

Promoting Diversity and Equal Opportunity at Yale University: Policies, Resources, and Procedures

Yale

Statement by the President

Yale University is firmly dedicated to equal opportunity in admissions and employment—a commitment that goes to the very core of Yale’s mission, to its dedication to continued excellence, and to its essential role in American higher education. Yale’s diversity—of race, ethnicity, and gender—is among the University’s greatest assets. It infuses this campus with vitality and helps us to attract the most capable and promising individuals from around the world. The Yale community is made much richer by its diversity.

In an ideal world, genuine equality of opportunity and a diverse student body could be achieved without special efforts. We continue to work toward this goal. We believe firmly that the admissions and hiring policies that Yale and many of our peer institutions pursue today help the University, the nation, and the world. Yale must continue to attract the most able people, those who understand the world from different perspectives and who bring their own backgrounds, experiences, and accomplishments to intellectual exchange and our community life.

When a university sets policies for those it wishes to educate, it reveals its deepest values. Certain kinds of inclusion have been a part of Yale’s history from the start. The University was recognized early on—at a time when, in general, only the wealthy received an education—for striving to include students from all economic strata. In the 19th century, Yale made a concerted effort to keep tuition low so that students of modest means could matriculate; and alumni were among the first from any college in the early 20th century to seek, actively and aggressively, to fund student scholarships. Historically, Yale has made its scholarly resources and its intellectual, cultural, and social advantages available to all students, regardless of their capacity to pay.

In contrast, during Yale’s early history, its provincialism and parochialism kept efforts to achieve other dimensions of diversity in its student body at bay, and these efforts began in earnest only in relatively recent years. In the early 1960s, Yale began to recognize that it could no longer remain a top tier university, nor could it fulfill its responsibility to the nation, without dramatically broadening its reach. “There is no telling where [the] ablest will appear,” wrote J. Irwin Miller, a Fellow of the Yale Corporation, in 1974. “They can come from families of wealth or poverty; but Yale is committed to finding them wherever they are, men and women, every race, every color, every nationality.”

Today, Yale casts its admissions net worldwide. We look contextually at our applicants’ records to assess their accomplishments with an awareness of the opportunities they have been given, and estimate the promise they have for the future—both as members of Yale’s campus community and of the wider communities in which they will eventually live. Not all students come from similar backgrounds, not all have similar strengths, and none of them, we trust, will have reached their full academic or personal potential when they apply to our undergraduate college or our graduate and professional schools. We interpret what they have achieved when they apply as indicative of what they might contribute in later years to the leadership of their communities, the nation, and the world, and we make judgments with all of the information we have at our disposal. Admissions done in this way is not a science, but an art, and it is an art which those involved in Yale’s admissions process work devotedly to cultivate.

More recently, Yale has made strides in increasing faculty diversity. Successive Deputy Provosts for Faculty Development have taken their mandate from the Provost and me to work on recruitment and mentorship of our faculty, especially those from diverse backgrounds. In addition, Yale has long recognized the importance of diversity among its staff, and we are making advances in the senior ranks. A heterogeneous workforce, comprising the ablest individuals from every walk of life, creates an environment capable of sustaining intellectual discovery and one that can face the challenges of managing and maintaining the University in an uncertain future.

To build and sustain diversity, an institution must have uncompromised commitment to the goal, a strong sense of shared community, and a willingness to assess and change procedures, assumptions, and policies. I am proud that we have a Director of Diversity, Deborah Stanley-McAulay, and affinity networking groups for underrepresented populations. Ms. Stanley-McAulay has developed training programs for staff, and we have made progress in departmental hiring.



As the University has increasingly emphasized the importance of equal opportunity to its mission, it has also grown more aware of its responsibility as a guardian of the rights of all its members. Within the pages of this supplement, you will find the policies that Yale sets forth to define expectations for appropriate behavior in the classroom, the workplace, our residential halls and colleges, and in the many places where we gather to teach, to learn, and to come together as colleagues and friends. You also will find a wide variety of offices and individuals to whom you can turn for information or counsel, and committees and procedures designed to protect the rights and welfare of our faculty, students, and employees.

In every matter of institutional importance, however, the University’s goal is not just to maintain high standards, but to continuously expand and improve our policies and practices. In the summer of 2011, significant changes will be introduced with respect to regulations and procedures involving sexual harassment and misconduct. These new procedures are being created as part of the establishment of a new University Wide Committee on Sexual Misconduct that will serve as a resource for the entire University, replacing a range of policies and practices at different departments and schools at Yale with a single, standardized process. Additional revisions may be made, as well, to current University regulations regarding sexual misconduct, based on guidance provided in March 2011 by the Department of Education Office of Civil Rights. These revisions will also be made public in the summer of 2011. In the meantime, we hope the information found in this supplement will prove informative and helpful to you.

Along with my fellow officers of the University I am dedicated to seeing that Yale, through its affirmative action policies, supports a vital, diverse, civil, and safe community for all. We believe that Yale must be in the forefront in this area. “It should not be the function of Yale to reflect American life,” wrote William Clyde DeVane, Dean of Yale College from 1938 to 1963, “but to lead it.”

Richard C. Levin

Richard C. Levin
President of the University

Yale University’s Equal Opportunity Statement

for Inclusion in the Catalogues and Bulletins of the University
www.yale.edu/equalopportunity/policies/index.html

The University is committed to basing judgments concerning the admission, education, and employment of individuals upon their qualifications and abilities and affirmatively seeks to attract to its faculty, staff, and student body qualified persons of diverse backgrounds. In accordance with this policy and as delineated by federal and Connecticut law, Yale does not discriminate in admissions, educational programs, or employment against any individual on account of that individual’s sex, race, color, religion, age, disability, status as a veteran, or national or ethnic

origin; nor does Yale discriminate on the basis of sexual orientation or gender identity or expression.

University policy is committed to affirmative action under law in employment of women, minority group members, individuals with disabilities, and covered veterans.

Inquiries concerning these policies may be referred to the Director of the Office for Equal Opportunity Programs, 221 Whitney Avenue, 203.432.0849 (voice), 203.432.9388 (TTY).

Affirmative Action and Equal Opportunity Programs, Offices, and University Appointed Councils and Committees



Provost Advisory Committee on Resources for Students and Employees with Disabilities

The Committee provides the University with advice and assistance

in fulfilling its commitment to maintaining an environment that is accessible and supportive of the work and scholarship of all students, faculty, and staff. The Committee provides advice on essentials in services and access to accommodate individuals with disabilities in the Yale community, and it educates and provides expert advice to the Yale community about the needs of individuals with disabilities and best practices to meet those requirements. The Committee consists of students, staff, and faculty who are appointed by the Provost, and it is chaired by Angela Crowley, Associate Professor of Nursing.

Office for Equal Opportunity Programs

www.yale.edu/equalopportunity/



Valarie J. Stanley

The Office's primary mission is to oversee the University's affirmative action programs and promote compliance with equal opportunity policies and laws. The Office reviews and monitors faculty searches and certain managerial and professional searches to ensure that University policies on equal opportunity and affirmative action are carried out. The Office works with faculty, staff, administrators, and others to increase the diversity of the Yale community. The Office coordinates the Employment Accommodation Program for Persons with Disabilities. As the University's Title IX Coordinator, the Director works with both Title IX coordinators and administrators across the University to address gender equity and gender discrimination issues. The Director is also the University's Section 504 Coordinator and Age Discrimination Act Coordinator.

Any student, employee, or applicant for programs or employment at Yale who is concerned about affirmative action, equal opportunity, sexual harassment, racial harassment, or fairness in admissions or employment at Yale, either in a general sense or with respect to his or her own situation, is encouraged to contact the Office.

