



Policy Name:	Policy Statement Regarding Bias-Related Crimes		
Associated Form(s):	N/A	Policy Number:	2024-14
Reviewed:	Non-Academic Policy Committee	Approved:	June 24, 2024
Approval Authority:	President <i>Susan Parish</i>	Adopted:	June 25, 2024
Responsible Executive(s):	Vice President for Student Affairs	Revised:	N/A
Responsible Office(s):	Student Affairs	Contact(s):	Associate Dean of Student Affairs

I. 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.

II. Reporting

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.

III. Counseling Services

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.

IV. Prevention Information

As required by law, Mercy must provide information to incoming students regarding bias-related crime and its prevention. Mercy shall inform incoming students about bias-related crime prevention measures through programs which may include workshops, seminars, discussion groups and film presentations, in order to disseminate information about bias-related crime, promote discussion, encourage reporting of incidents of bias-related crime and facilitate prevention of such incidents. Specifically, these education and informational programs should include, but not be limited to, the following subjects:

1. the applicable laws, ordinances, and regulations on bias related crime, including the provisions and coverage of the hate crimes act of 2000 codified in article 485;
2. the penalties for commission of bias related crimes;
3. the procedures in effect at the college for dealing with bias related crime;
4. the availability of counseling and other support services for the victims of bias related crime;
5. the nature of and common circumstances relating to bias related crime on University campuses; and
6. the methods the University employs to advise and to update students about security procedures.