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**SUPREME COURT  
OF THE  
STATE OF CONNECTICUT**

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**S.C. 19525**

**ORSON D. MUNN, III, AS PARENT AND NEXT FRIEND OF C.M. AND  
INDIVIDUALLY, CHRISTINE MUNN, AS PARENT AND NEXT FRIEND OF C.M.  
AND INDIVIDUALLY, AND CARA L. MUNN**

**v.**

**THE HOTCHKISS SCHOOL**

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**BRIEF AMICI CURIAE OF NATIONAL ASSOCIATION OF INDEPENDENT  
SCHOOLS, AMERICAN COUNCIL ON EDUCATION,  
AND 21 OTHER EDUCATION ASSOCIATIONS  
IN SUPPORT OF DEFENDANT-APPELLEE THE HOTCHKISS SCHOOL**

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## **STATEMENT OF INTEREST OF AMICI CURIAE**

Amicus National Association of Independent Schools (“NAIS”), a voluntary membership organization, represents more than 1,600 private, independent elementary and secondary schools and 89 national, state, and regional school associations located throughout the United States and abroad. The national voice of independent pre-collegiate education, NAIS has worked for decades to support the independent-school sector.

Amicus American Council on Education (“ACE”) represents all higher education sectors. Its approximately 1,700 members reflect the extraordinary breadth and contributions of degree-granting colleges and universities in the United States. Founded in 1918, ACE seeks to foster high standards in higher education, believing a strong higher education system the cornerstone of a democratic society. ACE regularly contributes amicus briefs on issues important to the education sector.

The Addendum contains information on the other 21 Amici on this brief.

## SUMMARY OF ARGUMENT OF AMICI CURIAE<sup>1</sup>

Foreign study and travel abroad (“international education”) are indispensable to 21st Century education. International education fosters intellectual growth and prepares students to work in the increasingly global economy and thrive in our pluralistic nation. Because it requires students to leave the relatively controlled environment and safety of school grounds, international education also carries the countless foreseeable risks of venturing into the world. Which of those risks must an educator affirmatively warn of and guard against? The issue presented here is whether public policy entails a duty to warn of and specifically guard against a risk of insect-borne disease solely because a Centers for Disease Control and Protection (“CDC”) webpage included a general statement that the risk “occurs” in an area as large as “East Asia” or “forested regions in northeastern China.”

Amici suggest the answer is no. The CDC webpage at issue included “travel notices” for “Measles and Mumps Outbreaks,” and “Avian Influenza,” but listed insect-borne disease as but one among many risks sometimes found in China. See Pl. App. A712, A716. “Tragic circumstances . . . sharpen our hindsight.” Pinder v. Johnson, 54 F.3d 1169, 1178 (4th Cir. 1995). Viewed from the perspective of an educator attempting to organize a trip to a distant land, an affirmative duty based on such generalities would be impracticable and could have calamitous consequences for schools. Even if educators could warn of and

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<sup>1</sup> No counsel for a party to this case wrote this brief in whole or in part and no such counsel or a party contributed to the cost of the preparation or submission of this brief. No persons, other than Amici or their counsel, made such a monetary contribution. In response to Plaintiffs’ remarks about Amici’s supposed interest in this case, Amici state that seven of the 23 Amici are currently insured by United Educators, which is a reciprocal risk retention group that also insures The Hotchkiss School. The seven Amici are: ACE, American Field Service, Association of Governing Boards of Universities and Colleges, Global Education Benchmark Group, National Association of College and University Business Officers, New York State Association of Independent Schools, and University Risk Management and Insurance Association.

guard against every such risk, the information overload would leave students and parents in a maze of warnings and directives or discourage study abroad, even though some data suggest study abroad is no more dangerous than at home. Just as participation in contact sports involves risk of injury, parents and students understand that international travel involves innumerable foreseeable but often remote risks. Parents and students cannot reasonably expect focused warnings and planned, reactive attention to every risk that may occur in a country or region associated with an international student experience. Public policy does not support such a duty. Nor should it. A judicial mandate in that regard would have the two-fold negative effect of (1) likely burying warnings about imminent risks among a litany of other warnings, and (2) radically and negatively impacting the number and type of international student experiences schools will continue to offer their students.

### **ARGUMENT OF AMICI CURIAE**

#### **I. SCHOOL-SPONSORED FOREIGN STUDY AND TRAVEL ARE INDISPENSABLE TO 21ST CENTURY EDUCATION.**

International education promotes intellectual growth, prepares students for the global economy, and helps sustain our democracy.