OFFICE 203 432-0849 (Voice),
203 432-9388 (TTY)
FAX 203 432-7884
EMAIL equalopportunity@yale.edu
ADDRESS 221 Whitney Avenue, 3rd Floor

Resource Office on Disabilities

www.yale.edu/rod/



Judy York, Director and Carolyn Barrett, Sr. Administrative Assistant

The Resource Office's primary mission is to foster a University community that is accessible to and inclusive of all students with disabilities. The Resource Office facilitates accommodations for students with disabilities and serves as a resource and catalyst for change by providing technical assistance, information, and disability awareness training to the University community. Registering with the Resource Office on Disabilities is a required first step for students who wish to request a disability-related accommodation or service. A student may submit documentation to the Office even though a specific accommodation is not anticipated at the time of registration. The Resource Office on Disabilities appropriately protects the confidentiality of information and documentation submitted by students. We encourage current, past, and prospective students with disabilities, members of the Yale community, and the public to contact us for more information.

OFFICE 203 432-2325 (Voice)
FAX 203 432-8250
EMAIL judith.york@yale.edu
ADDRESS 35 Broadway (rear entrance), Room 222

The Women Faculty Forum

www.yale.edu/wff/

The Women Faculty Forum (WFF) is an organization supported by the Offices of the President and Provost at Yale. It has a forty-woman Council and more than 600 members across the University. The WFF's goals are to promote scholarship on gender and scholarship by and about women across all schools of the University; to foster gender equity throughout the university; and to promote collegiality and networking on these issues between faculty, students, administration, and alumnae.

OFFICE 203 432-8847
FAX 203 432-8828
EMAIL wff@yale.edu
ADDRESS 305 Crown Street, Room 206

Title IX Coordinators

2010 – 2011

University policy prohibits discrimination on the basis of sex. Any student, faculty or staff member, or applicant who has concerns about sex discrimination, including those pertaining to sexual harassment, is encouraged to seek the assistance of the Title IX Coordinator in his or her school or to consult with the University's Title IX Coordinator, Valarie J. Stanley at 203 432-0853 (Voice), 203 432-9388 (TTY).

School of Architecture
Margaret Deamer, Assistant Dean
margaret.deamer@yale.edu

School of Art
Rochelle Feinstein, Professor
rochelle.feinstein@yale.edu

Divinity School
Dale Peterson, Associate Dean for Student Affairs
dale.peterson@yale.edu

School of Drama
Joan Channick, Associate Dean, Prof. (Adj.) Theater Management
joan.channick@yale.edu

School of Forestry and Environmental Studies
Joanne DeBernardo, Dean of Student Affairs/Registrar
joanne.debernardo@yale.edu

Graduate School of Arts and Sciences
Michelle Nearon, Assistant Dean
michelle.nearon@yale.edu

Law School
Tracey Louise Meares, Walton Hale Hamilton Professor, Yale Law School
tracey.meares@yale.edu

School of Management
Sherilyn (Sheri) Scully, Director, Student Academic Services
sherilyn.scully@yale.edu

School of Medicine
Merle Waxman, Associate Dean
merle.waxman@yale.edu

School of Music
Paul Hawkshaw, Deputy Dean
paul.hawkshaw@yale.edu

School of Nursing
Lois Sadler, Assistant Professor
lois.sadler@yale.edu

Yale College
Pamela Schirmeister, Associate Dean Graduate School, Associate Dean Yale College
pamela.schirmeister@yale.edu

OISS/International Center for Yale Students and Scholars

www.yale.edu/oiss/



Ann Kuhlman
Director, Office of International Students and Scholars

The Office of International Students and Scholars (OISS), housed in the International Center for Yale Students and Scholars, is responsible for the general welfare of Yale's international students

and scholars. Through its programs and publications the OISS offers a source of information and support and an initial point of connection for international students, scholars, and their families. It also serves as a resource on immigration matters for the Yale community and Yale's liaison to those federal agencies concerned with matters related to international students and scholars studying and working here. The International Center for Yale Students and Scholars provides a welcoming venue for students and scholars who want to peruse resource materials, check their e-mail, and meet up with a friend or colleague. Open until 9:00 PM on weekdays, the center also provides meeting space for student groups, and a space for events organized by both student groups and University departments. In addition, the center has nine library carrels that can be reserved by academic departments for short-term international visitors.

OFFICE 203 432-2305
FAX 203 432-7166
EMAIL ann.kuhlman@yale.edu
ADDRESS 421 Temple Street

Yale College Cultural Centers

Afro-American Cultural Center

<http://afam.yale.edu>



Rodney Cohen
Assistant Dean and Director

The Center helps Yale University respond to the cultural, intellectual, developmental and social needs of a complex and diverse student body, by bringing together undergraduate, graduate and professional students, faculty, administrators, staff, alumni, and members of the New Haven community into a constituency of common interests. The Center seeks to create an atmosphere that fosters deep knowledge and high regard for African, Afro-Caribbean and Black North American history, politics and culture, serving as a place for specialized educational opportunities and leadership development.

OFFICE 203 432-4131
FAX 203 432-7369
EMAIL rodney.cohen@yale.edu
ADDRESS 211 Park Street



Saveena Dhall
Assistant Dean and Director

Asian American Cultural Center

www.yale.edu/aacc/

Established in 1981, the Asian American Cultural Center (AACC), in collaboration with our affiliated student organiza-

tions, promotes Asian and Asian American culture and explores the social and political experience of Asians in the United States. The Center hosts programs and activities that bring together undergraduate and graduate students, alumni, faculty and staff to share in these common goals. Seen as a second home for our students, the AACC is committed to providing a space for Asian and Asian Americans to feel a shared sense of belonging, celebrate their cultural heritage and traditions, build pan-Asian unity, and create an atmosphere that nurtures the personal, intellectual, and leadership skills of our students.

OFFICE 203 432-2931
EMAIL saveena.dhall@yale.edu
ADDRESS 295 Crown Street

LaCasa Cultural



Rosalinda Garcia
Assistant Dean and Director

The Latino Cultural Center

www.yale.edu/lacasa

Established at its current location in 1977, La Casa Cultural, the Latino Cultural Center at Yale provides a home away from

home for many Latino students. La Casa houses a number of Latino organizations that promote cultural, social and political awareness at Yale University. Through a variety of activities, undergraduate, graduate and professional students, staff, faculty, and the general New Haven community realize the Center's mission as an important gathering place.

OFFICE 203 432-0856
EMAIL rosalinda.garcia@yale.edu
ADDRESS 301 Crown Street

Native American Cultural Center

www.yale.edu/nacc/



Theodore C. Van Alst, Jr.
Assistant Dean and Director

The NACC strives to maintain a permanent and prominent Native American presence at Yale that incorporates and supports the success of future Native leaders through recruitment, encouragement, men-

toring, service, and the fostering of a community that makes Yale the most sought after Ivy Institution for Native American achievement, research and solidarity.

NACC Core Values

- *Nurturing individual and community wholeness through collaboration, family, kinship, and spirituality.*
- *Sustaining cultural preservation by acknowledging history and responsibility.*
- *Promoting respect with pride, inclusion and recognition of diversity.*
- *Fostering leadership through accountability, transparency, assertiveness, and honesty.*

OFFICE 203 432-2931
EMAIL theodore.vanalst@yale.edu
ADDRESS 295 Crown Street

The Graduate and Professional Schools

2010-2011 Minority Student Coordinators

Each academic year, Minority Student Coordinators are appointed in the Graduate School and in each of the professional schools to focus on minority student education and recruitment of students who are members of minority groups.

School of Architecture

Joel Sanders, Associate Professor (Adjunct)
joel.sanders@yale.edu

School of Art

Robert Reed, Professor (Painting)
robert.reed@yale.edu

Divinity School

Andre Willis, Assistant Professor
andre.willis@yale.edu

School of Drama

Joan Channick, Associate Dean, Professor (Adjunct) of Theater Management
joan.channick@yale.edu

School of Engineering

Roman Kuc, Professor of Electrical Engineering, Associate Dean of Educational Affairs
roman.kuc@yale.edu

School of Epidemiology & Public Health

Trace Kershaw, Associate Professor of Epidemiology & Public Health
trace.kershaw@yale.edu

School of Forestry & Environmental Studies

Pilar Montalvo, Assistant Dean
pilar.montalvo@yale.edu

Graduate School

Michelle Nearon, Assistant Dean and Director, Office for Diversity & Equal Opportunity
michelle.nearon@yale.edu

Law School

Sharon C. Brooks, Associate Dean of Student Affairs
sharon.brooks@yale.edu

School of Management

Judy Chevalier, William S. Beinecke Professor of Economics & Finance
judy.chevalier@yale.edu

School of Medicine

Forrester Lee, Professor of Internal Medicine (Cardiology), Assistant Dean for Multicultural Affairs
woody.lee@yale.edu

School of Music

Paul Hawkshaw, Professor in the Practice of Musicology and Deputy Dean; Director, Norfolk Summer School & Chamber Music Festival
paul.hawkshaw@yale.edu

School of Nursing

Barbara Guthrie, Associate Dean of Academic Affairs
barbara.guthrie@yale.edu

Graduate School of Arts & Sciences Office for Diversity and Equal Opportunity

www.yale.edu/graduateschool/diversity/



Michelle Nearon, Assistant Dean

The Office is committed to promoting diversity and building a supportive graduate school community whereby students from under-represented backgrounds

(particularly students of color, women and other underrepresented students) are actively recruited and encouraged in their professional, social, and intellectual goals and pursuits. Assistant Dean Michelle Nearon works with students, faculty and administrators within the Graduate School and the University to carry out the mission of the Office.

