

What We Are Left to Dream Of. Disability and the Promise of Social Mobility. The Case of UCR.

How can a university that promises social mobility deliver that promise equitably to all students—including those seeking accommodations—if, at the same time, under the pretext of academic standards, it operates as an engine of economic inequality?

PAULA CUCURELLA • JUN 19, 2025



UCR's North District Phase 2

Not too long ago, my students and I were reflecting on the implicit bias reproduced in LLMs (large language models), and we performed an experiment to illustrate the way this operates and test our preparedness to identify it. *Hola, estoy con mis estudiantes en mi clase sobre testimonio en UCR, mi nombre es Paula Cucurella y queremos que nos hagas una imagen de nosotros en la sala.* Thirty seconds later, DALL-E—the image-generating chat —offered a representation that I regret not having saved in my files. *¿Qué piensan de la imagen?* I asked my students.

One quickly noted the chat assumed UCR (University of California, Riverside) was the University of Costa Rica's acronym —that a Spanish class by a [Hispanic](#) teacher had to take place in a Hispanic country—, another pointed to the majority of long-haired female students and their colorful clothes. After an awkward pause another student said what we were all thinking: *they have money*. They continued to find differences: how athletic they were, how un-brown. Even their haircuts seemed recent, but nothing summarized it more efficiently than this: *they have money*.

Trained in critical thinking, it wasn't hard for these students to deduce that if cultural production were left to AI trained on racist, classist, and gender-discriminating archives, none of us would have a place in history, not even in the annals of common people.

There is something remarkable about a group of bright and less economically advantaged Hispanic students at an R1 University in the United States. Unlike their parents—for the most part—my students could choose to study, and I think they

There is something remarkable about a group of bright and less economically advantaged Hispanic students at an R1 University in the United States.

carry the distinctive trace of this knowledge as a dignifying mark that integrates their parents' or grandparents' immigration story with their own hopes for social mobility through education. This is what keeps them working toward a degree, incurring debt, and postponing personal plans, among other sacrifices. If the university's policies were either in principle or in practice unsupportive of this goal, its task would be fundamentally contradictory and unethical.

In the U.S., the concept of disability in education was addressed for the first time—though inadequately—by Section 504 of the Rehabilitation Act of 1973. This legislation required institutions receiving federal funds to provide “reasonable accommodations” to ensure equal access for individuals with disabilities (U.S. Department of Education, Protecting Students with Disabilities). Section 504 recognized that many barriers faced by disabled people stemmed not only from their impairments but from systemic discrimination and exclusion. It stated that “no otherwise qualified handicapped individual” could be excluded from a federally funded program on the basis of disability (U.S. Department of Education, Protecting Students with Disabilities). The Section 504 mandate was met with such resistance from institutions and educators that further regulations to enforce it were issued in 1977, following a historic protest known as the San Francisco 504 Sit-in—widely recognized as the first major direct action for disability rights in the U.S. The Americans with Disabilities Act (ADA) of 1990 improved on the narrow and limiting scope of Section 504 by defining disability as a physical or mental impairment that “substantially limits one or more major life activities” (ADA Title II Regulations).

Legal disputes quickly emerged over what constituted a “major life activity” or “substantial limitation.” Questions arose about whether high-achieving individuals—such as those admitted to universities—could qualify for accommodations. These ambiguities were addressed by the ADA Amendments Act of 2008 (ADAAA) (ADA Amendments Act of 2008), which explicitly broadened the definitions. Under the original ADA regulations, only nine major life activities were enumerated (U.S. Department of Justice, ADA Title III Technical Assistance Manual, 1993, §III-1.2000); the ADAAA expanded the list to nineteen, including cognitive and neurological activities such as thinking, communicating, learning, and concentrating (ADA Amendments Act of 2008). The ADAAA also prohibited consideration of mitigating measures (like medication or coping strategies) in determining whether someone has a disability (ADA Amendments Act of 2008).

