

**Comparing and Contrasting Jain v. Iowa to Nguyen v. MIT**

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### **Comparing and Contrasting Jain v. Iowa to Nguyen v. MIT**

Jain v. Iowa and Nguyen v. MIT are similar in that they both involve tort liability between a university and their students who, tragically, committed suicide.

Sanjay Jain committed suicide in on-campus dormitory room by use of carbon monoxide poisoning from his motorized cycle. Sanjay's father then sued the university for wrongful death, claiming it negligently failed to exercise reasonable care and caution for Sanjay's safety, specifically by not notifying the family of Sanjay's self-destructive behavior. The resident advisor who witnessed Sanjay's initial threats of killing himself did notify their supervisor, but the supervisor decided that no further action was needed. The court ruled in favor of the university because of the superseding intervening act doctrine that is a general rule in Iowa.

Han Duy Nguyen committed suicide while attending graduate school at MIT. While attending classes he noticed he was having problems taking tests, so he attended the MIT medical center and received a referral to mental health counselling. Nguyen refused this counselling because he insisted on keeping his academic life and personal life separate. The courts ruled in favor of the university because although the university does have a special relationship with their students and must take reasonable measures to act when this duty is triggered, they should no longer act in loco parentis but rather provide for the student's independence and self-determination.

Both cases involve suicide and the ruling was in favor of the university because there was not a clear violation of the university's duty to the student. The Jain case occurred in 2000 and has very little specific policies and no mention of a "suicide protocol" like is mentioned in the Nguyen case which occurred in 2018. It is clear that a lot of progress has been made to establish what exactly is an institution's duty surrounding suicide, so I think that colleges and universities

will develop clear policies in the future to protect themselves from tort liability as well as protect their students from the risk of suicide. As noted in the synchronous session, MIT could have been liable “given the right set of facts”, so it is highly likely that institutions will do everything in their power to prevent this type of liability.