

November 3, 2021

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Sent electronically to Sammi [REDACTED] and Kjersten [REDACTED] as Emerson College-Turning Point USA Leadership

Dear Sammi and KJ,

I am writing this letter to inform you as Emerson College-Turning Point USA leadership of the decision made by the Conduct Board regarding the October 28, 2021 hearing. As previously discussed, the Conduct Board only reviewed the actions of the organization and not individual student actions. All findings are again, based on the organization's actions and not an individual student's behavior. Therefore, any finding of responsibility that results in sanctions are for the organization and not an individual.

During the hearing the following incidents were discussed. Around September 29, 2021 Emerson College-Turning Point USA was tabling in the alley outside of 2 Boylston Place. At this registered event the organization handed out materials, one of the items handed out was a sticker reading, "China kinda sus" with an Among Us character wearing a Hammer and sickle. At a similar event, that took place a week earlier it was reported that Emerson College-Turning Point USA had been recording individuals' reactions without knowledge during the event. Both incidents were reported to the Office of Community Standards.

The Conduct Board had to determine if the incident above violated the following policies:

1. **Bias Related Behavior**: Any behavior or activities including, but are not limited to, any violation of the Code of Community Standards motivated by a race, ethnicity, national origin, gender, gender identity, gender expression, genetic information, religion, political views, sexual orientation, age, sex, military or other uniformed service, disability or any other characteristic protected under applicable local, state, or federal law regardless if the behavior is online or in person. Refer to the [College's Policy Against Discrimination, Harassment, and Retaliation](#) for more information.
2. **Invasion of Privacy**: All forms of invasion of privacy including but not limited to the audio or video recording, filming, photographing, viewing, transmitting, publishing, or producing the image or voice of another person without the person's knowledge and expressed consent while in an environment that is considered private or where there is a reasonable expectation of privacy.

At the conclusion of your hearing, the Conduct Board reviewed all materials presented during the hearing

and made recommendations to the Office of Community Standards. Those recommendations have been accepted and are as follows:

1. Emerson College-Turning Point is not responsible for violating the [Invasion of Privacy policy](#). There was insufficient evidence to find the organization recorded or filmed community members without the person's knowledge or expressed consent in an environment that is considered private or where there is a reasonable expectation of privacy.
2. Emerson College-Turning Point USA is responsible for violations of the [Bias Related Behavior policy](#). The Board indicated that by disseminating the Stickers Emerson College-Turning Point USA engaged in discriminatory conduct on the basis of national origin, that had the effect of "unreasonably interfering with" the Complainant's enrollment and/or had the effect of creating a hostile, intimidating or offensive working, living or learning environment. Although the Board found that the members of the Emerson chapter did not intend to target anyone other than China's government, handing out the sticker nonetheless had a discriminatory effect given the pervasive environment of anti-Asian discrimination that has developed over the past several years particularly in the wake of the COVID pandemic.

As a result of the finding(s) above the following sanction(s) have been determined by the Conduct Board and accepted by the Office of Community Standards:

1. Formal Warning: This letter serves as a formal warning for this violation. Additional behavior that violates Emerson's Community Standards will likely result in additional disciplinary action.

At this time, I can inform you that Emerson College-Turning Point USA is no longer under interim action and can return to regular activities and events, such as hosting programs and events on campus and continuing to book spaces for organizational needs.

Prohibition Against Retaliation

The College strictly prohibits retaliation against any member of the Emerson community for making a report of a violation of the College policy or for participating in the investigation of such a report. If at any time you believe that you are the subject of retaliation, you should immediately contact the Office of Community Standards (617-824-8620) or email (communitystandards@emerson.edu). You also may not retaliate against any other member of the Emerson community for participating in the investigation of the reports. Students who violate the prohibition on retaliation will be subject to discipline, up to and including dismissal from the College.

Appeal Process

If you would like to appeal this decision, you may submit a written appeal to the Vice President and Dean of Campus Life within seven days of receiving this notification. Please submit your appeal using this [form](#). The grounds for appeal are: (a) a lack of fairness in the procedures or process that may alter the outcome; or (b) significant new information (previously unknown) that has been revealed or discovered which materially alter the facts of the matter and may alter the outcome. For more information about the appeal process, please refer to the Code of Community Standards (www.emerson.edu/code-community-standards) or visit Office of Community Standards website (www.emerson.edu/community-standards/appeal).

report of a violation of the College policy or for participating in the investigation of such a report. If at any time you believe that you are the subject of retaliation, you should immediately contact the Office of Community Standards (617-824-8620) or email (communitystandards@emerson.edu). You also may not retaliate against any other member of the Emerson community for participating in the investigation of the reports. Students who violate the prohibition on retaliation will be subject to discipline, up to and including dismissal from the College.

Appeal Process

If you would like to appeal this decision, you may submit a written appeal to the Vice President and Dean of Campus Life within seven days of receiving this notification. Please submit your appeal using this [form](#). The grounds for appeal are: (a) a lack of fairness in the procedures or process that may alter the outcome; or (b) significant new information (previously unknown) that has been revealed or discovered which materially alter the facts of the matter and may alter the outcome. For more information about the appeal process, please refer to the Code of Community Standards (www.emerson.edu/code-community-standards) or visit Office of Community Standards website (www.emerson.edu/community-standards/appeal).

It is my hope that you found this process educational in nature and that you view me as a resource in the future. We are committed to facilitating a process that is fair, consistent, and educational.

If you have questions, please do not hesitate to contact me or visit the Office of Community Standards website (<https://www.emerson.edu/departments/community-standards>). If you need help or support, please visit the [Emerson Concern Center](#).

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Sanders".

Julie Rothhaar-Sanders
Director of Community Standards