

Student sues Liberty University over pandemic response

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WASHINGTON (RNS)—A student at Liberty University has filed a class-action lawsuit against the school alleging students were put at “severe physical risk” when the campus reopened in March despite the pandemic.

The suit accuses administrators of the fundamentalist Christian school of profiting from the health crisis by refusing to refund students fully.

The lawsuit, filed in federal court on April 13, focuses on Liberty’s refusal to close its campus in response to the pandemic caused by the novel coronavirus.

The plaintiff, who is listed only as Student A “out of legitimate fear of retaliation and harassment,” contends that while allowing students to return to Liberty’s campus after spring break put their “health at risk,” the school subsequently instituted several measures such as shifting to online classes and barring large gatherings.

“The university’s statement that it is ‘open’ is an illusion being put forth to try to keep money that should be returned to students and their families,” the complaint reads.

The suit goes on to suggest the school’s decision to remain open in an official capacity allows administrators to avoid fully refunding students for fees paid to fund on-campus services and activities.

“Liberty University is, in a very real sense, profiting from the COVID-19 pandemic—keeping its campus services ‘open’ as a pretext to retain plaintiff’s and the other class members’ room, board, and campus fees,

despite no longer having to incur the full cost of providing those services, all while putting students finances and health at risk," it reads.

The case contends that while the school has offered a \$1,000 credit to students who chose not to return to campus after spring break, the amount is inadequate, and alleges Liberty's "actions are unlawful and unfair."

University says suit is 'without legal merit'

Liberty issued a statement decrying the lawsuit, insisting it is "without legal merit" and arguing that it is the law firm representing the student that seeks "to profit from a public health crisis," not the school.

"Liberty University has tirelessly attempted to balance the needs of students, employees, and the community as it has navigated through the unprecedented health challenges presented by COVID-19," the statement read. "We have also taken into account the economic impact and legal rights of all the parties involved. While it's not surprising that plaintiff class action attorneys would seek to profit from a public health crisis, we don't believe this law firm or its single client speaks for the vast majority of our students."

The statement also adds: "Each of Liberty's changes in operations and modes of delivery has been required by governmental officials, a fact the complaint omits. That fact legally excuses Liberty's adjustments and leaves the plaintiffs without a legal case."

Liberty and its president, Jerry Falwell Jr., have drawn widespread criticism for refusing to follow the lead of many other schools and close its campus.

Falwell initially downplayed the severity of the health crisis in mid-March, when he told students he was "hopeful" that the situation was "overhyped"

and wondered aloud whether there is “a political motivation” behind widespread media coverage of COVID-19.

He also later suggested without evidence, during an appearance on the “Fox & Friends” television program, that the pathogen is actually a bioweapon.

“The owner of a restaurant asked me last night—he said: ‘Do you remember the North Korean leader promised a Christmas present for America back in December? Could it be they got together with China and is that that present?’ I don’t know, but it really is something strange going on,” Falwell said about the coronavirus during the show.

Since students returned to Liberty after spring break, at least one has tested positive for COVID-19, although school officials have noted that the student did not live on campus.

Students from at least two other schools—the University of Miami and Drexel University—also filed class-action lawsuits demanding reimbursement in the wake of pandemic-related campus closures.