

# **MSS November 2021 AMA-MSS Speakers' Ruling**

**UPDATED: 07/25/2022, Midani S. & Stuard W.**

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

To ensure a fair and transparent campaign period leading up to the Nov-21 business meeting, 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, the AMA Board of Trustees Student Member, and AMA-MSS Region and Alternate Delegates. The 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.

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. MSS IOP 4.4.5.2 charges the 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. When in doubt, please reach out to your Speakers proactively with questions – no question is too small.

In order to receive the most up-to-date information, candidates should contact the 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. When in doubt, please reach out.

The Speakers' Rulings and the MSS Internal Operating Procedures (IOP) are set to undergo extensive review by the IOP/Election Task Force (ETF). The Rulings will be modified following consideration of ETF recommendations by the Assembly and other stakeholders.

## **I. Deadline for Submitting Materials**

1. The deadline for submitting applications including materials to be included in the Nov-21 Election Guide is Wednesday, October 6, 2021 by 11:59 PM 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 Nov-21 meeting in future Speakers' communications.
4. Candidates who run from the floor will not have materials included in the Nov-21 Election Guide.
5. Candidates who run from the floor will not be able to participate in the Nov-21 Candidate Forum if the nomination period follows the Candidate Forum.
6. Candidates who run from the floor must complete the requisite application materials and Conflict of Interest disclosures before they are eligible for election. These materials must be provided to the MSS Section Director at [mss@ama-assn.org](mailto:mss@ama-assn.org) at a time to be determined based on the election platform.

## **II. Campaign Communications**

1. Campaign Communications procedures are covered by MSS IOP 6.5.7 (pg 9).
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 and content of electronic messages sent prior to the election, including but not limited to email, social media profiles, phone calls, text message, and group chats. (MSS IOP 6.5.7.2, pg 9)
  - b. Candidates should use discretion in the number and length of phone calls and text messages made prior to the election.
  - c. 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. GroupeMe, Facebook, etc.) shall be used for announcements of candidacy, endorsement, or campaigning. (MSS IOP 6.5.7.3, pg 9)
    - i. This includes the AMA Med Students Facebook page and any meeting-specific MSS or AMA communication platforms (e.g. GroupMe).
    - 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 candidates who have submitted their applications prior to the deadline.
    - iii. Any candidates who run from the floor must submit completed application materials to AMA staff within 48 hours.
  - d. No campaign websites or web pages will be allowed for campaign promotion, with the sole exception of a Facebook page for each campaign.
    - i. All candidates shall include a statement in the "About" section asking that only MSS members "like" the page.
    - ii. All candidates shall include a pinned post to the top of the page asking that only MSS members "like" the page.
    - iii. In the event that a candidate becomes aware of a non-MSS individual liking their respective Facebook candidate page, the candidate or

campaign team may notify the Speakers for additional guidance to resolve the problem.

- iv. In the event that the Speakers are informed of a non-MSS individual liking a Facebook candidate page, the Speakers will notify the campaign team with expected resolution to the best of the candidate's ability within 48 hours of notification.
- v. Your Speaker, Vice Speaker, and the Chair of the Rules Convention Committee reserve the right to become an administrator of the campaign page in order to monitor adherence to the rules.
- e. When sharing a Facebook campaign page on a candidate's or campaign team members personal page, please make sure to include a statement in the post on your personal page stating that only MSS members should "like" the page.
- f. Candidates may share a link to the candidate's Facebook campaign page along with a description of their platform on their personal pages to announce their candidacy, but otherwise will restrict all campaign-related material to their campaign pages.
- g. Candidates may have their Facebook campaign page shared once to each respective Region Facebook page, subject to approval by the Region Chair based on region bylaws on campaigning. Candidates may share their own page to their respective region. Otherwise, the campaign page must be shared by a Region member from the corresponding Region.
  - i. The post may contain personal testimony by the posting member.
  - ii. GC members, their designees, and administrators of Region Facebook pages have the duty to delete any additional posts of a campaign page made beyond the original post.
  - iii. Any additional public testimony or discussion on the candidate by Region members of the Region Facebook pages is restricted to the comments section of the initial post.
  - iv. Candidates should make every effort to move direct communication with MSS members that arises during Region Facebook posts to their campaign page.
  - v. Any member of the region may share a candidate's campaign page, with the exception of the Region Chair unless the region has voted to formally support that candidate as per SR III.4.a.iii.
- h. Region Chairs must share the candidate packet to their respective Region Facebook page within seven business days of the MSS Meeting.
- i. Individual MSS members who are not prohibited from campaign involvement (see Campaign Involvement Section) may share candidate pages on their personal Facebook pages, where they can elaborate with testimony and/or endorsement.
- j. The following items may be displayed on Facebook campaign pages:
  - i. One (1) optional letter of endorsement by the Dean or Dean's representative from the candidate's medical school

- ii. One (1) optional letter of endorsement by staff of the state medical society from the state in which the candidate attends medical school
- iii. Any letters of endorsement of MSS members, Regions or organizations (including any specialty organization with voting representation within the MSS). To comply with this provision and avoid the possibility of an endorsement being called into question, the endorsing entity must at minimum do the following:
  - 1. Follow the entity's bylaws dictating official endorsement
  - 2. Take and document the results of an official vote, and
  - 3. Document that quorum was met when the voting occurred
- iv. No other letters of endorsement will be allowed to be listed.

