



**Ohio Conference of the American Association of University Professors**

222 East Town Street, 2W, Columbus, OH 43215

Testimony of John T. McNay, Ph.D.  
Ohio Conference of the American Association of University Professors  
Before the Senate Judiciary Committee  
Senator John Eklund, Chair  
June 30, 2020

Members of the Senate Judiciary Committee:

My name is John McNay, and I am President of the Ohio Conference of the American Association of University Professors (AAUP), which represents over 6,000 faculty statewide. I also am a professor of history at the University of Cincinnati.

On behalf of my association, I am submitting this interested party testimony for House Bill 606.

We understand the original intent of this legislation – to hold harmless those essential workers who transmit COVID-19.

However, as we understand the legislation today, HB 606 also would provide qualified immunity to public colleges and universities, shielding them from liability resulting from illness or death as a result of COVID-19. We ask this committee to reexamine those provisions of the bill.

Most Ohio institutions have announced the intent to hold in-person classes for fall semester. We are keenly aware of the budgetary implications of not being on campus. Already we have seen substantial faculty and staff layoffs as a result of the COVID-related financial fallout, and we cannot afford any more.

However, safety at our colleges and universities has to be the top priority, and having face-to-face instruction entails obvious risks. Not every person who will be on campus is a healthy 18 to 22 year old. The nature of living in residence halls, sharing enclosed spaces such as lecture halls, as well as student gatherings on and off campus facilitate a breeding ground for infectious diseases like COVID-19.

The potential for litigation is one of the greatest incentives for administrations to ensure safety to the extent possible and to earn the buy-in of their entire campus communities for the plans to return to campuses. HB 606 would remove that incentive, and we ask this committee to reconsider whether that is the appropriate policy.

Thank you for the opportunity to submit this testimony.