

The Fairness Framework: Evaluating University Admissions¹

Liam Shields

University of Manchester

0. *Introduction*

University education is a highly valuable good. Those who receive it benefit from developing their skills and often increasing their expected earnings and job opportunities.² Wider society also benefits from the public goods that university education produces, such as more widely disseminated knowledge and skills. In addition, universities shape our society and its major institutions. Disproportionately graduates end up in positions of influence in society. However, not everyone who would like to go to university, or who would benefit from doing so, can be offered a place. As with any scarce and valuable good, access to it should be fair.

Achieving fair access to university education would involve overcoming at least serious three obstacles. First, a variety of factors including prevalent social norms and the distribution of resources have complex causes and addressing them may require the support and co-ordination of several different organisations as well as good luck. Second, in a democratic society, characterized by a good measure of social inequality, it can be hard for governments capable of coordination to get elected by promising a radical egalitarian platform. Third, interference with some aspects of the family that are necessary to ensure fairness may be morally objectionable, such as restricting parenting practices that result in differential development. However, not all of these problems are easily surmountable and some are less easily surmountable than others.

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² BIS 2013 The Impact of university degrees on the lifecycle of earnings. Male graduates earn 250k and female 165k more than non-graduates in their life time.

One determinant of access to university education that we *could* control is university admissions procedures. Because universities are relatively autonomous, they are quite capable of adopting even radical measures in the name of fairness, and can do so within a single, albeit complex and multi-faceted, organisation. Furthermore, recent expansion of higher education in the UK and dramatic increases in tuitions fees in England have brought about an increasing focus on fairness in higher education not only from the general public and prospective students, but also from government and the universities themselves, not least because, in order to be allowed to charge the maximum fees universities have been required to make agreements with the Office for Fair Access. For these reasons, it is worthwhile asking the question of how we might *increase* fairness in the distribution of the goods of university education via admissions, assuming that much else about the background will remain both unjust and relatively fixed.

In this paper I aim to go some way to clarifying the demands of fairness as they apply to university admissions by searching for an account of fairness in university admissions that is both i) philosophically defensible and ii) practically useful in this context. By “philosophically defensible”, I mean that the account of fairness in university admissions must be derived, or derivable, from a principle of theory of fairness that can be supported by sound arguments and whose intuitive plausibility is stronger than rival philosophical accounts. We should not base our account of fairness in university admissions on a flawed account of fairness since to do so would undermine the verdicts derived from it. By “Practically Useful in this Context”, I mean that the derivation from the underlying account of fairness must yield an account of fairness in university admissions that can provide verdicts on the fairness of the admissions regime based on the cohort that is admitted. The need for the account to be “Practically Useful in this Context” is that some theories of fairness are so idealised as to be incapable of judging admissions cohorts as more or less fair or they simply require abolition or radical revision of the university at large. A

practically useful account will enable us to assess university admissions regimes in their own terms.

The paper is structured as follows. In Section One, I review two commonly used standards of fairness that have been applied to university admissions and find them wanting in terms of their philosophical defensibility. In Section Two, I draw on the philosophical literature on equality of opportunity and defend a particular conception of equality of opportunity as being philosophically defensible, but show that it requires further refinement to be practically useful. In Section Three, I draw out the implications of this refined account for university admissions and derive from it certain practical rules. Section Four concludes. But first an important clarification of the scope of my task.

I shall focus only on the nature and value of an opportunity to study an undergraduate degree at a UK University and within what I call 'Elite Universities'. I do not offer a precise definition of 'Elite Universities' but will suggest that the Russell Group of universities or the Sutton Trust 13 offer a good guide to what they are. I believe the distinguishing feature of 'Elite Universities' is that an offer of a place there is of a particular value, within a highly differentiated sector. While other universities also confer great benefits on those who possess an offer of a place there, 'Elite' universities offer them to a greater degree and so it is worthwhile attending to the fairness of these opportunities first. The reason for focussing on the present state of such university admissions is that it is worthwhile to ask how such arrangements could be made fairer if and when radical social reform is not forthcoming, as it surely isn't, and the current circumstances mean that there is a better chance than in the past to influence such decisions.

