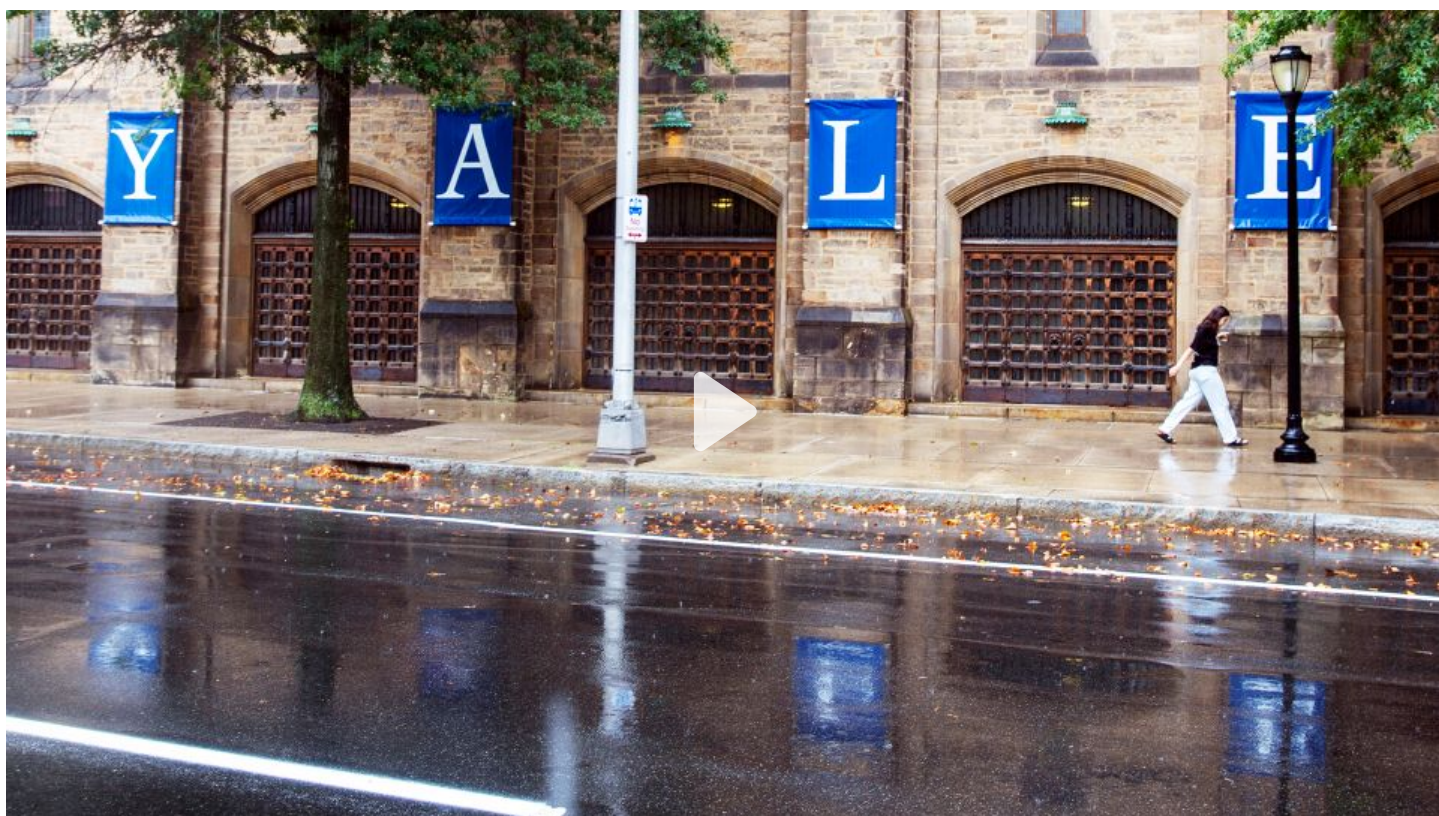



Opinion: This is a problem that is bigger than Stanford or Yale

Opinion by David M. Perry

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Students sue Yale, alleging discrimination against those with mental health disabilities

