

Preface:

(1) All bylaw references will be coded Title (if applicable) ##, Article ##, Section ##, Clause ##, part (if applicable) ##, as “T##A##S##C##P##.” For example, Article 1, Section 1, Clause 1, will be coded as “A1S1C1” for reference;

(2) Any referenced website links may or may not be active by the time future individuals review this write-up.

Complaint #21-06

Petitioner(s): Elliot Carter (further referred to as “Elliot”, he/him),

Representing The Rise Up Party

Respondent(s): Yazen Hamoudah (further referred to as “Yazen”, he/him),

Representing The Student Action Party

Allegations (filed February 19th, 2021 at 7:48PM):

(1) The Student Action Party violated A4S3C2 of the Election Code:

“All physical and non-physical campaign materials, including but not limited to: Flyers, Social Media, Buttons, T-Shirts, etc., must be originally created, and cannot be reused year to year. This does not include party names.”

(2) The Student Action Party violated A4S3C3 of the Election Code:

“Parties and individual candidates have a right to their likeness, and any attempt to copy a party or individual’s likeness is prohibited. A complaint regarding this clause must prove opposition marketing materials are too close to be easily distinguished. This includes party names.”

Defense (filed February 21st, 2021 at 3:46PM):

“I hope you are safe and warm during these times. Thank you for informing us. I will be replying on behalf of Yazen and all Student Action Party members.

I would first like to clarify that clause 2 does not apply to this situation in any way as clause 2 states that we may not use material from last year which we have not. All social media posts even the ones posted by our members introducing themselves have been created by hand using an app called Procreate by the Vice President, Maryam Alghafir and our Bauer senator, Karenina Urquieta and we find it offensive that the Rise Up Party would say we are plagiarizing their social media posts.

Clause 3 specifically says:

Parties and individual candidates have a right to their likeness, and any attempt to copy a party or individual's likeness is prohibited. A complaint regarding this clause must prove opposition marketing materials are too close to be easily distinguished. This includes party names.

The Rise Up Party can not claim that having introduction posts are plagiarism as every party needs to introduce its members. This is not a unique thing that one party can monopolize. As for the introduction posts themselves, they are very different from that of Rise Up and there is no way one could not easily distinguish between the two. Our colors have been consistent with our theme which are red, white, pink, and gold. Our name is very different and has been consistent from the beginning and even our hashtag is unique as it is an acronym for our platform (Mental Health, Accountability, Student Success) #MAS. Furthermore, our hashtag has been put everywhere on our social media and even on the SGA website. Finally, I think it is ridiculous that the Rise Up Party would try to claim their quote "awareness into action" as plagiarism considering that is our party name and has been our platform from the beginning so if anything they are plagiarising and trying to capitalize on our platform. To clarify I have attached three images one of our introduction posts and two to showcase that of Rise Up. I believe it is evident just by looking at them that they are very different."

