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## **Inherited Advantage: Barriers to Private Higher Education for First-Generation and Low-Income College Students**

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### **Executive summary:**

Private higher education remains largely inaccessible for first-generation and low-income (FGLI) students despite its strong link to economic mobility. Prestige-driven admissions and financial aid policies, such as legacy status, early admissions, and standardized testing, systematically advantage wealthy applicants while excluding FGLI students, who are disproportionately students of color. Recent legal and policy engagement, including the 2023 Supreme Court decision overturning affirmative action and renewed interest in antitrust law in higher education, further threaten access pathways for students. This issue brief examines how institutional and federal policies restrict access and offers policy recommendations to expand access and affordability and ensure private higher education serves as a pathway to opportunity.

### **Key terms:**

- First-generation college student: an individual whose parents did not complete a baccalaureate degree.<sup>1</sup>
- Low-income individual: an individual whose family's taxable income for the preceding year did not exceed 150 percent of the poverty level amount (for a household size of one person, this is \$23,475; for a household size of four, this is \$48,225, effective January 2025).<sup>2</sup>
- Legacy admission: When a student is granted admission to an institution based on their relation to alumni, commonly parents or grandparents.<sup>3</sup>
- Early admissions: Colleges offer early deadlines to applicants, incentivizing prospective students to be an "early bird." Students who submit early may receive an increased chance of admission and sometimes decisions are binding.<sup>4</sup>
- Demonstrated interest: Any contact prospective students make with an institution that shows their preference for that institution.<sup>5</sup>

### **Background**

Attending college helps develop personal and professional skills, prepares students for the workforce, and helps increase earning potential. For FGLI students, a college degree is the key to economic mobility. FGLI refers to students who are the first in their families to attend college and come from low-income backgrounds. 55.2% of first-generation students received a Pell Grant, 33.3% received a federal student loan, and 30% of first-generation college graduates had difficulty with student loan repayment.<sup>6</sup> Of Latino students pursuing post-secondary

education, 45.8% are first-generation, compared to 16.7% of white students.<sup>7</sup> FGLI highlights the unique challenges of navigating higher education without the familial or financial capital that others might have.

Higher education has long been inaccessible to many students, in part due to institutions' pursuit of prestige. Since the rise of rankings such as *U.S. News & World Report*,<sup>8</sup> colleges have competed on measures tied to wealth and reputation rather than access or equity. To improve rankings, institutions raise tuition, limit admissions, invest in costly amenities, and prioritize enrolling students from wealthy families who can pay full price and later donate. These prestige-driven practices reinforce an exclusionary system that disproportionately disadvantages FGLI.

More than half of students enrolled in college are first-generation; however, they are not evenly distributed across higher education.<sup>9</sup> First-generation students are more likely to enroll in for-profit institutions or 2-year institutions.<sup>10</sup> At historically elite and private universities, more students come from families in the top 1% income distribution than the bottom half of income distribution.<sup>11</sup>

Historically, private colleges have not served significant populations of FGLI; however, wealthier private colleges are acquiring more resources to enroll and support FGLI. Some institutions have increased grants, scholarships, and need-based programs, deemphasized standardized test scores, and increased outreach to students from disadvantaged backgrounds to increase college awareness. While institutions have made progress in college access for FGLI students, many barriers still exist, especially within private institutions. This issue brief will focus on private institutions and discuss how admissions and financial aid policies can be improved to help students.

For decades, affirmative action helped expand access to higher education for racially marginalized students, many of whom are FGLI. These students often face systemic barriers in the admissions process, including limited academic preparation and financial constraints. The 2023 Supreme Court decision overturning affirmative action threatened to restrict these pathways to opportunity.<sup>12</sup> Evidence from California's 1996 ban on affirmative action shows the consequences: enrollment of Black and Latino students fell by 40% at the University of California, Los Angeles and University of California, Berkeley,<sup>13</sup> with many students enrolling to less resourced institutions and experiencing poorer outcomes.<sup>14</sup> With this monumental ruling, pathways to higher education are under threat as colleges may revert to a status quo where privileged students are at a disproportionate advantage and students from underrepresented backgrounds are at a greater disadvantage.

