

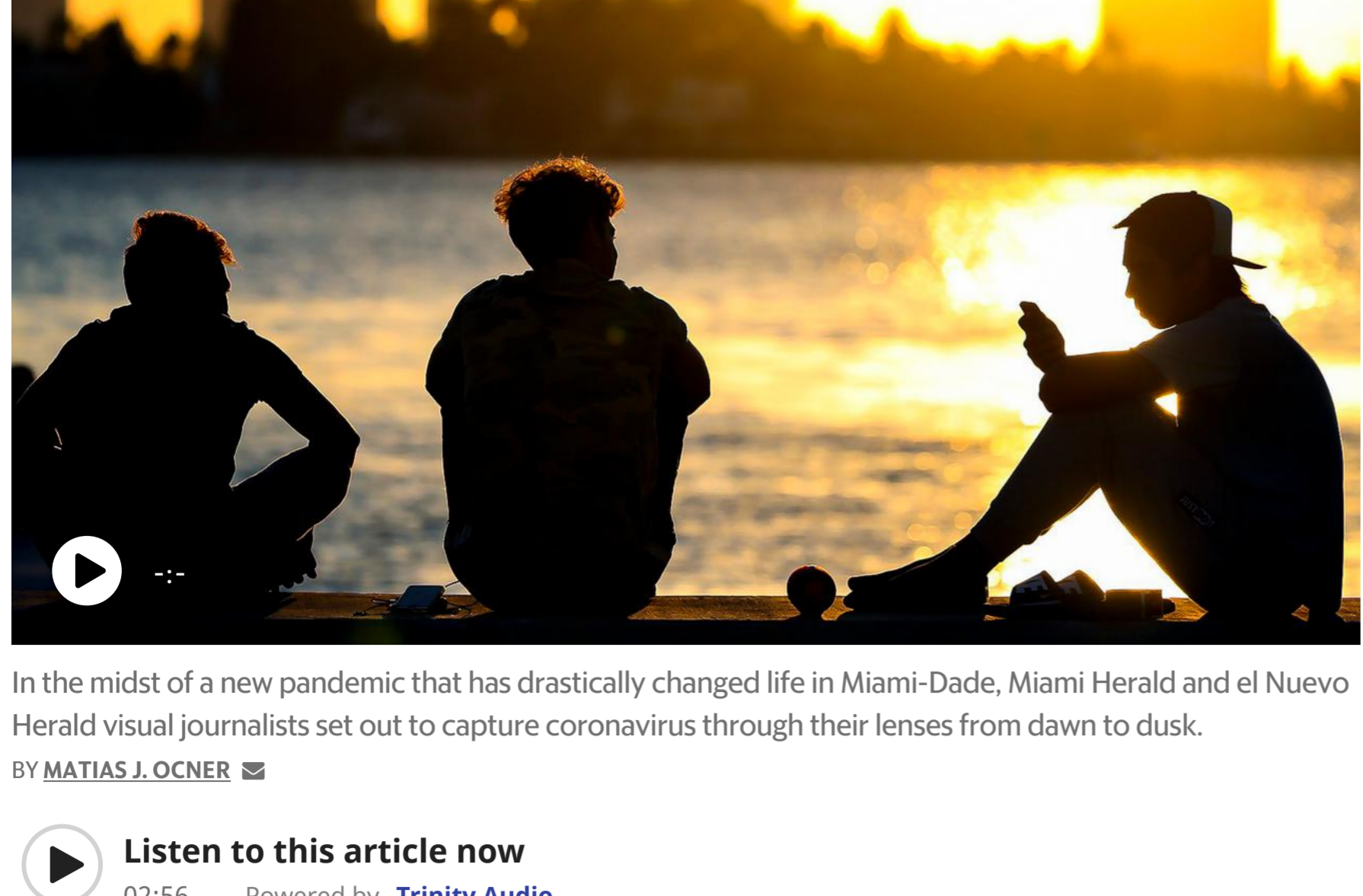
EDUCATION

Student sues Florida public universities over fees for services on closed campuses

BY JIMENA TAVEL
MAY 05, 2020 11:58 AM, UPDATED MAY 05, 2020 02:18 PM



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BY MATIAS J. OCNER

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A University of Florida graduate student is accusing the Florida Board of Governors, which oversees the state's 12 public universities, of "unlawful" behavior, alleging the refusal to issue prorated refunds to students after campuses shut down mid-semester to prevent the spread of the novel coronavirus is unfair.