##### **A. Foreign Study and Travel Foster Intellectual Growth.**

To experience foreign cultures is to grow in understanding. Herodotus left Greece in 5th Century B.C. to study the known world. He observed, “if it were proposed to all nations to choose which seemed best of all customs, each . . . would place its own first; so well is each convinced that its own are by far the best.” Herodotus, The Histories, ch. 38 (A.D. Godley, trans. 1921). International education fosters critical thinking and the examined life.

Confronted by a civilization whose people have new and unexpected ways of viewing the world, a student can explore and absorb those differences better than if told of



them in the classroom. See, e.g., Diane N. Ruble, A Phase Model of Transitions: Cognitive and Motivational Consequences, 26 *Advances in Experimental Social Psych.* 163, 171 (1994). International education “depends upon the informed and patient encounter with difference, with what is unknown or other, and the inalterable belief that through this encounter new knowledge and new modes of knowing develop.” John Sexton, President of New York University, Global Network University Reflection (Dec. 21, 2010). International education is a powerful catalyst for learning.

**B. Foreign Study and Travel Prepare Students for a Global Society.**

**1. The Federal Government and Connecticut Have Recognized the International Education Imperative.**

The federal and Connecticut governments recognize the value of international education. In 1946, President Truman authorized the Fulbright Program, and every President since John F. Kennedy has endorsed international education.<sup>2</sup> Congress regularly appropriates monies to fund international education, including for secondary students. See, e.g., 22 U.S.C. Ch. 33; U.S. State Dep’t, Bureau of Education & Cultural Affairs, Exchange Programs, <http://exchanges.state.gov/us/special-focus-areas> (last visited Sept. 29, 2016). In 2000, the State and Education Departments created International Education Week to foster awareness and participation. “[D]enial of equal opportunity in [study-abroad] programs has ramifications on students’ education as a whole and detracts

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<sup>2</sup> See Steering Comm. on the Future of the Fulbright Educ. Exchange Program, Fulbright at Fifty (1997) (quoting Presidents Kennedy, Johnson, Nixon, Ford, Carter, Reagan, George H.W. Bush, and Clinton); Commission on the Abraham Lincoln Study Abroad Fellowship Program, *infra*, at v (quoting President George W. Bush); White House Press Sec’y, Remarks of President Barack Obama at Student Roundtable (April 7, 2009), available at [http://www.whitehouse.gov/the\\_press\\_office/Remarks-Of-President-Barack-Obama-At-Student-Roundtable-In-Istanbul](http://www.whitehouse.gov/the_press_office/Remarks-Of-President-Barack-Obama-At-Student-Roundtable-In-Istanbul) (last visited Sept. 29, 2016).

from their overall education.” King v. Board of Control of E. Mich. Univ., 221 F. Supp. 2d 783, 791 (E.D. Mich. 2002). Connecticut, too, encourages international education. “It shall be the policy of the state to encourage its students, teachers, administrators and educational policy makers to participate in international studies, international exchange programs and other activities that advance cultural awareness and promote mutual understanding and respect for the citizens of other countries.” Conn. Gen. Stat. § 10-27(a).

As President Clinton said, “To continue to compete successfully in the global economy and to maintain our role as a world leader, the United States needs to ensure that its citizens develop a broad understanding of the world, proficiency in other languages, and knowledge of other cultures.” Hans de Wit, Internationalization of Higher Education in the United States of America and Europe: A Historical, Comparative, and Conceptual Analysis 29–30 (2002).

## **2. International Education Is Necessary for National Security and Strengthens Representative Democracy.**

International education fosters national security. As Senator Fulbright explained, “the most important objective of transnational education [is] the civilizing and humanizing of relations between nations in ways that are within the limits of human capacity.” Id. at 23. International education promotes peace by breaking down barriers. A post-9/11 Congressionally-appointed Commission called for more international education. Commission on the Abraham Lincoln Study Abroad Fellowship Program (“Commission”), Global Competence & National Needs, 6 (Nov. 2005). The Commission explained that “the United States depends heavily on individuals knowledgeable about foreign cultures to advance and protect the interests of the American people.” Id. at 6. “We no longer have

the option of getting along without the expertise we need to understand and conduct our relations with the world.” Id. (citation omitted).