- Maryam Alghafir

Yazen Hamoudah
Technology Senator



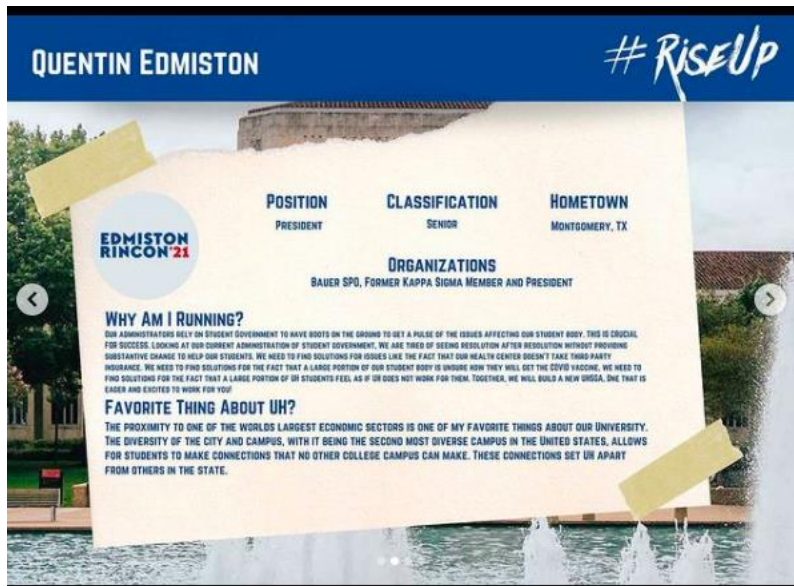
STUDENT ACTION X #MÁS

STUDENT BODY PRESIDENT



EDMISTON RINCON '21

X #RISEUP



Course of Investigation: I examined the Petitioner's evidence and reached out for a defense statement. I analyzed the respondent's defense statement as well. I went through the Election Code and identified if a violation was present. After this I had enough to come to a decision.

Evidence presented in complaint:

2:44



UHSTUDENTACTION
Tagged

4 days ago



champagne_yayzen



Yazen Hamoudah
Technology Senator



STUDENT ACTION X #MÁS



45 likes

champagne_yayzen Hey everyone! I am a part of @uhsga and the @uhstudentaction and I'm coming forward to ask if you are a uH student if you... more

View 1 comment

5 days ago



2:44



UHSTUDENTACTION

Tagged



tylerwgarrett



Tyler Garrett
Honors Senator



STUDENT ACTION X #MÁS



115 likes

tylerwgarrett This university is full of people blazing their own path. Whether it's the chaotic transition many of our undergraduate students had to... more

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4 days ago



champagne_yayzen



2:45



RISEUPUH
Posts

INTERNSHIPS FOR ALL

#RISEUP

This post is doing better than 85% of your recent posts. Promote it to reach a wider audience. [View Insights](#)

Promote



Liked by **thecheyjohnson** and **63 others**

riseupuh #RiseUp is not only concerned about current and future coogs, but coogs that are about to enter the work-force. We are committed to expanding the pipeline program in every college to ensure that EVERY student at the University of Houston has equal access to internship programs. #RiseUp will work with local companies, NGO's and local leaders in order to guarantee the expansion of the programs throughout every college. Tag someone who you want to get an internship!! 🙌🙌

[View all 43 comments](#)

thecheyjohnson @brooke_bartell



thecheyjohnson @agrojassss since it will be your home(:



4 days ago



riseupuh



2:49

Search



QUENTINEDMISTON

Posts



EDMISTON RINCON '21 X #RISEUP



Liked by thecheyjohnson and 386 others

quentinedmiston Today, I am proudly announcing my Candidacy to be the next Student Body President for the University of Houston! I am running with the @riseupuh campaign and together, we plan to cultivate a Student Government focused on putting plan into action, giving those who feel unheard a voice, and making the quality of life on campus better for all students.

Follow the @riseupuh page for updates and information relations to our campaign.

GO COOGS 🐾

View all 78 comments

_laurarincon Best running mate I could ever ask for ❤️❤️❤️

mai.a THATS MY PRES 🏆

February 11



quentinedmiston

Lake Conroe



2:50

Search



RISEUPUH
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Edit



EDMISTON
RINCON '21

X #RISEUP



351 likes

_laurarincon ✨ Hey Coogs!! Today, I am formally announcing my candidacy as the Vice Presidential Candidate for the #RiseUp Student Government Association party ✨ I love the University of Houston and I am determined to make it the best institution it can be! **Our party is ready to turn our awareness into action!** Together, we will rise up to bring substantive change to our university and ensure we create a student government that works for you! 👉👍🤔 go follow @riseupuh for some fun content!!

View all 68 comments

_laurarincon @grace.lovejoy love u bb



quintinedmiston Couldn't ask for a better running mate, especially a strong woman like you Laura.