A critic could claim that it is a mistake for someone concerned with fairness to narrow their focus in this way. The starting point should leave it open that universities should be abolished or that they should confer on individuals different sorts of goods than those that they currently do. To narrow the focus in the ways that I have, they might add, is to leave a critical blind spot and

to fail to acknowledge existing injustice. An attempt to articulate a utopian (realistic or otherwise) or perfectly fair and just society should not narrow its focus in these ways, true. But I think a different sort of enterprise is also distinctly valuable and an important philosophical endeavour.

My aim is to examine how the current system, or something like it, could be fairer and what the fairest admissions system could be, within certain constraints. This is for two reasons. One, radical social reform that is required to make society fully just is not forthcoming and so it is worthwhile asking which of the more incremental changes we should pursue. This does not commit me to the view that we should pursue incremental change at the expense of radical change, only that, from some set of alternatives we should pursue some rather than others. Second, and again in lieu of radical social reform, a failure to assess the more incremental changes in terms of a philosophically defensible account of fairness at best denies us the sort of critical thinking that is required to ensure our policies are fair as well as sensitive to other sorts of relevant considerations. At worst it leaves a vacuum for muddled thinking and for non-fairness based ideas, such as efficiency or democratic positioning, to masquerade as fairness. So even if radical social reform is required by ideal fairness, when our options are likely to be constrained in certain ways, it is important to ask what standard we should use for more incremental changes here and now and ask what this means for the policies we should favour. This paper is an exercise in non-ideal theory.

1. *Two Commonly Used Standards*

One guideline that is used for university admissions is the HESA Standard Key Performance Indicator. It sets benchmarks for university cohorts. The benchmark is determined by the sector average level of representation of particular groups among its admitted cohort (by social class and ethnic origin for example).³ This KPI is often used to group together similar universities

³ See: <https://www.hesa.ac.uk/data-and-analysis/performance-indicators/guide>. University of Manchester's access agreement for 2016/17 says they aspire to have 8.1% (7.4%) from LPNs, 22.9% (22.3%) from NS-SEC.

rather than compare them all since comparisons of dissimilar institutions are not considered valid. To make more meaningful comparisons, HESA also has an adjusted list but the underlying idea is the same: that given some group of relevantly similar universities and the students they admit, they ought to share members of certain groups evenly between them. So, for example, if there are two similar universities we should not expect one to admit double the proportion of privately educated or BAME students to the other. To the extent that members of these groups are more evenly shared between the universities, as a proportion of their intake, the universities would have succeeded in coming closer to the benchmark and, we could infer from this, more fair.⁴

As a standard of fairness, this one faces a major problem. The KPI takes as a given, and therefore leaves beyond criticism, the question of who gets admitted in the first place. So long as members of particular groups who are admitted to any of the universities are evenly distributed it does not matter how that cohort is determined. Access to university is unfair even when this sort of benchmark is fully satisfied since it is inevitably satisfied where universities only admit white or privately educated students, regardless of their qualification or merit. This KPI is fundamentally flawed and rides roughshod over plausible demands of fairness. Indeed, as long as the universities within the comparison class are all equally biased against certain groups this benchmark can be met, but that doesn't imply that it is fair. So KPI should be rejected because it cannot be grounded in a philosophically defensible account of fairness.

Social scientist Vikki Boliver has used a widely held and intuitively appealing standard in her work on fair access to “prestigious” universities.⁵ Boliver takes as her definition of fairness: equal access for those who are equally well qualified by prior attainment given that they applied to

⁴ See Table T1a for participation of under-represented groups in HE 2014/15. University of Sheffield state schools or colleges Benchmark is 82.5%, location adjusted benchmark 83.3%.. Actual: 86.5%. But about 93% go to those schools. Manchester is benchmark: 82.8% and adjusted benchmark: 83.6%. Actual: 82.4%. Social class: Sheffield: Benchmark: 24.2%, Adjusted: 24%, Actual: 21.2% Manchester: benchmark 24.6%, adjusted 24.9% Actual, 21.5%,

⁵ Vikki Boliver, “How fair is access to more prestigious UK universities?”, *The British Journal of Sociology*, 2013, 4, 2

prestigious universities. In other words, fairness requires that those who apply to a particular university with the same prior attainment (A level grades) should have the same chance of being admitted, regardless of socio-economic background, ethnicity etc.⁶ On its face, this view is quite plausible, so to assess it we need to delve deeper and ask whether it can be grounded in a philosophical account of fairness.