By the 1990s, virtually every U.S. college, public or private, had a legal obligation to provide accommodations—either under Section 504, the ADA, or both (U.S. Department of Justice, ADA Title III Technical Assistance Manual). Disability support services (DSS)—now often called Accessibility Services—were tasked with compliance, typically using a civil-rights-based case management model: they evaluate documentation, determine accommodations through an “interactive process,” and train faculty on their legal responsibilities. A wide menu of accommodations became standard across higher education: extended exam time, reduced-distraction environments, note-taking assistance, alternative textbook formats (e.g. Braille or digital texts), priority registration, and auxiliary aids such as interpreters, screen readers, and assistive technologies. These academic adjustments were supplemented by policy modifications, such as flexibility with attendance and deadlines or course substitutions when justified.

Despite the greater legal clarity, implementation challenges persist. Many colleges have adopted a minimalist compliance model—doing just enough to avoid violations—and in the absence of compliance verification and robust efforts to educate faculty, learning disabilities and the accommodations they require are still often misperceived as lowering academic standards or offering “unfair advantages.” These misconceptions have been repeatedly rejected by court rulings affirming that reasonable accommodations do not require institutions to waive essential academic requirements. Yet

by the time students are denied accommodations, they have already invested so much time in a bureaucratically and morally vexing process that they often don't contest it.

Consider the example of Peter, a graduate student at UCR with one of the most common learning disabilities in higher education: ADHD. According to a 2024 report by the U.S. Government Accountability Office, by 2020 about 69% of college students who reported a disability had a mental or cognitive condition such as anxiety, depression, dyslexia, or ADHD. A 2022 survey by the American College Health Association (ACHA) found that about 15% of college students self-reported having ADHD, making it one of the most frequently reported disabilities among college students (American College Health Association).

As a humanities student, Peter's daily activities require extensive reading and writing to prepare for the three seminars he is taking, in addition to teaching one class. Peter's teaching duties are calculated at 20 hours per week, the standard Graduate Student Employment cap at a 50% appointment level. In addition, each seminar he takes is 4 credit hours. Students are expected to spend approximately 12 hours per week of total academic work per seminar (including class time, reading, writing, and research), amounting to ~36 hours per week of coursework and a total of ~56 working hours. If a student were to work from Monday to Friday, they would have to put in 11.2 hours/day—or 8 hours/day if working seven days per week. Graduate coursework (e.g., 3 seminars ≈ 36 hours/week) is not considered employment and is therefore not regulated by labor law. Only the 20 hours the student—Peter, in this case—works as a teaching assistant are covered under labor law and UC employment policies.

When he began his graduate studies, Peter registered with the accommodations office. After a short interview and review of his documentation, the office issued a letter granting time-and-a-half for timed exams and permission to use recording technology in class. However, since none of Peter's courses used timed exams, these accommodations were ineffective.

After the first quarter, during which Peter had to write three 5,000-word papers, he scheduled a second appointment with the accommodations office to request a more suitable adjustment. He argued that, based on the rationale behind extended time for exams—i.e. that people with ADHD process text more slowly—he should receive extended time for reading- and writing-intensive assignments. Since the classes were not testing speed but content comprehension and synthesis, the request did not lower academic standards.

Peter added that without accommodations he was working over 70 hours a week, leaving no time for coping strategies such as meditation, which, in his case, were essential for managing ADHD. As a result, he experienced worsening symptoms. Despite this well-reasoned request, the office responded that writing papers was not a timed activity and therefore did not qualify for accommodation. They stated their responsibility was limited to “access to education” and that Peter's ability to attend lectures and read assignments demonstrated their legal compliance. After all, Peter could access the class materials. However, the office's interpretation of the law echoed outdated legislative language, ignoring the ADA's mandate that “access” includes full participation, not just physical presence (U.S. Department of Education, Questions and Answers on Disability Discrimination under Section 504 (2015), Q&A 22). The specialist also argued that they could not ask professors to change their syllabi, even though during the accommodations interview process the courses had never been evaluated for their core academic

requirements. This stance ignored court evidence to the contrary: it is the legacy of decisions like *Metcalf v. Princeton University* (D.N.J. 2009) and *Guckenberger v. Boston University* (D. Mass. 1997), that accommodations can indeed require changes to syllabi or academic policies—so long as they do not fundamentally alter the essential nature of the course or program.

