



Office of the General Counsel
555 Broadway
Dobbs Ferry, NY 10522

MEMORANDUM

TO: Mercy College Administrators

FROM: Kristen Bowes, General Counsel

DATE: July 2, 2021

RE: Current Guidelines Regarding Gatherings and Face Masks on Mercy's Campuses

Currently, while there are no longer any executive orders that impact the usage of Mercy College facilities by College community members, out of an abundance of caution, Mercy maintains the following limitations through August 31, 2021:

A. Mask Usage

1. General College Population

- **Outdoors** – masks are currently **no longer required while outdoors** on Mercy's campuses.
- **Indoors** – **masks are required** in the following Mercy areas/spaces:
 - Common spaces (ie, hallways, bathrooms, elevators, cafeteria lines, bookstore, library, etc.)
 - Health and Counseling Offices
 - Visitors to offices or cubicles (including students) – masks may only be removed if both individuals are vaccinated and consent to mask removal.
 - Meeting rooms
 - Classrooms

Masks **are not required** by occupants in:

- Individual offices
- Shared offices with 2-3 desks where occupants are vaccinated and all agree to mask removal

- o Larger offices with cubicles where occupants are vaccinated and all agree to mask removal
- o Shared offices and when people are seated at their desks and desks are 6 feet apart, even where individuals are not vaccinated.

2. Mercy-sponsored camps (e.g. Leadership Academy)

- Same as “general population” EXCEPT
 - o If all participants AND faculty are vaccinated, they can take off masks in classrooms and meeting rooms
- Classrooms – to still follow 50% capacity requirements to the extent possible
- If visitors come and their vaccination status is unknown, they must wear masks indoors
- Public/communal transportation – masks are required
- Other public places – follow requirements of the public place
- If residential housing– can take them off in rooms or in spaces confined ONLY to that program; if in a common space in dorm must wear mask unless all participants are fully vaccinated

3. Non-Mercy Summer Camps (e.g. Oasis)

- Indoors – same as “general population”
- Outdoors – up to camp to decide as long as in compliance with NYS guidelines.

According to the updated guidance:

- Camp administrators must ensure that staff who are not fully vaccinated maintain a distance of at least six feet from other unvaccinated staff at all times, unless safety or the core activity requires a shorter distance (e.g. jointly caring for a child or responding to the needs of a camper).
- Camp administrators should encourage that children/campers age 2 and older who are not fully vaccinated wear face coverings except when eating, drinking, showering, swimming, or sleeping/resting. Young children/campers (i.e., those that are not yet in kindergarten) do not need to wear face coverings when they are in child care or day camp program facility or area. Older children/campers are encouraged but not required to wear face coverings as feasible. In addition, the outdoor space that belongs to and/or is exclusively used by the child care or day camp program is not considered a public

place for the purposes of this guidance. Children/campers are not required to wear a face covering when utilizing the outdoor space that belongs to and/or is exclusively used by the child care or day camp program. Child care programs and day camps that have access to a pool must adhere to State and DOH guidelines regarding swimming pools. Children/campers may also remove face coverings outdoors when they are unable to tolerate a face covering for the physical activity. Face coverings must be worn by individuals who are not fully vaccinated during transportation

B. On-Campus Gatherings and Meetings

Mercy College reserves the right to limit what events, gatherings and meetings will take place on campus. Currently the following limitations are in place on Mercy's campuses:

- In-person meetings shall retain 6 feet social distancing, unless all attendees are vaccinated, in which case 6-foot spacing is not necessary.
- There are no limitations on outdoor gatherings.
- Events or gatherings where food is served must be expressly approved in writing by the Vice President of Operations and Facilities, the President or the Provost.
- All indoor events or gatherings with 100 individuals or more must be expressly approved in writing by the Vice President of Operations and Facilities, the President or the Provost.
- Masks are not required for outdoor events, although the College recommends usage where there are crowds and 6-foot distancing cannot be maintained. Masks are required for indoor events except as otherwise set forth above regarding office-settings, until further notice.

C. Off-Campus Events and Activities

- All off-campus events relating to Mercy College business must adhere to any current local, state, federal and foreign guidelines as well as any restrictions imposed by the business/entity in which the location is being operated.
- Business-related travel, including domestic, conference and international travel, may recommence in accordance with all local, state and federal guidelines *and* with the approval of the area Vice President in writing in advance.

D. Mercy-Related Catered Events

All Mercy College-related functions run by the College, whether on Mercy campuses or off-campus, such as at a catering hall, park or conference center, must be approved in advance in writing by the Vice President of Operations and Facilities, the President or the Provost. If food is

being served on-campus, it must be either individually wrapped or if buffet-style, must be served by an attendant.