



COVID-19 LIABILITY RELEASE & WAIVER: DIOCESAN CATHOLIC SCHOOLS

This COVID-19 Liability Release & Waiver: Diocesan Catholic Schools (“Release”), is submitted for the benefit of: All Saints Catholic School, Holy Family Cathedral School, Marquette Catholic School, St. Catherine of Alexandria Catholic School, St. John Before the Latin Gate Catholic School, St. Joseph Catholic School, St. Pius X Catholic School, Sts. Peter and Paul Catholic School, and the School of St. Mary (collectively “Diocesan Schools”), parts of the Roman Catholic Diocese of Tulsa & Eastern Oklahoma, an Oklahoma not for profit corporation sole (together the “Diocese”), by the undersigned (“Releasor”). The Diocese and Releasor may be referred to herein each as a “Party,” or collectively as the “Parties.” This Release is effective as of the date indicated below (“Effective Date”).

WHEREAS, Releasor acknowledges and understands that the World Health Organization (“WHO”) has declared a global pandemic due to the recently discovered coronavirus, COVID-19; that COVID-19 is considered a highly infectious disease and many aspects of the disease are still unknown or unconfirmed; that COVID-19 may cause fever, dry cough, tiredness, aches, pains, nasal congestion, headache, conjunctivitis, sore throat, diarrhea, loss of taste or smell, rash on skin or discoloration, and/or death; and that COVID-19 has been confirmed to be actively present in Oklahoma;

WHEREAS, the Diocese strives to provide a Catholic education to the children entrusted into its care (“Students”) as part of its religious mission to assist parents in fulfilling their sacred vocation to form each child as a disciple of Jesus Christ (cf. CCC n. n. 2201-203; 2221-231), and the Releasor, desiring for the Students under Releasor’s care to receive such education from the Diocese, has enrolled one or more Students in a Diocesan School during the COVID-19 pandemic;

WHEREAS, Releasor understands that the Diocese has considered pertinent health guidelines issued by various organizations (e.g., Centers of Disease Control and Prevention) and has consulted with local health officials (e.g., Tulsa Health Department) in order to establish and implement preventative and prudent safety guidelines to mitigate the risk of Students becoming infected with COVID-19, with due consideration for the holistic well-being of the Students entrusted to diocesan care.

NOW THEREFORE, in mutual agreement of the foregoing and for the adequate and valuable consideration described herein, the Releasor hereby also agrees as follows:

1. Waiver and Release: Releasor hereby releases, forever discharges, and agrees to hold harmless the Diocese, including its affiliates, directors, officers, employees, and agents, from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity, which arise or may hereafter arise from any matter related to the Student(s) contracting or being otherwise being exposed to COVID-19 while enrolled in a Diocesan School, except to the extent arising out of the gross negligence or intentional misconduct of the Diocese. Releasor acknowledges and understands that Releasor is releasing the Diocese from any and all liability for injury, illness, death, or property damage resulting from any matter related to COVID-19 to the fullest extent permitted by Oklahoma law.



2. Assumption of Risk: Releasor hereby acknowledges the risks, including all risks associated with potentially high-risk activities, e.g., sports, of having a Student(s) enrolled in a Diocesan School during the COVID-19 pandemic, to both the Student and those in the same household, and hereby expressly assumes any and all risk of injury, illness, and harm associated with COVID-19.

3. Students: Releasor hereby agrees and understands that all provisions of this Release, including but not limited to, **Section 1** and **Section 2** of this Release, are also made on behalf of Students entrusted to their care who are minors, to the fullest extent permitted by Oklahoma law. Releasor agrees to explain to the Student, as age appropriate, the seriousness of the COVID-19 pandemic and the importance of following recommended health guidelines (e.g., washing of hands, social distancing, etc.) and any other guidelines and rules established by the Diocese or its Diocesan Schools related to mitigating the risk of becoming infected with COVID-19.

4. General Provisions: This Release contains the entire agreement and understanding among the Parties and supersedes all prior and contemporaneous agreements and understandings. The provisions of this Release are independent of and severable from each other, and no provision will be affected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part. This Release is governed by the laws of the State of Oklahoma. Releasor agrees, in the event of a dispute regarding this Release, venue is proper in a Court of competent jurisdiction in Tulsa County, Oklahoma, and Releasor waives any objection to such venue. The paragraph or section headings herein are for convenience only and do not define, limit, or construe any contents of such paragraphs or sections.

IN WITNESS THEREOF, the Parties have caused this Release to be executed and delivered by their proper officers as of the Effective Date.

On behalf of the Diocese, including, but not limited to, the Diocesan Schools:

Mr. David Dean
Superintendent of Catholic Schools

I, the undersigned Releasor, certify that I have read this Release in its entirety, that this is a legally binding waiver and release of liability, and that I am at least eighteen (18) years of age. I sign this Release voluntarily and of my own free will on my behalf and on behalf of the Student(s) under my care. I understand that this Release is **mandatory** for the enrollment of the Student(s) under my care in Diocesan School.

Printed Name of Releasor

Signed Name of Releasor

Date Signed ("Effective Date")

Name of Student(s) at the Diocesan School

Office of the Chancellor & In-House Counsel • July 15, 2020 • Memorial of St. Bonaventure, bishop and doctor