

OPINION

OPINION: Why the upcoming affirmative action cases ignore the real issue in college admissions

It's time to take a closer look at policies that favor wealthy, white students at elite schools

by IRIS C. ROTBERG October 31, 2022

As the Supreme Court debates two affirmative action cases involving higher education, the rhetoric surrounding the cases perpetuates the belief that Asian American and white students face reduced opportunities for admission primarily because of affirmative action for Black and Hispanic students. Credit: Kathleen Kordek for The Hechinger Report

The U.S. Supreme Court hears arguments in [Students for Fair Admissions, Inc. v. President & Fellows of Harvard College](#) and [Students for Fair Admissions, Inc. v. University of North Carolina](#) this week.

The rhetoric surrounding these cases perpetuates the belief that Asian American and white students face reduced opportunities for admission to highly selective institutions primarily because of affirmative action for Black and Hispanic students.

This is a belief shared by many in the general population, both liberal and conservative, despite data showing that the main barrier for Asian American and white students' admission to elite institutions is not the relatively small proportion of the student population that is Black or Hispanic — or the even smaller proportion of these students who receive preferential treatment.

Instead, the main barrier is affirmative action for affluent white students, which uses up a significant number of admissions slots at many highly selective institutions. This preferential treatment constitutes a major obstacle for everyone else — including white students who are not in privileged categories.

Consider how affirmative action played out for Harvard's class of 2023. More than **43 percent** of admitted white students were in one of four categories that received preferential treatment: legacies, recruited athletes, applicants on the dean's interest list and children of faculty and staff.

An analysis of this class shows that three-quarters of these students would not have been admitted if their applications had not received preferential treatment.

More important, that preferential treatment resulted in far fewer slots for other applicants.

In addition to the four preferential track categories, applicants who attend private high schools also have an inside track that disproportionately benefits affluent white students. About **one-third** of Harvard's students attended private high schools, compared with the national average of less than **10 percent**.

The most elite of these private high schools, with tuitions as high as **\$60,000**, serve as "**feeder**" schools to Harvard and other highly selective institutions and provide access that is unavailable to the general population.

Some of these elite schools report sending as many as **30 percent or even 40 percent** of their graduating classes to Ivy League colleges. That too uses a lot of slots.

As many studies have shown, the underrepresentation of Black and Hispanic students does not reflect a lack of high-achieving students, but the **barriers** these students face in applying to highly selective institutions — costs, insufficient counseling and the recruitment policies of the institutions themselves, for starters.

While the Students for Fair Admissions case has prompted a unique analysis of Harvard's admissions practices, the **practices themselves** are not unique and are consistent with practices at many other highly selective institutions, where a substantial number of white applicants receive **preferential treatment**.

At the same time, Black and Hispanic students continue to be substantially underrepresented at highly selective institutions. A **2017 New York Times analysis** of elite colleges and universities, for example, found that Black students, who account for 15 percent of the college-age population, averaged only 9 percent of freshman enrollment at the eight Ivy League institutions; Hispanic students accounted for 22 percent of the student-age population, but averaged 15 percent of freshman enrollment.

In addition, Black and Hispanic **enrollment rates** are even lower when the list of institutions is expanded to include the top 100 elite colleges and universities. Black students comprised 6 percent of student enrollment and Hispanic students 13 percent at those schools.

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None of these facts has lessened the general assumption that affirmative action for Black and Hispanic students presents the greatest barrier for other applicants to elite institutions.

As we ignore the major sources of preferential treatment, the enrollment gap between affluent students and everyone else at selective institutions **continues to grow**.

The institutions have a choice. They can continue their current preferential admissions practices that mirror the growing economic disparities across the country, or they can begin to counteract the national trend by modifying admissions policies that disproportionately advantage affluent and white applicants.

Modifying these policies would only begin to address the factors that contribute to unequal access. Still, it is one of the few opportunities available to higher education leaders to increase access without waiting for broader societal advances to materialize.

Selective institutions have long argued in favor of strengthening racial and ethnic diversity and now are also beginning to focus on the underrepresentation of **low-income students**. Major efforts to address these inequities, however, are hamstrung in many institutions by the loss of admissions slots resulting from preferential admissions.

It is only by modifying these admissions practices that a significant number of previously unavailable slots can open to a broader student population.

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*This story about **affirmative action cases** was produced by **The Hechinger Report**, a nonprofit, independent news organization focused on inequality and innovation in education. Sign up for **Hechinger's newsletter**.*

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