OFFICE 203 432-0763

FAX 203 432-7765

EMAIL michelle.nearon@yale.edu

ADDRESS HGS 128, 320 York Street

School of Medicine Office for Women in Medicine

<http://medicine.yale.edu/owm/>



Merle Waxman, Director

The Office for Women in Medicine has as its mission to promote the academic growth of women in medicine and medical sciences. The Office fosters and promotes activities, policies, and

strategies beneficial to women in medicine and recognizes the enormous contribution women continue to make to the medical and scientific profession. The Office provides women students, trainees, fellows and faculty access to advisors and mentors. The Office brings distinguished women in the medical sciences to the School as role models and mentors; and sponsors workshops and seminars on professional development and career opportunities.

OFFICE 203 785-4680

FAX 203 737-1624

EMAIL merle.waxman@yale.edu

ADDRESS SHM L202, 333 Cedar Street

School of Medicine Office of Multicultural Affairs

<http://info.med.yale.edu/omca/>



Dr. Forrester A. Lee

The Office works with students from diverse ethnic, racial, and social, and economic backgrounds and fosters awareness and an acceptance of diversity as central to life in the Medical

Center and the New Haven community. To promote educational diversity at the School, the Office is involved in the recruitment of students, house staff, and faculty. The Office also supports minority students, faculty, and house staff in addressing and seeking solutions to the academic, career, and social issues that may affect their professional development at the School.

OFFICE 203 785-7545

FAX 203 737-5507

EMAIL woody.lee@yale.edu

ADDRESS ESH 322, 367 Cedar Street

Religious Diversity at Yale

Yale University Chaplain's Office

www.yale.edu/chaplain/



Sharon Kugler

Yale welcomes persons of many global religious traditions and seeks to provide resources and communities for the integration of those traditions with Yale's remarkable educational experience. The central mission of the University Chaplain's Office is to cultivate a broad pastoral presence to the Yale community as well as to coordinate our many religious groups. We facilitate interfaith dialogue, engagement and service along with creating room on campus for our richly diverse religious and spiritual traditions. The chaplaincy partners with other university offices, departments and schools to provide educational and experiential programs bringing both appreciative and critical perspectives to the role of religion in culture, the arts, politics, and global affairs.

The Chaplain's Office, located in the basement level of Bingham Hall on Old Campus, hopes to be the most welcoming, nurturing, and sustaining place at Yale. We celebrate the spiritual, religious, and seeking paths of every member of the Yale community. We support and offer a number of programs, including regular worship and prayer offerings through the Yale Religious Ministry (YRM), events planned by student groups, as well as numerous other activities including interfaith service trips, New Haven outreach, and so much more. The chaplaincy also provides guidance to other university offices on how to be welcoming and accommodating to religiously diverse students, faculty and staff.

Chaplain's Office professionals are available to listen and respond when students, faculty and staff need a neutral and confidential place to turn for pastoral support and care.

OFFICE 203 432-1128

EMAIL sharon.kugler@yale.edu,

ADDRESS Bingham Hall Lower Level

Yale University's Standards, Statements and Policies

Standards for Business Conduct – Respect for Others

www.yale.edu/provost/html/BusinessConducto8.pdf

The Yale community is diverse – in race, background, age, religion, and in many other ways. The personal actions of each community member establish and maintain the culture of tolerance and respect for which we strive. While principles of free speech remain paramount at Yale, faculty and staff should respect the rights and dignity of others regardless of their differences, and must conscientiously abide by the principles of nondiscrimination adopted by the University. Harassment along sexual, racial, or political lines has no place in our community. (See also University Statement on Sexual Harassment, Information Technology Appropriate Use Policy, www.yale.edu/ppdev/policy/1607/1607.pdf)

Sexual Harassment Statement

www.yale.edu/equalopportunity/policies/index.html

Sexual harassment is antithetical to academic values and to a work environment free from the fact or appearance of coercion. It is a violation of University policy and may result in serious disciplinary action. Sexual harassment consists of non-consensual sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature on or off campus, when: (1) submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing; or (2) submission to or rejection of such conduct is used as the basis for employment decisions or for academic evaluation, grades, or advancement; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance

or creating an intimidating or hostile academic or work environment. Sexual harassment may be found in a single episode, as well as in persistent behavior. Conduct that occurs in the process of application for admission to a program or selection for employment is covered by this policy, as well as conduct directed toward University students, postdoctoral appointees, faculty, or staff members.

Policy on Teacher-Student Consensual Relations

The integrity of the teacher-student relationship is the foundation of the University's educational mission. This relationship vests considerable trust in the teacher, who, in turn, bears authority and accountability as a mentor, educator, and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between teacher and student must be protected from influences or activities that can interfere with learning and personal development. Whenever a teacher is or in the future might reasonably become responsible for teaching, advising, or directly supervising a student, a sexual relationship between them is inappropriate and must be avoided. In addition to creating the potential for coercion, any such relationship jeopardizes the integrity of the educational process by creating a conflict of interest and may impair the learning environment for other students. Finally, such situations may expose the University and the teacher to liability for violation of laws against sexual harassment and sex discrim-

ination. Therefore, teachers (see below) must avoid sexual relationships with students over whom they have or might reasonably expect to have direct pedagogical or supervisory responsibilities, regardless of whether the relationship is consensual. Conversely, a teacher must not directly supervise any student with whom he or she has a sexual relationship.

Undergraduate students are particularly vulnerable to the unequal institutional power inherent in the teacher-student relationship and the potential for coercion, because of their age and relative lack of maturity. Therefore, no teacher (see below) shall have a sexual or amorous relationship with any undergraduate student, regardless of whether the teacher currently exercises or expects to have any pedagogical or supervisory responsibilities over that student.

Teachers or students with questions about this policy are advised to consult with the department chair, the appropriate dean, the Provost, or one of his or her designees. If an alleged violation of this policy cannot be resolved informally, a student may lodge a complaint with the dean of the school in which the student is enrolled or where the teacher exercises his or her supervisory responsibilities.

Violations of the above policies by a teacher will normally lead to disciplinary action.

For purposes of this policy, "direct supervision" includes the following activities (on or off campus): course teaching, examining, grading, advising for a formal project such as a thesis or research, supervising required research or other academic activities, serving in such a capacity as Director of Undergraduate or Graduate Studies, and recommending in an institutional capacity for admissions, employment, fellowships or awards. "Teachers" includes, but is not limited to, all ladder and non-ladder faculty of the University. It includes graduate and professional students and postdoctoral fellows and associates only when they are serving as part-time acting instructors, teaching fellows or in similar institutional roles, with respect to the students they are currently teaching or supervising. "Students" refers to those enrolled in any and all educational and training programs of the University. Additionally, this policy applies to members of the Yale community who are not teachers as defined above, but have authority over or mentoring relationships with students, including athletic coaches, supervisors of student employees, advisors and directors of student organizations, Residential College Fellows, as well as others who advise, mentor, or evaluate students.

Full and detailed information about the Sexual Harassment Statement, the Policy on Teacher-Student Consensual Relations, as well as related guidance for Faculty, Students, and Staff is available by contacting the Office for Equal Opportunity Programs at 203 432-0849 (Voice), 203 432-9388 (TTY).

