



Inspiring Today's Students to Meet Tomorrow's Challenges

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Re: COVID-19 Liability Protection for School Districts

Dear Co-Chair Courtney, Co-Chair Kotek, and members of the Joint Interim Committee on the Third Special Session,

As superintendent of the Klamath County School District, I am urgently advocating for COVID-19 liability coverage for school districts and school officials.

On March 2, 2020, I activated the district's emergency response team and implemented our emergency response plan. The team was comprised of district nurses and key district office staff. We worked closely with Klamath County Public Health to prevent COVID-19 within our school communities and mitigate disruption if an outbreak should occur. Since that time, we have been diligent in following Governor Brown's Executive Orders and Oregon Department of Education Ready Schools, Safe Learners Guidance.

The issue that districts face is regardless of how well we follow the guidance, a significant number of our families are passionately opposed to our actions and have threatened us. In addition to physical threats, I have been threatened with legal action because of the position I hold as a superintendent. If we close schools to do distance education, they are angry and claim harm. If we open schools, others claim that we are putting their children at risk. Parents of athletes claim irreversible harm. Special populations claim that closures have caused their students more harm than other students. Some employees are scared to come to work because they are in high-risk categories.

On behalf of my school board, my administrative team, and my superintendent colleagues, I am asking for a level of liability protection for those who are diligently following the executive orders and ODE RSSL guidelines in good faith. Without legislative action to protect us from COVID-19-related lawsuits, it will be difficult to reopen schools.

When bystanders respond to an emergency, there is legal protection under "Good Samaritan" laws.

Good Samaritan laws are usually at the state level and provide **protection against liability** for

volunteers and anyone responding in good faith to medical emergencies. The responder has liability protection from the state to ensure assistance is given. While school officials may not be acting in a “volunteer” capacity, they deserve and need the same protection. Reinventing education during a pandemic is not something that anyone prepared us to execute.

A smart, balanced approach would ensure accountability for reckless or intentional misconduct while protecting schools so they can move forward. That is why the Legislature must act now to address this issue.

Thank you for hearing my request and for your contributions during this critical time in our history.

Respectfully,

Glen Szymoniak
Superintendent, Klamath County School District

Cc:

Representative E. Werner Reschke
Senator Dennis Linthicum
Lori Sattenspiel, OSBA
Morgan Allen, COSA