

Judge David L.

BAZELON CENTER
for Mental Health Law

NEWS

Hunter College Settles Lawsuit by Student Barred from Dorm after Treatment for Depression

August 23, 2006 — The Bazelon Center for Mental Health Law and the New York City law firm of Goldfarb Abrandt Salzman & Kutzin, LLP announced today that the City University of New York (CUNY) has agreed to pay \$65,000 to settle a lawsuit brought by a student who had been barred from her dormitory room at Hunter College because she was hospitalized after a suicide attempt. Federal district court Judge Sidney Stein approved the agreement on Monday.

In a letter accompanying the settlement, the New York Attorney General's office added that the college's "suicide policy" is "under review" and "will be superceded [sic]."

The plaintiff, "Jane Doe," had admitted herself to Cabrini Medical Center after taking a large number of Tylenol pills and then calling 911. When she returned to the dorm she found the locks to her room changed. She was allowed to remove her belongings only in the presence of a security guard. She filed suit against CUNY, of which Hunter is part, in August 2004, represented by the Bazelon Center, a national legal-advocacy organization, and Goldfarb Abrandt Salzman & Kutzin.

"We're pleased that Jane has been compensated for the college's discriminatory treatment based on the stigma attached to a mental illness," said David Goldfarb, one of the law firm's attorneys representing her. "If Jane had been hospitalized for mononucleosis or pneumonia, I am confident that she would have been welcomed back to her dorm," he added.

"Even more important will be the outcome of CUNY's review of its suicide policy," said Bazelon Center attorney Karen Bower. "Individualized responses to a student's situation are crucial to prevent the kind of arbitrary exclusion that Jane Doe faced. Schools that exclude students who seek help discourage them from getting the help they need, isolate the students from friends and support at a time when support is most needed, and send students the message that they have done something wrong."

The Bazelon Center also represents Jordan Nott, a former student from George Washington University, in a case (since settled) that sought both damages and reform of the university's policy of expelling students who express suicidal thoughts.

The payment to Jane Doe will be monthly over four years, at her request. The settlement includes fees for the attorneys.

The law firm of Goldfarb Abrandt Salzman & Kutzin LLP concentrates in elder law, guardianships, trusts & estate and the rights of the elderly and disabled.