

Fair College Admissions for Students Act Bill Summary

All students deserve an equitable opportunity to gain admissions to institutions of higher education. Yet many highly selective institutions of higher education give preferential treatment to applicants with legacy status, meaning a relative attended the university, or whose families have donated to the university. Legacy admissions can take up to 10 to 25 percent of available slots at top universities. Some estimates indicate that applying as a legacy student can double to quadruple one's chances of getting into a highly selective university. In using legacy and donor status in admissions decisions, institutions give preference to students whose families attended or donated to the university while excluding the descendants of enslaved African Americans who built and maintained many of these institutions.

Historically, the origin of legacy admissions policies has antisemitic and anti-immigrant roots. Discriminatory practices such as legacy and donor admissions policies contributed to the conditions necessitating institutions such as Historically Black Colleges and Universities, Tribal Colleges and Universities, and Minority Serving Institutions to provide access to high-quality higher education for students excluded from other institutions. **Today, the continued use of these legacy and donor admissions policies overwhelmingly benefits white, wealthy students while creating yet another systemic barrier to accessing higher education for low-income students, students of color, and first-generation students.**

To ensure that students of all backgrounds have access to institutions of higher education, Congress must act to prohibit these unfair and inequitable practices. **To this end, Congressman Bowman (NY-16) and Senator Merkley (OR) introduced the *Fair College Admissions for Students Act* to promote equity in the college admissions process.**

Specifically, this bill would:

- Amend the Higher Education Act of 1965 to **prohibit institutions of higher education participating in Federal student aid programs from giving admissions preference to students with legacy or donor status.**
- Grant the U.S. Secretary of Education the **ability to waive the legacy preference prohibition for an award year for Historically Black College and Universities (HBCUs), Tribal College or Universities (TCUs), and Minority Serving Institutions (MSIs).** To receive this waiver, the institution must demonstrate that its use of legacy preference is in the best interest of historically underrepresented students.

Original cosponsors of this legislation include Representatives: Sheila Jackson Lee, Alexandria Ocasio-Cortez, Cori Bush, Jesús G. "Chuy" García, Ayanna Pressley, and Pramila Jayapal

The *Fair College Admissions for Students Act* has been endorsed by the following organizations: *Center for Law and Social Policy (CLASP)*, *Education Reform Now*, *EdMobilizer*, *UnidosUS*, *Hispanic Association of Colleges and Universities (HACU)*, *Association for Latino Administrators and Superintendents (ALAS)*, *United We Dream*, *Color of Change*, *ACLU*, *The Education Trust*, *New America*, *National Action Network*, *The Institute for College Access & Success (TICAS)*, *1000 Women Strong*, *Journey for Justice*, *Alliance for Quality Education*