

Publications

COVID-19 Safety/Ventilation Funding Available to Universities, Colleges and Schools

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The newly-enacted American Rescue Plan Act of 2021 includes, among other relief, additional funding to universities, colleges, and schools, some of which can be used to upgrade health safeguards, including improved ventilation systems. The \$1.9 trillion package comes in the third federal law enacted to provide relief from the COVID-19 pandemic. In the educational sphere, the new law allocates roughly \$130 billion for primary education and \$40 billion to higher education institutions. This new law provides opportunities for colleges and universities to access funding for various health and safety purposes, including improvement of their ventilation systems and related actions to suppress or monitor COVID-19.

Over the past 30 years, Vorys attorneys have advised numerous educational institutions and other building owners/managers on legal issues arising from actual or alleged “sick building” cases, including those from mold, viruses, bacteria (e.g., Legionnaire’s Disease), asbestos, and other threats. Vorys attorneys have advised clients on the legal issues arising from allegations of “sick buildings,” including (a) negotiation and enforcement of contracts with building investigation and abatement contractors, (b) identification of applicable standards, a notable challenge in the frequent absence of clear regulations, (c) communications with employees, board members, parents, students, and the public on health and safety concerns, and (d) defending claims by employees, students, parents, and other building occupants.

With this new influx of federal funding, we expect educational institutions will receive many solicitations for ventilation and other building safety projects and inquiries from board members, the media, employees, parents, and students regarding building safety. Responding effectively will require a mixture of scientific/technical and legal proficiency. Vorys attorneys in the fields of education, employment, environment, construction and occupational safety and health are available to provide legal advice, evaluate options, and assist educational institution clients in developing strategies to address these issues and wisely use the new funding.

For further information, please contact your primary Vorys attorney or one of the subject area leaders identified below.

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VORYS COVID-19 TASK FORCE

Vorys is actively monitoring these developments and will continue to analyze the situation and provide updates. We have also established a comprehensive Coronavirus Task Force, which includes attorneys with deep experience in the niche disciplines in which we have been and expect to continue receiving questions. [Learn more and see the latest updates from the Task Force.](#) If you have questions regarding this news, please contact your Vorys attorney or a member of our [Coronavirus Task Force](#).