One prominent and widely held view of how advantageous positions should be allocated is meritocratic. Proponents of meritocratic equality of opportunity argue that while advantageous positions should be formally open to all, selection is fair so long as one's "merit" determines success. Something like this view could underpin the idea that prior attainment should determine chances of success, not race, gender or social background, and with those with greater prior attainment having a greater chance than those with lesser prior attainment. If merit, understood here only as prior attainment, were the only factor relevant to being made an offer of a university place at a prestigious university, then we would expect the cohort of offer-holders to proportionately represent the cohort of equally qualified applicants. In other words, if Meritocratic Equality of Opportunity is correct, then something like the standard Boliver applies would be an accurate marker of the fairness in university admissions. However, if it is incorrect, then Boliver's standard may require revision or rejection. For this reason, we do well to question the standard applied by questioning the philosophical foundation on which it is based.

One reason to doubt that Meritocratic Equality of Opportunity is philosophically defensible as an account of fairness in the allocation of advantageous positions is that there can be unfairness in opportunities to develop merit, especially where merit is understood only as prior attainment.

The more educational opportunities an individual has, the more "merit" that person may come

⁶ She states that, after controlling for prior attainment applicants from manual class and state school background continue to be only around two-thirds as likely as their higher professional/managerial and private school counterparts to receive admissions offers from Russell Group universities (0.72 and 0.66 to 1, respectively) (Boliver, 2013: 357). So, even those with exactly the same prior attainment, even controlling for A level subject, have different chances of success in getting an offer from a prestigious university depending on non-merit factors, such as schooling, ethnicity and social class.

to have, but then a meritocratic distribution can be a manifestation of unfairness, particularly where those with the best prior attainment are not those with the greatest potential to succeed.

To see more clearly what is wrong with a narrow focus on prior attainment, imagine that all the top university places have been awarded to members of the upper class through cronyism and that a progressive new government is suddenly elected into power and enforces Meritocratic Equality of Opportunity. After generations of consolidating superior education, jobs and wealth the upper-classes are in a far better place, particularly if private schooling is available, to ensure that their children end up being the most meritorious, thereby preserving vast social inequalities between members of different classes. Although opportunities are formally open to all equally, regardless of social background, race or gender merit is what qualifies you, opportunities to develop ‘merit’ are not distributed equally.⁷ Intergenerational transmission of opportunities to cultivate merit would generate a deeply divided and unequal society, which we would rightly think is at odds with equality of educational opportunity. Unmodified MEO is blind to existing unfairness and cannot explain why the fact that certain privileged groups are disproportionately the most “meritorious” is unfair. For this reason, it is not plausible to think that fairness requires only that advantageous positions be distributed in this way. A theory of fairness should be able to identify this unfairness, and a theory that did not have anything to say about it could support an unfair admissions policy. We can conclude this section by saying that while both KPIs and Boliver’s standard, inspired by MEO appear to give us standards that are practically useful in this context, in that they can give determinate judgements about whether the standard is met or not, they are not based on philosophically defensible accounts of fairness.

2. *Fair Equality of Opportunity*

⁷ Williams, Bernard. “The Idea of Equality”. In *Philosophy, Politics, And Society*, 110-131. Philosophy, Politics, And Society. London: Basil Blackwell, 1962.

I will turn now to John Rawls' Fair Equality of Opportunity, which gives a prominent role to the idea of underlying potential in determining equality and thus provides a critical capacity lacking in the commonly used standards. Although as currently understood this view is neither philosophically defensible nor practically useful in this context, I will argue that it can be made so.

Fair Equality of Opportunity requires that offices and positions of advantage, such as well-paid job opportunities, be formally open to all and that individuals should have a fair chance to be the most qualified for those positions.⁸ Fair chances are had by all when those who are similarly naturally talented and motivated have an equal chance to attain these positions. So, our social institutions, including universities and university admissions, should be designed so that regardless of socio-economic origin or schooling those who have the same natural talent and motivation have similar chances. When applied to education, this principle may support compensatory educational measures that close the attainment gap between the naturally talented rich and the naturally talented poor. This is because naturally talented students from poorer backgrounds should fare as well as naturally talented students from wealthier backgrounds. If native talent is distributed evenly across the social classes, then FEO would require proportional representation of those social classes in the cohort of students admitted to elite universities, (controlling for morally innocent differences in application rates, such as authentic preferences that are not the result of adaptation to unjust social norms).