Cases like Peter's are unfortunately common. Institutions often deny requests by invoking “essential course requirements” and “academic standards” that are neither defined nor individually evaluated. Courts have ruled this practice discriminatory.

What would we call the inhibitory effect that institutional barriers have on students fruitlessly seeking accommodation?

What would we call the inhibitory effect that institutional barriers have on students fruitlessly seeking accommodation? Would it be correct to call it intimidation? Does the name change when the intimidated are many and also economically

unprivileged?

Nationally, around 20% of undergraduates and 10% of graduate students report having a disability, with cognitive conditions being the most common (National Center for Education Statistics). At UCR, only about 7% of students are registered with the Student Disability Resource Center (SDRC), while by comparison UCSB reports 12% (University of California Board of Regents, 19 Mar. 2025). This suggests that many UCR students—perhaps as many or more than are currently registered with SDRC—are coping without formal accommodations, and in all likelihood, a disproportionate number of these unaccommodated students belong to underrepresented minority (URM) groups. This is particularly true for ADHD. The asymmetry between Black and Latino ADHD diagnosis rates—despite research evidence that these groups experience similar (if not higher) levels of ADHD-related symptoms compared to their White peers (Coker et al.)—suggests that minority-serving institutions will have higher proportions of students likely to under-report or under-diagnose their condition.

Despite clear evidence of ADHD's genetic and neurobiological basis, a genetic predisposition needs to interact with environmental factors to manifest ADHD symptoms (Bau et al.). The reason behind the increased incidence of neurodivergence among Black and Latino students is primarily related to economic and environmental factors. This is the kind of insight one would assume a majority-minority serving research university would know, committed as it is to academic excellence. If in 2024 UCR's total enrollment was 26,384 students (22,599 undergraduate and 3,785 graduate), and we use the Spring 2024 ACHA survey data, indicating 17.2% of undergraduate students nationwide report having ADHD (American College Health Association), then the likely number of self-reported ADHD undergraduate students at UCR in 2024 would be approximately 3,887. The same study indicates that about 12% of graduate students nationwide report having ADHD diagnosed by a professional, suggesting a likely number of around 454 self-reporting ADHD graduate students at UCR. The total estimated number of UCR students with ADHD (if national trends hold) would thus be roughly 4,341.

In 2023, UCR's SDRC reported a total of 1,873 students registered for accommodations; the number of registered ADHD students is a fraction of that.

As of late 2023, UCR's SDRC employed four (4) full-time accommodation specialists. With 1,873 students registered, each specialist was responsible for roughly 468 students, while the Association on Higher Education and Disability (AHEAD) recommends no more than 250 students per specialist. In order to meet AHEAD's recommended student-to-specialist ratio for the current number of students registered with SDRC, UCR would have to employ at least seven and a half (7.5) specialists. To adequately serve the probable number of ADHD students alone, UCR would need approximately seventeen (17) specialists. UCR has recently advertised new SDRC positions, including one (!) additional specialist and an assistant director. While this is a positive step, systemic change will require mandatory implementation of thorough accommodations across all departments, regular training for faculty and TAs, policy audits, and hiring discipline-specific support staff to ensure compliance—all of which costs money.

When I presented this research to a group of graduate students selected from a pool of applicants for the Chancellor's Diversity, Equity and Inclusion certification program, money was reasonably cited as an obstacle to implementing the measures my report was advising. *Had I considered that maybe the university had no money to implement these changes?* one fellow student asked.

When UCR began the construction of a new student dormitory slated to open in Fall 2025, the

\$360,000,000 North District construction project was embraced as an investment—aimed at increasing overall revenue through expanded enrollment—in line with UC’s 2030 initiative (University of California Office of the President, UC 2030 Dashboard). As an investment, its anticipated long-term benefits were deemed to outweigh the immediate costs. From a purely financial perspective, retention rates are just as important as enrollment growth; saving money by keeping students enrolled is a form of making money. However, precisely because the large majority of students at UCR have had to endure a system designed to keep economically challenged immigrants poor, one could argue that from an ethical perspective, retention might be even more important than recruitment: in all likelihood, the majority of these students will only have this one chance.

