

Student Suspended After Sexual Assault Allegation Sues To Force Yale To Let Him Return To Class

By Kathleen Megan

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Yale students marched in September protesting the nomination of Brett Kavanaugh to the Supreme Court. A Yale student, suspended after the student newspaper reported sexual assault allegations against him, is seeking a court order allowing him to return to class.

A Yale student has asked a Superior Court judge to lift a suspension imposed by the university on Sunday after the Yale Daily News reported sexual assault allegations against him.

Saifullah Khan filed papers Wednesday asking the New Haven Superior Court to permit him to return to classes and to order the university to provide him with an escort

or bodyguard to protect him from other students and faculty members.

On Wednesday, a Superior Court judge said a decision could not be made without hearing from Yale and set a date later in the month for that to occur, according to Norm Pattis, Khan's New Haven attorney.

Yale Figures Show Steep Increase In Complaints Of

Sexual Misconduct

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In an interview Wednesday, Khan, who is 25, said he would “like to continue to be a Yalie.”



Saifullah Khan is fighting his suspension from Yale.

“For Yale to kick you out twice, it feels like your own home kicks you out,” he said.

In his lawsuit, Khan charges that the political climate at Yale is behind his treatment. The lawsuit says Khan’s “suspension was caused by “the bitter disappointment of many Yale students and faculty that Brett Kavanaugh was expected to be confirmed as a Justice on the United States Supreme Court, and prevailing culture of overheated sensibilities regarding claims of sexual assault shared by many students at Yale.”

A Yale spokesperson declined to comment for this story.

The suspension is Khan’s second from Yale. In November 2015, Khan was suspended after another student accused him of sexual assault on campus. He was found not guilty in Superior Court in New Haven in March and had resumed classes.

The 2015 suspension, court papers filed Wednesday say, was imposed “without notice or a hearing while criminal charges were pending against him.”

At the time, the university’s committee on sexual misconduct suspended its own investigation into the incident while the case went through the criminal justice system.

After the not guilty verdict, the university agreed to let Khan return, while noting that its own investigation into the sexual assault allegations was not yet complete. Khan enrolled in classes this fall, but does not live on campus.

On Oct. 5, the Yale Daily News published a story that contained allegations of sexual and physical assault from a man who says he worked to help get Khan acquitted of the earlier sexual assault charges.

Jon Andrews, a former board

member for Families Advocating for Campus Equality, an advocacy group that supported Khan in the previous sexual assault case, told the Daily News that Khan sexually assaulted him last June.

The Daily News reported that that police are investigating, but an attorney for Khan, Margaret Valois, denied the allegations as “false and defamatory.” Pattis said Andrews had no role in Khan’s criminal defense earlier this year.

Last Sunday, Khan was asked to meet with members of the Yale administration. When he refused, a letter from Yale College Dean Marvin M. Chun was delivered to Khan informing him that he was suspended immediately from Yale College due to an “emergency.”

That letter, which was included in the court documents filed by Khan, said an “emergency suspension may be imposed when it appears necessary for your physical and emotional safety and well-being and/or the safety and well-being of the university community.”

Chun said he was taking this action “based on allegations that you engaged in violent behavior toward Jon Andrews and another person.”

Khan’s court papers say nothing in the Yale Daily News story suggested that Andrews “ever set foot on the Yale campus

or that he had any affiliation whatsoever with Yale.”

“There is no credible evidence that permitting Mr. Khan to attend classes poses a threat of harm to himself,” the papers say, “or to anyone affiliated with Yale.”

The papers state that even if Andrews’ claims were true — a contention that the plaintiff denies — “there is no reasonable basis to believe that Mr. Khan poses a threat of any kind to any person at Yale.”

Khan, who is an Afghan refugee, first enrolled at Yale in 2012 after he was identified as “extremely gifted” while living in a Pakistani refugee camp, according to the court papers.

The papers say that family members of Khan had been killed by the Taliban.

Chun’s letter to Khan said the suspension “does not presume the outcome of any disciplinary or criminal process. It will remain in effect pending investigation of the allegations and until lifted by me.” ■