Note that, unlike MEO, this view is capable of criticizing pre-university inequalities in opportunities to develop merit among the equally naturally talented, because it focuses on underlying or natural talent. Also derived from this principle we could get an admissions procedure that encourages universities to make offers to ensure that those with equal natural talent and motivation have an equal chance of an offer, regardless of their socio-economic

⁸ John Rawls, *Justice as Fairness a restatement*, pp. 42-4.

background. So FEO says something quite significant about how the cohort of students at elite universities should be formed and not merely about how the members of that cohort can be fairly shared among the elite. So FEO does seem to be an attractive view of fairness in the allocation of advantageous positions, but is it philosophically defensible?

Philosophically defensible

FEO does provide us with an attractive ideal of fairness but when FEO is applied to currently unequal societies, like our own, there is a good philosophical objection to FEO: it neglects the importance of developed talent and potential ability at the point of entry to the fair allocation of advantageous positions.

To see why neglecting developed talent in determining fairness is not philosophically defensible, consider the following: If we ensure that those with equal natural talent and ambition have an equal chance of a university place, as FEO seems to require, we must reject the current basis for distinguishing students by their prior attainment, which did seem somewhat plausible. In some cases this commitment of FEO implies that we should offer places to students who have dropped out of college or even high school without any qualifications at the expense of offering places to those with good grades and above average tariff levels. After all, they could have equal or even higher native talent than those who receive exceptional grades. Few people believe that we should give opportunities to those who have the best underlying but uncultivated ability at the expense of those who have less underlying ability but have higher levels of developed talent.⁹ By the time universities make offers it is already *too late* to close these gaps. So, prior attainment may seem relevant, but this is too quick. I suggest that in non-ideal cases, like this, we supplement FEO with a requirement pertaining to developed talent or merit. I will now survey some ways of understanding “merit” that we could use instead of developed talent that could supplement native talent in making FEO philosophically defensible.

⁹ Miller, David. “Two Cheers For Meritocracy”. *Journal Of Political Philosophy*, 4, no. 4 (1996): 277-301.

The way that we have been thinking about “merit” so far is in terms of the qualifications or credentials a person has. What Boliver calls “prior attainment”. According to this view of merit, we should make offers to the applicants who have the most tariff points or best qualifications. If we fail to do so, and offer places to those with inferior qualifications at the expense of those with superior qualifications, then we perpetrate an unfairness according to this view. I shall call this “Merit as Best Qualified”.

Another understanding of “merit” is the idea that the one who, with the available level of investment, is expected to reach the highest level of achievement should be chosen over anyone else. So, with respect to the university, we would choose those who we have most reason to believe will do best on the degree in terms of the degree itself, assuming that these standards are morally innocent. In this way we choose the applicant with the greatest potential for excellence, which may not be the one with the highest prior attainment. I shall call this “Merit as Greatest Potential”.

Finally, consider the role that merit would play if understood as requiring that individual applicants were at least minimally qualified to take advantage of the opportunity. So, for instance, it would be wrong to give a person who was illiterate a place on a demanding degree program that requires high standards of literacy. This understanding of merit jettisons the “maximizing” idea that is implicit in the other three. I shall call this “Merit as Competence”¹⁰

Drawing on FEO, I suggest that we reject the popular “Merit as Best Qualified” and instead adopt “Merit as Greatest Potential” as being of importance as derived from FEO’s focus on native talent. “Merit as Best Qualified” is only valuable as a reliable guide to who has the greatest

¹⁰ The ideas of merit as competency and merit as greatest potential makes sense of the statement in the 2003 White Paper that “all those who have the potential to benefit from higher education should have the opportunity to do so.” This is something that Boliver herself observes and admits that her definition of fairness is a conservative one, but one that is justified because of the limited data that we have. Boliver notes that “the use of the phrase ‘potential to benefit’ in the 2003 White Paper... marks the beginning of a growing acceptance of the idea that prior attainment in formal examinations may not be a reliable indicator of prospective ability without some consideration of the socio-economic context in which that attainment came about.” (2013, 346).

potential, and it can only perform that role well in a more equal society than we currently have. It also directs us to invest in better ways of identifying underlying potential that are sorely needed in an unequal society like ours. Moreover, focus on greater potential provides a strong defence against accusations that measures taken to improve fairness lead to “dumbing-down”¹¹ because those with lower prior-attainment are not necessarily or even likely to be less intelligent or less able to learn. Some studies show that those from state schools out-perform privately educated students in achieving first class undergraduate degrees with the same pre-university attainment.¹² This suggests that prior-attainment is not a good guide to potential.