Too, international education strengthens representative democracy. With robust international education, “we can be confident that when tomorrow’s foreign policy crises arise, there will be many Americans who can understand the regions involved and are prepared to speak knowledgably about the issues in their communities.” Commission, *supra*, at 8. As the United States grows ever more pluralistic, international education prepares students to find common ground and work with people of different backgrounds, religions, and cultures. See, e.g., Paul K. Drain, et al., Global Health in Medical Education: A Call for More Training and Opportunities, 82 *Academic Med.* 226, 229 (2007).

### **3. International Education Generates Economic Capacity.**

The “most important” way to prepare students for the world economy is to teach them to “learn how to learn,” because “what you know today will be out-of-date sooner than you think.” Thomas L. Friedman, The World Is Flat: A Brief History of the Twenty-First Century 302 (2006). “[B]usiness leaders must work both in developed countries and a growing cohort of emerging economies, and must be attuned to the particular business, legal, political, social, and cultural environments of each, while maintaining their vision and principles.” Guiding Principles, Yale School of Management, <http://som.yale.edu/our-approach/guiding-principles/distinctively-global> (last visited Sept. 29, 2016). Students must

be ready “to collaborate with the smartest, most efficient people anywhere in the world.” Friedman, *supra*, at 442–43.<sup>3</sup> International education develops those skills.

America’s leading companies agree. Sixty-five of them told the U.S. Supreme Court that given the “increasingly global reach of American business, the skills and training needed to succeed in business today demand exposure to widely diverse people, cultures, ideas and viewpoints.” Brief for Amici Curiae 65 Leading American Businesses in Support of Respondents, Grutter v. Bollinger, 539 U.S. 306, 123 S. Ct. 2325, 156 L.Ed. 2d 304 (2003) (No. 02-241), at 5. Such exposure is necessary because businesses “operate and compete in a global environment, serving and working with people and cultures of all kinds.” Id. at 7. Education that exposes students to diverse cultures enhances creativity, product appeal, and teamwork. See id.

President Reagan praised international youth exchange programs because, “there’s a flickering spark in us all which, if struck at just the right age, I think, can light the rest of our lives, elevating our ideals, deepening our tolerance, and sharpening our appetite for knowledge about the rest of the world. Education and cultural exchanges, especially among our young, provide a perfect opportunity for this precious spark to grow . . . .” Remarks at White House Mtg. of Program Reps. and Supporters of Int’l Youth Exchange Programs (May 24, 1982).<sup>4</sup>

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<sup>3</sup> Accord 20 U.S.C. § 1130(a)(1) (“The Congress finds that . . . the future economic welfare of the United States will depend substantially on increasing international skills in the business and educational community and creating an awareness among the American public of the internationalization of our economy.”); id. at § 1130(b)(i) (seeking to “increas[e] and promot[e] the Nation’s capacity for international understanding and economic enterprise through the provision of suitable international education and training for business personnel in various stages of professional development”).

<sup>4</sup> Available at <http://www.reagan.utexas.edu/archives/speeches/1982/52482d.htm> (last visited Sept. 29, 2016)

Just as exposure to the larger world prepares students, “lack of language skills and civic and global awareness among American citizens increasingly jeopardizes their ability to interact with local and global peers or participate meaningfully in business, diplomatic, and military situations.” Council on Foreign Relations, U.S. Education Reform and National Security, 11 (2012).<sup>5</sup>

## **II. Public Policy Does Not Require a Duty to Warn of and Guard Against Every Circumstance Sometimes Found in a Foreign Region.**

Under Connecticut law, whether there is a duty devolves on two issues—reasonable foreseeability and public policy. Sic v. Nunan, 307 Conn. 399, 407–08, 54 A.3d 553 (2012). Four factors guide the public policy analysis: (1) normal expectations of participants in the activity; (2) encouragement of participation in the activity while weighing participants’ safety; (3) avoidance of increased litigation; and (4) decisions of other jurisdictions. Murillo v. Seymour Ambulance Assn., Inc., 264 Conn. 474, 480, 823 A.2d 1202 (2003). Here all four factors weigh against a duty. Amici address the first two and the last.

### **A. Parents and Students Do Not Expect Sterilized International Education.**

Parents and students know that study abroad carries the risks of the world. See NAFSA, Responsible Study Abroad: Good Practices for Health & Safety (Nov. 2002). They know that educators are not travel agencies or insurance companies. Parents and students do not expect educators to warn of and guard against every remote risk; they expect educators to seek to mitigate serious, credible risks. Id.

