recruiting these members to their campaign manager team, so long as their recruitment would not violate the two-member limit.

c. Members of a candidate's campaign manager team may not reach out on behalf of a candidate to other members outside of the campaign period.

4. Creation, but not publication, of a Facebook and/or Instagram campaign page.

ii. Your Speakers' intent is to restrict communication which could be interpreted as active campaigning or declaration of candidacy outside of the campaign period. No campaign materials can be disseminated prior to the campaign period.

- iii. Appropriate campaigning practices during the campaign period are outlined in Section IV of the Speakers' Ruling.
  - vi. Use of the Virtual Reference Committee (VRC) for campaigning is prohibited.
    - 1. Campaign violations that occur on the VRC will be decided at the discretion of the Speakers.
  - v. Candidates are prohibited from being members of or requesting to be members of Facebook groups, GroupMe's, or other communication channels for official MSS bodies - including but not limited to Regions, standing committees, task forces, and convention committees - if they are not already official members of those bodies.
- b. Any MSS member is encouraged to address questions about the permissibility of any communication to your Speakers and/or Chair(s) of the Rules Committee prior to initiating said communication.
- 2. The Speakers' Ruling from the preceding national meeting is in effect until your Speakers release the new Ruling for the meeting.
  - 3. Any dispute about a provision in this Ruling being inconsistent with the MSS IOPs or AMA Constitution and Bylaws will be resolved by your Governing Council and promptly addressed by your Speakers.

### **III. Campaigning: Campaign Teams and Involvement**

- 1. Pursuant to the MSS IOPs, only members of the MSS may be publicly involved with any candidate's campaign. This provision encompasses public endorsements, with exceptions outlined in MSS IOP 6.5.9.3.
  - a. It is the responsibility of each candidate running for an elected position to ensure that any MSS members involved in their campaign are familiar with the policies outlined in the Speakers' Ruling, codified in the MSS IOPs, and outlined in the AMA Constitution and Bylaws.
- 2. Regions may provide public support for candidates as permitted by Region Bylaws. When speaking in official support of a candidate on behalf of an MSS Region, MSS Region Chairs must be sure that an official vote by the Region took place in accordance with the Region's Bylaws and rules dictating official support. (MSS IOP 6.5.9.3.3.1)
  - a. The endorsing Region must:
    - i. Document that quorum was met when the voting occurred (MSS IOP 6.5.9.3.3.1.2)
    - ii. Document the results of the vote pursuant to Region Bylaws. (MSS IOP 6.5.9.3.3.1.3)
    - iii. Have one member of the GC in attendance during the endorsement.
  - b. If a Region does not have Bylaws specifying quorum or rules dictating official support, MSS Region Chairs must contact the Speakers for guidance. (MSS IOP 6.5.9.3.3.1.1)
- 3. Regions may endorse candidates from Regions outside their own, pursuant to Region Bylaws (MSS IOP 6.5.9.3.3). Endorsements may be posted on a candidate's Facebook and/or Instagram campaign page or declared through Region communication channels ahead of voting at Assembly.

4. Upon endorsement of a candidate by a Region and at the approval of the MSS Region Chair, the endorsed candidate or a campaign team member may share a notice of official endorsement to the Facebook and/or Instagram campaign page, and the endorsing Region may share notice of the endorsement through Region communication channels. The Chair of the endorsing Region may also share notice of the endorsement with all candidates.

a. A candidate's announcement of endorsement by a Region shall be limited to one (1) post on the candidate's Facebook campaign page and one (1) post on the candidate's Instagram campaign page.

b. The Speakers may advertise Region endorsements of candidates during the candidate forum outlined in Section V.1.

5. In order to maintain the collegiality of our section, Regions may not vote to oppose any candidate. (MSS IOP 6.5.9.3.3.3).

6. MSS Standing Committee members, MSS Convention Committee members (excluding the Rules Committee), MSS Representatives and Liaisons to any AMA group or outside organization, AMPAC Student Advisory Board members, Region Delegates and Alternate Delegates, and Region Governing Council members except Chairs or Chairs-Elect can endorse candidates if they do not endorse a candidate while using or acting under the title of their respective leadership position. (MSS IOP 6.5.9.1).

a. These AMA leaders must maintain official neutrality when speaking in their leadership role, but they can endorse a candidate as an individual member of the MSS.

b. Endorsers must not reference current or past MSS leadership positions they hold while making endorsements. This section does not apply when individuals listed in Section III.6 are discussing candidate endorsement by a Region at an official Region endorsement vote pursuant to Sections III.2 and III.3.

