

CENTER FOR AI EQUITY AND ACCESS

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FORMAL POSITION STATEMENT

The Cost of Enrollment Without Access: How Educational Institutions Harm Students with Disabilities

Adopted by the Center for AI Equity and Access | 2026

Children with documented disabilities are being enrolled into environments that take what they offer and withhold what they need — and the result is measurable harm to their academic identity, family stability, and long-term trajectory. This is not an oversight. It is a structural pattern that requires structural solutions.

I. PREAMBLE

The Center for AI Equity and Access (CAEA) was founded on the principle that every child with a documented disability has the right not merely to be present in a rigorous educational environment, but to access that environment equitably. Presence without access is not inclusion. It is exposure to failure under conditions that were never designed to reveal what a student truly knows or can do.

This position statement formally articulates CAEA's stance on a pattern we have identified across educational institutions — most acutely in private and independent schools — wherein students with disabilities are enrolled, welcomed, and in some cases actively recruited, while the institution simultaneously withholds the accommodations those students' documented needs require.

We name this pattern clearly: it is not benign. It is not merely an administrative gap. It is institutional harm, and it demands institutional accountability.

II. THE PATTERN WE NAME

Predatory Enrollment

CAEA formally introduces the term predatory enrollment to describe a specific institutional pattern: an educational institution actively recruits or accepts a student with a documented disability — often benefiting from that student's athletic ability, tuition revenue, or community profile — while

providing no meaningful accommodation for the disability that student brought through the door with them.

This pattern is characterized by:

- Acceptance of enrollment with knowledge of the student's documented disability status
- Provision of superficial support (tutoring, check-ins, general encouragement) that does not constitute accommodation
- Academic outcomes that reflect the absence of accommodation, recorded as measures of student ability
- No institutional accountability for the measurable gap between the student's demonstrated capacity and their documented grades
- Families absorbing the financial, emotional, and developmental cost of institutional failure

The Harm Is Measurable

The harm produced by this pattern is not abstract. It manifests across four documented dimensions:

Academic Identity Harm: Students internalize grades produced by inaccessible conditions as evidence of their own inadequacy. For adolescents, especially those with ADHD and learning disabilities who already navigate narratives of limitation, this wound is not temporary. It follows them into adulthood, shaping how they understand their own intellectual capacity.

Family Stability Harm: Families are handed an impossible choice: fight a resistant institution at significant emotional and financial cost while their child's confidence erodes, or withdraw the student from an environment they chose — which communicates its own message about who belongs in rigorous spaces.

Trajectory Harm: Students pushed out of or failed within high-rigor environments due to accommodation refusal lose access to social capital, networks, athletic opportunity, and academic credentials that carry lasting consequences for college admissions, career pathways, and self-determination.

Systemic Harm: Because this pattern repeats across institutions and across student populations with limited awareness of legal recourse, families routinely leave quietly — carrying the belief that their child was simply not capable enough. The institution faces no accountability. The pattern continues.

III. THE LEGAL LANDSCAPE

Private schools occupy a complex legal environment with respect to disability law. While they are generally not required to implement Individualized Education Programs (IEPs) under IDEA in the same manner as public schools, significant legal obligations remain:

- Schools receiving federal funding of any kind are subject to Section 504 of the Rehabilitation Act, which prohibits disability-based discrimination
- Title III of the Americans with Disabilities Act applies to private schools not controlled by religious organizations, and religious schools face increasing ADA scrutiny in certain contexts
- IDEA's Child Find obligation requires public school districts to identify and serve students with disabilities regardless of whether they attend public or private schools — the private school's refusal does not extinguish the student's right to a Service Plan
- New York State has additional anti-discrimination protections that extend disability coverage beyond federal minimums

CAEA holds that the legal gray zone private schools currently occupy is insufficient justification for the harm being produced. Where law does not yet require accommodation, ethics does. And where ethics is insufficient, policy must follow.

IV. CAEA'S POSITION

The Center for AI Equity and Access formally adopts the following positions:

- **A student's documented disability is not a condition to be managed around. It is information about how that student accesses learning — information that must be honored by any institution that claims to educate them.**
- **Grades produced in the absence of required accommodations do not measure student ability. They measure institutional accessibility. Recording them as student performance is inaccurate and harmful.**
- **Any educational institution that recruits or enrolls a student with a known disability while refusing to provide meaningful accommodation is engaged in predatory enrollment and should be held accountable to families, regulators, and the public.**
- **Artificial intelligence, when deployed within an evidence-based framework, constitutes a legitimate cognitive accommodation that enables students with learning disabilities and ADHD to access rigorous content without compromising academic integrity.**
- **Athletic associations, accreditation bodies, and state education agencies have both the authority and the responsibility to require baseline disability accommodation compliance as a condition of membership and recognition.**

V. THE COGNITIVE RAMP AS STRUCTURAL SOLUTION

CAEA advocates for the adoption of the Cognitive Ramp Framework™ as a structural response to the pattern described in this document. A cognitive ramp is not accommodation in the traditional sense — it is the restructuring of access to rigorous content in a manner that matches the student's documented processing needs without altering the academic standard itself.

Traditional accommodation models ask institutions to provide extended time, quiet rooms, or reduced workload. The Cognitive Ramp Framework™ goes further: it equips students with AI-assisted executive function scaffolding, comprehension access tools, and output translation strategies that allow them to demonstrate what they actually know — on the institution's terms, not in spite of their disability, but in full acknowledgment of it.

This is not about lowering standards. It is about removing barriers that were never supposed to be there.

VI. CALL TO ACTION

CAEA calls upon educational institutions, policy makers, athletic associations, accreditation bodies, and families to:

- Acknowledge predatory enrollment as a named, documentable pattern requiring institutional response
- Review enrollment, accommodation, and academic assessment practices for students with documented disabilities
- Engage with CAEA and partner organizations to explore AI-assisted accommodation pilots in both public and private educational settings
- Support state and federal policy efforts to close the legal gray zone that currently allows private institutions to enroll students with disabilities without accommodation obligation
- Amplify the voices of students and families who have experienced this harm and have not yet had language to name it