

## The Monopoly of the College Board

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For millions of high school students across the United States, the name “College Board” is as common as the stress of finals or the anxiety of waiting for admissions decisions. The nonprofit organization exerts sweeping control over the landscape of college admissions through its standardized testing products: the SAT, PSAT, and Advanced Placement (AP) exams. What started as a means to “level the playing field” in college admissions, has evolved into something far more complicated and possibly unlawful. The College Board's dominance raises major concerns about monopolistic behavior, opaque pricing strategies, and a troubling lack of alternatives. These concerns are no longer just policy debates. They now present legitimate legal questions under U.S. antitrust law, consumer protection statutes, and data privacy regulations. The broader implications also beg us to consider: Is this system fair? Who benefits? And who gets left behind?

The College Board holds a tight grip on the standardized testing ecosystem. Its flagship product, the SAT, is widely recognized as the gold standard in college admissions. Although some colleges have shifted toward test-optional policies, a significant portion of institutions still consider SAT or ACT scores. Among the two, the SAT holds more cultural and academic prestige, cementing the College Board's lead.

Further solidifying its role is the AP Program. These courses are now standard in most competitive high schools, with AP exam scores often translating into college credits. This system not only influences college admissions, but also deeply shapes high school curricula. Teachers often structure their entire academic year around preparing students for AP exams, effectively outsourcing curriculum design to the College Board.

Technically, the ACT is a competitor. In reality, it is often viewed as a lesser alternative. Elite institutions in particular favor SAT scores, and the ACT lacks the same brand recognition and integration with other College Board services, such as the PSAT or APs. When it comes to advanced placement, there is virtually no equivalent to AP exams. Dual enrollment programs and International Baccalaureate (IB) courses are available in some schools, but they are far less accessible and less recognized nationwide.

This lack of viable competition positions the College Board not just as a market leader, but potentially as a monopoly. Along with these monopolies come legal red flags. Under the Sherman Antitrust Act of 1890, companies, or in this case, nonprofits functioning like corporations—are prohibited from engaging in monopolistic behavior that restricts competition or harms consumers. While the College Board claims nonprofit status, its business practices mirror those of for-profit giants. It charges students fees for registering for the SAT, sending score reports, and accessing AP results. This alone would be considered aggressive in a nonprofit model. The legal issue is not just the fees, it is the control and exclusivity.

By pushing out competitors and establishing itself as a near-mandatory gatekeeper to higher education, the College Board could be illegally suppressing competition. Students often have no realistic alternatives, especially when colleges heavily rely on AP or SAT metrics. Additionally, the organization's behavior, such as lobbying to protect its dominance in testing, has raised concern among lawmakers and policy experts.

If proven, these behaviors may constitute violations of Sections 1 and 2 of the Sherman Act, which prohibit attempts to monopolize a market and restraint of trade.

Another legal issue involves price manipulation. SAT registration can cost up to \$60, with additional charges for sending scores to each college. AP exams now cost \$98 each, with fees increasing every few years. Students who want to rush reports or access additional services pay even more. The College Board also operates a test prep service, albeit free with Khan Academy, that reinforces its market stronghold.

Because students essentially must pay these fees to access college opportunities, critics argue this may qualify as a form of price-fixing. It sets a market price not dictated by free-market dynamics, but by an organization with no competition.

From a consumer protection standpoint, the College Board's operations may also violate state-level laws, especially when it comes to transparency. Students and parents often do not understand the full cost of taking a test until they are midway through the process. There is also minimal clarity on how test scores are calculated or what data is being collected and shared. These hidden costs and vague policies are particularly harmful to low-income students, who may skip retests, rush services, or score reports simply because they cannot afford them. This exacerbates educational inequity and puts vulnerable students at a disadvantage.

Arguably the most pressing ethical concern surrounding the College Board's dominance is the equity gap. Standardized testing has long been accused of favoring students from wealthier backgrounds, who can afford private tutoring, multiple test attempts, and AP coursework. Meanwhile, lower-income students often attend schools without access to AP courses or cannot afford test fees.

This divide creates a two-tiered education system, where opportunity is inherently linked to socioeconomic status. It is not just about who gets a better score. It is about who gets to take the test under the best conditions, and who has access to the right preparation tools.

Many students do not realize that when they register for SATs or APs, they are also consenting to data sharing. The College Board has come under fire for allegedly selling student data, such as test scores, academic interests, and contact information—to colleges and marketing companies.

This practice raises huge privacy red flags, especially given the age of the students involved. Most are minors, and few fully understand the implications of allowing their data to be shared. Worse, the opt-out process is often buried in fine print.

There is also a growing conversation about how high-stakes testing contributes to student stress and mental health issues. Teens report high anxiety levels leading up to SAT and AP exams, knowing that a single score could impact their college trajectory. This pressure is compounded for first-generation or low-income students, for whom college is seen as a key to socioeconomic mobility.

The ethical question is this: Should a single organization be allowed to wield this much emotional, academic, and financial power over millions of students?

Regulatory bodies should investigate the College Board's monopoly and enforce antitrust laws. A potential solution could be separating testing from curriculum design to reduce conflicts of interest and promote competition.

Encourage alternatives like portfolio-based admissions, test-optional policies, and dual enrollment programs. This reduces reliance on the College Board and promotes a more diverse college admissions process.

Increase transparency around fees and ensure students must opt in before their data is shared. Laws should be passed to protect students from hidden costs and unauthorized data commercialization.

Expand fee waivers for low-income students and implement test-optional or test-blind policies at all public colleges to reduce disparities and lessen financial burdens on students. Encourage schools to involve students in decision-making and allow teachers to focus on broader learning rather than test preparation.

The College Board may present itself as a benevolent nonprofit, but its monopoly-like behavior in the education space tells a different story. Its dominance in testing, curriculum, and data monetization raises serious legal concerns under antitrust and consumer protection laws. More than that, its practices perpetuate inequality, exploit students financially, and harm mental health.

It is time for lawmakers, educators, and students to push back. College admissions should be fair, accessible, and student-centered, not dictated by the demands of a single corporation-like entity. Breaking the College Board's hold on the system is not just good policy, it is a legal and moral necessity.

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