

Recent judicial attention has applied disability discrimination law (Section 504 of the Rehabilitation Act and the Americans with Disabilities Act) to higher education students with substance abuse or mental health problems. The recent violence on college and university campuses has highlighted a number of additional issues including confidentiality, privacy, duty to warn, and discipline. It is important for effective policy that administrators and policymakers begin with knowledge of the legal requirements. Disability discrimination law is one of the key areas to understand in developing these policies.

In examining these issues, it is essential to recognize that not all violent or disruptive behavior is caused by individuals with mental illness. This is important in developing sound and proactive policies, practices, and procedures preventing violence and disruption. The unintended consequences of some policies (even though they comply with disability discrimination requirements) should be considered.

The article addresses the disability discrimination laws that apply to how individuals with mental health problems are treated in various contexts where concerns about campus violence or disruption are at issue. It discusses what educators are *required* to do (legal requirements), what they *should* do (what ethically should be considered in balancing the interests of the individual with mental health challenges and others who might be affected by conduct that relates to those challenges), and what they *can* do (considering resources to assist educators responsible for providing a safe and positive learning environment for other students, faculty, and staff, and for assuring that the interests of others are appropriately balanced).