Affirmative Action Plans and Programs Concerning Women, Minorities, Persons with Disabilities and Veterans

www.yale.edu/equalopportunity/programs/programs2.html

Women and Members of Minority Groups

In accordance with Executive Orders 11246 and 11375 and subsequent implementing federal regulations, the University maintains an affirmative action plan that addresses the utilization of women and members of minority groups in Yale's workforce. The plan helps the University monitor equal employment opportunity for women and members of minority groups.

Persons with Disabilities

In accordance with Section 503 of the Rehabilitation Act of 1973, as amended, the University maintains a written affirmative action plan for the employment and advancement in employment of persons with disabilities.

The University's affirmative action plans are updated each fall. For more information about the University's affirmative action plans and programs, contact the Office for Equal Opportunity Programs. Questions and concerns about the University's compliance with these laws and regulations should be directed to Valarie J. Stanley, Director, Office for Equal Opportunity Programs, at 203 432-0852 (Voice), 203 432-9388 (TTY).

The University operates an Employment Accommodation Program for Persons with Disabilities that coordinates the reasonable accommodation process using a case management format. Information obtained about a person's disability is confidential, with certain statutory disclosure exceptions that are (1) for reasonable accommodation purposes, supervisors and managers may be informed regarding restrictions on the work or duties, (2) first aid and safety personnel may be informed when and if, to the extent appropriate, the conditions might require emergency treatment, and (3) government officials investigating compliance with federal law.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information," as defined by GINA, includes an individual's family medical

history, the results of an individual's or family member's genetic tests, the fact that an individual or any individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

For more information, contact the Office for Equal Opportunity Programs at 203 432-0849 (Voice), 203 432-9388 (TTY).

Covered Veterans

In accordance with Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended by the Veterans Employment Opportunities Act of 1998, the University maintains an affirmative action plan for the employment and advancement in employment of persons who are special disabled veterans, veterans of the Vietnam era, and any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. Newly separated veterans also are covered. Information obtained about a person's disability is confidential, with certain statutory disclosure exceptions as listed under the description of the Employment Accommodation Program.

Other Federal and State Equal Opportunity and Non-Discrimination Laws

Federal

Title IX of the Education Amendments of 1972 prohibits sex discrimination in educational programs and activities that receive federal financial assistance. The University's Title IX Coordinator is Valarie J. Stanley, Director of the Office for Equal Opportunity Programs.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of a student or employee's disability in University programs and activities. The University's Section 504 Coordinator is Valarie J. Stanley, Director of the Office for Equal Opportunity Programs.

The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees with disabilities

from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability. This law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodation. See also the Employment Accommodation Program for Persons with Disabilities.

The Age Discrimination Act of 1975, as amended, and subsequent implementing regulations, prohibits discrimination on the basis of age in programs and activities that receive federal financial assistance. The Age Discrimination in Employment Act of 1967, as amended, prohibits age discrimination in employment. The University's

Age Discrimination Act Coordinator is Valarie J. Stanley, Director of the Office for Equal Opportunity Programs.

State

The Connecticut Discriminatory Employment Practices Act prohibits discrimination on the basis of age, ancestry, color, disability, national origin, race, religious creed, sexual orientation, sex, among other protected categories. The Connecticut Commission on Human Rights and Opportunities (CCHRO) is the state enforcement agency for the Act.

Questions and concerns about the University's compliance with Title IX and Section 504 of the Rehabilitation Act of 1973 may be directed to Valarie J. Stanley, Director of the Office for Equal Opportunity Programs. Individuals also may contact the Regional Office of the

U.S. Department of Education's Office for Civil Rights, Post Office Square, Boston, MA 02109. Questions concerning the state non-discrimination laws may be directed to the CCHRO, 21 Grand Street, Hartford, CT 06106.

Grievance Procedures of the University

PLEASE NOTE: On April 7, 2011, the Provost announced the formation of the University-Wide Committee on Sexual Misconduct (“UWC”). The UWC will address complaints of sexual misconduct made across the University and will play an essential role in improving the consistency and continuity of decision-making in response to such complaints. The UWC will begin its work on July 1, 2011. As of that date, any complaint of sexual misconduct brought against any faculty member or student will be heard by the UWC.

Accordingly, because of the availability of the UWC some of the processes described below, including those for students at Yale College, the Graduate School, the Divinity School, the School of Medicine and the School of Nursing, will not be available for formal complaints of sexual misconduct. A website describing the UWC’s procedures will be available prior to the Committee’s beginning its work.

The Office for Equal Opportunity Programs also informs individuals about the availability of the University’s formal grievance procedures for students and employees. In cases where the individual is not within a group of persons covered by a formal grievance procedure, the Office will review the individual’s complaint. All inquiries are treated in a confidential manner. If any member of the Yale Community is unsure as to which of the procedures is available or how to proceed under any particular procedure, he or she should consult with the Office of the General Counsel or with the Office for Equal Opportunity Programs.

The University’s Grievance Procedures are a manifestation of Yale’s firm commitment to the policies of equal opportunity and fair treatment in a complex and integrated community. It is of course hoped that in this community, good will and mutual respect will suffice to resolve most grievances. However, the procedures are designed to provide redress in cases that cannot be so resolved. They go beyond the requirements of the law. They emphasize that the University will not condone racial or sexual harassment or any other act of discrimination on the basis of race, religion, sex, age, national origin, disability, or sexual orientation.

At first glance the procedures listed or printed in this supplement may seem both numerous and complicated. However, they result from the fact that the University comprises Yale College, the Graduate School of Arts and Sciences, and ten professional schools, each of which is composed of a faculty and student body and many different departments and work situations. The procedures have been individually designed to provide appropriate processes to address different kinds of complaints in this complex environment.

Except where explicitly noted, each of the grievance procedures outlined below may be used to pursue a complaint of discrimination on the basis of race, sex, religion, national origin, age, disability or sexual orientation. In addition, other types of complaints may be addressed by certain of these, e.g., infringements upon any individual’s right to free expression or unfair treatment in a situation not characterized by the kinds of discrimination specified above. Concerns that seem not to be covered by these procedures may always be pursued with an individual responsible for that area of concern, such as with a supervisor or dean or departmental chair. The brief descriptions below are intended only to identify the procedures, and members of the community should consult the full text of each procedure for its governing provisions. Copies of all grievance procedures are available in the Office for Equal Opportunity Programs.

Three of these procedures, the Dean’s Procedure for Student Complaints and the Provost’s Procedure for Student Complaints are printed in their entirety below.

For Students

General Grievance Procedures

There are in Yale College, the Graduate School, and the professional schools, general student grievance procedures for complaints about various issues, including but not limited to complaints of discrimination.

For example, these procedures might be used to address an apparent infringement of an individual student’s right to free expression or a complaint about unfair or arbitrary treatment, whether or not it is characterized by a specific kind of discrimination. It must be understood, however, that since an instructor’s evaluation of the quality of a student’s work is final, these procedures do not apply in disputes about a grade assigned, unless it is alleged that the determination of the grade resulted from unlawful discrimination. Similarly, these procedures do not apply to any matter inherent in the academic freedom of an instructor, such as, for example, in regard to the syllabus or contents of a course of instruction.

There are two general student grievance procedures. The first is the **Dean’s Procedure for Student Complaints**. This is the available procedure if the person complained of is a member of the faculty or administration of the student’s school. The second, the **Provost’s Procedure for Student Complaints**, is the appropriate procedure if the person complained of is not a member of the faculty or admin-

istration of the student’s school and therefore not subject to the authority of the student’s dean.

In a case where more than one procedure is available, a student may pursue his or her complaint by means of only one procedure; that is, procedures for redress of a complaint may not be used simultaneously or seriatim.

Complaints of Sexual Harassment

Complaints of sexual harassment by a student in Yale College, the Graduate School, the Divinity School, the School of Medicine or the School of Nursing against a faculty member or administrator in his or her respective school must be pursued in accordance with the procedure for complaints of sexual harassment adopted by that school and available at the respective school’s Dean’s Office. Each of these schools has created a grievance board, with established procedures, both informal and formal, for addressing student complaints of sexual harassment. Complaints of sexual harassment by students in other schools may be pursued by means of the general student grievance procedures described above.