Efforts by institutions to collaborate on college access and affordability have historically raised antitrust concerns. In the 1980s, universities in the Overlap group shared financial aid offers to support low- and middle-income students, however, the Department of Justice ruled this practice violated antitrust laws.<sup>15</sup> Congress later granted institutions exemptions from antitrust laws, through Section 568 of the *Improving America's Schools Act*, so long as they adhered to a "need-blind" admissions policy; admitting students without consideration of applicants' financial need.<sup>16</sup>

In 2022, the "568 Presidents Group" of private universities faced complaints and settlements after evidence showed they favored wealthy applicants, ultimately disqualifying them from the need-blind exemption.<sup>17</sup> Since its expiration in September of 2022, Congress has not renewed the Section 568 exemption, which leaves any institutional collusion on financial aid open to antitrust litigation, further constraining institutional efforts to expand access for FGLI students.

In 2025, Congress has taken a concerted effort to examine these issues and address the cost of higher education. Leaders of the House and Senate Judiciary Committees requested information from consulting firms that help colleges build financial aid offers, raising concerns that tuition-pricing algorithms relying on shared institutional data may violate antitrust laws.<sup>18</sup> At the same time, the House Committee on Education and Workforce advanced legislation to improve transparency around college costs and financial aid, signaling growing federal attention to affordability and access.<sup>19</sup> While these federal actions signal progress, barriers rooted in institutional admissions

practices and federal education policy continue to restrict access to private higher education for FGLI students and students of color.

## **Problem Analysis:**

Despite growing concerns of access and affordability, private colleges remain out of reach for many FGLI students and students of color. Latinos are less likely to attend private four-year colleges and make up only 13% of students at these institutions.<sup>20</sup> Research shows a strong correlation between private institutions and high earnings outcomes.<sup>21</sup> Graduates from low-income backgrounds share consistent outcomes as their peers from high-income families,<sup>22</sup> and Latino students have a 72% completion rate when attending private nonprofit institutions.<sup>23</sup> While private institutions may offer smaller class sizes, individualized support, and greater academic resources, FGLI students are steered away from these institutions due to cost perceptions and structural barriers to admissions processes.<sup>24</sup>

In practice, college admissions reflect a complex mix of academic measures, institutional priorities, and policies that advantage students with greater financial, social, and cultural capital. As competition for prestige intensifies and application volumes increase, many institutions rely on admissions practices to streamline decision-making, but inadvertently restrict access. Policies like legacy admissions, standardized testing requirements, early admissions, and demonstrated interest, disproportionately disadvantage FGLI students, reinforcing a cycle that limits their access to private higher education.

*Legacy Admissions:* While colleges and universities vary in how they define legacy applicants, the policies typically grant preference to applicants with familial ties to alumni, reinforcing generational advantage and excluding FGLI students by design.<sup>25</sup> These policies systematically favor wealthy and historically overrepresented families, perpetuating racial and economic inequities in access to private institutions.

*Standardized Testing:* Standardized tests such as the SAT and the ACT help colleges measure an applicant's academic skill, yet access to preparation resources is highly unequal. Researchers estimate that preparing for and taking standardized tests can cost thousands of dollars — resources that FGLI students have limited access to.<sup>26</sup> Although many institutions waived test score requirements during the pandemic and some have made those policies permanent, the reinstatement of testing requirements risks reintroducing barriers that privilege applicants with greater financial resources.

*Early Admissions:* Early admissions programs, including “early decision” and “early action,” may increase applicants' likelihood of admission but disproportionately benefit privileged students. Studies show that early decision is used predominantly by students from wealthy backgrounds.<sup>27</sup> Consequently, FGLI students are less likely to be aware of these pathways and often cannot commit to a binding early decision without reviewing financial aid offers.<sup>28</sup> Additionally, students who require more time to strengthen their applications, like improving grades or test scores, are excluded from early timelines and lose the ability to apply early. Early admissions deadlines, especially binding decisions, are harmful to FGLI students.

*Demonstrated Interest:* Demonstrated interest policies reward applicants who engage in activities like campus tours, interviews, reading or interacting with emails, and applying via early admissions deadlines. These measures disadvantage FGLI students, who may lack awareness, financial means to travel, or reliable access to technology. Demonstrated interest functions less as a measure of intent and more as a symbol of socioeconomic privilege.

Earning a college degree can grant access to improved quality of life for students and families but admissions policies at private institutions consistently advantage applicants with financial, social, and institutional capital while limiting access for FGLI applicants. Without access to legacy networks, test preparation, early admissions pathways, or opportunities to demonstrate interest, FGLI applicants face complex barriers. Addressing these policies is essential to making private higher education more equitable and accessible.

## **Recommendations**

These recommendations address institutional practices and federal policies that collectively may limit access to private higher education.