7. MSS Governing Council (GC) members (including Chair-elect), MSS Rules Committee members, MSS Region Chairs and Chairs-Elect, the current AMA GRAF, and the current MSS student member of the AMA Board of Trustees, and MSS members who currently serve on an AMA Council are not permitted to join a campaign or to publicly endorse a candidate. These AMA leaders must maintain absolute neutrality when it comes to campaigns and candidates.

a. Involvement in campaigns includes, but is not limited to, holding meetings, formally or informally, in a group or individually, to plan or advise, individual campaigns.

i. At a date determined by the Speakers, an informational session with current student leaders, even if that student is required to maintain neutrality under Section III.7. may be advertised and hosted by the Speakers. Potential candidates and candidates who would like to learn more about the position to which they intend to apply will be invited to attend the informational session. However, such discussions must be limited to the position's roles and duties and may not encompass candidate viability or campaign strategy.

1. Potential candidates and candidates may not individually reach out to current MSS leaders, as defined under Section III.7 to discuss any matters disclosed at the informational session in Section III.7.a.i or otherwise related to their candidacy or national elections.

- ii. For all other inquiries, potential candidates and candidates must go directly through the Speakers, who will then acquire the information and make it available to all relevant candidates/members.
  - b. Public endorsement, as it pertains to campaigning shall include, but is not limited to:
    - i. Speaking publicly in favor of or in opposition to any candidate.
    - ii. Any action that could be construed as using a leadership position to influence the election as determined by your Speakers.
  - c. Unless their respective Region has voted to endorse a candidate, MSS Region Chairs or Chairs-Elect may not endorse a candidate through any means of communication through which AMA members receive official news from their MSS Region Chair, which includes, but is not limited to, email, telephone, Facebook, Twitter/X, Instagram, and GroupMe.
  - d. The above AMA leaders may publicly endorse their own candidacy and be involved in their own campaign if they are running for a position, so long as they preface the endorsement with a statement that they are speaking as an individual and not as an AMA leader.
  - e. Candidates may not suggest or imply to any MSS member that any of the above AMA leaders supports their candidacy in any way.
  - f. Candidates may not communicate with any of the above AMA leaders asking to connect them with individual MSS members for the purposes of campaigning.
- 8. AMA MSS Region Executive Councils are encouraged to make information about candidates available to their Region giving equal time to all candidates. The Speakers will ensure all available candidate information is promptly disseminated to Region Executive Councils.
  - a. If a discussion is being held regarding candidates at the Region level, information regarding the structure of these discussions must be relayed to your Speakers by MSS Region Chairs fourteen (14) days prior to the Region meetings.
    - i. Candidates, whose candidacy has been approved by the AMA, will be notified of the format of Region discussions by your Speakers and will be provided with instructions for attendance.
  - b. If a candidate is in attendance at their own Region meeting, they must leave said meeting during discussion of candidates.
  - c. Candidates and their campaign team are prohibited from contacting Regions to request time to speak during their Region business and policy meetings.
- 9. AMA leaders including MSS Region Chairs and Chairs-Elect are not prevented by the MSS IOPs from speaking privately about their personal opinions of a candidate as long as it is clear they are speaking as an individual.
- 10. The usage of buttons and/or stickers, or having paraphernalia promoting candidates visible during an AMA meeting is permitted by any MSS member, but highly discouraged.
  - a. This includes, but is not limited to, virtual backgrounds and video chat names.
- 11. Pursuant to MSS IOP's, Campaigning at MSS Regional, state, or official school chapter meetings prior to the AMA meeting at which the election occurs is prohibited.
  - a. The candidate's own MSS Region, state, or school chapter meetings are an exception to this rule.

#### **IV. Campaigning: Communications**

1. Campaign communications procedures are covered by (MSS IOP 6.5.7).
2. Your Speakers' guiding principle for online communications is to limit excessive campaign communications while ensuring easy access to the candidates' platforms. To this end, we have the following rules for online communications for national elections:
  - a. Candidates should be prudent and courteous regarding the number, length, and content of messages sent prior to the election, including but not limited to email, phone calls, text message, and group chats. (MSS IOP 6.5.7.2)
  - b. No mode of MSS- or AMA-sponsored communication, including but not limited to listservs, phone or email lists, or other mass communication methods (e.g. GroupMe, etc.) shall be used for announcements of candidacy, endorsement, or campaigning. (MSS IOP 6.5.7.3)
    - i. This includes the AMA Med Students Facebook page, any MSS national or Regional email lists, and any meeting-specific MSS or AMA communication platforms created, managed, or moderated by the MSS Governing Council or MSS Region Governing Boards in their capacity as officers and/or AMA staff (including MSS standing committee, MSS Region-wide, and MSS national meeting-specific GroupMe chats, excluding the exception in Speakers' Ruling Section IV-g. This does not include social media channels created internally by state or campus MSS leadership.
    - ii. Exceptions to this rule shall only be made for campaign events that are hosted by your current Speakers and open for participation by all AMA approved candidates.
  - c. No campaign websites or web pages will be permitted for campaign promotion, with the sole exception of Region endorsements as strictly indicated in Section III and candidate-specific materials uploaded to the AMA website (i.e. election manual).
    - i. Communication platforms and social media channels may only be created to manage candidates' campaign teams.
  - d. MSS Region Chairs must share the Official Election Guide to their respective Region Facebook and/or Instagram page within seven (7) business days of the MSS Meeting, and must share floor candidate information when it is available on the AMA website.
  - e. Candidate application materials must strictly adhere to the word limit in the candidate application form. Candidate application materials exceeding the posted word limit will have words removed, starting from the bottom, until the materials conform with the posted limit.
  - f. Candidate application materials may not be edited to include additional graphics or backgrounds not available on generally accessible word processing software. Candidate application materials deemed to be submitted in violation of this rule will be returned to the candidate to be edited until the materials conform to this rule. The appropriate appearance of candidate application materials will be judged according to the discretion of the Speakers.

