



# | Advocacy Committee

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March 19<sup>th</sup>, 2023

## Disability Justice for Graduate Students

### Overview

In the U.S., more than 400, 000 (12%) graduate and professional students live with a disability [1]. Although the disability rights movement and disability rights legislation such as the American with Disabilities Act (ADA) have increased the enrollment and visibility of students with disabilities, these students still experience greater physical, financial, social, and emotional barriers in comparison with their non-disabled peers [2].

A recent report shows that less than 7% of graduate-level students at the University of California receive disability accommodations. UC graduate and professional students with disabilities tend to feel less included by peers and faculty than non-disabled students, and even fewer acknowledge having the space and resources needed to succeed academically [3]. Moreover, students seeking accommodations face cumbersome processes where they are stigmatized and heavily scrutinized [4]. Due to these challenges, students with disabilities favor online learning over traditional education; however, online courses are not always accessible to these students, and only a few accommodations are made when needs emerge [5]. Last year, the Justice Department filed a proposed consent decree to resolve allegations that UC Berkeley violated Title II of the ADA by making free online content inaccessible to individuals with disabilities [6]. Nonetheless, complying with the ADA is only the bare minimum; the reality is that disability exists regardless of whether requested accommodations are deemed “reasonable”, or there is medical documentation as proof [7]. Students need programs that give them the flexibility to manage their disability and pursue studies effectively.

### UC Graduate Student Experience Survey 2020

Question	Any Disability or Condition	No Disability or Condition
I feel included by my peers in my program	82%	91%
I feel included by the faculty in my program	76%	88%
I have the space and resources needed to succeed academically	67%	85%
I feel on track to complete my degree program on time	82%	92%

## Legislation

**H.R.883/S.320: Stop the Wait Act of 2023** – Introduced by Representative Lloyd Doggett, Senator Bob Casey, and Representative Brian Fitzpatrick.

- [This bill will eliminate the mandated 5-month waiting period for workers with disabilities who have been approved (after a strenuous process) to receive Social Security Disability Insurance (SSDI) payments. The bill will also end the additional 24-month waiting period to receive Medicare for those who are uninsured or unable to afford insurance.]

**Solution:** H.R.883/S.320 is essential for alleviating the financial and health burdens of individuals with disabilities when they are in most need.

### The Advocacy Committee of UCR recommends:

- **To exhort UC to demonstrate that it is committed to providing every student, regardless of ability, a high-quality education by:**
  - Increasing the funding for disability support services.
  - Conducting a thorough review of their current policies and procedures for providing disability accommodations to identify any areas that require improvements.
  - Creating and implementing a comprehensive plan to remedy any ADA/Section 504 compliance issues.
  - Periodically assessing and reporting on its progress in accomplishing its obligations under the ADA/Section 504.
- **To amend the Americans with Disabilities Act of 1990 to eliminate the requirement to provide documentation of disability to request “reasonable accommodations”.**
- **To support and vote Yes on H.R.883/S.320!**

- [1] National Center for Educational Statistics, “Number and percentage distribution of students enrolled in postsecondary institutions, by level, disability status, and selected student characteristics: 2015-16,” 2017. [http://nces.ed.gov/programs/digest/d11/tables/dt11\\_242.asp](http://nces.ed.gov/programs/digest/d11/tables/dt11_242.asp) (accessed Mar. 18, 2023).
- [2] M. Lizotte and S. C. Simplican, “Doctoral Students with Disabilities: Challenges in Academic Programs and Research Methodology,” *J. Study Postsecond. Tert. Educ.*, vol. 2, pp. 181–193, 2017, doi: 10.28945/3900.
- [3] UC Board of Regents, “UPDATE ON SUPPORTING STUDENTS WITH DISABILITIES AT THE UNIVERSITY,” 2022.
- [4] Postsecondary National Policy Institute, “Students with Disabilities in Higher Education,” 2022. <https://pnpi.org/students-with-disabilities-in-higher-education/> (accessed Mar. 19, 2023).
- [5] S. Verdinelli and D. Kutner, “Persistence Factors among Online Graduate Students with Disabilities,” *J. Divers. High. Educ.*, vol. 9, no. 4, pp. 353–368, 2016, doi: 10.1037/a0039791.
- [6] Department of Justice, “Justice Department Secures Agreement with University of California, Berkeley to Make Online Content Accessible to People with Disabilities,” 2022. <https://www.justice.gov/opa/pr/justice-department-secures-agreement-university-california-berkeley-make-online-content> (accessed Mar. 19, 2023).
- [7] K. A. Macfarlane, “Disability Without Documentation,” *Fordham Law Rev.*, vol. 90, no. 1, p. 59, 2021.