### ***Institutional Changes to Support FGLI Students***

Private institutions should eliminate legacy admissions and limit early admissions to non-binding.<sup>29</sup> By design, these policies disproportionately benefit applicants with generational college knowledge and financial capital while excluding FGLI. Removing these preferences would reduce structural advantage and broaden access for applicants without alumni networks or the ability to commit without a financial aid offer.

Institutions should increase recruitment in underrepresented communities by working with high schools or community-based organizations.<sup>30</sup> Proactive recruitment increases students' awareness of post-secondary pathways and provides students with opportunities to demonstrate interest.<sup>31</sup>

Institutions should rethink the role of standardized test scores in the application process by implementing policies like test-flexible, test-optional, or test-free policies that reduce reliance on standardized test scores. These approaches allow applicants to submit alternative indicators of college readiness or opt-out completely, lowering a barrier for FGLI students who face unequal access to preparation resources. Evidence suggests these policies increase application and enrollment rates among Pell Grant recipients, and students from underrepresented racial and ethnic backgrounds.<sup>32</sup>

Institutions should increase investment in need-based financial aid to prevent students from being priced out of college.<sup>33</sup> High levels of unmet need can discourage enrollment, increase employment obligations, and contribute to higher debt burdens.<sup>34</sup> Expanding institutional aid would improve access and completion for FGLI students.<sup>35</sup>

Institutions can consider affordability guarantees: policies that commit institutions to covering tuition and fees, and in their strongest forms, cover books, supplies, and living expenses. Affordability guarantees have been implemented at public institutions through programs like Tennessee Promise<sup>36</sup> and Illinois Promise.<sup>37</sup> While these models are exclusive to public institutions, affordability guarantees that increase price transparency may encourage FGLI students to apply and enroll in college.

### ***Federal Policies to Address College Affordability***

Congress has historically expanded access to higher education for FGLI students through the *Title IV* programs of the *Higher Education Act of 1965*, including the Federal Pell Grant and federal loan programs. FGLI students rely on these programs at higher rates than their peers.<sup>38</sup> Additionally, about half of Latino undergraduate students received a Pell Grant, compared to 40% of all undergraduates.<sup>39</sup> However, the recent federal budget reconciliation law, the *One Big Beautiful Bill Act*,<sup>40</sup> decreased federal student loan options and limited students' ability to combine scholarships with Pell Grants, which will disproportionately impact students from low-income backgrounds and students of color who cannot afford to pay the full cost of attendance.<sup>41</sup> Congress should increase investment in federal student aid, specifically by increasing the maximum Pell Grant award<sup>42</sup> and ensuring continued access to low-interest federal loans.

Congress should expand funding to federal programs that support college access and affordability, including but not limited to TRIO, GEAR UP, and the Federal Supplemental Educational Opportunity Grant (FSEOG). These programs provide outreach, student services, and supplemental grant aid which improve college enrollment and completion for FGLI<sup>43</sup> and Latino students.<sup>44</sup>

Congress should explore the implementation of a socioeconomic-based affirmative action policy. Socioeconomic-based affirmative action considers factors such as household income, parental education levels, and neighborhood

resources<sup>45</sup> and may offer a legally viable pathway to maintain access and diversity in higher education following the 2023 Supreme Court decision overturning race-conscious admissions.

Congress could reconsider institutional exemption from antitrust laws, similar to the exemption in Section 568 of the *Improving America's Schools Act*, to allow institutions to collaborate on reducing costs and expanding access for underrepresented students. Potential approaches include:

- Authorizing the Federal Trade Commission to grant exemptions to groups of colleges committed to affordability and access.<sup>46</sup>
- Designating a commission to develop a framework for institutional collaboration focused on affordability and access, subject to congressional approval. This approach has precedent in federal processes used for the disposition of excess military infrastructure.<sup>47</sup>

Reauthorizing limited exemptions could enable institutions to collaborate on financial aid practices that lower costs while maintaining federal oversight.

## Conclusion

Attending and graduating from college, especially from a private non-profit institution, is critical to increasing intergenerational mobility for FGLI students. To ensure FGLI students and students of color have equitable, affordable access to college, colleges must reform certain recruitment and admissions policies and increase investment in institutional financial aid. Furthermore, the federal government shares responsibility to work with colleges to address access and affordability issues. Without addressing admissions and tuition policies, private higher education will continue to reward inherited advantage instead of expanding opportunity.

## Endnotes

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<sup>4</sup> “Early Decision and Early Action,” College Board, accessed December 21, 2025, <https://counselors.collegeboard.org/college-application/early-decision-action>.