#### **V. Campaigning: Events and Speeches**

1. At a date determined by the Speakers, a candidate forum will be advertised and hosted by the Speakers.
  - a. The Speakers will contact candidates regarding the date and time of the candidate forum at least two weeks in advance of the scheduled date.
  - b. The Speakers will advertise the session and access information to MSS members over AMA-MSS communication channels.
2. At a date determined by the Speakers, a meet and greet session with candidates may be advertised and hosted by the Speakers.
  - a. The Speakers will contact candidates regarding the date and time of the meet and greet at least two weeks in advance of the scheduled date.
  - b. Your Speakers will advertise the session and access information to MSS members over AMA-MSS communication channels.
3. At a date determined by the Speakers and Regions, Region candidate forums will be advertised and hosted by the Speakers and/or Regions.
  - a. The Speakers will contact candidates regarding the date and time of Region candidate forums at least seven (7) days in advance of the scheduled dates.
  - b. The Region Executive Council will advertise the forum and provide candidate information to Region members over Region communication channels at least seven (7) days in advance of the forum.
  - c. One of the Speakers must be present at the Region candidate forum.
4. At the discretion of your Speakers and at a date determined by your Speakers, with at least 1 week notice, candidates may be invited to record a video to be reviewed by your Speakers and/or Rules Committee.
  - a. The video can be up to two minutes in length to address the MSS Assembly about their candidacy. Time limits for speaking will be strictly enforced. (MSS IOP 6.4)
  - b. If the Speakers choose to request candidate videos, the videos will be posted on the AMA-MSS website.

## **VI. Campaigning: Platform**

1. Campaign platforms or ideas are subject to review by your Speakers, and may be deemed out of order if inappropriate.
2. Candidates running for any compensated position within our MSS, whether direct or indirect, cannot make campaign promises to redirect use of this compensation at any time or by any means.

## **VII. Joint Campaigns and Elections**

1. In order to provide a fair campaign and election process for candidates, your Speakers require that all candidates campaign independently of one another.
2. Candidates are not permitted to endorse any other candidates or serve on other campaign teams. This includes speaking to other MSS members about other candidates, in a formal capacity. For example, a candidate should not actively reach out to MSS members on behalf of another candidate.
3. Campaign managers may serve on more than one (1) candidate's team, however, they may only serve as a campaign manager for a candidate for an unpaired position and they may not

serve on more than two (2) total candidates' teams. Paired positions include Section Delegate/Alternate Section Delegate and Speaker/Vice Speaker.

- a. Campaign managers are not permitted to endorse candidates other than their own.
- b. This includes speaking to other MSS members about candidates they are not managing, in a formal capacity. For example, a campaign manager should not actively reach out to MSS members on behalf of another candidate.

## **VIII. Enforcement of Rules**

1. Alleged infractions, including but not necessarily limited to violations of the Campaign Rules, should be reported in writing to the MSS Speakers, or to the Chair(s) of the MSS Rules Committee within 48 hours of initial identification of an alleged infraction. The individuals responsible for carrying out investigation of the infraction, from heretofore referred to as the designated investigator(s), are appointed according to MSS IOP 6.5.13.

