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# Lawsuit accuses Yale of discriminating against students with mental health issues, unfair withdrawal policies

By Ed Stannard  
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A group called [Elis for Rachael](#) and two students have sued Yale University, accusing Yale of discriminating against students with mental health issues.

The lawsuit, which also names Yale President Peter Salovey and the Yale Corporation as plaintiffs, claims that “For decades, [Yale defendants] have treated unequally and failed to accommodate students with mental health disabilities,” and refused to modify policies.

It states that its “withdrawal policies and practices push students with mental health disabilities out of Yale, impose punitive consequences on students who have withdrawn, and place unreasonable burdens on students who, after a withdrawal, seek reinstatement.”

It also accuses Yale of requiring students to attend full time and “makes it unreasonably difficult to secure accommodations for disabilities in coursework or housing.”

These practices are especially harsh on less-privileged students, who are unable to continue their health insurance coverage when they withdraw, despite needing mental health care, the lawsuit claims.

In a Nov. 11 story in the Washington Post, described how [Rachael Shaw-Rosenbaum](#) of Alaska, a first-year student, [died by suicide](#), allegedly because of the consequences she would face if she withdrew from school, according to her family.

“Yale’s withdrawal policy provides for involuntary withdrawals for disability-related symptoms, including threat to self,” according to the complaint. “It does not provide for any deference to treating professionals or consideration of whether withdrawal will cause harm.”

Students were allegedly pressured to take “voluntary” leave or they would be put on involuntary leave, the suit states. Two students were told they would be perceived as liabilities to Yale if they did not withdraw, according to the complaint.

In addition to its readmission policies after a withdrawal, “Yale bars withdrawn students, including students who withdraw due to a mental health disability, from visiting campus and from all campus activities, even activities that are open to non-students, such as summer classes,” the lawsuit states.

Students on a leave of absence are not barred, it says.

The lawsuit further claims that students who withdraw after the first 15 days of a semester will remain in the student health plan for just 30 days, while those on a leave of absence may stay in the plan. Those who withdraw in the first 15 days have their health insurance terminated retroactively, the lawsuit states.

Those who withdraw also forfeit tuition and room and board payments they have made, and charged per diem rate for the 48 hours between their notice of withdrawal and when they are required to leave campus, the complaint charges. They then must stay away from Yale for one or two semesters.

Those on a leave of absence are not subject to the same restrictions.

Reinstatement is a “daunting” process, according to the lawsuit, including an application, a personal statement, letters of support, evidence the student was “constructively occupied” during the withdrawal, and possibly completed coursework, the suit states.

There are two windows when reinstatement is possible, it states. Students may not fail a course in the next two semesters or they may have to apply again, according to the complaint.

Karen Peart, Yale’s spokeswoman, issued a statement saying, “Yale’s faculty, staff, and leaders care deeply about our students. We recognize how distressing and difficult it is for the student and their loved ones when a student is facing mental health challenges.

“When we make decisions and set policies, our primary focus is on students’ safety and health, especially when they are most vulnerable,” she said. “We believe in creating and sustaining strong and sensible support structures for our students, and in many cases, the safest plan includes the student’s parents and family.”

Peart said Yale has taken steps to simplify students’ return and to provide support and increase resources.

“The university is confident that our policies comply with all applicable laws and regulations,” she wrote. “Nonetheless, we have been working on policy changes that are responsive to students’ emotional and financial wellbeing.”

The lawsuit seeks to become a class action. It claims Yale is violating the Americans with Disabilities Act, the Rehabilitation Act, the Fair Housing Act and the Affordable Care Act.

A [white paper by the Ruderman Foundation](#) on mental health “revealed failing and discriminatory practices by all eight Ivy League universities in their mental

health policies.” The authors gave Yale an F grade, though none of the Ivy League schools received a grade higher than a D+.

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