



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

MEMORANDUM

TO: Mercy College Administrators
FROM: Kristen Bowes, General Counsel
DATE: September 2, 2021
RE: Current Guidelines Regarding Face Masks, Gatherings and Events at Mercy

Currently, while there are no executive orders that impact the usage of Mercy College facilities by College community members other than the NYC Dining Restrictions, to ensure the safety of the campus community, Mercy maintains the following limitations:

A. Mask Usage

- **Outdoors:** masks are currently **no longer required while outdoors** on Mercy's campuses, though strongly encouraged in large gatherings and/or where social distancing cannot be maintained.
- **Indoors: masks are required** inside all of Mercy's buildings, including but not limited to the following areas/spaces:
 - o Classrooms
 - o Common spaces (i.e., hallways, bathrooms, elevators, cafeteria lines, bookstore, library, etc.)
 - o Health and Counseling Offices
 - o Visitors to offices or cubicles (including students) – masks may only be removed if both individuals are vaccinated and consent to mask removal.
 - o Meeting rooms

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

- o Individual offices

- 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.

B. On-Campus Events, 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:

- For all events with 50 or more people, whether indoors or outdoors, all guests must provide proof of vaccination. The event organizer is responsible for ensuring compliance with this requirement and shall only ask for visual proof at the event. They may not retain paper copies of vaccination records. Anyone attending the event with an exemption must contact the College’s Equity Compliance Specialist 3 days in advance of the event: TitleIX.Equity@mercy.edu.
- Events or gatherings where food is served must be expressly approved in writing by the the Provost or the President.
- All indoor events or gatherings **with 50 individuals or more**, except for athletics, must be expressly approved in writing by the Provost or the President.
- 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. Athletic Event Spectators

Spectators at all Mercy College sporting events must abide by all requirements in this Policy, as well as the following:

A. Outdoor Sports

- They must wear face masks whenever they go indoors, and outdoors when they cannot maintain social distancing.
- Mercy fans will be required to sit opposite the Mercy team bench; the opposing team’s spectators will be required to sit opposite their team’s bench.
- 6-foot social distancing is required between families or groups that came together, and congregation of fans is not permitted.
- No one shall be permitted to stand by the fence abutting the field.

- Tailgating is not permitted.

B. Indoor Sports

- Proof of vaccination must be provided before entering the gym.
- Face masks must be worn at all times, regardless of vaccination status.
- Athletes are permitted up to 2 spectators each. Lists containing the names and contact information of the expected spectators must be provided to Mercy's Athletic Director by both Mercy and the opposing team prior to the game.
- Anyone present must have 6-foot spacing except those with whom they came, and congregation is not permitted.
- Mercy fans must sit opposite the Mercy bench; opposing teams will sit opposite their team's bench.

D. 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.

E. 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 Provost or the President. Food at these events must be individually wrapped or served by an attendant.