Complaints of Racial or Ethnic Harassment

The **President’s Procedure for Addressing Students’ Complaints of Racial or Ethnic Harassment** is available to any student for the sole purpose of addressing a complaint of harassment on account of race or ethnic origin by any member of the Yale Community. It is thus available as an alternative to students who might otherwise use either the Dean’s or the Provost’s procedure for student complaints.

Copies of these procedures are available at the Office of the Dean of each of the graduate and professional schools and in the Office of the Dean of Yale College.

For Faculty

The review procedures for members of the faculty are published in the Yale Faculty Handbook. Those review procedures are to be used by individual faculty members who believe they have been treated in a manner inconsistent with University policies on reappointment or promotion including the University’s policy against discrimination in matters of reappointment or promotion on the basis of race, color, religion, age, sex, disability, sexual orientation, or national or ethnic origin. The Handbook also specifies the procedure for faculty who believe they have been treated in an unfair or discriminatory manner in connection with professional matters other than reappointment or promotion. Complaints of sexual harassment by a faculty member may be pursued in accordance with the review procedures set out in the Faculty Handbook.

For Postdoctoral Fellows at the School of Medicine

Postdoctoral fellows with appointments at the School of Medicine may use the “Grievance Policy and Procedures for Postdoctoral Fellows of the School of Medicine” when the individual believes he or she has been treated in a manner inconsistent with University policies or when the individual believes he or she has been discriminated against on the basis of race, color, sex, age, disability, religion, national origin, sexual orientation or status as a covered veteran. Complaints of sexual harassment by postdoctoral fellows may be pursued in accordance with the School of Medicine Grievance Procedures for Complaints of Sexual Harassment.

Copies of the procedures are available from the Office of the Dean of the School of Medicine.

For Staff

Managerial and Professional and Other Staff Members Excluded from Bargaining Units

The **Staff Grievance Procedure**, which is published in the Yale University Personnel Policies and Practices Manual, is available to all regular and temporary managerial and professional employees, as well as those clerical and technical and service and maintenance employees who are excluded from Local No. 34 or Local No. 35 bargaining units.

This procedure is available whenever covered employees believe that they have been treated in a manner inconsistent with University policies or believe they have been discriminated against on one of the bases enumerated above or on the basis of their status as a covered veteran.

Copies of the procedure may be obtained online at www.yale.edu/hronline/PersPracWeb/801.html.

Staff Covered by the Bargaining Agreement with Local No. 34

Article XXXVI, Grievance and Arbitration Procedure, of the Agreement between Yale University and Local 34, Federation of University Employees, may be used to address any claim by an employee whose position is covered by the Agreement that the Agreement has been violated, including, but not limited to, the Article on Fair Treatment of Staff Members.

For copies of this procedure please call the Labor Management Relations Office at 203 436-8857.

Staff Covered by the Bargaining Agreement with Local No. 35

The grievance procedure for members of the Local 35 bargaining unit, which appears as Article XV of the Agreement between the University and Local No. 35, is available to address disputes about the interpretation, applications, or alleged violations of any of the provisions of the Agreement, including, but not limited to, the Article on Nondiscrimination.

For copies of this procedure please call the Labor Management Relations Office at 203 436-8857.

Special Education Teachers at the Cedarhurst School

Article XX, Grievance and Arbitration Procedure, of the Agreement between Yale University and Local 933, AFP, AFL-CIO, may be used to address any claim by a member of that bargaining unit that the Agreement has been violated, including, but not limited to, the Article on No Discrimination.

For copies of this procedure please call the Labor Management Relations Office at 203 436-8857.

Staff Covered by the Bargaining Agreement with the Yale Police Benevolent Association

Article XVI, Grievance Procedure, of the Agreement between Yale University and the Yale Police Benevolent Association (ypba), may be used to address any claim by an employee whose position is covered by the Agreement that the Agreement has been violated including, but not limited to, the Article I, Section 3 nondiscrimination provision. For copies of this procedure please call the Labor Management Relations Office at 203 436-8857.

Complaints Against Members of the University Police Department

A complaint against a member of the University’s Police Department is to be pursued in accordance with the procedure specified in the Yale University Police Department Manual. Copies of the procedure are available from the Office of the Associate Vice President for Administration, WGS 8th Floor.

General Student Grievance Procedures

Following is the text of the **Dean's Procedure for Student Complaints**, **Provost's Procedure for Student Complaints** and **The President's Procedure for Addressing Students' Complaints of Racial or Ethnic Harassment**. Students are asked to retain these copies for future reference.

A Dean's Procedure for Student Complaints¹

This Procedure governs any case in which a student has a complaint, including but not limited to a complaint of sexual harassment² or a complaint of discrimination on the basis of race, sex, color, religion, national or ethnic origin, disability or sexual orientation, against a member of the faculty or administration of the complainant's School.³ Since an instructor's evaluation of the quality of a student's work is final, this Procedure does not apply in any dispute about a grade assigned to a student by a member of the faculty, unless it is alleged that the determination of the grade resulted from discrimination based on race, sex, color, religion, national or ethnic origin, disability or sexual orientation. Similarly, this Procedure does not apply to any matter inherent in the academic freedom of an instructor, such as, for example, in regard to the syllabus or contents of a course of instruction. It is also not a procedure that may be used when there is a complaint about the quality of a course or the quality of instruction in a course; such concerns may be addressed directly to the Department in question. If a student believes that he or she has been retaliated against as a result of filing a grievance under this Procedure, a separate complaint charging retaliation can be pursued by means of this Procedure.

I. Informal Resolution

If at all possible, the complainant is encouraged to bring a problem directly to the attention of the person whose actions he or she has found to be objectionable. Whether or not this is done, the student may seek assistance and advice on how to secure an equitable solution of the problem from any administrator or faculty member of any School.

II. Filing a Written Complaint

If the problem cannot be resolved by informal discussion or if the student has chosen not to discuss the matter informally, the student should submit a letter to the Dean of the student's school or the Dean's designee describing the complaint and the facts upon which it is based (insofar as the facts are known to the complainant), specifying the issue or issues in question, and indicating what redress or resolution of the grievance is sought. The complaint should be brought to the attention of the Dean or the Dean's designee as soon as possible after the action giving rise to it, but in no case may a complaint be submitted later than 45 days after the action upon which it is based. If a complaint is in some manner associated with the conduct of a course, the complaint must also be submitted within 45 days after the action upon which it is based but the student may request that no action be taken on the complaint until after the conclusion of the term in which the course has been offered.

The Dean or the Dean's designee will appoint an investigator⁴ who, within the first three weeks after the submission of the complaint, may try to resolve the complaint informally. At the complainant's request, the investigator may agree to discuss informally the complaint with the person complained against without identifying the student making the complaint; however, further investigation will not be undertaken until the student is ready to be identified. If the complaint has not been resolved within this three-week period, the investigator

will refer it to the Dean's Advisory Committee on Student Grievances unless the complainant indicates to the investigator that he or she does not desire such a referral.

III. Review by the Dean's Advisory Committee on Student Grievances

a. Composition of the Dean's Advisory Committee

The Dean's Advisory Committee on Student Grievances will be composed of five members appointed by the Dean. The Dean's Advisory Committee for Yale College and for the Graduate School will be a standing committee and the members will be appointed annually. The Dean's Advisory Committee on Student Grievances for each of the professional schools may, at the Dean's discretion, be either a standing or an *ad hoc* committee appointed by the Dean.⁵ There will be one student member and at least two faculty members appointed to the Committee. The remaining two members may be administrators, faculty members, or other individuals employed by the University.

The investigator will serve as an *ex officio* non-voting member of the Committee and will participate fully in the Committee's deliberations. The investigator will be available to conduct such further investigation as the Committee deems appropriate.

