SB 2278 – School District Immunity Regarding COVID-19

February 2, 2021

Chairwoman Larson and members of the Senate Judiciary Committee. Thank you for the opportunity to testify in support of SB 2278. I am Dr. Russ Ziegler, assistant director for the North Dakota Council of Educational Leaders. NDCEL is a non-profit agency that represents school leaders in the state of North Dakota. Our membership includes, superintendents, elementary and secondary school principals, athletic directors, business officials, technology leaders and other school personal.

I am here today to support SB 2278. The COVID-19 Pandemic has certainly challenged schools, students, and the individuals who work in them. The schools did their very best in trying to keep everyone safe and healthy. They did this by following the guidelines put forth from the national CDC, state and local health departments, and from the Governor's Office. It is our belief that a school should not be held liable for any damages that resulted from COVID when following the guidelines that were set. This bill will protect the schools from civil liability for damage, loss, or injury that results from a student or any other individual contracting, being exposed to, or potentially being exposed to COVID-19 while in a public school, or other areas designated in the bill. We also agree that this protection would not apply if the damage, loss, or injury was caused by an individual's gross negligence, willful misconduct, or infliction of harm, as the bill states.

 We appreciate the legislature in all that you do and would also like to thank the sponsors of SB 2278 for bringing it forward.

I would also like to state that the North Dakota School Boards Association fully supports this bill and Alexis Baxley, Executive Director, wanted me to let you know she did submit her testimony online but regrettably is unable to make it in person.

Thank you and we ask for a Do Pass on SB 2278 and I can stand for any questions.