Anthony Rojas filed a class-action lawsuit Monday in a Leon County Circuit Court in Tallahassee. He is representing all Florida residents who paid fees to enroll at a public university this spring, or at least 300,000 students, according to his lawyers' calculations.

Rojas is demanding that state schools, including Florida International University and Florida Atlantic University in South Florida, partly reimburse students for charges like athletics, activities and services, transportation and other mandatory fees paid for the spring semester.

However, the lawsuit does not include tuition, because students completed their courses online, and room and board rates, because universities have returned some of those funds already.

"We're very huge supporters of our school system and of our state so it took us great thought before we were willing to take on the Florida Board of Governors but in this case it just seems to us so unreasonable to deprive over 300,000 struggling students with thousands of dollars for something they physically cannot obtain," said **Adam Moskowitz**, a University of Miami law professor and one of Rojas' lawyers.

Renee Fargason, the Board of Governors spokeswoman, said she could not comment on pending litigation. The **board is scheduled to meet on** a conference call Tuesday afternoon.

Across the country, public and private universities are facing a backlash from discontented students and family members. Moskowitz said university systems in other states, including Arizona and California, have received similar lawsuits.

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Moskowitz said his co-counsel on the case, Matthew S. Miller, has filed some of those. The lawsuit also states the State University System of Georgia already agreed to refund students after being served.

The Florida lawsuit states the Board of Governors profited from its breach of contract with students, who had paid for resources that they could no longer access after the **board forced colleges to** empty their dorms and transition to remote learning on March 11. It also includes claims for unjust enrichment and conversion.

"Even if FBOG claims that it didn't have a choice, it nevertheless has improperly retained funds for services it is not providing," the complaint states.

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The on-campus fees that students paid at the beginning of the semester vary per university. UF, cited in the lawsuit, charged each of its undergraduate students about \$64 on a per-credit basis. Some costs include \$6.76 for capital improvement trust fund, \$5.25 for financial aid, \$5.25 for technology and \$15.81 for health.

