

## Federal Court of Appeals Affirms Judgment in Favor of Union College

The Eighth Circuit Court of Appeals affirmed the lower court's judgment in favor of Union College in a case brought by an applicant to the college's physician assistant (PA) program. Corey L. Stull and Jeanette Stull represented Union College in both the trial and appellate court proceedings.

Tarsha Baker, a former student at Union College, applied to the college's PA program on three occasions. Each time, she was denied admission because of poor grades. Specifically, Ms. Baker failed twelve undergraduate classes, many of which were required prerequisites to admission to the PA program. After her third attempt at admission to the program, Ms. Baker filed suit against Union College, alleging that it had discriminated against her because she was African-American. The trial court granted summary judgment in favor of Union College, giving credence to the college's justifiable reason for denying admission to the program—Ms. Baker's poor undergraduate grades. Ms. Baker appealed the judgment to the Court of Appeals, which affirmed the lower court's decision, holding that "the record provides ample legitimate, non-discriminatory reasons for the decision to deny Baker admission to the PA program." *Baker v. Union College, Inc.*, 2004 U.S. App. LEXIS 8229, Case No. 03-3619 (8th Cir. 2004).

Union College is a four-year, private college located in Lincoln, Nebraska. The college was very pleased with the courts' decisions in this case, as the college makes every effort to ensure that its admissions process is fair and nondiscriminatory. The Eighth Circuit's decision confirmed that Union College's admissions process is indeed nondiscriminatory.