Systemwide data show that URM students have lower retention and graduation rates than their non-URM peers. Across the UC system, the six-year graduation rate for first-time, full-time freshman entrants is about 79% for URM students, compared to ~85–88% for non-URM students (University of California Office of the President, UC 2030 Dashboard). UC Riverside Institutional Research (2025) data confirms Black, Latinx, and [Native American](#) students graduate at lower rates than their white peers. Academic dismissal accounted for 6.9% of UCR’s total 24% non-graduation rate (UCOP, 2024). At a projected enrollment of 27,000 in Fall 2025, that percentage (6.9% of a class) equates to roughly 1,863 students, representing approximately \$30–31 million in lost tuition and fee revenue. It is a fair guess that a disproportionate number of the students who do not complete their UCR degrees are neurodivergent, either unreported or under-served, and predominantly URM.

Based on Fall 2024 demographics, UCR’s student population remains majority-minority: approximately 37% Chicano/Latino, 33% Asian, 12% white, 5% multiracial, 3–4% Black, and 0.2% Native American or Pacific Islander (UC Riverside Institutional Research). About 92% of UCR students are California residents. These students contribute an estimated \$450–500 million in tuition and systemwide fees, and about \$30 million in campus-based fees that fund—among other programs—student services like the SDRC. For 2023–24, the SDRC received a budget of \$1,583,200—roughly 3–4% of UCR’s Student Services Fee allocation, and under 1% of total student-derived funds (UC Riverside, 2024). It seems reasonable that a significant portion of such funds—and the tuition revenue these low-income students generate—should be destined to programs specifically tailored to the needs of economically disadvantaged students. How can a university that promises social mobility deliver that promise equitably to all students—including those seeking accommodations—if, at the same time, under the pretext of academic standards, it operates as an engine of economic inequality?

Works Cited

ADA Amendments Act of 2008. U.S. [Equal Employment Opportunity Commission](http://www.eeoc.gov/statutes/ada-amendments-act-2008), www.eeoc.gov/statutes/ada-amendments-act-2008. Accessed 10 June 2025.

“ADA Title II Regulations.” Electronic Code of Federal Regulations, U.S. Dept. of Justice, current as of 2024, www.law.cornell.edu/cfr/text/28/part-35. Accessed 10 June 2025.

American College Health Association. *ACHA-NCHA III: Undergraduate and Graduate Student Reference Group Executive Summary, Spring 2024*. ACHA, 2024, www.acha.org (summary data). Accessed 10 June 2025.

Association on Higher Education and Disability (AHEAD). Program Standards. 2020. www.ahead.org/professional-resources/program-standards. Accessed 10 June 2025.

Bau, Claiton H. D., et al. “An Overview on Neurobiology and Therapeutics of Attention-Deficit/Hyperactivity Disorder.” Review Article. *Discover Mental Health*, vol. 3, article 2, Jan. 2023, [doi:10.1186/s13033-023-00270-1](https://doi.org/10.1186/s13033-023-00270-1).

Coker, Tumaini R., et al. "Racial and Ethnic Disparities in ADHD Diagnosis and Treatment." Journal Article. *Pediatrics*, vol. 138, no. 3, 2016, e20160407, doi:10.1542/peds.2016-0407.

Doe v. Skidmore College, No. 1:17-CV-1100, 2018 WL 3829120 (N.D.N.Y. Aug. 10, 2018).

Guckenberger v. Boston University, 974 F. Supp. 106 (D. Mass. 1997).

Halpern v. Wake Forest University Health Sciences, 669 F.3d 454 (4th Cir. 2012). Court of Appeals Opinion. Justia, law.justia.com/cases/federal/appellate-courts/ca4/10-2162/10-2162-2012-02-28.html.

Levinovitz, Alan. "Are Colleges Getting Disability Accommodations All Wrong?" Essay. *The Chronicle of Higher Education*, 25 Sept. 2024, www.chronicle.com/article/do-colleges-provide-too-many-disability-accommodations.

