



Policy Name:	Policy Statement Regarding Bias-Related Crimes		
Associated Form(s):	N/A	Policy Number:	2023-21
Reviewed:	Non-Academic Policy Committee	Approved:	August 17, 2023
Approval Authority:	President <i>Susan Uparish</i>	Adopted:	August 28, 2023
Responsible Executive(s):	Vice President for Student Affairs	Revised:	N/A
Responsible Office(s):	Student Affairs	Contact(s):	Associate Dean of Student Affairs

Policy Statement

Bias-related crimes and incidents, commonly referred to as “hate crimes,” will not be tolerated at Mercy University.

Bias-related conduct is prohibited by laws that include, but are not limited to, Title VI and Title VII of the Civil Rights Act of 1964; the Civil Rights Restoration Act of 1988; and the New York State and New York City Human Rights Laws, and NYS Education Law Article 129-A.

Under the Higher Education Opportunity Act (HEOA) (Public Law 110-315), a hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

A bias-related crime occurs under the New York State Hate Crimes Act of 2000 (New York State Penal Code § 485.05) when a person commits a specified criminal offense and:

1. intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct; or
2. intentionally commits the criminal act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

It is the responsibility of all members of the Mercy University community to report bias-related incidents or crimes. Victims of a bias-related incident or witnesses to such an incident should report the incident promptly to the Office of Campus Safety, the Assistant Dean of Student Affairs, the Director of Title IX/Equity Compliance or any other University official. Even if an individual does not want to pursue a complaint, the University should be notified of bias-related offenses. If the University becomes aware of an allegation of bias-related crime, it may elect to take disciplinary action even in the absence of a formal complaint from the victim. Reporting a bias-related crime to the University does not prevent an individual from pursuing other legal remedies, and the University will, if requested, assist the individual with a report to the police.

Counseling and referral resources for victims of bias-related crimes are available at the following University offices: Division of Student Affairs, Counseling, Safety, Residential Life, or the Title IX/Equity Compliance Office. These offices can also put victims of bias-related crime in contact with other agencies that are trained to provide counseling and support.