

Complaint #22-12

Petitioner(s): Haylena Barber

Respondent(s): Brett Bonnette - Conscious Coogs

The following allegations were filed [Mon, Feb 28, 2022 6:44 PM]:

Article 4, Section 2, Clause 2 of the UH SGA Election Code: No campaign may use personal property without the consent of the owner.

The complaint states:

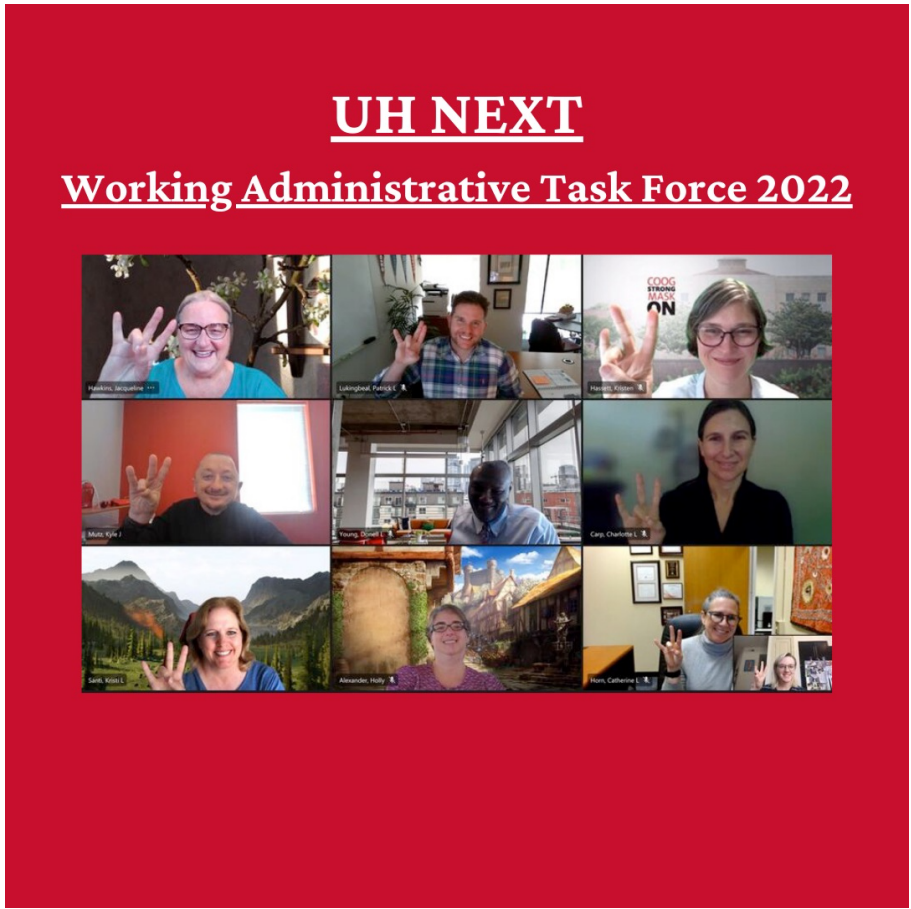
This organization is marketing under their accessibility changes to be made that they are kickstarting a program for students with Down Syndrome entitled UH Next. My RSO, Nothing About Us Without Us (Us), began proposing this program in 2019 under the name, COOGS CAN. This program was, in actuality, kickstarted by me as president and founder of Us in 2019. This program I created was meant to start a program, modeled after programs such as AGGIE ACHIEVE and CLEMSON LIFE, where students with IDD's of any form may graduate college with a certification of completion and ultimately gain new knowledge and life skills as well as participate in the college experience. The goals of Us also include creating sensory-friendly spaces such as the first-ever sensory-friendly show at the UHSOTD that was produced by Us in 2021, Middletown. The Conscious Coogs are also marketing that they are creating first-ever sensor-friendly spaces such as ours on campus. On Thursday, February 3rd (when I saw the original posting of the Conscious Coog's endeavors on social media), I reached out to the organization to try and sort out what happened. I was met with a message that their organization would merely like to cooperate with mine only after election season is over. I am filing this complaint as a theft of intellectual property to ensure these programs are in the proper hands of those with best intent at heart.

I reached out to the respondent for a defense. the following was provided [3/1/22 9:25 AM]:

[DEFENSE]:

The program UH NEXT, is a separate program that is run by an administrative task force, as I serve as the SGA representative. I pitched this idea about a year and a half ago to Richard Walker and Keith Kowalka with Denise Smith, the original individual behind the idea that has been pitching this idea for upwards of 6 years. To the Vice President for Student Affairs and enrollment services at UH. If you would like to reach out to the director of the DART CENTER, who is apart of the team, as well as any individual included in the below photo (various

department heads), and even the director of the Aggies Achieve program, Carly Gibson, you will be able to be met with the uniqueness of the program.



Again, I would love to cooperate with any other group with the same passion as me, and look forward to the work we can do in the future. The program I'd like to continue has its own likeness and if you'd like to ask any representative that I've worked with for confirmation, I'm sure they would tell you the same.

As for sensory accommodations, I would like to expand on ones that we already have.

This program is unique to students with Down Syndrome and therefore has a different functionality, as well as budget plan and structure that I would love to share with you upon request.

Decision [3/1/22 2:50PM]: Petitioner’s complaint **LACKS** merit, and this **IS NOT** a violation of the Election Code.

Conclusion: While there are differences in the programs targeted groups – as a whole the programs are the same, and draw inspirations from the same place. Additionally, both programs have faculty assistance, and there is no communication/proof between the two groups to assume that one was aware of the other when ideas were created and the idea was purposefully “stolen”. I am uncomfortable stating that this is an example of intellectual property theft due to knowledge of the UH NEXT’s beginnings, which I do not believe was taken from other ideas in a plagiaristic manner.

Regardless, I strongly believe a distinction should be made going forward (if possible) in all marketing and campaigning that you are expanding *current* existing programs and ideas with sensory accommodations specifically for students with Down’s Syndrome. Conscious Coogs should not state they are the first, when another program/organization on campus has already done so. This hopefully prevents any confusion that may arise going forward.

Sanction: N/A

Respectfully,

Nadiia Hutcherson

Attorney General

Sent to the Election Commissioner 3/2/22 at 2:00PM

This complaint will be shared and made public on SGA website for transparency and archival purposes.