Parents and students do not seek sterilized study abroad. They expect educators to give students age-appropriate freedom to engage the culture. They understand that students must use common sense to stay safe. Cf. Granja v. Middlebury Congregational

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<sup>5</sup> Available at [http://i.cfr.org/content/publications/attachments/TFR68\\_Education\\_National\\_Security.pdf](http://i.cfr.org/content/publications/attachments/TFR68_Education_National_Security.pdf) (last visited Sept. 29, 2016).

Church, No. UWY-CV-12-6012892-S, 2012 WL 5860318, at \*5 (Conn. Super. Ct. Oct. 31, 2012) (no duty in part because no allegation sixteen year old was deprived “of her normal power of self-protection or subjected . . . to association with persons likely to harm her”).

**B. Plaintiffs’ Negligence Duty Would Chill International Education Without a Meaningful Increase in Safety.**

Without sufficient reason, a common law tort duty should not undercut the national and Connecticut policy to encourage international education. See Part I, *supra*; Conn. Gen. Stat. § 10-27(a); cf. Jaworski v. Kiernan, 241 Conn. 399, 696 A.2d 332 (1997) (negligence duty rejected because it would chill participation in sports). Plaintiffs would have the law jeopardize international education for a minimal, if any, safety increase.

The Second Circuit ruled tick-borne encephalitis (“TBE”) foreseeable because a CDC webpage mentioned that TBE “occurs” in forested areas of northeastern China. A716. The webpage listed “Travel Notices in Effect” for “Measles and Mumps Outbreaks” and for “Avian Influenza,” but not for TBE. A712. The reference to TBE appeared four pages later. Under the heading “Other Diseases Found in East Asia,” the CDC identified it as among “disease risks that might affect travelers,” but with the caveat that “[r]isk can vary . . . within a country.” Pl. App. A716. The contingent TBE statement contrasted with reference to “outbreaks” and the “widespread” nature of other risks. *Id.* CDC’s TBE statement is the omega to the alpha of CDC’s current “Alert Level 2, Practice Enhanced Precautions” warnings for the Zika virus in certain countries.<sup>6</sup>

International education requires educators and students to venture into the world. Every destination carries risks. Some risks are remote, others more probable. Plaintiffs would require educators to warn of and guard against all risks—even if remote—identified as sometimes found in a large region. From a trip-planning educator’s perspective, that

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<sup>6</sup> E.g., Ctrs. for Disease Control and Prevention, Zika Virus in Argentina, <http://wwwnc.cdc.gov/travel/notices/alert/zika-virus-argentina> (last visited Sept. 29, 2016).

task is overwhelming because such risks are ubiquitous. For example, earthquakes, typhoons, and tornados occur in China, as do “domestic unrest and even terrorism.”<sup>7</sup> Con artists, petty street crime, and kidnapping are problems.<sup>8</sup> Rabies is “widespread.” Pl. App. A716. The list goes on and on.

If educators warned of every such risk, students and parents would be lost in a maze of advisories and directives. To divert attention from credible risks may jeopardize safety. That would be unfortunate when certain recent data suggest student mortality rates are lower for study abroad than at home. See The Forum on Education Abroad, Insurance Claims Data and Mortality Rate for College Students Studying Abroad (2016)<sup>9</sup> (finding the mortality rate for college students in the U.S. is 2.18 times greater than for their peers venturing overseas).

The duty for which plaintiffs contend may chill international education. This tragic case sent shockwaves through the education community. That a school could face a \$41 million liability—an amount that could threaten the existence of many schools—for not warning of and protecting against an “undeniably remote” risk sometimes found in such a large region is worrisome. Some educators may decide not to venture abroad. Others may offer more educationally limited experiences. Amici submit that plaintiffs’ conception of actionable negligence does not strike a sound “balance” between encouraging high-quality international education and student safety. Cf. Jaworski, 241 Conn. at 409.

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<sup>7</sup> See U.S. State Dep’t, China, <https://travel.state.gov/content/passports/en/country/china.html> (last visited Sept. 29, 2016); BBC News, China weather: Tornado and hail kill scores in Jiangsu (June 24, 2016), available at <http://www.bbc.com/news/world-asia-china-36607600> (last visited Sept. 29, 2016).

<sup>8</sup> See U.S. State Dep’t, China, <https://travel.state.gov/content/passports/en/country/china.html> (last visited Sept. 29, 2016).

<sup>9</sup> Available at [https://forumea.org/wp-content/uploads/2016/04/ForumEA\\_InsuranceClaims\\_MortalityRateStudentsAbroad.pdf](https://forumea.org/wp-content/uploads/2016/04/ForumEA_InsuranceClaims_MortalityRateStudentsAbroad.pdf) (last visited September 29, 2016).