Members of the Committee who may be directly involved in the subject matter of any complaint are to excuse themselves during the review of that complaint. The complainant and the person against whom the complaint is lodged will have the right to challenge individual members of the Advisory Committee where such challenge is based on cause (*e.g.*, close personal contact with one of the parties), but peremptory challenges will not be entertained. The Advisory Committee, excluding that person being challenged, will decide the disputed issues in cases of challenge, and its decision will not be subject to appeal. When members are excused or are otherwise unavailable to participate in the deliberations or have been successfully challenged for cause, the Dean will designate appropriate substitutes to serve for the duration of the pending case.

b. Deliberations of the Dean's Advisory Committee

The Dean's Advisory Committee on Student Grievances will inform both parties in writing that it is reviewing the complaint. The person against whom the complaint has been lodged will be given a copy of the letter to the Dean describing the complaint if this has not already been done. Reasonable time (in no case less than one week and ordinarily within two weeks) is to be allowed between the receipt of the written notification and the date of the commencement of the review in order to provide the participants time to prepare for a meeting with the Committee if either of the parties or the Committee wish it.

In meeting with the Committee, the complainant and the person complained against may each be accompanied by a member of the Yale community (*ie.*, student, faculty member, dean, administrator, or other employee of the University); however, these advisers may not have legal training.⁶ These proceedings are in their nature non-adversarial and the advisers, while they may counsel the individual whom they are accompanying, may not participate directly in the proceedings.

The student and the person complained of will have the opportunity to present information and witnesses deemed relevant by the Committee. All documents considered by the Committee that relate to the actions of the person against whom the complaint has been filed may be inspected by that person; and the student bringing the complaint will

be permitted to inspect those documents or parts of documents directly relating to the student's specific complaint that the Committee deems relevant and concludes were not written under a presumption of confidentiality. Ordinarily both parties may be present when either party or any witness is being interviewed; however, the Committee may enter into closed session with or without one or both parties upon the vote of a majority of the members of the Committee (except that when any witness is being interviewed either both or none of the parties will be present as the Committee deems appropriate).

The student may challenge the appropriateness of the Dean as the final arbiter of the complaint but must do so before the Committee's investigation has concluded. If it is shown by the complainant to the Committee's satisfaction that the Dean cannot fairly decide the matter, then the Committee shall so inform both the parties and the Dean, and the Committee shall submit its Report to the Provost, who will substitute for the Dean in the resolution of the complaint.

The Dean's Advisory Committee on Student Grievances, having thus conducted its inquiry and having interviewed whatever further witnesses it deems necessary, will then deliberate without the presence of the parties and will prepare a written Report (i) stating its findings of fact and the conclusion, if any, it has drawn from these facts and (ii) including a summary of the substance of testimony that the Committee has relied on in reaching its conclusions and that was heard in closed session. In a separate section of the Report, the Committee may outline what actions, if any, it would recommend that the Dean undertake. The Report of the Committee will be adopted only upon the majority vote of the members of the Committee who participated in the Committee's inquiry.

IV. Final Resolution of the Complaint by the Dean

The Committee will submit its Report to the Dean ordinarily within two months of the receipt of the complaint by the Committee. The Dean will permit the complainant and the person against whom the complaint was lodged to inspect the Committee's findings of fact, conclusions and summary of testimony in the Report and to indicate in writing to the Dean what clarifications each party believes appropriate. Since the Report is a confidential document advisory to the Dean, only the Dean and neither of the parties is entitled to a copy of it.

The Dean shall accept the Committee's findings of fact unless the Dean believes that the findings are not substantiated by the evidence presented to the Committee. The Dean may accept, modify or reject the conclusions of the Committee and any recommendations it might have made. However, in any case where the Dean does not believe it is appropriate to follow the recommended actions of the Committee, the Dean will discuss the matter with the Committee and explain the reasons for not doing so. The Dean will then make a decision on the matter and convey his or her decision in writing to the complainant, the person against whom the grievance was lodged, and the Committee; the Dean's decision will include his or her conclusions about the issues raised in the complaint and the remedies and sanctions, if any, to be imposed.

The Dean's decision shall be final. The Dean's decision may be to take any actions as may be within his or her authority (*e.g.*, issue any oral or written warning or reprimand to the individual against whom the complaint was lodged; permit a student to participate in an educational program or activity; institute academically appropriate

procedures whereby a student's grade may be reviewed). If the remedy deemed appropriate by the Dean is beyond the authority of the Dean, the Dean will recommend the initiation of such action (disciplinary or otherwise) in accordance with applicable University practices and procedures.

The Dean's decision should ordinarily be rendered within one month after the Dean receives the Committee's Report.

V. Time Guidelines

If the School is not in session during part of these proceedings or in instances where additional time may be required because of the complexity of the case or unavailability of the parties or witnesses, any of the time periods specified herein may be extended by the Dean. If a period is extended, the complainant and the person against whom the complaint has been filed will be so informed.

1. This represents a model procedure for adoption by the Dean of each School. The Procedure may be tailored to accommodate the particular size or structure of individual Schools; however, any changes in the language must be approved by the University's General Counsel's Office to insure that the proposed amendments are in accordance with applicable federal law.

2. A complaint of racial or ethnic harassment can, alternatively, be lodged in accordance with the President's Procedure for Addressing Students' Complaints of Racial or Ethnic Harassment. A complaint of sexual harassment by a student in Yale College, the Graduate School, the Divinity School, the School of Medicine or the School of Nursing against an administrator or faculty member in the complainant's School must be pursued in accordance with the procedure for complaints of sexual harassment adopted by that School. In a case where more than one procedure is available, a student may pursue his or her complaint by means of only one procedure; that is, procedures for redress of a complaint may not be used simultaneously or seriatim.

3. Complaints of sex discrimination or discrimination on the basis of a disability will be addressed in accordance with the requirements of of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, respectively. The federal regulations implementing these two laws are published in Title 34 of the Code of Federal Regulations, Parts 104 and 106.

4. For a complaint of sex discrimination, the investigator will be one of the Title IX Coordinators and for a complaint of discrimination on the basis of disability, the investigator will be the 504 Coordinator for the University.

5. It may be appropriate in the case of a School because of its size and structure to have an Advisory Committee that is either larger or smaller than is here indicated. In such a case, at the Dean's discretion, the Advisory Committee may be larger or smaller; but in such an event student membership on the Advisory Committee must be at least as great as that indicated above; *i.e.*, it must constitute at least one-fifth of the membership.

6. This last clause is not applicable in the Law School's Procedure where students may be accompanied by another student or faculty member of the Law School.

General Student Grievance Procedures (continued)

Provost's Procedure for Student Complaints

This Procedure governs any case in which a student has a complaint, including but not limited to a complaint of sexual harassment or a complaint of discrimination on the basis of race, sex, color, religion, national or ethnic origin, disability¹ or sexual orientation against a faculty member who is not a member of the faculty of the complainant's School (or, in the case of students in Yale College and the Graduate School, not a member of the Faculty of Arts and Sciences); or against an employee who is not an administrator in the student's School or who is not subject to discipline by the student's Dean.² Also this Procedure is to be used for all complaints of discrimination on the basis of disability where structural modifications of University facilities is the remedy sought. Since an instructor's evaluation of the quality of a student's work is final, this Procedure does not apply in any dispute about a grade assigned to a student by a member of the faculty, unless it is alleged that the determination of the grade resulted from discrimination based on race, sex, color, religion, national or ethnic origin, disability or sexual orientation. Similarly, this Procedure does not apply to any matter inherent in the academic freedom of an instructor, such as, for example, in regard to the syllabus or contents of a course of instruction. It is also not a Procedure that may be used when there is a complaint about the quality of a course or the quality of instruction in a course; such concerns may be addressed directly within the Department or School in question.

If a student believes that he or she has been retaliated against as a result of filing a grievance under this Procedure, a separate complaint charging retaliation can be pursued by means of this Procedure.

I. Informal Resolution

If at all possible, the complainant is encouraged to bring a problem directly to the attention of the person whose actions he or she has found to be objectionable. Whether or not this is done, the student may seek assistance and advice on how to secure an equitable solution of the problem from any administrator or faculty member of the University.

