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Kaufman quoted in The Chronicle of Higher Education article, Here Are the Covid-19 Legal Risks You Need to Know About Now

The Chronicle of Higher Education

The initial suits are over tuition and room-and-board costs, but experts say that those are just the first wave of Covid-19-related college litigation and, compared with what's ahead, serious but not particularly worrisome.

Students recently sued Drexel University and the University of Miami, for instance, saying they should get refunds on tuition and other mandatory fees. The students said that they had paid to attend in-person classes and access the universities' facilities —labs, libraries, art centers, gyms — but now that courses have moved online and campuses shut down, the universities have broken their contracts.

The students' complaints pointed to marketing materials used by the universities to tout opportunities for “experiential learning” in the case of Drexel and “interaction with other students, faculty, and staff members” at the University of Miami. But the students said that since social-distancing measures were put in place, they have been “deprived of the benefits of on-campus learning,” and that the value of their degrees will be diminished.

Legal experts said that these cases probably would not succeed in court. Daniel A. Kaufman, a lawyer at the firm Michael Best who represents colleges, said they reminded him of cases filed against law schools after the 2008 recession that accused the schools of misrepresenting their ability to place graduates in jobs.

Those cases were unsuccessful. A judge wrote in 2012 that they “exemplify the adage that not every ailment afflicting society may be redressed by a lawsuit” in his decision to dismiss a case against New York Law School.

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Kaufman said the recent lawsuits will most likely be dismissed as well. “There’s no contractual obligation to provide a particular type of curriculum.” Pointing to the switch to online learning, he said, “Institutions are still meeting accreditation requirements. Students are still meeting their degree requirements.”

To read the full article, [click here](#).

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