



# Yale negotiates settlement in mental health lawsuit

*One week after Yale was sued for discriminating against students for mental health disabilities last, a joint motion was filed to end proceedings for the next 30 days. The University and the plaintiffs, which includes Elis for Rachael and two current students, engage in settlement discussions.*

SARAH COOK | 8:15 PM, DEC 09, 2022

STAFF REPORTER



Listen To The Article



Listen later

AD AURIS

Karen Lin, Senior Photographer

*Content warning: This article contains references to suicide.*

\*\*\*

*The National Suicide Prevention Lifeline is a hotline for individuals in crisis or for those looking to help someone else. To speak with a certified listener, call 1-800-273-8255.*

*Crisis Text Line is a texting service for emotional crisis support. To speak with a trained listener, text HELLO to 741741. It is free, available 24/7 and*



*confidential.*

*To talk with a counselor from Yale Mental Health and Counseling, schedule a session [here](#). On-call counselors are available at any time: call (203) 432-0290.*

*Students who are interested in taking a medical withdrawal should reach out to their residential college dean.*

*Additional resources are available in a guide compiled by the Yale College Council [here](#).*

\*\*\*

The mental health advocacy group Elis for Rachael and two current students [filed](#) a class-action [lawsuit](#) against the University last week, alleging that the University discriminates against students with mental health disabilities through unfair practices and policies, especially surrounding [withdrawal and reinstatement](#).



there are expected changes coming in the spring that will address some of the lawsuit complaints regarding the withdrawal and reinstatement policies, but it is so far unclear if the changes referenced were in anticipation of settlement negotiations.

“The parties have agreed to place the litigation on hold while they discuss ways to resolve the complaint and achieve their mutual goals,” a joint statement from the plaintiffs and the University states.

In the original complaint, plaintiffs and members of the proposed class, are entitled to and have requested injunctive relief, which in this case would be changes to the University’s mental health policies and financial compensation to cover attorney’s fees. The proposed class, in this case, is “all Yale students who have, or have a record of, mental health disabilities and who are harmed, or reasonably fear being harmed, by the illegal policies and practices challenged in this lawsuit.”

Amid this, students expressed support to the News for the lawsuit and see the settlement negotiations as an opportunity for long-awaited change at Yale.

Dereen Shirnekhi '24, an organizer for Students Unite Now, wrote to the News that she feels solidarity with the students and alumni fighting back against inaccessibility at Yale. Shirnekhi is a former staff opinion columnist for the News.

“Mental illness can be debilitating and lack of proper care is often more dangerous for students marginalized along racial and class lines, so reducing us to liabilities by taking away institutional support makes things worse,” Shirnekhi told the News, “Yale should heed this lawsuit and listen to students’ needs in the first place. I am so frustrated that students have to fight Yale so hard for the resources we need to stay at Yale to learn and thrive – resources that Yale can afford, just like it was able to afford the elimination of the billed student income contribution.”



Rehabilitation Act, The Fair Housing Act and Section 1557 of the Patient Protection and Affordable Care Act.

The complaint also includes accounts from students and alumni regarding their experiences with withdrawal and reinstatement at Yale, often comparing them to Yale’s policies for leave of absence. A leave of absence is a process initiated by a student where they decide to take time off before the 15th day of the semester. Withdrawal, however, is a process where students take time off after that point, sometimes involuntarily. Unlike students on leave, withdrawn students are not guaranteed a spot at Yale afterwards.

The complaint claims the University’s policy allows for involuntary withdrawals for disability-related symptoms, including a threat to oneself, but does not factor in whether withdrawal may cause further harm for a student. Additionally, the brief describes how the University often makes students feel encouraged — and even pressured — to take “voluntary” time off.

The plaintiffs allege that Yale imposes unfair policies on those that withdraw, including prohibiting students on withdrawals from visiting campus or participating in activities and requiring they leave campus within 48 hours. There is no similar ban for students who take a leave of absence.

One of the two current students acting as a plaintiff, Hannah Neves ’23, describes having police escort her to her room to collect her belongings before leaving for a withdrawal.

These accounts of unfair practices for those that withdraw, also include calls for Yale to not exclusively function as an “full time school” and allow part-time enrollment as an accommodation for mental health disability.

Peyton Meyer ’24, one of the Co-Directors of the Yale Student Mental Health Association, wrote that this demand is especially important, as it leaves students with the choice to stay fully enrolled or leave altogether.



One of the other central concerns in the complaint is the loss of healthcare options for students who withdraw. The complaint details how students who leave within the first fifteen days of the semester have their health insurance terminated, and those who leave after the first fifteen days remain insured only for 30 days.

The plaintiffs also described the reinstatement process as “daunting,” comparing it to the Yale undergraduate admission process. The current reinstatement policy, which was amended in April without announcement to students, requires an application form, two letters of support and a personal statement.

However, the news of settlement negotiations comes at a time when administrators have told the News they are working to change Yale’s withdrawal policies to address these complaints.

When discussing the changes to withdrawal and reinstatement that will come early next year, Lewis said that there is a committee reviewing the lawsuit’s concerns, and changes will be announced early in the new year. He added that these committees were formed back in the summer but are “paying attention to new information as well.”

Lewis also emphasized when speaking to the News the University’s dedication to students mental health.

“The mental health of our students and their wellness in particular, avoiding suicide are absolutely key to our thinking about this,” Lewis told the News, “We’re very sympathetic to the situation of anybody who’s facing a lot of stress while they’re college and we’re trying to make sure that our that everything we do reflects that care for our students.”





same lawyer, Maia Goodell LAW '06, which ended in settlement.

Prior to the lawsuit at Stanford, students were required to take involuntary leave if there was a “significant risk” to the health and safety of the student or others, but after policy was [revised](#) following the lawsuit, students being considered for involuntary leave may choose whether or not they want to take leave.

The recent lawsuit at Yale came amid prolonged student [concerns](#) about access issues at Yale Mental Health and Counseling and followed a recent [Washington Post](#) article highlighting the experience of students and alumni with the withdrawal and reinstatement policy of Yale, and at a time when students remain

The University responded to the article by [defending](#) Yale’s, through a [letter](#) to the editor written by Lewis and Hoffman, and a statement made by University President Peter Salovey.

Meyer wrote that, in combination with the Washington Post article, the lawsuit has drawn attention to Yale and put pressure on them to adjust reinstatement policy.

However, he wrote that it was “misleading” for Yale to provide percentage of reinstatement requests that are approved for medical withdrawals broadly, and not specifically those related to mental health reasons, and he also disagreed with the University’s response in their letter to the editor that the article pushed dangerous beliefs that students should stay in school no matter what.

“I think it is rather the current reinstatement policies that do that,” Meyer wrote to the News, “The Washington Post article simply amplified the voices of students who deserve to be heard.”

MHC has two locations at 55 Lock Street and 205 Whitney Avenue.



majoring in Neuroscience.



YALE DAILY NEWS PUBLISHING CO.,  
INC.  
202 York Street, New Haven, CT 06511 |  
(203) 432-2400

Editorial: (203) 432-2418 |  
editor@yaledailynews.com

Business: (203) 432-2424 |  
business@yaledailynews.com

[ABOUT US](#) | [SEND A TIP](#)  
[SUBMIT A LETTER](#) | [LEGAL](#)

© YALE DAILY NEWS 2023

[JOIN](#) [DONATE](#) [ADVERTISE](#)