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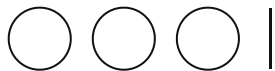
NEWS

Yale students, alumni sue university for discriminatory practices toward those with mental health disabilities



Chatwan Mongkol

Updated: Nov. 30, 2022 3:08 p.m.





The Phelps Gate entrance to Yale University's Old Campus in New Haven on March 16, 2021, where commencement is held in the spring.

Arnold Gold / Hearst Connecticut Media

NEW HAVEN — A group of Yale University students and alumni filed a federal lawsuit against the university Wednesday morning, seeking to remedy current policies and practices around students with mental health disabilities.

The 41-page lawsuit filed in the Connecticut District Court alleges that Yale violated the Americans with Disabilities Act, the Rehabilitation Act, the Fair Housing Act and the Affordable Care Act.

Rishi Mirchandani, an alumni who's a part of the Elis for Rachael group, said the thrust of the lawsuit is that Yale has failed to make reasonable accommodations and

appropriate modifications to policies to allow students with mental health disabilities to have equal access to Yale's academic program.

“There have been movements of student activism on campus for at least a decade and Elis for Rachael has been campaigning for change for over a year and none of us have felt fully heard,” he said. “And so it's unfortunate that this lawsuit has to happen, but it's clear that working in the court of Law, it is going to be helpful in getting our voices heard.”

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Elis for Rachael is an advocacy group named as a plaintiff of the lawsuit. The group was formed by current students and alumni in 2021 after the suicide of first-year student, Alaska native Rachael Shaw-Rosenbaum.

The two individuals named as plaintiffs in the lawsuit are Alicia Abramson and Hannah Neves, current undergraduate students.

The lawsuit came after Yale has been under fire for the way it treats suicidal students through a withdrawal and a readmission process, as reported in the Washington Post several weeks ago.

Yale President Peter Salovey has defended the university's mental health care and publicly called out the Post's report for being "deeply disturbing" and creating harm through the "damaging narrative."

In response to the lawsuit, spokesperson Karen Peart said the university recognizes "how distressing and difficult it is" for students and their loved ones when 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,” Peart wrote. “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 simplified the reinstatement process for medical withdrawals in the past years while working to add more 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 isn't seeking any monetary damages, rather only injunctive relief that will end the alleged discriminatory practices at the university.

Yale has allegedly pushed students with mental health disabilities out of Yale, imposed punitive consequences on students who have withdrawn and placed unreasonable burdens on students seeking reinstatement — upon which they “must meet higher academic standards,” according to the lawsuit.

Abramson, who has had depression since childhood, was prescribed an antidepressant and an antipsychotic at Yale Mental Health Services, but was told she couldn’t get a written note to needed accommodations because “students could be untruthful about their symptoms,” the lawsuit states.

She then decided to withdraw five weeks into the semester, allegedly having lost 75 percent of the tuition she paid and her insurance coverage after 30 days. According to the lawsuit, her requests for accommodations were repeatedly denied.

Mirchandani, who withdrew from the university before returning and graduating in 2019, “did not seek accommodations while a student at Yale for fear of disclosing his mental health disability and being involuntarily withdrawn,” the lawsuit stated.

These alleged practices, as the lawsuit outlines, have more impact on “less-privileged students” including students of color, low-income students and international students.

Neves, an international from Brazil who was involuntarily removed from Yale while in hospital, had to leave the United States within 15 days after the withdrawal due to her student visa, according to the lawsuit, doing so was “costly.”

Elis for Rachael also wrote to the university to try to resolve these allegations amicably but they haven’t met or discussed the issues, according to the lawsuit.

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The court filing details how students who experienced significant symptoms from a mental health disability were told it would “not look good” if they resisted taking “voluntary time off” and they would be involuntarily withdrawn.

Deborah Dorfman, one of the attorneys who heads Disability Rights Connecticut, said Yale has engaged in a number of discriminatory policies and practices for many years now and those have had a discriminatory effect on on students.

“Being familiar with this issue nationally, this is an issue that does come up at other universities but Yale is particularly harsh” when it comes to withdrawal and reinstatement policies, Dorfman said.

According to the lawsuit, Yale received an “F” grade when it came to those policies, which is lower than six of their Ivy League peer institutions.

A similar lawsuit took place in California against Stanford University with the same legal group. It has resulted in a settlement remedying the use of mandatory leaves and providing housing for some withdrawn students.

“We are proud to stand with current students to fight to end Yale’s discriminatory policies,” said Elis for Rachael member Lily Dorman Colby, in a statement. “Students don’t feel heard. They don’t feel like they can share what’s really happening to them.

And ultimately inflexible policies lead to students not getting what they need when they need it.”

Attorneys handling the lawsuit are from Disability Rights Connecticut, Bazelon Center for Mental Health Law and Vladeck, Raskin and Clark P.C.

“The U.S. Departments of Justice and Education have already made clear that federal civil rights laws require universities to support students with mental health disabilities,” said Monica Porter of Bazelon, in a statement. “Instead, Yale punishes students when they need help. These students deserve better.”

Call 988 for a free, confidential Suicide & Crisis Lifeline 24/7. To reach a volunteer crisis counselor, text HOME to 741741.

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