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# MIT sued after 2009 suicide of student

## Family faults school, says fears were known

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By **Matt Rocheleau**

GLOBE CORRESPONDENT JANUARY 26, 2015

The family of an MIT doctoral student who killed himself in 2009 is suing the university, two professors, and an associate dean, alleging the officials did not do enough to help him even though they had for months shared concerns about his mental well-being.

The lawsuit, filed in 2011, advanced this month toward a possible trial when a Middlesex Superior Court judge denied MIT's request to dismiss the wrongful-death claim on a technicality. The college had argued the young man should legally be classified as an employee, thereby limiting its liability, because he was also a research assistant.

His professors in the Sloan School of Management knew the student, Han Duy Nguyen, had mental health issues, was seeing an outside psychiatrist, and became particularly stressed around

exam time, according to court documents and the lawsuit, which seeks unspecified monetary damages.

The faculty wrote in e-mails that they feared Nguyen was at risk of harming himself, so they gave him extra time to complete exams and were committed to passing him, records show.

But in a sharp turn from that lenient approach, the suit alleges, one professor called Nguyen to scold him about an imprudent e-mail he sent to another faculty member who was considering him for a research position. Minutes later, Nguyen, 25, leaped to his death from a campus building.

That phone conversation “drove this young man — who the defendants knew to be at risk — quite literally over the edge,” attorney Jeffrey Beeler, who represents Nguyen’s family, said in the lawsuit.

In court filings, MIT and the professors have denied their actions were to blame for Nguyen’s death. They also denied they were responsible for contributing to Nguyen’s mental health issues, in general.

Nguyen’s family and officials from MIT declined to comment on the case.

The lawsuit represents another painful chapter for MIT amid its efforts to grapple with stress, mental health issues, and suicide among its students. The school is known to have one of higher education’s most comprehensive counseling programs, in part because of improvements it made after a series of suicides and related criticism over the past two decades.

In October 2013, the university’s lawyers submitted a request that the case be dismissed. MIT’s lawyers argued that Nguyen was an employee of the university and that his death arose out of and in the course of that employment — making his family eligible to pursue a worker’s compensation settlement but ineligible to pursue a wrongful death lawsuit.

MIT’s lawyers contended that the summer research assistant position that Nguyen was lined up to start was different from research assistant roles that graduate students take on during the fall-through-spring academic



**Han Duy Nguyen was struggling with stress.**

year. The position was not a part of Nguyen's degree requirements and was in the department of brain and cognitive sciences, rather than the Sloan school, where Nguyen was studying toward a doctorate.

However, Beeler countered in court documents that Nguyen was a "run-of-the-mill graduate student," not an employee, and that he was driven to commit suicide based on stress stemming from his three years of graduate studies, not from the summer research position he had worked for at most two days. MIT's lawyers argue he began work for the position the day before he died; Beeler argued Nguyen never officially started.

Beeler also argued that MIT's stance in Nguyen's case contradicted previous statements that the university — as well as numerous other private colleges — have made.

The schools have maintained that graduate students conducting research or teaching assistantships are not employees, in an effort to avoid having graduate students potentially unionize and demand better compensation and work conditions.

"The court should refuse to let MIT have it both ways," Beeler wrote.

MIT lawyers argued that Nguyen's status as a student "did not prevent him from also being an employee. . . . The record is also undisputed that MIT consistently treats students who work as research assistants and teaching assistants as employees for workers' compensation purposes."

On Jan. 6, Judge Bruce R. Henry ruled that the debate should be settled by a jury, writing that "there are too many conflicting pieces of material evidence." But Henry wrote that it is "undisputed" that the telephone call Nguyen received from a professor "was the 'tipping point' leading to [Nguyen's] suicide."

On June 2, 2009, Nguyen sent a curt, potentially offensive e-mail to an MIT scientist who had met with the student the day before and was considering hiring him for a research assistant position at the recommendation of two of Nguyen's professors, Birger Wernerfelt and Drazen Prelec, according to court documents that include numerous supporting e-mails and other records.

The two professors were among a group of faculty who, for months, had shared concerns about the mental well-being of Nguyen, a San Francisco native, the records show. After both professors saw a copy of the e-mail, they agreed Nguyen should be spoken to.

During an eight-minute phone call that morning, Wernerfelt chewed out Nguyen for the e-mail and suggested that he give up on his goal of earning a doctorate.

"I read him the riot act," Wernerfelt e-mailed Prelec moments later, describing the call, according to court records.

As Wernerfelt typed that e-mail and just before he clicked send, Nguyen made his way to the top of MIT Building E-19, jumped off the roof's edge, and fell six stories onto a parking lot, court records show.

In addition to MIT, Prelec, and Wernerfelt, the lawsuit lists as a defendant David W. Randall, associate dean for Student Support Services, who was one of several faculty and administrators who knew of Nguyen's struggles, the lawsuit said. Randall had, according to court records, met with Nguyen as early as fall 2007 — the start of Nguyen's second year at MIT — and had contacted the student's personal psychologist at Massachusetts General Hospital to express concerns about his well-being.

Wrongful death lawsuits are rare in cases of campus suicide, which kills an estimated 1,100 college students nationwide each year, said Nance Roy of the Jed Foundation, a nonprofit that works to prevent suicide on college campuses. She said it's critical for faculty, other staff, and students to encourage those at risk to seek counseling.

"The sooner they reach out for help before things go too far, the better the prognosis," Roy said. "That's the challenge — to engage students early on."

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