II. Filing of a Written Complaint

If the problem cannot be resolved by informal discussion or if the student has chosen not to discuss the matter informally, the complainant will submit to the Dean of his or her School a letter describing the complaint and the facts upon which it is based (insofar as the facts are known to the complainant), specifying the issues in question and indicating what redress or resolution of the grievance is sought. The complaint should be brought to the Dean's attention as soon as possible after the action giving rise to it, but in no case later than 45 days after the action complained of. (If a complaint is in some manner associated with the conduct of a course, the complaint must also be submitted within 45 days after the action upon which it is based but the student may request that no action be taken on the complaint until after the conclusion of the term in which the course has been offered.) The Dean will supply the person or persons against whom the complaint has been filed with a copy of the complaint.

The Dean³ will undertake an informal investigation of the complaint and in doing so may consult with the student filing the complaint and may

meet with such other parties as he or she deems appropriate in an attempt to resolve the complaint.

The Dean's investigation will be carried out within a reasonable period of time, ordinarily within 45 days, and will be concluded by a written response to the complainant's letter. The Dean's written response will also apprise the complainant of the availability of a review as described below.

III. Review by the Provost's Advisory Committee on Student Grievances

If the Dean does not achieve a resolution that is satisfactory to the complainant, then the complainant may submit to the Provost a written statement of the grievance, describing the complaint and the facts upon which it is based (insofar as the facts are known to the complainant), specifying the issues in question, indicating what remedy or resolution is sought and requesting that the complaint be referred to the Provost's Committee on Student Grievances.⁴ This written request must be received within 10 days after the complainant's receipt of the letter from the Dean that concluded the review described in Section II above.

The Provost's Advisory Committee on Student Grievances will inform in writing the parties involved that it will review the complaint. The person against whom the complaint has been lodged will be given a copy of the letter to the Dean describing the complaint if this has not already been done. Reasonable time (in no case less than one week and ordinarily within two weeks) is to be allowed between the receipt of the written notification and the date of the commencement of the review in order to provide the parties time to prepare for a meeting with the Committee if either of the parties or the Committee wish it.

In meetings with the Committee, the complainant and the person complained against may each be accompanied by any member of the Yale Community (*i.e.*, student, faculty member, dean, administrator, or other employee); however, these advisers may not have legal training.⁵ The proceedings are in their nature non-adversarial and the advisers, while they may counsel the individual whom they are accompanying, may not participate directly in the proceedings.

The student and the person complained of will have the opportunity to present information and witnesses deemed by the Committee to be relevant. All documents considered by the Committee that relate to the actions of the person against whom the complaint has been filed may be inspected by that person; and the complainant will be permitted to inspect those documents or parts of documents directly relating to the student's specific complaint that the Committee deems relevant and concludes were not written under a presumption of confidentiality. Ordinarily both parties may be present when either party or any witness is being interviewed; however, the Committee may enter into closed session with or without one or both parties upon the vote of a majority of the members of the Committee (except that when any witness is being interviewed either both or none of the parties will be present as the Committee deems appropriate). For a complaint alleging sex discrimination or discrimination on the basis of disability, the Committee will be advised by, respectively, the Title IX Coordinator of the complainant's School or the University's 504 Coordinator.

The Provost's Advisory Committee on Student Grievances, having thus conducted its inquiry and having interviewed whatever further witnesses it deems necessary, will then deliberate

without the presence of the parties and will prepare a written Report (i) stating its findings of fact and the conclusions it has drawn from these facts and (ii) including a summary of the substance of the testimony that the Committee has relied on in reaching its conclusions and that was heard in closed session. In a separate section of the Report the Committee may outline what actions, if any, it would recommend that the Provost undertake. The Report of the Committee will be adopted only upon the majority vote of the members of the Committee who participated in the Committee's inquiry.

IV. Final Resolution by the Provost

The Committee will submit its Report to the Provost, ordinarily within two months of the receipt of the complaint by the Committee. The Provost will permit the complainant and the person against whom the complaint was lodged to inspect the Committee's findings of fact, conclusions and summary of testimony in the Report and to indicate in writing what clarifications each party believes appropriate; however, since the Report is a confidential document advisory to the Provost, only the Provost and neither of the parties is entitled to a copy of it.

The Provost will accept the Committee's findings of fact unless he or she believes that the findings are not substantiated by the evidence presented to the Committee. The Provost may accept, modify or reject the conclusions of the Committee and any recommendations it might have made. However, in any case where the Provost does not follow the actions recommended by the Committee, the Provost will discuss the matter with the Committee and explain the reasons for not doing so. The Provost will then make a decision on the matter and convey the decision in writing to the complainant, the person against whom the grievance was lodged and the Committee; the Provost's decision will include his or her conclusions about the issues raised in the complaint and the remedies and sanctions, if any, to be imposed. The Provost's decision is final.

If the remedy deemed appropriate by the Provost is beyond the Provost's authority, he or she will recommend the initiation of such disciplinary action in accordance with applicable University practices and procedures. The Provost's decision should ordinarily be rendered within one month after the Provost receives the Committee's Report.

V. Time Guidelines

If the complainant's or respondent's School is not in session during part of that three-month period or in instances where additional time may be required because of the complexity of the case or the unavailability of the parties or witnesses, the Provost may extend beyond three months the period for rendering a decision. If the period is extended, the complainant and the person against whom the complaint was filed will be so informed.

Sciences for a complainant who is in Yale College or the Graduate School) must be pursued in accordance with the Provost's Procedure for Student Complaints. The two exceptions are (i) the President's Procedure for Addressing Students' Complaints of Racial or Ethnic Harassment that is available as an alternative to the Provost's Procedure for any complaint of racial or ethnic harassment against any member of the Yale community and (ii) the Police Advisory Board's hearing procedure which supersedes this Procedure for complaints brought by students about the conduct of University police officers.

In a case where more than one procedure is available, a student may pursue his or her complaint by means of only one procedure; that is, procedures for redress of a student's complaint may not be used simultaneously or seriatim. Furthermore the Provost's Procedure for Student Complaints does not serve as a means to appeal a decision rendered as a result of another procedure.

3. This and subsequent references to the Dean shall refer to the Dean or his or her designee. For a complaint of sex discrimination or discrimination on the basis of a disability, the Dean's investigation will be undertaken in concert, respectively, with the Title IX Coordinator in the Dean's School or the University's 504 Coordinator.

4. The Provost's Advisory Committee on Student Grievances will be an *ad hoc* committee composed of six members appointed by the Provost. There will be two student members: one from Yale College and one from the Graduate or Professional Schools. There will be at least two faculty members appointed to the Committee. The remaining two members may be administrators, staff members, other faculty members, or other individuals employed by the University. In appointing the non-student members of the committee, the Provost will strive to rotate the membership over the years to represent broadly the Schools and various academic and administrative Departments.

The complainant and person against whom the complaint is lodged will have the right to challenge individual members of the Advisory Committee where such challenge is for cause (*e.g.*, close personal contact with one of the parties). Peremptory challenges will not be entertained. The Advisory Committee, excluding that person being challenged, will decide the disputed issues in cases of challenge, and its decision will not be subject to appeal. When members are excused or are otherwise unavailable to participate in the deliberations or have been successfully challenged for cause, the Provost will designate substitutes to serve for the duration of the pending case.

5. In a case where a student in the Law School is a complainant or where a member of the Law School faculty is a respondent, the other party may be accompanied by another student, administrator or faculty member of the School.

1. Complaints of sex discrimination or discrimination on the basis of a disability will be addressed in accordance with the requirements of Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, respectively. The federal regulations implementing these two laws are published in Title 34 of the Code of Federal Regulations, Parts 104 and 106.

2. Except for the two types of complaints indicated below, a complaint by a student against employees who are not administrators or faculty in the complainant's School (or not on the Faculty of Arts and

President's Procedure for Addressing Students' Complaints of Racial or Ethnic Harassment

This procedure is available to any student who believes that he or she has been harassed on account of race or ethnic origin by any member of the Yale Community. For purposes of this procedure, racial or ethnic harassment will be considered to occur when any individual is subjected to arbitrary, capricious or discriminatory treatment on the basis of race or ethnic origin. In determining whether the alleged conduct constitutes racial or ethnic harassment, the President's Committee on Racial and Ethnic Harassment will look at the totality of the circumstances, such as the nature of the incident complained of and the context in which the incident occurred. The Committee's jurisdiction is limited to matters not already reviewed through other available University grievance processes; as a result, this procedure is not available to any student whose claim has been heard through any other University grievance process.