Let's win this damn thing! #RiseUp

February 11



2:50

Search



RISEUPUH
Tagged

Edit



LUCIO'21 X **#RISEUP**



545 likes

mia.lucio Hey Coogs! I am officially announcing my candidacy for the 2021 SGA Elections Undergraduate At Large with the party **#RiseUp !!**

The @RiseUpUH team and I are excited to turn awareness into action and make the University of Houston a better university for the students, faculty and staff of the university. Follow me and the entire #RiseUp team along our journey on our instagram. Go Coogs! 🐾

📸: @ISO_UH

👥: @marianac27

View all 100 comments

quentinedmiston 🤝



mai.a let's goo 🍀 🍀



February 11



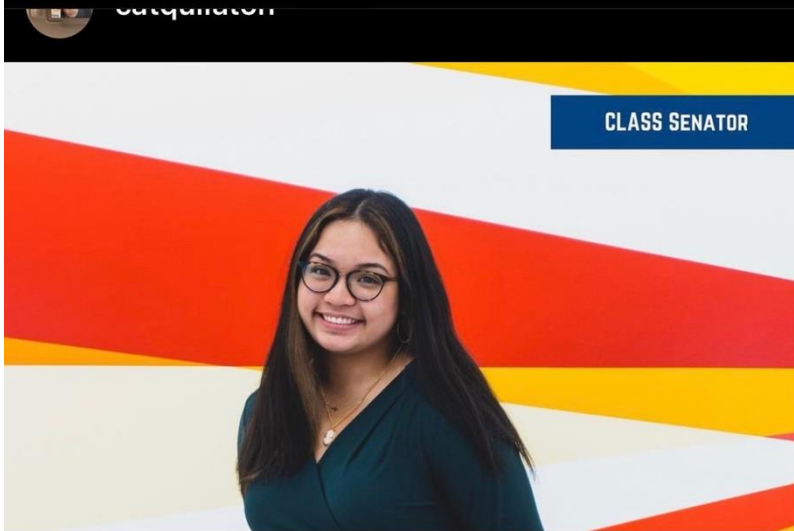
2:50

Search



RISEUPUH
Tagged

Edit



QUILATON'21 X #RISEUP



242 likes

catquilaton Hey y'all! I am officially announcing my candidacy for the 2021 SGA Election for CLASS Senator with the party #RiseUp :)

Everyone at @riseupuh and I are excited to turn awareness into action and make the University of Houston a better university for the students, faculty and staff of the university. I fully support and stand by every single one of the ideas on our platform.

Please go follow @riseupuh to keep up to date with all of our ideas and some cool surprises. AHHH GO COOGS!!!!

📸: @iso_uh

📹: @marianac27



2:51



RISEUPUH
Tagged

Edit



SAMNANEVETH'21 X #RISEUP



621 likes

j4yli COOGS!!!! I am officially announcing my candidacy for the 2021 SGA Elections for the Bauer College of Business with the party #RiseUp

The @RiseUpUH team and I are excited to turn awareness into action unlike ever before and make the University of Houston a better university for the students, faculty and staff of the university. Follow me and the entire #RiseUp team along our journey on our instagram @riseupuh :)))))) Super excited to share what we have in store. Rise up and go Coogs!!!!!!

📅: @ISO_UH

👤: @marianac27

View all 89 comments

quentinedmiston THAT'S MY BAUER SENATOR!
Hell yeah Jayli, you have my full unwavering support #RiseUp



marianac27 Bauer about to 📈 ✨



February 11



catquilton



2:51



UHSTUDENTACTION
Posts

Follow



uhstudentaction



STUDENT ACTION PARTY

Mental Health, Accountability, Student Success
(#MAS)

MENTAL HEALTH

- Increased prayer and meditation spaces
- Mental health training for students
- Programs dedicated to managing stress and improving mental health
- Affordable housing
- Free menstrual products on campus



ACCOUNTABILITY

- Increased awareness about sexual assault on campus
- Advocating for UH to hire professors from diverse backgrounds
- Open communications with students and organizations
- Advocating for increased resources to the Center for students with disABILITIES, Center for Diversity and Inclusion, etc.

STUDENT SUCCESS

- University-wide internship program
- Advocating for the diversification of study materials
- Working with business to increase the number of student discounts
- Joining student organizations in their endeavors to advocate for others and help the Third Ward community.



Liked by spurthi__k and 32 others

uhstudentaction The Student Action Party is committed to action. We are focused on Mental Health by increasing prayer and meditation... more

View all 2 comments

4 days ago



uhstudentaction



2:51



RISEUPUH
Tagged

Edit



CONE'21 X #RISEUP



213 likes

brookeecone ! Today I am officially announcing my candidacy for the 2021 SGA Elections for the college of CLASS with the party #RiseUp !