03:25 - Source: [CNN](#)

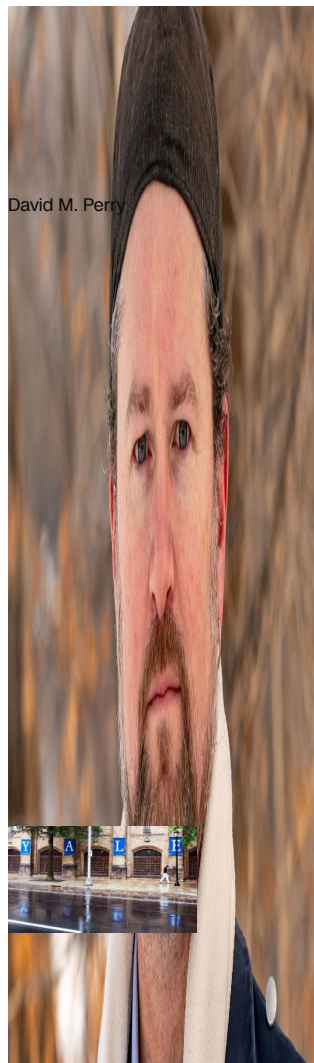
Editor's Note: David M. Perry is a journalist, historian and co-author of "The Bright Ages: A New History of Medieval Europe." He is the Associate Director of Undergraduate Studies in the history department of the University of Minnesota. Follow him on [Twitter](#). The views expressed here are those of the author. View [more opinion](#) on CNN. If you or someone you know is struggling with suicidal thoughts or mental health matters, please call the 988 Suicide and Crisis Lifeline, or visit the hotline's [website](#).

(CNN) — When I went to college in the early 1990s, I received many important orientations around drugs, alcohol, consent, safe sex and belonging to an inclusive community when it came to race and sexual orientation. But the only conversation about mental health and school that I can remember was a joke – really an urban legend, because it's neither true nor funny

– that if your roommate committed suicide then the school would give you straight As

<https://www.cnn.com/2022/12/07/opinions/mental-health-college-students-yale-stanford-perry/index.html>

- what if your roommate committed suicide then the school would give you straight As.



We're doing better today, I think, but not well enough either from the standpoint of caring for our students with mental health disabilities. There are many who agree, and they are taking that argument to court.

Among them is the family of Stanford University student-athlete Katie Meyer, who in August 2021 allegedly poured hot coffee on another student who had allegedly sexually assaulted one of Meyer's soccer teammates. Six months later, Stanford sent her an email informing her of an impending disciplinary action that spelled out the potential consequences. Meyer took her life a lawsuit recently filed by the family alleging negligence by the school, Meyer received the email fer[ed] an acute stress reaction that impulsively led to her suicide." Stanford disputes the upports it offered her.

country, a group of current students at Yale University have filed their own lawsuit contending that inates against students with mental health disabilities by pressuring students in crisis to take a ce and get out of student housing within 48 hours of showing active symptoms. If they don't leave ays, Yale officials threaten them with an involuntary suspension.

removed from campus separates them from the support networks they might need most at a mely vulnerable. The lawsuit also alleges that removal is a violation of the civil rights laws sabilities. Yale's president noted in a letter to the Yale community that 100% of suspended their third request and that policies are being reviewed as the school "seek(s) effective ways to nts taking a medical withdrawal and being reinstated."

ARTICLE

ue Yale University, alleging discrimination against students with mental health disabilities

too much from high-profile anecdotes at elite coastal universities; only about 15% of American on college campuses, and of those who do, most aren't at places like Yale. Elite universities draw from a very narrow slice of American society and there's been a media tendency to generalize about campus culture, curriculum and more by drawing on anecdotes from elite schools. I'm here in the middle of the country at a big public university. Yale and its problems and its \$44 billion dollar endowment feel so far away.