Note that “Merit as Greatest Potential” is distinct from natural talent, which is also a key and attractive feature of FEO. Natural talent is one’s potential ability when born or created or some other early stage of life. One’s potential, for the purpose of determining greatest potential should be determined just before admittance. While potential is the same as natural talent at the very early state of life, it can then become quite distinct. For example, imagine an extreme case of a person who has a high genetic endowment but in early adulthood contracts an illness or is involved in an accident the consequences of which are severe brain damage. At this point the person’s potential is drastically diminished, but her natural talent score may be very high it taken from birth or prior to the brain damage. I take it that it can be fair to favour a less naturally talented person who has more potential at the point of entry in this sort of case. Of course, there are all sorts of unfair ways that a person’s potential can be stunted, poor schooling, material deprivation etc. and this should be acknowledged in a complete account of fairness in society as a whole and is done so by the inclusion of reference to natural talent, but for our purposes, in

¹¹ It is worth noting that some universities already use measures that aim to identify who have the greatest potential. For example, the University of Manchester uses contextual data to make offers to students from low participation neighbourhoods and widening participation groups with conditions attach that are lower than the ordinary tariff. Incidentally, measures such as these can harm a university’s standing in league tables, which attribute higher standing to universities with higher entry requirements. In addition, the “Manchester Access Programme” aims to encourage post-16 students from under-representation background to apply to and study at research intensive universities by offering them a series of workshops and conferences and if an assignment is passed they can receive a discount of up to two A level grades on their offer conditions.

¹² <https://www.theguardian.com/education/2015/nov/05/top-state-school-pupils-get-better-degrees-than-those-from-private-schools>

this non-ideal context, fairness should also be concerned with Merit as Greatest Potential. And Merit as Competency should act as a constraint on any position combining concern with Merit as Greatest Potential and native talent. This will be especially important if we are to give great weight to native talent because native talent levels imply nothing about one's ability at the point of entry.

Practically useful

The directive to give equal chances to those with equal native talent or to give priority to those with the greatest potential is easy enough to understand but not particularly easy to follow in practice due to constraints our knowledge of native talent in particular. To improve the usefulness of this approach, I think we should assume that underlying talent is not unevenly distributed across groups. This is for two reasons. First, it would be very expensive to find out whether, on average, members of groups are unequally talented. Second any assumption to the contrary without good evidence would be pernicious. Third, any inequalities that were found might be a consequence of a racist or otherwise prejudiced way of determining success of degree courses.

If we assume that underlying talent is evenly distributed throughout the different social classes and other important groups, then we would expect proportional representation of those groups at universities. Particular attention should be shown to represent different categories of schooling because we know that inequality in development of native talent stems from inequality in schooling. So, we should expect selective, private and high-achieving state schools to be represented at no more than proportional level.

We also have other reasons to favour proportionality in cohorts. Universities shape society not only by their research and other work, but also by the kind of students they produce and put into leadership positions in that society. Insofar as universities significantly contribute to who

occupies elite positions and insofar as diversity and proportional representation are important for the composition of such elites, we do well to look for ways that universities can affect fairness through how they shape future society. This is explained by Elizabeth Anderson's account of fair opportunity in education.¹³ Anderson describes an ideal conception of a democratic 'elite' and then claims that education must be distributed to achieve this composition. This requires that elite membership be composed along all lines of social inequality, meaning that the elite must have representatives from the different groups in society and not merely at token levels. This is an additional reason to aim for a proportionate cohort representing different disadvantaged groups alongside competency and greatest potential.

