

Complaint #26-02

Petitioner(s): Aniyah Hubbard

Respondent(s): Joshua Sembrano and Lundan Royce

The following allegations were filed **Feb 9, 2026, 1:46 PM**:

A4S3C10: Candidates shall not accept, post, or otherwise utilize endorsements from individuals or organizations who are not currently enrolled students at the University of Houston.

A4S3C2: All physical and non-physical campaign materials, including but not limited to flyers, social media, stickers, buttons, and t-shirts, must be original and cannot be reused within a 5-year period.

A4S1C9: Candidates shall not contact the leadership of registered student organizations (RSOs) privately to request endorsements before the start of the campaigning period.

Decision [02/11/26]: Petitioner's complaint **HAS MERIT** regarding **A4S3C10**, and this **IS** a Class C violation of the Election Code.

Conclusion: The respondent utilized a shared social media post with the account **getbacksfac_uh**. Because this account is not an official Registered Student Organization (RSO) or a student-led entity recognized by the Commission, the collaboration constitutes an unauthorized utilization of an outside endorsement. The allegations regarding **A4S3C2** and **A4S1C9** were found to lack merit and are hereby dismissed.

Sanction: Formal Written Warning. Per the 2026 Election Code, a first-time minor procedural violation results in a written warning recorded by the Election Commission.

Appeals: Statement of defence was provided by Joshua Sambrano and Lundan Royce

Statement of Defence

To: Election Commission

Re: Alleged Violation of Article 4, Section 3, Clause 10

This statement responds to the written warning alleging a violation of Article 4, Section 3, Clause 10 of the 2026 SGA Election Code arising from a collaborative social media post involving @getbacksfac_uh. The defense incorporates both the Election Code and relevant provisions of the UH SGA Constitution to demonstrate that the alleged violation is unsubstantiated.

I. Burden of Proof

The burden rests with the complainant and the Election Commission to establish that the alleged conduct satisfies each element of Clause 10. The Code prohibits candidates from accepting or utilizing endorsements from: Individuals who are not currently enrolled students at the University of Houston; or Organizations not composed of currently enrolled students.

Under Article 1, Sections 1 and 2 of the Constitution, all currently enrolled students are automatically members of the SGA and retain rights and responsibilities therein. To sustain a violation, the Commission must therefore show that the endorsement originated from non-students. The Constitution explicitly anchors political participation and membership in enrollment, not organizational registration or formal recognition.

II. Failure to Establish a Non-Student Endorsement

The ruling does not allege, nor offer evidence, that @getbacksfac_uh is operated by non-students. Instead, the finding rests solely on the absence of RSO status or formal Commission recognition.

Article 4, Section 3, Clause 10 contains no requirement that a student-run account be registered as an RSO. Enrollment—not organizational recognition—is the operative criterion. As the Constitution confirms, SGA membership and rights are determined by enrollment status. Lack of formal recognition does not establish non-student control and is insufficient to meet the Commission's burden.

III. Independent Confirmation of Student Control

The @getbacksfac_uh account is connected to the official University of Houston Instagram story feature. Use of this feature requires verification via a valid UH email and confirmation that the account is operated by a currently enrolled student.

This constitutes independent verification of student operation. It directly contradicts any suggestion that the account is controlled by non-students or constitutes an external organization. The Commission has offered no evidence to the contrary. By constitutional design (Article 1 and Article 2), this verification satisfies the student-membership requirement.

IV. No Improper Use of University Resources

To the extent the Commission might interpret this connection as using university resources for campaigning, such an interpretation is inconsistent with the Constitution and Election Code.

Article 2 of the Constitution protects student expression, including political speech, and restricts the use of university resources only when those resources confer institutional endorsement or material advantage. The UH Instagram story feature is broadly available to verified students for general expressive purposes, does not convey institutional support, and does not involve discretionary allocation by the university. Its use cannot constitute misuse under the Code.

V. Extra-Textual Standard Applied

The ruling imposes a requirement—formal recognition—not present in the Code or Constitution. Article 2 guarantees freedom of expression. Imposing extra-textual restrictions conflicts with constitutional protections, SGA governance principles, and the Election Commission’s limited authority (Article 8, Constitution).

VI. Effect of the Warning

Each campaign is afforded a single warning for violations. Because this allegation is unsubstantiated under Article 4, Section 3, Clause 10, this warning should not be counted as the campaign’s first warning.

Counting an unsubstantiated allegation as a formal warning imposes prejudicial consequences absent a verified violation. Warnings are corrective measures tied to proven violations, not disputed or unresolved claims.

VII. Procedural Fairness

The ruling was issued prior to providing the campaign a meaningful opportunity to respond. Article 4, Code of Ethics, and Article 8 of the Constitution establish that candidates must have the opportunity to be heard before determinations are made. Issuing a ruling before receiving the candidate’s response unfairly advantages the complainant and undermines fundamental fairness.

VIII. Conclusion and Requested Relief

Because the Commission has not shown that the alleged conduct involved an endorsement by a non-student individual or organization, and because the ruling relies on criteria not contained in the Election Code or Constitution, the finding of a violation is unsupported.

The campaign respectfully requests that the Commission:

1. Decline to treat this warning as the campaign's first warning as it is unsubstantiated procedurally negligent ruling; and
2. Ensure that future determinations are made only after candidates are afforded a meaningful opportunity to respond prior to a ruling.

Respectfully submitted,

Joshua Sambrano
Lundan Royce

Zainab Khimji

Election Commissioner

Delivered to the Candidate: 02/11/26

Documentation from the Judiciary Committee:

Petitioner(s): **Aniyah Hubbard**

Respondent(s): **Joshua Sembrano and Lundan Royce**

A4S3C10: Candidates shall not accept, post, or otherwise utilize endorsements from individuals or organizations who are not currently enrolled students at the University of Houston

Decision 2/13/2026: It was the unanimous decision of the committee that the ruling in A4S3C10 was upheld. The committee confirmed that a **Class C violation** of the Election Code had occurred. The committee's reasoning was based on the finding that an unauthorized utilization of an outside endorsement had taken place. There was no record on file that an endorsement was submitted and **getbacksfac_uh**. is not an official registered student organization.

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By Filling out this form, you consent to having your opinions publicly reflected in graphs, charts, and percentages alongside other students without names.

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?

1:26 20m

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