



**Testimony for the  
Judiciary Committee  
President Rhona Free, Ph.D.  
University of Saint Joseph  
March 15, 2021**

On behalf of the University of Saint Joseph (USJ), I am submitting testimony in strong support of **H.B. 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.**

USJ has worked diligently to implement the robust public health guidance that the state of Connecticut has issued to safely support the re-opening of higher education institutions over the past year. Beyond the Re-Opening Higher Education Report issued on May 6 by Governor Lamont, 14 additional memorandums have been issued by the Department of Public Health for higher education along with DECD's various sector rules for operations. At USJ, we went above and beyond general advisement for safety measures including extra Plexiglas barriers and classroom modifications to ensure social distancing resulting in an approximate 1% COVID positivity rate. To achieve these results and comply with state guidelines, through December 2020 USJ invested in:

Technology and support services:	\$490,121
Campus safety and operations (PPE, cleaning supplies):	\$ 92,815
Testing costs:	\$140,000
Dining costs for precautions (approximately):	\$100,000
Facilities temporary custodial support (approximately):	\$45,000
<b>Total projected costs:</b>	<b><u>\$867,936</u></b>

Recognizing the unusual potential for exposure on a college and university campus, the Governor's Reopen CT Higher Education Committee recommended the state offer appropriate, limited, "safe harbor" from liability for those institutions that comply with the state guidance. The bill before you today aligns with this recommendation and is intended to allow for a temporary, targeted safe harbor for private entities, such as private, non-profit colleges, without shielding an institution from gross negligence or willful misconduct.

Some may argue that any institution that follows public health standards will prevail in litigation, and thus a safe harbor is not needed. However, there is opportunity for people to sue institutions for getting the virus on campus before state guidance was in place, and there is the cost of successfully defending lawsuits at a time when schools like USJ are already coping with a sudden increase in expenses and significant lost revenue.

Moreover, insurance for pandemic risks is limited or unavailable, creating significant financial exposure. For the reasons outlined above, we ask for the Committee's strong support of this bill.