

NEW ENGLAND BOARD of HIGHER EDUCATION



Legislative Advisory Committee Meeting Thursday, July 23, 2020 11:00 a.m. – 1:00 p.m. Via Zoom Video Conference

Agenda

10:45 a.m. – 11:00 a.m.

Welcome and Sign On to Video Conference

Dial-in:

<https://zoom.us/j/8201642392>

Video ID - 8201642392

Phone - 646-558-8656 or 669-900-6833

Phone ID - 8201642392

No password required

11:00 a.m. – 11:50 a.m.

COVID-19-Related Limited Liability Protection for Higher Education

There is growing concern that, even with clear standards and good-faith efforts, higher education institutions are vulnerable to the possibility of an impending tsunami of COVID-19-related litigation. For this reason, on May 28, NEBHE joined several other higher education associations by co-signing a [letter from the American Council on Education to Congress](#), which urges lawmakers to "quickly enact temporary and targeted liability protections related to the COVID-19 pandemic" to protect "higher education institutions and systems, affiliated nonprofits, and healthcare providers and facilities from excessive and speculative lawsuits arising out of the pandemic."

Yet, COVID-19-related limited liability protection is not a simple issue. Indeed, it is one of the most challenging issues to emerge from the pandemic's disruption. From an economic standpoint, our institutions are anchor employers throughout the region and represent New England's fourth largest industry in terms of overall economic impact (\$23 billion). Liability protection is critical to avoid delaying reopening institutions and risking negatively impacting students, particularly those who are the most economically and academically at risk. At the same time, any form of indemnity granted to institutions must not fail to include important consumer and worker protections.

Today, a panel of legal experts and representatives for worker and consumer rights will share insights into liability protection efforts being led at the federal and state levels.

Panelists:

What does it mean to encourage, enable, and support the safe reopening of college and university campuses for in-person learning?

Why Liability Protection Matters

[Peter McDonough](#) | Vice President and General Counsel, Office of the General Counsel, American Council on Education

Consumer/Worker Protection and Business Accountability:

[Sejal Singh](#) | Founding Organizer and National Policy Director, People's Parity Project

The Legislative Landscape

Federal-Level

[Steven Bloom](#) | Director of Government Relations, American Council on Education

State-Level/New England

[Stephanie Murphy](#) | Policy Analyst, NEBHE

Individual State Perspective: MA HB-4659

[Rep. Jeffrey Roy](#) | (D-MA, 10th Norfolk)

11:50 a.m. – 1:00 p.m.

Q&A/Open Discussion on COVID-19-Related Limited Liability Protection

Moderator: Sen. Rebecca Millett

During this time, legislators will have an opportunity to ask the panelists questions, as well as to discuss their state's concerns and considerations with regard to liability protection for higher education institutions.

1:00 p.m.

Adjourn