

## DNA Testing, Race and an Admissions Lawsuit

Federal judge allows to proceed a suit in which white student says an admissions officer told her she might improve her odds of getting into medical school by discovering Native American or African American lineage.

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For several years now, as companies have offered DNA testing for customers to learn more about their lineage, reports have surfaced linking such testing to college admissions. The mother of a mixed-race child [wrote about how her son took such a test](#) so he could show he really was black, even if some doubted that, based on his appearance. Private admissions consultants have [noted the trend](#).

But in what may be a first, a Princeton University graduate applying to medical school has sued the school over the issue. The plaintiff, who is white, says she was advised by an admissions officer to take a DNA test, and that if she discovered Native American and African American lineage, her chances of getting in would go up significantly. She rejected the advice, applied and complained about the strategy she said she was encouraged to use. Shortly after complaining, and after applying as a white person, she was rejected. She is charging racial discrimination, and a federal judge [ruled this month that her case could proceed](#), rejecting requests to dismiss it.

The plaintiff in the case, Nicole Katchur, graduated from Princeton in 2017, majoring in neuroscience. She wanted to go to medical school and decided she wanted to attend the Sidney Kimmel Medical College of Thomas Jefferson University/Philadelphia University. She was excited to learn, her lawsuit says, that an admissions officer from the medical school would be visiting Princeton and was particularly excited to learn that she was the only one to sign up to meet

the representative, setting up a one-on-one chance to impress her. Admissions are highly competitive at the medical school, with more than 10,000 applications for fewer than 300 spots.

Katchur felt good about her chances of being admitted. Besides her Princeton education, in which her grades were good, she could point to numerous extracurricular activities (organizing a fund-raiser to promote awareness of autism, for example), and she did well on the Medical College Admission Test, comparable to the scores of admitted applicants at the medical school.

But the meeting with the admissions officer did not go well. According to a summary of her claims in the judge's ruling, the admissions officer asked Katchur about her race, and when she answered that she was white, the admissions officer asked "if plaintiff was sure and suggested that plaintiff obtain an expensive genetic test to see if she could qualify as Native American or American Indian to garner better chances of being accepted to Jefferson." The admissions officer also told Katchur, she said, "that she advised a past Caucasian applicant to obtain a genetic test, that the applicant learned that he was partially African American, and that he was accepted into Jefferson on account of his race." Black applicants have a better chance of admission, Katchur said she was told.

Katchur filed a complaint with the medical school about the discussion. She was subsequently rejected and sued, charging multiple forms of discrimination.

Katchur, faced with the medical school's request that the case be dismissed, narrowed the suit. Judge Michael M. Baylson dismissed some charges, but he is allowing the racial discrimination claim to go forward.

The medical school, in seeking to dismiss the suit, said that Katchur didn't offer any direct evidence that the discussion of her race came up at all, let alone in a discriminatory way, during the review of her application. Judge Baylson said that wasn't the issue.

Telling Katchur that she "would be granted admission to Jefferson if she were African American amounts to overt or explicit evidence which directly reflects discriminatory bias by a decision maker," the judge's ruling said. "This statement pertained to the admissions process and was made in the context of a discussion about plaintiff's race." The issue of racial discrimination, the judge noted, is

serious enough to warrant legal attention even given the traditional deference of courts to colleges and universities on academic matters.

Katchur's lawyer did not respond to requests for comment.

The university did not respond to specific questions about the suit, including whether the admissions official made the statements attributed to her in the suit.

But the university did release this statement: "Thomas Jefferson University stands by our rigorous admissions process and cannot comment on a pending legal matter. We will continue to vigorously defend ourselves in this matter should it proceed in court."

[https://www.insidehighered.com/admissions/article/2019/01/28/lawsuit-raises-questions-about-dna-testing-race-and-admissions?utm\\_source=Inside+Higher+Ed&utm\\_campaign=449fcb798-DNU\\_2019\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_1fcbc04421-449fcb798-198467257&mc\\_cid=449fcb798&mc\\_eid=0c2028f1a2](https://www.insidehighered.com/admissions/article/2019/01/28/lawsuit-raises-questions-about-dna-testing-race-and-admissions?utm_source=Inside+Higher+Ed&utm_campaign=449fcb798-DNU_2019_COPY_01&utm_medium=email&utm_term=0_1fcbc04421-449fcb798-198467257&mc_cid=449fcb798&mc_eid=0c2028f1a2)