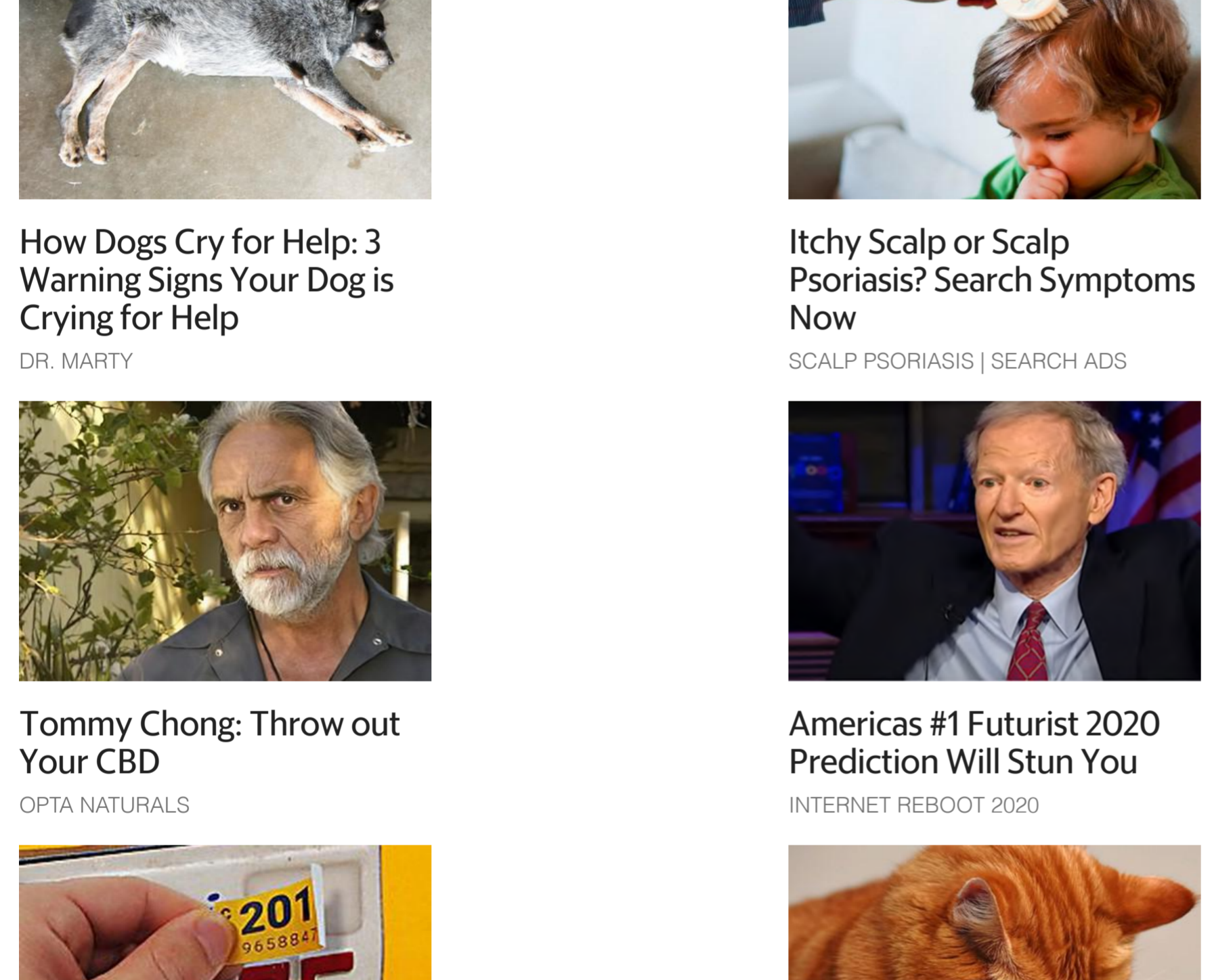
The lawsuit also mentions Florida colleges **will receive at least \$740 million** from the federal government after Congress approved the \$2.2 trillion Coronavirus Aid, Relief, and Economic Security — CARES — Act in late March.

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File photo of students walking by the main Florida International University South Campus building on Thursday, August 14, 2008 ALEXIA FODERE MIAMI HERALD

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Jimena Tavel es una reportera de asignación general para el Nuevo Herald y Miami Herald. Tiene tres nacionalidades: hondureña, cubana y costarricense. Jimena Tavel is a general assignment reporter for the Miami Herald and el Nuevo Herald. She has three nationalities: Honduran, Cuban and Costa Rican.

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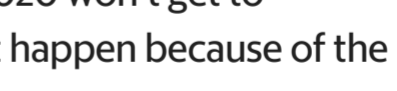


FABIOLA SANTIAGO

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BY FABIOLA SANTIAGO

MAY 10, 2020 06:00 AM, UPDATED MAY 04, 2020 03:58 PM



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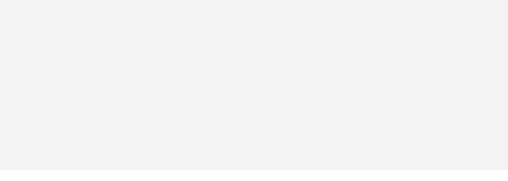
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