The @RiseUpUH team and I are excited to turn awareness into action and make the U of H a better university for the students, faculty and staff. Follow me and my #RiseUp team for updates and fun content:) Excited to start this journey with everyone!

❤️🐾!Go Coogs!🐾❤️

📸: @ISO_UH

📹: @marianac27

View all 50 comments

_laurarincon BROOKE FOR SENATE ✨❤️🔥🔥

quentinedmiston Someone get me a cookie bc I'm voting for Brooke!! #RiseUp

February 11



Decision (February 21st, 2021 at 8:10PM): Elliot's complaint LACKS merit and this IS NOT a violation of the Election Code.

Sanction: N/A

Further Analysis: In regard to A4S3C2, the clause is specific to the original creation of campaign materials. After looking into the social media of both parties, I found that, as Maryam stated in her defense statement, the materials were made on procreate using the publicly available designs and formatting that the application offers to its customers. Due to the fact that the placement of a shape on a flyer is not a purely original idea, as well as the fact that these items used to make the flyers aren't owned privately by Rise Up, I do not believe this is plagiarizing. The color palette utilized as well as the banner and font utilized by Student Action vary widely from that of Rise Up. The use of the banner on the bottom and an X between the candidate and the party has been used before and I do not believe it is too pressing of a resemblance. The use of the term "awareness into action" is not original to either party. This is a very commonly used motto, and either way, was used first in the scope of the election by Student Action. I have included below the search results for the in-exclusive statement.

awarness into action

[Awareness Into Action - Home | Facebook](#)
Awareness Into Action, Miami, Florida. 161 likes · 2 were here. AIA, was founded in May 2018 with a generous legacy gift from Unity of Hollywood. We are...

[www.awarenessinaction.org](#) ⓘ
[Awareness in Action - Awareness in Action](#)
This means understanding more about how our mind works, and about how we deal with our thoughts and emotions. For example, we could think of our minds as ...
[Blog](#) · [Giveaways](#) · [Services](#) · [Resources](#)

[www.mindful.org](#) › [a-guided-meditation-for-turning-a...](#) ⓘ
[A Guided Meditation for Turning Awareness into Action - Mindful](#)
Jun 17, 2020 — A Guided Meditation for Turning Awareness into Action. 13:46. 1. To begin, silently set an intention for yourself to be ...

[www.jewishspirituality.org](#) › [go-deeper](#) › [awareness-in...](#) ⓘ
[Awareness in Action - Institute for Jewish Spirituality.](#)
In Awareness in Action, you'll learn how to access and practice eight core character traits (middot), each of which builds upon and integrates those which ...

[www.good.is](#) › [articles](#) › [turning-awareness-into-action](#) ⓘ
[Turning Awareness into Action - GOOD](#)
Think about avoiding messaging altogether and designing an environment that makes it easy to take action, whether it's building stairs that are fun to climb, ...

[bthechange.com](#) › [turning-awareness-into-action-campa...](#) ⓘ
[Turning Awareness into Action: Campaigns with Social Impact ...](#)

In regard to A4S3C3, the clause states that parties have a right to their own “likeness”, and that that likeness must be so incredibly close that they are virtually indistinguishable. I believe that the platforms though including a few of the same ideas, do not have such inherent uniqueness that they are inseparable from the party. The University of Oklahoma also has a feminine product drive and focuses on increasing access of menstrual products on campus. Our current administration is also doing a menstrual product drive at the moment. The University of North Texas has a large focus on increasing internship opportunities and programs to all students. In addition to that, The Student Action #MAS platform was already published on the website before this complaint. As both parties posted on social media at pretty much the same time, it is not relevant nor is it productive to claim that one party reserves ownership over a singular idea that has made its way onto many other SGA platforms.

Conclusion: I encourage both parties to vouch for positive initiatives that are best for all students on campus. It is important to respect fellow candidates and continue to work as two separate entities in the election, but do so in a way that prioritizes the benefit of the one collective entity of The University of Houston.

Delivered to the Chief Election Commissioner: February 21st, 2021 at 9:10PM