But I have mental health disabilities of my own, and I work with college students. I see the rising pressures they face and their consequences in the classroom. Given what I see and hear every day and what I've experienced firsthand, I fear that these higher-profile stories from Stanford and Yale are just the tip of the iceberg, a tiny visible sliver of an immense problem across higher education. Essentially, though both institutions have denied this characterization, schools like Yale are using fear of an incident like the suicide at Stanford as a reason to push mentally disabled students off campus as quickly as possible.

It's driven by stigma, and likely a fear of liability. And until we treat mental health as a disability - which is to say a protected category with specific civil rights protections - rather than reacting from stigma, it's not going to get better. Meanwhile, every indicator we have is that the mental health pressures on young people have only gotten worse thanks to the pandemic, rising violence, the climate crisis and more. We have to do everything possible to support people in crisis.



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Most people (sadly not everyone) understand that colleges and universities are required by law to be accessible to disabled students, and more so that accessibility is fundamentally good. Blind students and Deaf students must receive course materials in ways they can access. Buildings must have ramps, automated doors, elevators and accessible bathrooms. The

degree and funding of access remains highly contested both in culture and in law, but the general principle, over 30 years after the passing of the Americans with Disabilities Act in 1990, is fairly widely accepted.

Schools have gotten pretty good at helping those of us with mental disabilities with accommodations for learning. For example, many schools provide quiet testing rooms for students with anxiety disorders (like me). But too often, the understanding stops at the classroom door. Because mental health disabilities are by definition not always predictable and some are simply never visible or occur in students who are otherwise academically high-functioning, students can still suffer.

In requiring some students who are struggling to leave its campus, Yale is not an outlier. A few years ago, the Ruderman Family Foundation (disclosure: I worked for them on unrelated projects in the past) took a look at mental health leave policies at the Ivy League schools and found that all of them were too likely to push students with mental disabilities away, rather than support them. Stanford changed its own policies in 2019 as a result of a lawsuit. Northern Michigan University had to change its policies in 2018 around “self-destructive behavior” from trying to forcefully disenroll a student based on a chat message about her depression and risk of suicide (but not actually threatening suicide).

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The technology in which a student might get an email from Stanford or send a chat message at Northern Michigan is new, but these problematic policies are not. In 1990, Kathy Flaherty, then a student at Harvard Law, made a flip comment about jumping off a roof if a Resident Assistant didn't “get off her back.” The ensuing attempt to commit her to a psychiatric hospital involuntarily is, she's written, the reason she started working on mental health and law and is now the Executive Director of Connecticut Legal Rights Project, Inc.

Flaherty told me that while she doesn't want to downplay the challenges that school administrators face when students are in mental health crises, “as someone who experienced a similar forced separation from law school more than 30 years ago, and a lawyer who represents people living with mental health conditions now, it seems as if one factor driving the institution's position is concern about the school's potential liability rather than maximizing students' mental health.”

Monica Porter, the Policy & Legal Advocacy Attorney at the Bazelon Center for Mental Health Law, told me that many universities seem too quick to exclude based on the mere presence of a mental health disability, when what needs to happen (and what she says the law requires) is a “determination as to threat on a case-by-case basis based on an individualized assessment informed by objective medical evidence and actual risk, and not based on mere generalizations and speculations.” She offered an expansive list of possible accommodations for students with mental health disabilities, ranging from going part time (rather than withdrawing altogether) to allowing students to register early for classes so they can pick the times that work best for them and their medication schedule (many mental health medications, including mine, come with periods of regular drowsiness when it's best not to be in class).

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It's not that universities can't take action in the face of evidence of threat to others or threat to self, but there has to be actual evidence and the response has to be individualized. Like with any disability, pursuing reasonable accommodation is step one.

The good news is that there are solutions. In fact, the Ruderman Foundation worked with Boston University to put out toolkits for students who want to change policies at their universities. It's with student-led discussions, Jay Ruderman (the foundation's president) told me, that real change can start on an institution-by-institution basis. Which is good, because the bad news is that as Generation Covid arrives on campus, students whose entire high school experience has been shaped by living through an ongoing global mass death event, the quotidian pressures of college life are only going to get worse.

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