

Supreme Court Ruling Clears Path for University of Kentucky Students to Recover Millions From COVID-19 Shutdown

Regard Law Group Defends Student Rights and Triumphs at Supreme Court

LEXINGTON, KENTUCKY, USA, October 12, 2023 /EINPresswire.com/ -- A landmark legal victory in a class action lawsuit against the University of Kentucky marks a significant step forward in the fight for student rights during the COVID-19 pandemic. Andre Regard, lead attorney at the Regard Law Group, secured a pivotal milestone at the Supreme Court, setting the stage for further legal proceedings in this historic case.

The lawsuit, officially designated as [2022-SC-0129-DG](#), centers on the University of Kentucky's response to the pandemic and its impact on students' entitlement to on-campus education and facilities, which were part of their tuition agreements.

In its defense, the University of Kentucky contended no contractual commitment existed regarding in-person learning experiences and access to facilities. Furthermore, as a state institution, it claimed protection under governmental immunity, a legal doctrine safeguarding governmental entities from litigation related to actions taken during public health crises and other emergencies.

The Supreme Court delivered a groundbreaking ruling, emphasizing the university's Student Financial Obligation and University Bulletin clearly delineate between in-person and online learning, complete with cost distinctions. It also specifically stated the mandatory fees for full-time on-campus students paid for the use of certain facilities and other benefits that were not provided. This helped to establish a written contract between students and the university, thereby nullifying the eligibility of the University of Kentucky for governmental immunity.

The Supreme Court's decision aligned with earlier judgments from the trial court and the Court of Appeals, leaving no further avenue for appeal and allowing the case, seeking more than \$200



Attorney Andre Regard, Regard Law Group



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million, to proceed.

In his ruling, Justice Kelly Thompson struck a particularly stern note when he claimed his, "sense of fundamental fairness [was] offended by the state retaining the additional money paid by these students for promised in-person classroom instruction and services that were abruptly terminated and not provided."

Lead attorney Andre Regard underscored the profound implications of this ruling, stating, "This is a crucial step

toward ensuring that educational institutions are held accountable for safeguarding students' rights and opportunities, even during an unprecedented crisis... Our position is that the students negotiated and contracted for an in-person, in-classroom experience and use of facilities, and that's not what the university gave them."

There are pending lawsuits against the University of Kentucky and the other public universities in the state, including the University of Louisville, Northern Kentucky University, Eastern Kentucky University, Morehead State University, Kentucky State University, Western Kentucky University, and Murray State University. (CIVIL ACTION No. 21-CI-368, CONSOLIDATED WITH: No. 21-CI-370 (Verhoeven et al. v. ECU); No. 21-CI-373 (Condiff et al. v. WKU); No. 21-CI 377 (New v. Morehead State U.); No. 21-CI-381 (Hurt et al. v. NKU); No. 21-CI-382 (Moore et al. v. KSU); and No. 21-CI-384 (Rakestraw v. Murray State U.).

Collectively, the state's public universities were paid over \$730 million in tuition and mandatory fees by students for the spring 2020 semester.

The outcome of this case may establish a precedent that extends beyond state borders, sparking important discussions about student rights and the responsibilities of colleges and universities.

The Regard Law Group is at the forefront of this pivotal legal movement and welcomes inquiries from the media and professionals interested in tracking developments related to student rights during the COVID-19 pandemic.

For additional information about this case or to schedule an interview with Andre Regard, please contact Andre Regard at (859) 281-1318, or send an email to aregard@regardlaw.com.

If you have legal concerns and are seeking counsel, please visit the Regard Law Group's website at <https://www.regardlaw.com>. Alternatively, you can contact them at (859) 281-1318 or send an email to aregard@regardlaw.com. Consultations are free, and attorneys are ready and able to help you at any time.

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