

Gay Discrimination at the Albert Einstein College of Medicine

MD-PhD dismissed for coming out to his advisor and school officials. More information available at www.yeshivavictims.org. I entered Albert Einstein College of Medicine in the Fall of 1999 after graduating ***** laude from Kansas State University with dual Bachelor of Science degrees in Chemistry and Biochemistry and with numerous academic honors and out-of-class achievements. During first two years at Einstein I earned several glowing faculty evaluations, developed a new student orientation program, and planned several class ski trips for the College. In 2001, I took step one of the USMLE and scored within the top 1% of students nationally.

After spending a year doing fellowship research on tuberculosis with Dr. William R. Jacobs, Jr, I decided to pursue a Ph.D. degree in addition to the M.D. Dr. Jacobs offered me a position in his lab. In early 2003 I applied for the prestigious Howard Hughes Fellowship and was one of 60 students nationwide to receive this honor. In October of 2003, I co-authored a groundbreaking paper on TB vaccines which was published in the Proceedings of the National Academy of Sciences.

In August of 2003 I was assigned a roommate who was new to Einstein. I picked him up at the airport, and in our conversation on the way back my sexual orientation came up. He told me he was uncomfortable living with a gay man. When the housing staff wouldn't help us swap roommates I wrote to the Dean of the College of Medicine, revealing my sexual orientation to the administration for the first time. The roommate change was allowed shortly thereafter, but I was called to a meeting three months later with Dr. James David, the Associate Dean for Students at Einstein. He declared I was a "difficult person" who should move into a studio so that I would reside alone and "stop raising red flags." He indicated that Einstein had 80 lawyers with nothing to do if I wanted to make an issue out of the situation. Having tried a studio once before, I elected to stay in shared a three-person apartment.

In January, 2004, in a meeting with Dr. Jacobs, my research supervisor, and Dr. David, I was accused of stealing my own computer equipment (which I had purchased with personal funds) and of submitting false expense reports. I explained to them how these allegations were false, and I continued to work in the lab. Dr. Jacobs called me into his office twice more over the next two months to say I "was not producing" despite my published paper and outside grant funding. I thought he had changed his mind because he wrote me a favorable recommendation for my continuance as funded HHMI fellow at the end of March 2004.

Nevertheless, less than one month later, I discovered that Dr Jacobs given me a grade of unsatisfactory for the Fall 2003 semester, even though I had published a paper in a prestigious journal, obtained grant support for my project, and started developing another research project entirely on my own. In issuing the failing grade Dr. Jacobs did not follow Einstein's procedures for such instances, failing to inform me directly and failing to meet with me to discuss it.

On May 3rd 2004, I received a letter from Dr. David and Dr. Todd Evans, Director of the Graduate School, indicating that I was suspended from all lab activities until further notice. No reason was given. Dr. Evans informed me that I had been suspended at the request of Dr. Jacobs. At a meeting later that day I was told that the suspension resulted from a hostile email sent to a member of the Jacobs lab. The email was not addressed to anyone in particular, was not signed by me, and was sent from a public computer terminal on campus using an anonymous Hotmail account. I can account for my whereabouts when the message was sent, and I have since then.

Fifteen months later my suspension continued without any hearing whatsoever. My requests to be notified of specific charges, to see the evidence upon which the College based its decision were ignored. This despite the clear procedure in Einstein's bylaws for addressing allegations of misconduct, including notice of charges and procedures to be followed, the right to an advocate, prompt review of the allegations, right to review evidence, and the right to present my case and defenses.

In late August I received notice that HHMI had decided to award me a one-time renewal of funding for my research, an offer made only to 14 out of the 60 fellows. I was told HHMI was holding the award pending institutional endorsement from Einstein, which had been withdrawn shortly after my suspension. Despite several letters from myself and HHMI requesting the endorsement, the College refused and my funding expired.

From September 2004 to February 2005, I also began to receive several harassing emails that included anti-gay epithets and threats to my safety. The messages stopped only after Einstein changed my email address, one full month after I made the request.

Since February of 2005, my attorneys have written several letters to the associate and general counsel of Einstein and Yeshiva University (within which Einstein is chartered) to no avail. Finally, in June of 2005, my attorneys met with attorneys for Yeshiva, who proposed that all would be forgotten if I left the College. However, in exchange for my voluntary withdrawal, they would offer me only a summary exit letter and no more. Leaving a medical school on such terms would effectively end my career. Meanwhile I continued to reside in student housing and draw a graduate student stipend.

One must assume that they do not have sufficient evidence to follow their procedures, and thus can only make my life so uncomfortable that I chose to leave of my own accord. Because I am not willing to give up my medical career for what amounts to homophobia and bigotry, I have sought assistance from the Supreme Court of the State of New York.

Update:

In September of 2005, after 18 months and the insistence of the courts, I was finally given an opportunity to defend myself at a campus hearing. Despite not being allowed to have attorneys present and facing an inquiry board of roughly 40 faculty members, I was able to disprove every single charge. Even in spite of my apparent success, in October of 2005 I was dismissed from the graduate program, on the grounds that a) My prior mentor, Dr. William Jacobs, Jr, no longer wanted me in his lab because of my "unsatisfactory performance" and b) "no suitable labs could be found" from a lengthy list of potential researchers I submitted to the School, with whom I could conduct my experiments. The medical school has followed with the same decision as the PhD program citing the allegations which the graduate school seemed to dismiss.

In December of 2005 the story took another turn. On Christmas eve we received a signed confidential memo written by James David to my then chief supporter, Marshall Horwitz on Sept 15th 2004. The memo states in no uncertain terms:

Dean Purpura continues to remain concerned about your support of an openly gay student. Irrespective of the actual events involving Mr. Padiyar, our donors cannot accept publicity from students of this type ...It would best be served, if you were to follow Bill Jacobs' lead and distance yourself from all matters pertaining to Mr. Padiyar.

J David MD
Associate Dean for Students

Albert Einstein College of Medicine

In addition, a few months later we received a copy of a second misconduct policy which affords students significantly more due process and which applied to my case but which was deliberately concealed from me during the disciplinary process. Based on these two documents we have returned to court requesting that any ruling include our newly discovered evidence.

Despite the involvement of attorneys, the courts, and the support of several prominent community leaders, Yeshiva continues to show its bias to gay and lesbian students who are judged not on academic performance but on the protected class to which they belong.