

Student and University Settle Lawsuit on Mental Health Issues

Washington DC, October 31—The Bazelon Center for Mental Health Law today announced that George Washington University and one of its former students, Jordan Nott, have reached an agreement to resolve the lawsuit filed by Mr. Nott last fall against the University and several other entities regarding his October 2004 mental health hospitalization, the University’s interim suspension and his subsequent withdrawal from GW.

“I hope that this difficult experience will result in positive changes in how student mental health issues are handled at campuses across the country,” said Mr. Nott. “And I certainly hope that other universities will not discipline their students for seeking mental health treatment.”

“We are pleased that GW is reviewing and revising its policies, and hope that Jordan’s case and others will prompt universities to adopt policies that do not penalize students for seeking mental health treatment and that are not linked to the disciplinary process,” said Karen Bower, staff attorney with the Bazelon Center and one of Mr. Nott’s attorneys. “It is important that any policy provide for individualized determinations of whether a student can remain on campus based on an objective medical evaluation after discharge from a hospital, without rigid rules based solely upon the fact of hospitalization.”

The terms of the settlement are confidential. Mr. Nott was represented in his case by the Bazelon Center, and two private attorneys, Stephen Chertkof and Allen Bachman.

The Nott settlement comes in the second lawsuit to challenge a university’s exclusion of a student who has sought mental health services. Last August, the City University of New York agreed to pay \$165,000 to settle a suit brought by the Bazelon Center on behalf of a student who had been barred from her dormitory room at Hunter College because she was hospitalized after a suicide attempt. The state university system has agreed to review and revise its policies for such situations.

The Bazelon Center’s goal in bringing these and other such cases, beyond obtaining compensation for students who have been unfairly excluded, is reform of educational institutions’ policies toward students who seek mental health services. The Bazelon Center is developing guidelines for schools responding to the needs of students with self-injurious thoughts or actions in a manner that complies with the Americans with Disabilities Act. The Center expects to release the guidelines soon.