

YALE LAW SCHOOL PLACEMENT POLICIES AND REGULATIONS

Version recommended to Faculty by unanimous vote of Placement Policy Committee
December 11, 1991
revised February 10 and 27, 1992¹
revised February 28, 2011²

Yale Law School has a longstanding policy commitment to ensure that its students receive fair treatment by employers who use its placement services, and that the law school, its students and employers act in good faith in the recruiting and hiring process. Students or employers who violate these Policies and Regulations face possible sanctions.

POLICIES

Yale Law School's Policy Against Discrimination. Yale Law School is committed to a policy against discrimination based upon age, color, handicap or disability, ethnic or national origin, race, religion, religious creed, gender (including discrimination taking the form of sexual harassment), marital, parental or veteran status, sexual orientation, gender identity, gender expression, or the prejudice of clients.

Accordingly, all employers utilizing its placement services are required to abide by this policy. Employers who violate this policy will face sanctions.

Discrimination in employment practices refers to the use of the proscribed criteria mentioned above in arranging or conducting interviews, in offering employment, and in establishing the terms of employment, including but not limited to differential salary scales, working conditions, type of work available and promotion and retention policies.

Yale's non-discrimination policy permits, and the Law School encourages, lawful affirmative action in hiring members of groups that are underrepresented in the legal profession and in many firms.

National Association for Law Placement ("NALP") Principles and Standards and Association of American Law Schools ("AALS") Bylaws and Regulations. As a member of NALP and AALS, Yale Law School subscribes to the Principles and Standards For Law Placement and Recruitment Activities ("NALP Principles and Standards") established by NALP and the Regulations and Bylaws established by AALS that apply to law schools, students, and employers in the recruiting and hiring process. A copy of the current NALP Principles and Standards and the current relevant AALS Bylaws and Regulations are available in the Career Development Office ("CDO"). These Policies and Regulations are deemed to include the NALP Principles and Standards and the AALS Bylaws and Regulations. Employers who use our placement services and violate these Policies and Regulations face possible sanctions. Similarly, students who violate these Policies and Regulations face possible CDO sanctions and Yale Law School disciplinary code sanctions.

II. COMMITTEES AND PROCEDURES

Committees

¹ This version, passed by the Faculty on May 1, 1992, referred to "Office of Career Planning and Placement." Subsequently, that office became the "Career Development Office," and that title is used throughout this document.

² On February 28, 2011, on recommendation of an Ad Hoc Committee of faculty, students and administrators, the Law School amended its Nondiscrimination Policy to include protection for "gender identity" and "gender expression." This document was updated to include this amendment.

The Placement Policy Committee is responsible for liaison work with CDO over issues and policies directly affecting large numbers of students in planning their job searches and obtaining interviews and offers. It comprises (a) five faculty members, and (b) four students elected by the student body. The Director of CDO shall serve *ex officio* on the Placement Policy Committee. All committee selections shall be made in the fall of the school year in which the Committee is to serve. At least one student member shall be from the third year class during the year that he or she serves on the Committee, and at least one student member shall be from the second year class.

The Placement Compliance Committee is chosen by the Dean to review and resolve alleged violations of these Placement Policies and Regulations. The Compliance Committee comprises (a) three faculty members of the Placement Policy Committee, (b) one student member of the Placement Policy Committee, and (c) one Yale Law School graduate (a practitioner).

The Director of CDO is responsible for implementing placement policies day to day. In the first instance, the Director is responsible for ascertaining employers' eligibility to use our placement services. Eligibility determinations may be reviewed by the Compliance Committee.

Procedures

Allegations Regarding Employer Behavior. A past or present member of the Law School community who believes that an interviewer or employer has acted inconsistently with these Policies and Regulations should promptly inform the Director of CDO. The Director will promptly interview the complainant concerning the matter, inquire about the experiences of students interviewed by the same employer, and review CDO files for any complaints against the employer in previous years. The Director may also interview other students or seek to gain additional information, including information from the employer, bearing on the complaint. If the Director of CDO is for any reason disqualified from acting impartially in the matter, the Chair of the Placement Policy Committee will designate a faculty member to conduct a preliminary inquiry.

If after conducting interviews and obtaining other information, the Director or designated faculty member believes that the interviewer/employer violated these Policies and Regulations, he or she will attempt to resolve the complaint informally. If the complaint cannot be resolved informally, the Director or designated faculty member will make a written report of the matter and its current status to the Compliance Committee.

Upon receipt of a report from the Director or designated faculty member, the Compliance Committee may dismiss the complaint, or if it does not dismiss the complaint, shall send a letter to the employer's hiring attorney requesting a written response to the complaint. After considering any response the employer may make and any additional information the Compliance Committee deems relevant, the Compliance Committee will determine whether these Policies and Regulations have been violated. At the discretion of the Compliance Committee, a hearing may be held. If the Compliance Committee concludes that a violation has occurred, it will advise the employer and complainant in writing of its decision and proposed sanction, and give the employer an opportunity to respond in writing before the Compliance Committee imposes any sanction.

If the Compliance Committee concludes that these Policies and Regulations have not been violated, the employer and complainant will be so advised. If a complainant wishes, he or she may request a reconsideration of the Compliance Committee's determination.

Because the appropriateness of sanctions necessarily depends on the seriousness of the violation of these Policies and Regulations, as well as the nature of the involved employer's response to the Compliance Committee's letter, determination of the appropriate sanctions is left to the discretion of the Compliance

Committee. Such sanctions may include, but are not limited to, sending an admonitory letter to the employer, publicizing the conduct to the law school community in connection with the employer's interview sign-ups the following year, other forms of publicizing the incident, or barring the employer from using law school facilities and services for one or more years.

Because of the importance of resolving claims of violations of these Policies and Regulations expeditiously, the Compliance Committee shall endeavor to resolve such claims no later than the beginning of the next on-campus interviewing season. Any appeal would be by petition to the faculty.

Allegations Regarding Student Behavior. A past or present member of the Law School community or an employer who believes that a student has acted inconsistently with these Policies and Regulations should promptly inform the Director of CDO. In order to protect the confidentiality of the student, the Director will handle all such matters with the complainant, student, and in consultation with the Placement Policy Committee Chair and appropriate Associate or Assistant Dean, rather than turning over such matters to the Compliance Committee. However, at the option of the student, the Compliance Committee, sitting without its student member, may hear the matter. If it is determined that a student's conduct violates these Policies and Regulations, the student faces possible restrictions or prohibitions on the use of CDO services. If a student's conduct is deemed to be covered by the Disciplinary Code, the matter may be referred to the Law School Disciplinary Committee.

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These policies and regulations are drafted with the expectation that employers and students act in good faith. These regulations address the most immediate context of employers who interview and hire current law students. However, the sanctions set out above may also be applied to an employer who by its own admission, established policy, or legal determination violates Yale Law School's Non-Discrimination policies, NALP Principles and Standards, or AALS Bylaws and Regulations.