### **III. Campaign Events and Speeches**

- 1. At a date determined by your Speakers, with at least 2 weeks notice, your Speakers will advertise and host a candidate forum.
  - a. Your Speakers will advertise the session and access information over AMA-MSS Facebook and GroupMe channels.
- 2. At a date determined by your Speakers, with at least 1 week notice, candidates will be invited to record a video reviewed by the Speaker, Vice Speaker, and/or Rules Committee. The video can be up to two minutes in length to address the MSS Assembly about their candidacy. The candidate videos will be posted on the AMA-MSS website. Time limits for speaking will be strictly enforced. (MSS IOP 6.4, pg 7)

### **III. Campaign Involvement**

- 1. Per 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 6.5.9.3.1 (pg 10) and SR III.B.1.
  - 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. Region bylaws should be followed in all instances, but are superseded by the MSS IOPs and the Speaker's Ruling. 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 for quorum and rules dictating official support.
  - a. Although not required, it is strongly recommended to document results of the vote and quorum in case the legitimacy of the endorsement is questioned. Without such documentation, your Speakers may rule a declared vote of support invalid.

- b. If a Region does not have bylaws specifying quorum or rules dictating official support, then they must contact your Speakers for guidance.
- 3. Pursuant to MSS IOPs 6.5.9.3.3 (pg 11), we are allowing Regions outside of where a candidate's medical school is located to vote, following their Region's Bylaws, to endorse a candidate and post the endorsement on the candidate's Facebook campaign page.
- 4. Upon endorsement of a candidate by a Region and at the approval of the Region Chair, the endorsed candidate or a campaign team member may share a notice of official endorsement to the Facebook campaign page.
  - a. Announcement of endorsement by a region shall be limited to one (1) post on the candidate's Facebook campaign page.
- 5. Regions may not vote to oppose any candidate. (MSS IOP 6.5.9.3.3.3, pg 12)
- 6. MSS Standing Committee members, MSS Convention Committee members (besides Rules), 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.
  - 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 leadership positions they hold while making endorsements.
  - c. Any student holding a position in another Section must disclose that they are speaking strictly as an individual MSS member, and not on behalf of a Section or Council they serve, and that the outcome of the election will have no impact on the execution of their duties.
- 7. MSS GC members, MSS Rules Committee members, MSS Region Chairs, AMA current GRAF, and MSS liaison to the BOT are not allowed to be involved in a campaign or to publicly endorse a candidate.
  - a. These AMA leaders must maintain absolute neutrality when it comes to campaigns and candidates and are not permitted to publicly endorse a candidate.
    - i. Involvement in campaigns includes, but is not limited to, holding meetings, formally or informally, in a group or individually, to plan, advise, or discuss individual campaigns, unless all candidates are afforded equal access.
      - 1. These AMA leaders can fulfill this ruling by being accessible to all candidates that have questions or seek advice.
    - ii. Public endorsement, as it pertains to campaigning shall include, but is not limited to:
      - 1. Declaring support by liking a Facebook campaign page ~~'Like'~~ing or stating support on any campaign webpage that is available to other AMA-MSS members (including Facebook campaign pages.)

This does not apply to the Speakers or I-21 Rules Committee, who may “like” and/or “follow” each Facebook campaign page for the purpose of monitoring compliance to rulings.

2. Speaking publicly in favor of or in opposition to any candidate.
  3. Any action that could be construed as using a leadership position to influence the election as determined by your Speakers.
  4. The usage of buttons and/or stickers, or having paraphernalia promoting candidates visible during an AMA meeting is not permitted by any MSS member due to the nature of virtual campaigning.
    - a. This includes, but is not limited to, virtual backgrounds and video chat names.
  - iii. Unless their respective region has voted to endorse a candidate, MSS Region Chairs 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, and GroupMe.
  - iv. 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.
  - b. AMA leaders including MSS Region Chairs are encouraged to make information about candidates available to their Region giving equal time to all candidates.
    - i. If a discussion is being held regarding candidates at the Region level, information regarding the structure of these discussions must be relayed to the Speakers by Region Chairs within seven (7) business days prior to the Region meetings.
      1. Candidates will be notified of the format of Region discussions by the Speakers.
    - ii. If a candidate is in attendance at their own region meeting, they must leave said meeting during discussion of candidates.
    - iii. Candidates and their campaign team are prohibited from contacting Regions to request time to speak during their Region business and policy meetings.
  - c. AMA leaders including MSS Region Chairs 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.
    - i. Your Speakers suggest prefacing all private statements of support with the fact that they support the candidate as an individual and not as an AMA leader.
8. Pursuant to MSS IOP's
- a. Campaigning at MSS Regional, state, or official school section meetings prior to the AMA meeting at which the election occurs, including attending social events, is prohibited.

