



## *Elis for Rachael, Inc., et al. v. Yale University, et al.*

### **Settlement Agreement Fact Sheet**

On August 25, 2023, two Yale students, Elis for Rachael, Inc., and Yale University filed a settlement agreement in federal district court. The agreement, if approved by the Court, would resolve a federal [lawsuit](#) filed in November 2022 and result in updated Yale policies that increase equity for students with mental health disabilities.

#### ***What was the lawsuit about?***

The lawsuit alleged that Yale, for decades, discriminated against students with mental health disabilities. Specifically, the lawsuit claimed Yale violated the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, the Fair Housing Act, and the Affordable Care Act.

#### ***What policy changes has Yale agreed to make?***

Since the lawsuit was filed, Yale has made significant revisions to its undergraduate policies and has agreed to additional critical revisions as part of the settlement agreement resolving the lawsuit.

As part of the agreement, Yale has revised its undergraduate medical leave, reasonable accommodation, and related policies in response to student concerns. Specifically, Yale has agreed to modify its undergraduate policies on Medical Leave of Absence, Returning from a Medical Leave of Absence, Normal Program of Study, Rebates of Undergraduate Charges, Promotion and Good Standing, and Requirements for the B.A. or B.S. Degree. The revised policies are attached to the settlement agreement as Exhibits A-E.

Some of the agreed policy changes include:

- 1. Part-Time as an Accommodation and Other Accommodations** – For the first time, Yale’s policies will offer part-time study as a reasonable

accommodation for certain students with disabilities due to urgent medical needs. Yale will also make available to students a (non-exhaustive) list of available reasonable accommodations and how to request them – for academics, housing, and the campus community, and will put a process in place for centralized review and appeal of accommodation decisions. For more information, read the [Course Credits and Course Loads Policy](#) or [Exhibit B \(page 24 of the settlement PDF\)](#).

- 2. Continuity of Community and Resources** – Students on medical leave (formerly known as “medical withdrawal”) will now be able to retain most access to campus spaces, resources, and their community at large, and will be eligible to enroll in a Yale health insurance plan for up to one year, which will support continuity of access to healthcare and ease students’ transition back to campus. Students who receive financial aid may be able to access financial support as well. The Associate Dean of Residential College Life will act as a “Time Away Resource” year round, in a non-evaluative role. This dean will help students understand the policies, access resources, and navigate the medical leave process. This is a brand new resource at Yale. For more information, read the [Time Away and Return Policy](#) or [Exhibit A \(page 19 of the settlement PDF\)](#).
- 3. Improved Medical Leave Procedures** – Procedures for voluntary and involuntary medical leave, and reinstatement, are streamlined and clarified. Students will receive written notice of decisions and their basis, which can be appealed. Students can revoke a decision to take voluntary leave up to three days after it is granted. Yale will only raise voluntary leave with students in the hospital in a medically appropriate time and manner, as one available option along with return and seeking accommodations. For more information, read the [Time Away and Return Policy](#) or [Exhibit A \(page 19 of the settlement PDF\)](#).
- 4. Reduced Reinstatement Requirements** – Under the Settlement Agreement, lengths of leave will be individualized, and Yale commits to strong consideration of the opinion of the student’s treating provider to help ensure students can return to campus when ready. The requirement to be

“constructively occupied” is eliminated. Students denied reinstatement will receive a written explanation and information about how to apply again more successfully. For more information, read the [Time Away and Return Policy](#) or [Exhibit A \(page 19 of the settlement PDF\)](#).

For more information about these and other policy changes, [read the settlement agreement \(PDF\) the parties filed with the Court](#).

### ***What else does the agreement require Yale to do?***

In addition to policy changes, Yale has agreed to provide training to help address student concerns raised in this case and to periodically publish statistics about students who take voluntary or involuntary medical leaves of absence, including how many are permitted to return to Yale. Additional requirements can be found in the parties’ [settlement agreement](#).

The parties have asked the Court to approve the settlement agreement and retain jurisdiction for three (3) years to enforce the agreement.

### ***Who was involved in this case?***

The Defendants in this case are Yale University and the President and Fellows of Yale University.

The Plaintiffs are two Yale students and Elis for Rachael, Inc. The Plaintiffs are represented by the Bazelon Center for Mental Health Law, Disability Rights Connecticut, and Vladeck, Raskin & Clark, P.C.

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**About Elis for Rachael, Inc.** – Elis for Rachael (EFR) is a 501(c)(3) non-profit organization made up of Yale alumni, students and family members who banded together to support Yale students with mental health disabilities and advocate for improved mental health policies at Yale and beyond. EFR formed in the wake of first year Rachael Shaw-Rosenbaum’s death by suicide in 2021. Since then, it has played a major role in advocating for modernized policies to support students with mental health disabilities and in helping individual students not feel alone. [www.elisforrachael.org](http://www.elisforrachael.org)

**About the Bazelon Center for Mental Health Law** – Since 1972, the Judge David L. Bazelon Center for Mental Health Law, a national non-profit, has advocated for the civil rights, full inclusion and equality of adults and children with mental disabilities. Formerly the Mental Health Law Project, the Bazelon Center played a pivotal role in expanding the civil rights movement to include fighting discrimination against, and segregation of, people with mental disabilities through numerous disability rights cases in the U.S. Supreme Court, including in *Olmstead v. L.C.* (Lois Curtis), which established that the unnecessary segregation of people with disabilities is discrimination under the ADA. Through litigation, policy advocacy, public education, and technical assistance, the Bazelon Center works to protect and advance the civil rights of individuals with mental disabilities in all aspects of life, including health care, community living, employment, housing, voting, and education. [www.bazelon.org](http://www.bazelon.org)

**About Disability Rights Connecticut** – Disability Rights Connecticut (DRCT), an independent, statewide non-profit organization advocates for the human, civil, and legal rights of people with disabilities in Connecticut. DRCT is the Protection & Advocacy System for Connecticut, having replaced the state Office of Protection & Advocacy for Persons with Disabilities in 2017. DRCT's mission is to advocate, educate, investigate, and pursue legal, administrative, and other appropriate remedies to advance and protect the civil rights of individuals with disabilities to participate equally and fully in all facets of community life in Connecticut. [www.disrightsct.org](http://www.disrightsct.org)

**About Vladeck, Raskin & Clark, P.C.** – The firm's disability rights practice is centered on the enforcement of the ADA and related civil rights law. We concentrate on helping people with all types of disabilities address individual and systematic discrimination, negotiate accommodations and achieve equity in employment, housing, higher education, transportation and public accommodations. [www.vladeck.com](http://www.vladeck.com)