- a. The designated investigator(s) may include your Speakers, the Rules Committee Chair(s), or AMA Staff, depending on the nature of the investigation.
- b. Any member may speak with the designated investigator(s), about suspected rules violations before filing a formal report. This will allow the designated investigator(s) to clarify the interpretation of the rules when assessing a potential infraction.
- c. When the designated investigator(s) receives an allegation against a candidate or campaign, said investigator(s) may choose to consider and remedy the infraction informally, depending on the gravity of the accusation as judged by the designated investigator(s).
  - i. A formal report for an alleged infraction will result in an investigation and the return of a final verdict from the designated investigator(s) as laid out in VIII-2a.
  - ii. Allegations in writing which explicitly state that they are not formal reports will be defined as an informal report and will not be counted towards a formal infraction against a candidate, unless deemed to be a major infraction by your Speakers.
  - iii. The designated investigator(s) are not required to communicate the resolution of informal reports directly to all relevant campaigns.
- d. The designated investigator(s) will keep all reports of alleged infractions, whether formal or informal, in strict confidence to protect the participation of MSS members in this process.
- e. The designated investigator(s) will communicate the resolution of formal reports directly to all relevant campaigns.
- f. Should your Speakers be the witness to an infraction, so long as they are eligible to conduct investigations, they may decide to resolve the situation informally, regardless of history of previous infractions. However, your Speakers may also decide to file a formal report. If the formal report is filed based on an infraction witnessed by only one of your Speakers, the witnessing Speaker will recuse themselves from the investigation and the other Speaker may continue to oversee the investigation. However, if both Speakers are witnesses to the infraction, the MSS Chair with the Rules Committee Chair will oversee the investigation, and the Speakers filing the report shall have no role in the investigation or adjudication of the violation.



2. Should an investigation be required, the designated investigator(s), in conjunction with the Rules Committee, shall be fully responsible for its conduct in accordance with the (MSS IOP 6.5.13.2) and the below guidelines:

- a. All formal reports will require investigation.
- b. The designated investigator(s) will inform the accused candidate of the nature of the allegations by email and/or in writing, providing as much information as possible without directly or indirectly revealing the identity of the reporting party.
- c. The designated investigator(s) will ascertain the candidate's interpretation of the rules with their account of the actions reported.
- d. The designated investigator(s) will obtain a list of people the candidate would like to be interviewed in the investigation.
- e. The designated investigator(s) will not proceed with an investigation until the candidate has had an opportunity to speak with the investigator(s), unless:
  - i. The candidate cannot speak with the investigator(s) within one week of initial contact, or
  - ii. The election is scheduled to occur within one week and the designated investigator(s) have made a good faith effort to speak with the candidate.
- f. For any concern about the validities and impartiality of the investigation conducted by the designated investigator(s):
  - i. The MSS GC will then ensure that the investigation was done in good faith and the investigator(s)' ruling was appropriate.
  - ii. This will require a majority vote of the GC, with the recusal of the Chair.
  - iii. The reporter and those who give testimony to the GC will remain anonymous.
  - iv. The accused will have the opportunity to speak to the GC only on the validity and impartiality of the investigative process.
- g. For campaign violations that involve the inappropriate campaigning by MSS members, your Speakers will determine the gravity of the allegations involved as either minor or major infractions.
  - i. For an infraction deemed to be minor, such as inadvertent or unintentional mistakes, your Speakers would rather not penalize candidates for actions beyond their control.
  - ii. A written warning preserving the anonymity of the offending party will be sent to all known candidates involved in the election.
  - iii. Any infraction made by an MSS member deemed major (including, but not limited to, campaigning using any official AMA mode of communications such as listservs or campaigning for a candidate outside of the campaign period), or any subsequent violation by an individual that has already received a warning, will be dealt with as a major infraction via formal investigation as previously described in this section.
- h. Any infraction made by a member of a candidate's campaign manager team will be considered as an infraction by the candidate, and will be dealt with via formal investigation as previously described in this section.

i. Campaign managers shall be identified in writing to the MSS Speakers within 48 hours following campaign manager selection. This information will be forwarded to the Chair of the Rules Committee upon their selection.

### **IX. MSS Assembly Meeting**

1. Any rules of procedure not specifically outlined in this Speakers' Ruling, the MSS IOPs, or the AMA Constitution and Bylaws default to the parliamentary authority used by the AMA House of Delegates.

a. Further communication regarding business of our MSS meeting will be provided to the section in a timely manner, pending decisions from the greater AMA

2. Election Voting:

a. In the case of a tie between two candidates, a second round of voting will commence immediately after.

b. If a tie persists in the second round of voting, the presiding officer will allow candidates the opportunity to give one-minute responses to one or more questions as determined by the Governing Council. A third round of voting will commence immediately after one-minute responses.

c. If a tie persists after 3 rounds of voting, pursuant to the MSS IOPs, your Speaker will cast a tie breaking vote (MSS IOP 10.6.3).

If you have any questions about this Speakers' Ruling, please feel free to email your Speakers at any time. We welcome any questions about election campaigns or about the MSS Internal Operating Procedures. Our highest priority is to support you, provide a level playing field for all candidates, and to enforce the election rules in an impartial and transparent manner. We applaud you for dedicating your time and energy to furthering our section, and cannot wait to see what you accomplish. Best of luck to all of the candidates!