- b. The candidate's own Medical Student Region, state, or school section meetings are an exception to this rule.

#### **IV. 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. No joint campaign materials nor joint campaign social media pages for joint candidate tickets will be permitted.
3. To minimize potential for passive joint campaigning, campaign managers will be limited to serving on one (1) candidate's team.
  - a. MSS GC members and MSS Region Chairs are not permitted to be campaign managers.
  - b. Campaign managers are not allowed to endorse candidates other than their own.
    - i. This includes speaking to other MSS members, in a formal capacity, about candidates they are not managing. For example, a campaign manager should not actively reach out to MSS members on behalf of another candidate.

#### **V. 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 that applications are made available for MSS members to nominate their candidacy (MSS IOP 6.5.2.3, pg 7)
  - a. All activities related to announcement of candidacy, endorsement, or campaigning, including but not limited to distribution of materials, communications, and speaking opportunities shall be limited to the campaign period defined above (MSS IOP 6.5.2.4, pg 7).
    - 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. 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.
  - 3. Reaching out to current and previous MSS members individually for more information on the responsibilities of a position.
- ii. Your Speakers' intent is to limit communication which could be interpreted as active campaigning or declaration of candidacy. Communication outside of the campaign period that is not permissible includes, but is not limited to:
  - 1. Creation of a Facebook campaign page.
  - 2. Posts to social media declaring candidacy or intent to run for an elected position.
  - 3. Distribution of campaign materials.
  - 4. Coordinated outreach to multiple parties with the intent of declaring candidacy or garnering support.
- b. Members are encouraged to address questions about the permissibility of any communication to your Speakers and/or Chair of the Rules Committee prior to initiating said communication.
- 2. The Speaker's Ruling from the preceding national meeting is in effect until the 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.

## **VI. Campaign Platform**

Campaign ideas are subject to review by the Speakers, and may be deemed out of order if inappropriate

- 1. 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. 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 any member of the MSS Rules Committee within 48 hours of initial discovery of an alleged infraction. The individuals responsible for carrying out investigation of the infraction, from here as the designated investigators, are appointed according to MSS IOP 6.5.13 (pg 12).
  - a. The designated investigators will communicate the resolution of formal reports directly to all relevant campaigns.

- i. Only reports made in writing will be considered to allege an infraction. Texts or emails explicitly stating that they are not formal reports will not be considered formal reports.
  - b. Any member should consider speaking with the designated investigator, or to any member of the Rules Committee, about suspected rules violations before filing a formal report. This will allow the designated investigators to clarify the interpretation of the rules when assessing a potential infraction.
  - c. When the designated investigators, the MSS Speakers, or a member of the Rules Committee receives an allegation against a candidate or campaign, said investigators may choose to consider and remedy the infraction informally, depending on the gravity of the accusation as judged by the designated investigators
    - i. The designated investigators are not required to communicate the resolution of informal reports directly to all relevant campaigns.
  - d. The designated investigators 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. 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, should the need arise for your Speakers to file a formal report, 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, in conjunction with the Rules Committee, shall be fully responsible for its conduct in accordance with the MSS IOP 6.5.13.2 (pg 12) and the below guidelines:
- a. All formal reports will require investigation.
  - b. The designated investigators will inform the 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 investigators will ascertain the candidate's interpretation of the rules with his/her account of the actions reported.
  - d. The designated investigators will obtain a list of people the candidate would like to be interviewed in the investigation.
  - e. The designated investigators will not proceed with an investigation until the candidate has had an opportunity to speak with the investigators, unless:
    - i. The candidate cannot speak with the investigators within one week of initial contact, or
    - ii. The election is scheduled to occur within one week.
  - f. Any concern about the validity and impartiality of the investigation conducted by the designated investigators.
    - i. MSS GC will then ensure that the investigation was done in good faith and the investigators' ruling was appropriate.

- ii. The reporter and those who give testimony to the GC will remain anonymous.
  - iii. The accused will have the opportunity to speak to the GC only on the validity and impartiality of the investigation.
- g. For campaign violations that involve the inappropriate campaigning by MSS members who are not candidates themselves, your Speakers will determine the gravity of the allegations involved as either minor or major infractions.
- h. 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.
- i. For an infraction deemed minor by your Speakers, a written warning preserving the anonymity of the offending party will be sent to all known candidates involved in the election.
  - i. Any infraction made by an MSS member deemed more serious (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.
- j. Any infraction made by a member of a candidate's two-person 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.
- k. The MSS Speakers and Chair of the Rules Convention Committee reserve the right to request the names of the members of a candidate's two-person campaign manager team at any point during the campaign period.

## **VIII. 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 - the current edition of The American Institute of Parliamentarians Standard Code of Parliamentary Procedure (hereafter AIP).
  - 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. 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. If a tie persists after 3 rounds of voting, per the MSS IOPs, the Speaker will cast a tie breaking vote (MSS IOP 10.6.3, pg 29).

If you have any questions about this Speaker's Ruling, please feel free to email us 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!