



# CONNECTICUT COLLEGE

Katherine Bergeron  
*President*

## Memorandum

*To:* Judiciary Committee

*From:* Katherine Bergeron, President

*Re:* House Bill 5125: An Act Concerning the Provision of Immunity From Civil Liability For Entities That Have Operated Pursuant To Health and Safety Guidelines During The COVID-19 Pandemic

*Date:* March 15, 2021

I am grateful for the opportunity to share my views on House Bill 5125. Connecticut College has worked diligently over the past year to implement the State of Connecticut's public health guidance as we took steps to repopulate our campus in the midst of a pandemic. We are proud that, through rigorous testing, contact tracing, social distancing, and revised campus living protocols, COVID rates have remained exceedingly low since the return of students in August.

The College invested \$4 million in the development of a robust twice-weekly testing program for students, faculty, and staff, a program that Hartford HealthCare cited as one of the best in the country. More than 95 percent of our students have complied with this mandatory testing, which allows us to identify potential clusters of COVID cases and immediately isolate or quarantine students as needed to reduce viral spread. A professionally trained staff of contact tracers work to identify those who have come into close contact with an infected person and provide direction and support. With this approach, we have essentially kept the virus off our campus, achieving an overall positivity rate of 0.24 percent for the fall semester, and an even lower rate for the spring, at just .08%.

Given that densely populated residential campuses like ours face an unusual potential for exposure, Governor Lamont's Reopen CT Higher Education Committee recommended that the state offer an appropriate, limited "safe harbor" from liability for those institutions that comply with state guidance. House Bill 5125 is intended to do just that, without shielding an institution from gross negligence or willful misconduct. We appreciate this recognition by the legislature.

Some may argue that safe harbor is not needed, since a college that followed the public health guidance, as we did, would prevail in any attempted litigation. We would simply point out that the burdensome expense of potential litigation is not something we could imagine at this time, especially with pandemic-related revenue losses of \$12 to \$15 million that colleges like ours are facing. The federal assistance we have received is deeply appreciated, of course, but it does not begin to cover the shortfall.

For all these reasons, I ask that the Committee move this bill forward as expeditiously as possible.

A handwritten signature in black ink, appearing to read "Katherine Bergeron". The signature is fluid and cursive, with a long horizontal flourish extending to the right.