But there are two further problems. First, even if underlying talent is evenly distributed, realised talent to a sufficient degree will not be evenly distributed. Second, even the sufficiently talented will make different choices about whether and which universities to apply to and what subjects. Although expanding the diversity of *applicants* is something that universities are doing it is not something that really applies to admissions directly. What this tells us is that there needs to be a division of labour. Our benchmark for admission, in particular, should focus on those who applied to the Russell Group and are sufficiently qualified and focus particularly on those who likely suffered education disadvantage. But other measures, not just from universities, should be taken to increase the representativeness of the cohort. This resolves a practical problem

¹³ Elizabeth Anderson, Fair Opportunity in Education: A Democratic Equality Perspective, *Ethics* 117, 2007, p. 596. Anderson describes an ideal conception of a democratic 'elite' and then claims that education must be distributed to achieve this composition. This requires that elite membership be composed along all lines of social inequality, meaning that the elite must have representatives from the different groups in society and not merely at token levels. This is important because an elite composed solely of those from the same background, say wealthy, private school-educated, white men, is likely to lack knowledge of the interests of those they serve, including working class Muslim women living in rural areas, and is likely to lack a disposition to serve them. Members of the elite are likely to stereotype those they do not know and so miscalculate their interests. The cognitive deficits Anderson associates with unqualified elites worsen the position of the least advantaged in society and minority groups by enacting and creating ill-informed policy. Whether the elite are well-qualified and well-constituted or ill-qualified and ill-constituted has far-reaching effects on the lives of all in a democracy and so we all have an interest in having a well-qualified elite. Anderson explains the role of elites in the following passage. 'In a democratic society, elites must be so constituted that they will effectively serve all sectors of society, not just themselves. They must perform in their offices so that the inequalities in power, autonomy, responsibility, and reward they enjoy in virtue of their position redound to the benefit of all, including the least advantaged. This requires that elites be so constituted as to be systematically responsive to the interests and concerns of people from all walks of life.'

consistent with the account of fairness developed. Now, let's turn to the specific guidance this might give admissions.

3. *Summary and Derivation*

The revised version of FEO states that, in unequal societies, as defined by the original statement of FEO, those with the same native talent and ambition should have the same prospects for success in pursuit of advantageous positions, such as university places, unless they lack competency at the point of admission and allowing for some concession for greatest potential at the point of admissions. From this I propose the following two criteria are used to determine admitted cohorts:

- a) *From the Focus on Natural Talent:* Among the minimally able candidates we should seek proportional representation across the social classes.
- b) *From Merit as Greatest Potential:* We should prioritize those who are expected to do best, which is not necessarily the same as those who are most "qualified."

There is some indeterminacy in how to weigh the criteria above, so let's discuss ways they could be made determinate. There are two very clear cut ways of applying these criteria. First, we could give a) priority and favour a perfectly proportionate cohort over any other cohort, but within the set of perfectly proportionate cohorts we should choose, by b) the one that contains the most students with greatest potential. Second, we could give b) priority and favour the cohort which contains the most students with the greatest potential, but of possible cohorts with the same number of students with the greatest potential we should give priority to a more proportional cohort. One further requirement is that, to avoid a highly counter-intuitive consequence from the first suggestion we should ensure that proportionality never implies that those who lack minimal competence to do well on the degree are admitted over those who have that competence, so Merit as Competence constraints appear to a). Alternatively, we could adopt two

measures one for measuring a) and one for measuring b) and make an overall combined judgement about them, giving weight to each in a final assessment. It could be used as a benchmark much like the HESA KPIs are.

These proposals depart in some ways from existing thinking and require us to look in different places for relevant information. In particular, we should create more opportunities to display underlying potential, for example with individual entrance tests and foundation years capable of making up for less competitive A level grades. This will be a key part of making the idea of merit as greatest potential operational. I will now look at some objections.

4. Conclusion

In this paper, I have considered the problem of university admissions among elite UK universities assuming an unjust background. I argued that rather than the currently used standards, we should adopt a revised version of Fair Equality of Opportunity, which gives due weight to considerations of native talent, greatest potential and competency in determining a fair allocation of advantageous positions. I then derived from these commitments criteria that can be used to assess or benchmark university admissions procedures. From the commitment to giving equal chances to the equally naturally talented I derived the proportional representation requirement, because without relatively easy and cheap tests it would be pernicious to assume some groups in society had more natural talent than others. This means that university admissions cohorts should be proportional relative to the cohort that applies to Elite universities. From the commitment to greatest potential, I derived a requirement to make offers to those who have the greatest potential where this can be derived from prior attainment adjusted for various disadvantaged. These two criteria should be given weighting in our assessment. I added to this a constraint that no one who lacks the competency to do well on a degree should be admitted. I believe that this more demanding account of fairness could be applied to set more accurate benchmarks for university admissions procedures.