<sup>5</sup> Bussey et al., *The Most Important Door*, 19-28.

<sup>6</sup> “First Generation Students in Higher Education,” Postsecondary National Policy Institute (PNPI), effective April 2025, [https://pnpi.org/wp-content/uploads/2025/05/FirstGenStudents\\_FactSheet\\_Apr25.pdf](https://pnpi.org/wp-content/uploads/2025/05/FirstGenStudents_FactSheet_Apr25.pdf).

<sup>7</sup> PNPI, “First Generation Students in Higher Education.”

<sup>8</sup> Research shows U.S. News & World Report rankings may be biased; see, e.g., Huaying Qiu, et al., *A True Lie about Reed College: U.S. News Ranking*, (Reed College, 2019), <https://www.causeweb.org/usproc/sites/default/files/usresp/2019-1/A%20True%20Lie%20about%20Reed%20College%20US%20News%20Ranking.pdf>.

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<sup>9</sup> “First-Generation College Student Stats,” Council for Opportunity in Education (COE), effective November 2022, [https://coenet.org/wp-content/uploads/2022/10/COE-350\\_First-Generation-College-Student-Stats\\_Fact-Sheet.pdf](https://coenet.org/wp-content/uploads/2022/10/COE-350_First-Generation-College-Student-Stats_Fact-Sheet.pdf).

<sup>10</sup> COE, “First-Generation College Student Stats.”

<sup>11</sup> Raj Chetty, John N. Friedman, Emmanuel Saez, Nicholas Turner, and Danny Yagan, “Mobility Report Cards: The Role of Colleges in Intergenerational Mobility,” (working paper, National Bureau of Economic Research, July 2017), <https://doi.org/10.3386/w23618>.

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<sup>12</sup> *Students for Fair Admissions, Inc v. President and Fellows of Harvard College*, 600 U.S. 181 (2023).

<sup>13</sup> Brief for the President and Chancellors of the University of California as Amici Curiae, *Students for Fair Admissions, Inc v. President and Fellows of Harvard College*, 600 U.S. 181 (2023), [https://www.supremecourt.gov/DocketPDF/20/20-1199/232355/20220801134931730\\_20-1199%20sac%20University%20of%20California.pdf](https://www.supremecourt.gov/DocketPDF/20/20-1199/232355/20220801134931730_20-1199%20sac%20University%20of%20California.pdf).

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<sup>16</sup> Shireman, *Militant Antitrust Enforcement*.

<sup>17</sup> *Carbone et al. v. Brown University et al.*, 621 F. Supp. 3d 878 (2022), <https://www.justice.gov/atr/case-document/file/1518171/dl?inline>.

<sup>18</sup> U.S. Congress, Senate, House, Committees on the Judiciary, Oversight of U.S. adequacy and enforcement of U.S. antitrust laws, 119th Cong., 1st sess. <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2025-10-01-jdj-sf-cg-ml-to-college-board-coleman-re-ems.pdf>.

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<sup>19</sup> U.S. Congress, House, Committee on Education and Workforce, *H.R. 6392, H.R. 6472, H.R. 6498, H.R. 6502*, 119th Cong., 1st sess., 2025.

<sup>20</sup> UnidosUS, “Higher Education: Access,” accessed January 13, 2026, <https://unidosus.org/higher-ed/#access>

<sup>21</sup> Chetty et al., “Income Segregation and Intergenerational Mobility,” 1567-633.

<sup>22</sup> Chetty et al., “Mobility Report Cards.”

<sup>23</sup> UnidosUS, “Higher Education: Success,” accessed January 13, 2026, <https://unidosus.org/higher-ed/#success>. According to Unidos US, Latino students achieve the highest completion rate at 72% when attending private nonprofit institutions, compared to 67% at public institutions and 40% at private for-profit institutions.

<sup>24</sup> Phillip B. Levine, Jennifer Ma, and Lauren C. Russell, “Do College Applicants Respond to Changes in Sticker Prices Even When They Don’t Matter?,” *Education Finance and Policy* 18, no. 3 (2023): 365–94, [https://doi.org/10.1162/edfp\\_a\\_00372](https://doi.org/10.1162/edfp_a_00372).

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- <sup>28</sup> Bussey et al., *The Most Important Door*, 29-35.
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<sup>46</sup> Shireman, *Militant Antitrust Enforcement*.

<sup>47</sup> Shireman, *Militant Antitrust Enforcement*.