I. Informal Resolution

Any student who believes that he or she has been harassed on account of race or ethnic origin may first wish to consider discussing the problem with the person whose actions he or she had found to be objectionable. Regardless of whether such discussion takes place, the student may initiate this procedure by informing one of the committee members of the complaint and by requesting that the committee member investigate the complaint. Whether or not the complaint is presented orally or in writing to the committee member, the student should describe in detail the problem and all facts upon which the complaint is based, as well as what resolution or redress the student seeks. The complaint should be brought to the attention of a committee member as soon as possible after the action giving rise to it, but it is expected that the complaint will be brought to the attention of the committee member not later than 45 days after the action complained of. If a complaint is in some manner associated with the conduct of a course, the complaint must also be submitted to the committee member within 45 days after the action upon which it is based but the student may request that no action be taken on the complaint until after the conclusion of the term in which the course has been offered.

The committee member will undertake an informal investigation of the matter and may consult with whomever he or she deems appropriate in an attempt to resolve the complaint or to obtain a reconciliation acceptable to both parties. The committee member's review will be carried out within a period of time mutually agreed upon by the student and the committee member but in no case will the period be shorter than thirty days.

When that time period has expired the committee member will prepare a report on each case that has not been resolved which will (1) state the issues that were presented by the student and (2) include any facts that were found. Any written report of the committee member, which will be sent to both parties, will also apprise the parties of the availability of the review as

described below. The student has the opportunity at any time to withdraw the complaint, which action will close the matter.

II. Review by the President's Committee on Racial and Ethnic Harassment.

If a resolution of the complaint has not been achieved and the student wishes to pursue the complaint further, he or she may request the full President's Committee on Racial and Ethnic Harassment* to consider the matter. The student should write to the Convener of the President's Committee within two weeks after receiving the committee member's informal investigation report to specify that a review by the President's Committee is requested and to indicate what remedy or resolution is sought and what issues remain in question.

The Convener of the President's Committee will inform the parties involved that the Committee will be reviewing the complaint and will provide the person against whom the complaint has been lodged a copy of the materials sent by the student to the Convener. The Convener will obtain a copy from the committee member of the report and will invite both parties to send a supplemental statement clarifying, correcting, or amplifying any portions of the report of the committee member by the committee member if they so desire. Reasonable time (at a minimum one week and ordinarily within two weeks) is to be allowed between the receipt of the written notification and the date of the commencement of the review in order to provide the parties time to prepare for a meeting with the President's Committee if either of the parties or the Committee wish it. The supplemental statements will also be shared with the parties before any meeting with the Committee.

In any meeting with the President's Committee, the student and the person complained against may each be accompanied by any member of the Yale community (*i.e.*, student, faculty, member, dean, administrator or other employee); however, these advisers may not have a law degree.† The proceedings are in their nature nonadversarial and the advisers, while they may counsel the individual whom they are accompanying, may not participate directly in the proceedings.

The student and the person complained of will have the opportunity to present information and witnesses deemed by the committee to be relevant and to have questions presented to the other party's witnesses. The complainant and the person against whom the complaint has been filed will be permitted to inspect those documents or parts of documents directly relating the student's specific complaint that the Committee deems relevant and concludes were not written under the presumption of confidentiality. Ordinarily both parties will be present when any witness is being interviewed or documents discussed; however, the Committee may enter into closed session (*i.e.*, with neither of the parties present) upon the vote of a majority of the members of the Committee.

The President's Committee, having thus conducted its inquiry and

having interviewed whatever further witnesses it deems necessary, will then deliberate in closed session and will prepare a written Report stating its findings of fact and conclusion whether or not it believes that racial or ethnic harassment has occurred. In a separate section of the Report, the Committee may recommend what actions, if any, it would suggest that the President undertake; however, such recommendations are not binding on the President. The Report of the Committee will be adopted only upon the majority vote of the members of the Committee who participated in the Committee's inquiry. Any dissenting statements made by members of the Committee will be furnished to the President with the Committee's Report.

It is expected that the investigation will be completed as expeditiously as possible and the Committee's Report should ordinarily be completed within 45 days after receipt of the student's letter to the Convener in which a review by the Committee is requested. If the student's school is not in session during part of that 45-day period or in instances where additional time is required because of the complexity of the case or the unavailability of parties or witnesses, the Committee may extend the period for rendering its Report. However, if the report is extended the student and the person against whom the complaint was filed must be informed of the extension.

III. Final resolution by the President

The Committee will submit its Report to the President. The President will permit the student and the person against whom the complaint was lodged to inspect the Committee's findings of fact and conclusions in the Report and to indicate in writing what clarifications each party believes appropriate; however, since the Report is a confidential document advisory to the President, only the President and neither of the parties is entitled to a copy of it.‡

The President will accept the Committee's findings of fact as to whether racial or ethnic harassment occurred. In any case where the President disagrees with the recommendations of the Committee, the President will inform the Committee of the reasons for disagreement prior to the issuance of his or her decision. The President will then make a decision on the matter and convey the decision in writing to the student, the person against whom the grievance was lodged and the Committee. If disciplinary sanctions appear warranted, the President will forward the case to the appropriate disciplinary body for action. The President's decision is final.

*The President's Committee on Racial and Ethnic Harassment will be a standing committee composed of seven members appointed annually by the President. The Committee will include three students (two from Yale College, one from the Graduate or Professional Schools), two faculty members, and two other members who may be academic administrators, staff members or members of the bargaining unit. In appointing the student members,

the President will consider names suggested from the Black Student Alliance at Yale, Black Law Students Union, Asian- American Students Association, Movimiento, Estudiantil Chicano de Aztlan, Despierta Boricua, Black Graduate Network, and any other student organization that offers recommendations of suggested nominations.

Members of the President's committee who may be directly involved in any complaint are to excuse themselves during the review of that complaint. The student and person against whom the complaint is lodged will have the right to challenge individual members of the President's Committee where such challenge is for cause (*i.e.*, close personal contact with one of the parties). Peremptory challenges will not be permitted.

The President's Committee, excluding persons being challenged, will decide the disputed issues in cases of challenge, and its decision will not be subject to appeal. When members are excused or are otherwise unavailable to participate in the deliberations or have been successfully challenged for cause, the President will designate substitutes to serve for the duration of the pending case.

† However, if the person complained against has a law degree, the person bringing the complaint may be counseled by a member of the community who has such a degree.

‡ However, copies of previous Reports are available for review by the Committee to assist the Committee in making recommendations that are not inconsistent with previous findings.

Complaints of Discrimination and Unfair Treatment: The Informal Process

The Office for Equal Opportunity Programs handles complaints of discrimination and unfair treatment in the application of the University's employment or admissions policies, practices, and procedures. Any student, employee, or applicant for programs or employment at Yale who is concerned about affirmative action, equal opportunity, harassment and other forms of prohibited discrimination, or fairness in admissions or employment at Yale, either in a general sense or with respect to his or her own situation, is encouraged to contact the Office. Talking about a problem with a member of the Office is not a part of any formal grievance procedure. The staff, however, can investigate or mediate a problem as an informal resolution of a situation. Inquiries should be directed to the Office for Equal Opportunity Programs at 203 432-0849 (Voice), 203 432-9388 (TTY).

School of Medicine Ombuds Office

The Ombuds Office is a neutral, safe, and confidential place where any matter in the School of Medicine community may be discussed with the Ombudsperson. Discussions are not limited in subject and all are held in strict confidence. No formal written records are kept. The Office follows no prescribed sequence of steps and does not participate in any formal grievance process; the function is to listen, advise, suggest options, make recommendations, and investigate informally with the goal of conflict resolution; to consider all sides of an issue; to remain neutral and impartial; and to provide appropriate confidentiality. No action is taken without permission except when there appears to be an imminent threat of serious harm, and there appears to be no other option except to act without permission. Inquiries should be directed to Merle Waxman, Ombudsperson, SHM, L202, CONFIDENTIAL LINE 203 737-4100.

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