Loh, Erin. "Behind Stanford's Doubled Staff-to-Student Ratio." News Article. *The Stanford Daily*, 13 Mar. 2024, stanforddaily.com/2024/03/13/behind-stanfords-doubled-staff-to-student-ratio/.

Metcalf v. Princeton University, 2009 WL 4642637 (D.N.J. Dec. 4, 2009).

National Association of the Deaf. *Position Statement on Communication Access Services for Students Who Are Deaf or Hard of Hearing at Colleges and Universities*. Silver Spring, MD, 2002. Policy Statement. nad.org/about-us/position-statements/position-statement-on-colleges-and-universities/.

National Center for Education Statistics (NCES). "Fast Facts: Students with Disabilities." Statistical Summary. U.S. Dept. of Education, updated 2021, nces.ed.gov/fastfacts/display.asp?id=60.

Office for [Civil Rights](#), U.S. Dept. of Education. OCR Complaint Resolution Database. Online Database, accessed 2025, ocras.ed.gov/ocr-advanced-search.

Pushkin v. Regents of University of Colorado, 658 F.2d 1372 (10th Cir. 1981).

Ramsay v. National Board of Medical Examiners, 968 F.3d 251 (3d Cir. 2020).

Southeastern Community College v. Davis, 442 U.S. 397 (1979). U.S. Supreme Court Opinion. Justia, supreme.justia.com/cases/federal/us/442/397/.

University of California Board of Regents. "Update on Supporting Students with Disabilities at the University of California." Regents Item A2 (Discussion), 19 Mar. 2025, regents.universityofcalifornia.edu/regmeet/mar25/a2.pdf. Accessed 10 June 2025.

University of California Office of the President. "UC 2030 Dashboard." UC Information Center, www.universityofcalifornia.edu/infocenter/uc-2030-dashboard. Accessed 10 June 2025.

UC Riverside. 2024-2025 Campus Budget Plan. 2024. budget.ucr.edu/sites/default/files/2024-05/2024-25-budget-plan.pdf. Accessed 10 June 2025.

UC Riverside Institutional Research. Six-Year Graduation Rates by [Ethnicity](#), 2023 Cohort. 2025. ir.ucr.edu/graduation. Accessed 10 June 2025.

University of California Riverside Institutional Research. “Fall Enrollment Data and Demographics, 2024.” UCR Office of Institutional Research, ir.ucr.edu, Accessed 10 June 2025.

University of California Riverside Office of the Provost. *Undergraduate Retention at UCR: Preliminary Analysis and Recommended Actions*. Spring 2024. Internal Report, strategicplan.ucr.edu/document/undergraduate-retention-report. 10 June 2025

U.S. Department of Education. “Office for Civil Rights: Protecting Students with Disabilities.” www2.ed.gov/about/offices/list/ocr, Accessed 10 June 2025.

U.S. Department of Education, Office for Civil Rights. *Resolution Agreement: University of Nebraska*, Case #07152001 (2015), www2.ed.gov/about/offices/list/ocr/docs/investigations/07152001.html. 10 June 2025.

U.S. Department of Education. *Questions and Answers on Disability Discrimination under Section 504* (2015), www2.ed.gov/about/offices/list/ocr/docs/qa-201504-504.pdf. Accessed 2 May 2025.

U.S. Department of Justice. *ADA Title III Technical Assistance Manual*. 1993. www.ada.gov/taman3.html. 10 June 2025.

U.S. Government Accountability Office. *Higher Education: Education Could Improve Information on Accommodations for Students with Disabilities*. Report GAO-24-105614, 30 Apr. 2024. Government Report, gao.gov/products/gao-24-105614. Accessed 10 June 2025.

Wynne v. Tufts University School of Medicine, 932 F.2d 19 (1st Cir. 1991), *aff’d en banc*, 976 F.2d 791 (1st Cir. 1992).

The opinions expressed here are solely the author's and do not reflect the opinions or beliefs of the LA Progressive.