



HB1175

Senate Industry, Business, and Labor Committee

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Mark Hagerott, Chancellor, NDUS

701.328.2963 | mark.hagerott@ndus.edu

Chair Klein and Committee Members: My name is Mark Hagerott, and I serve as the Chancellor of the North Dakota University System. I am here today on behalf of the North Dakota University System and the presidents of its eleven institutions in support of HB 1175. However, I am not here on behalf of the State Board of Higher Education, which has not taken a position on the bill.

The last ten months has been a difficult time for everyone in the state, but I am happy to report that the North Dakota University System has met the challenges posed by the COVID-19 pandemic, including the resumption of in-person education from the start of the 2020-21 academic year, which was a decision made in the best interests of our students' educational outcomes. We were able to achieve this feat thanks to the hard work of everyone who works in and for the University System, and especially with the financial support approved by the Emergency Commission and the Budget Section, and I thank you for your support.

Despite everything that we have accomplished since the beginning of the pandemic, the NDUS still faces significant risk related to the decision to re-open our campuses and adjust to this new normal. The campuses have had to implement new policies and procedures designed to limit the risk of spreading COVID-19 and adapted to an ever-changing set of federal regulations. However, despite all of this hard work, NDUS institutions still face the risk of civil lawsuits that could undermine all the success we have seen.

In addition to the benefits to private businesses that many others have discussed, HB 1175 will provide immunity from civil liability for potential exposure to COVID-19 based on the decision to re-open, so long as the actions were taken in good faith and followed applicable COVID-19 laws and guidelines – which the NDUS and its institutions have at all times. HB 1175 provides the NDUS and its institutions with needed certainty when it comes to potential litigation about the decision to re-open in the best interests of the students.

Thank you for your consideration of HB 1175. I respectfully request that the members of the Committee vote for a “do pass” recommendation. Thank you for your time.