**C. Other Jurisdictions Require More Than Foreseeability that a Harmful Insect Is Found in a Large Geographic Area to Permit Recovery.**

Courts in other jurisdictions have ruled that the presence of a harmful insect in a region, even though generally foreseeable, is insufficient to impose a negligence duty. See, e.g., Brunelle v. Signore, 215 Cal. App. 3d 122, 129–30, 132. 263 Cal. Rptr. 415 (1989); Nicholson v. Smith, 986 S.W.2d 54, 62–63 (Tex. App. 1999) (collecting cases); Butcher v. Gay, 29 Cal. App. 4th 388, 404, 34 Cal. Rptr. 771 (1994) (“It is the distinction between general knowledge that black widow spiders are frequently found in wood storage areas and specific knowledge that a black widow is in a wood storage area.”); see also Liability of Owner or Operator of Business Premises for Injuries to Patron Caused by Insect or Small Animal, 48 A.L.R.3d 1257 (1973).

General foreseeability is not, ipso facto, knowledge specific to the situation. A Zika-virus epidemic is not the same as an isolated mosquito bite. Cf. CDC, Epidemic vs. Endemic Zika, <http://wwwnc.cdc.gov/travel/page/epidemic-vs-endemic-zika> (last visited Sept. 29, 2016) (“Epidemic: These countries are currently experiencing outbreaks of Zika . . . . Endemic: These countries have reported cases of Zika in the past and may occasionally report new cases.”). The risk here, in context, does not warrant a duty to warn.

**CONCLUSION**

For the foregoing reasons, the Court, in the circumstances of this case, should answer “no” to the first question certified by the Second Circuit.



Dated: October 4, 2016

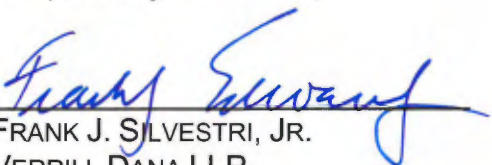
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## ADDENDUM

- National Association of Independent Schools (“NAIS”) is described at page v of this brief.
- American Council on Education (“ACE”) is described at page v of this brief.
- American Association of State Colleges and Universities (“AASCU”) includes as members more than 400 public colleges, universities, and systems whose members share a learning- and teaching-centered culture, a historic commitment to underserved student populations, and a dedication to research and creativity that advances their regions’ economic progress and cultural development.
- American Dental Education Association (“ADEA”) represents all 66 U.S. dental schools, 700 dental residency training programs, nearly 600 allied dental programs, as well as more than 12,000 faculty who educate and train the nearly 50,000 students and residents attending these institutions.
- American Field Service (“AFS”) is a non-profit international exchange organization for students and adults that operates in more than 50 countries, and organizes and supports intercultural learning experiences.
- Association of American Medical Colleges (“AAMC”) is a non-profit educational association whose members include all 145 accredited U.S. and 17 accredited Canadian medical schools; nearly 400 major teaching hospitals and health systems; and more than 80 academic and scientific societies. AAMC recently established the Global Health Learning Opportunities (“GHLO”) program, which currently facilitates cross-border medical and public health student clinical, public health, and research educational opportunities in more than 36 countries.
- Association of American Universities (“AAU”) is an association of 62 leading public and private research universities in the United States and Canada. Founded in 1900 to advance the international standing of U.S. research universities, AAU today focuses on issues that are important to research-intensive universities, such as funding for research, research policy issues, and graduate and undergraduate education.
- Association of Governing Boards of Universities and Colleges (“AGB”) serves the interests and needs of academic governing boards, boards of institutionally related foundations, and campus CEOs and other senior-level campus administrators on issues related to higher education governance and leadership. Its mission is to strengthen, protect, and

advocate on behalf of citizen trusteeship that supports and advances higher education.

