

# New law shields Louisiana schools from COVID lawsuits from students, parents, teachers

Greg Hilburn

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Louisiana school systems and colleges will be shielded from most COVID-related lawsuits under a new law signed by Gov. John Bel Edwards as education leaders grapple with plans to reopen on-campus learning safely this fall.

The new law, crafted by Republican state Rep. Buddy Mincey of Denham Springs, bans most lawsuits by students, teachers and employees who claim

they contracted the coronavirus because the schools lacked proper protections.

"I don't think our school systems can prepare for that (potential onslaught)," Mincey said while his House Bill 59 was being debated.

Mincey, who previously served as a school board member, argued that many school districts would opt for remote learning without the protection.

Though the new law was prompted by the coronavirus outbreak, it covers any future public health emergency.

The bill was requested by the Louisiana School Boards Association, which represents board members statewide.

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Students, their parents, teachers and school employees will only be able to successfully sue if they can show school districts displayed gross negligence during a public health emergency.

There was opposition during the debate from some lawmakers who believe the legislation is unfair to students and teachers.

"My only concern is the people who seem to be left out of your legislation is the students," said Rep. Gary Carter, D-New Orleans. "This is a reduction in student rights."

But a last-minute amendment to the bill was designed to mitigate those concerns, though it "caused a little bit of turmoil," Mincey said, because school leaders believe it could open the door for litigation.

The amendment requires the Louisiana Board of Elementary and Secondary Education and the state's college and university governing boards to make specific minimum safety standards schools are required to follow.

Those standards are required to be made by BESE by July 15 under the law. BESE is scheduled to meet July 14.

"I tell you this bill has been a journey," Mincey told the House. "I cannot even begin to tell you all the lessons I have experienced, the education I have gotten. And not all of them have been good."

*Greg Hilburn covers state politics for the USA TODAY Network of Louisiana. Follow him on Twitter @GregHilburn1.*