- Association of Jesuit Colleges and Universities (“AJCU”) represents all 28 Jesuit institutions in the U.S. and is affiliated with over 100 Jesuit institutions worldwide. The first Jesuit institution opened in 1548 in Messina, Sicily, and Jesuit institutions remain committed to social justice, academic rigor, with a focus on quality teaching, learning, and research to educate the whole person.
- Association of Military Colleges and Schools of the United States (“AMCSUS”) is a voluntary membership organization representing 41 private and public military schools and colleges and over 20,000 students.
- Connecticut Association of Boards of Education (“CABE”) is a non-profit association representing the vast majority of public school boards and their members in the state of Connecticut.
- Connecticut Association of Independent Schools (“CAIS”) is a professional fellowship of 97 member institutions, collectively educating over 30,000 students.
- Council for Christian Colleges & Universities (“CCCU”) is a Washington, DC based association of Christian institutions of higher education, with 142 located in the United States and another 38 in 19 countries around the world. The CCCU offers nine off-campus study programs, collectively branded BestSemester®, which expand learning opportunities for students from CCCU campuses at programs based in Australia, Costa Rica, Jordan, Oxford, and Uganda, as well as Los Angeles, Nashville, and Washington, D.C.
- Forum on Education Abroad (“Forum”) is a non-profit, membership association of nearly 800 universities, colleges and organizations recognized by the U.S. Department of Justice and the Federal Trade Commission as the Standards Development Organization (“SDO”) for the field of education abroad.
- Global Education Benchmark Group (“GEBG”), a non-profit that represents more than 160 member schools and 60,000 students, identifies best practices in global education by collecting, analyzing, and sharing data from GEBG members.
- NAFSA: Association of International Educators is the largest association of professionals committed exclusively to advancing international higher education. The association provides leadership to its diverse constituencies through establishing principles of good practice and

providing professional development opportunities. NAFSA encourages networking among professionals, convenes conferences and collaborative dialogues, and promotes research and knowledge creation to strengthen and serve the field. NAFSA leads the way in advocating for a better world through international education and study abroad.

- NASPA—The Student Affairs Administrators in Higher Education is the leading association for the advancement, health, and sustainability of the student affairs profession.
- National Association of College and University Business Officers (“NACUBO”) represents more than 2,500 colleges, universities, and higher education service providers. It represents chief business and financial officers through advocacy efforts, community service, and professional development activities. NACUBO’s mission is to advance the economic viability and business practices of higher education institutions in fulfillment of their academic missions.
- National Association of Independent Colleges and Universities (“NAICU”) has more than 1,000 member institutions and associations and serves as the unified national voice of independent higher education, reflecting the diversity of private, nonprofit higher education in the United States. NAICU’s 965 member institutions, which serve more than three million students, include major research universities, church-related colleges, historically black colleges, art and design colleges, traditional liberal arts and science institutions, women’s colleges, two-year colleges, and schools of law, medicine, engineering, business, and other professions.
- National Business Officers Association (“NBOA”) is the only national association focused exclusively on supporting independent school business officers and business operations staff, and fostering financial and operational excellence, among independent PK-12 schools.
- New York State Association of Independent Schools (“NYSAIS”), a voluntary association of 191 independent nursery, elementary, and secondary schools and organizations enrolling 79,000 students, promotes the independence, well-being and public understanding of, and respect for, New York independent schools and serves as an accrediting body.
- The Association of Boarding Schools (“TABS”) is the public voice for college-preparatory boarding schools and the central resource for boarding school education and educators. TABS serves roughly 300 boarding schools across the United States, Canada, and abroad.

- University Risk Management and Insurance Association (“URMIA”) promotes the advancement and application of effective risk management principles and practices in institutions of higher education.

## CERTIFICATION

Pursuant to Practice Book § 67-2(g), I hereby certify that:

- (1) on October 4, 2016, the electronically submitted Brief was delivered electronically to the last known email address of each counsel of record for whom an email address has been provided, as listed below; and
- (2) the electronically submitted Brief has been redacted or does not contain any names or other personal identifying information that is prohibited from disclosure by rule, statute, court order or case law.

Pursuant to Practice Book § 67-2(i), I hereby certify that:

- (1) on October 4, 2016, a copy of the Brief was delivered by first-class mail, postage prepaid, to each counsel of record listed below, in compliance with Practice Book § 62-7, and to The Honorable Stefan R. Underhill, U.S.D.J., the trial judge who rendered the decision that is the subject of the appeal;
- (2) the Brief being filed with the Appellate Clerk is a true copy of the Brief that was submitted electronically pursuant to Practice Book § 67-2(g);
- (3) the Brief has been redacted or does not contain any names or other personal identifying information that is prohibited from disclosure by rule, statute, court order or case law; and
- (4) the Brief complies with all applicable rules of appellate procedure, including the provisions of Practice Book § 67-2, § 67-7 and § 62-7.

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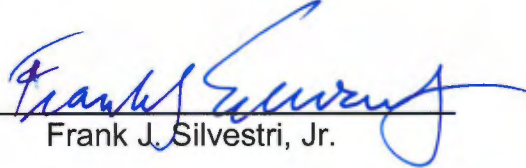
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