

College Admissions Scandals in the United States: Ethics and Accountability

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Abstract

This research delves into the pervasive and unsettling phenomenon of college admissions scandals in the United States, focusing on the ethical implications and the ensuing accountability challenges within the higher education system. The study examines high-profile cases that have come to light, shedding light on the intricate web of deceit, bribery, and manipulation that has compromised the integrity of college admissions processes. Through a comprehensive analysis of these scandals, the research aims to explore the multifaceted ethical dimensions, including the erosion of fairness, meritocracy, and social justice.

Keywords: Scandals, Admissions, United States

1. Introduction

A. Background

In recent years, the walls of higher education in the United States have been shaken by a series of scandals that have exposed a darker side to seemingly meritocratic and noble pursuit of knowledge. These college admissions scandals, fueled by a potent concoction of wealth, privilege, and unscrupulous ambition, have not only implicated renowned institutions but have also cast a glaring spotlight on the ethical fissures within the very foundations of the admissions process.

The backdrop against which these scandals unfold is one of heightened competition and unrelenting pressure for students seeking entry into prestigious academic institutions. The recent surge in college admissions scandals has laid bare a disconcerting reality — the idea that the road to academic achievement is not always paved with diligence and intellectual prowess.

a) Brief overview of recent college admissions scandals

The notoriety of Operation Varsity Blues, the Harvard Admissions Lawsuit, and other headline-grabbing exposés underscores a systemic vulnerability that extends far beyond the actions of a few bad actors. These scandals have become emblematic of a broader crisis that challenges the fundamental principles of fairness, transparency, and equal opportunity that should underscore the college admissions process.

b) High-profile cases and their impact

As the details of these scandals unfurl in the public sphere, the consequences reverberate far beyond the individual institutions involved. The impact extends to the reputation of the education system itself, prompting a critical reevaluation of the processes that dictate who gains entry into the ivory towers of academia.

B. Thesis Statement

In the midst of these scandals, a fundamental question emerges our research contends that at the heart of the college admissions scandals lies a glaring lack of ethical consideration and accountability. Our aim is to dissect the historical context, the mechanisms, and critically, to advocate for systemic reforms that will restore the integrity of the college admissions process.

As we delve into the labyrinthine depths of these scandals, it becomes evident that ethical considerations have been marginalized, and accountability mechanisms have faltered. The commodification of education, the influence of affluence, and a systemic failure to ensure equitable access have converged to create a perfect storm, laying bare the vulnerabilities within the system.

2. Historical Context of College Admissions

A. Traditional College Admissions Process

The origins of traditional college admissions in the United States can be traced back to a time when higher education was an exclusive domain, accessible primarily to the privileged elite.

One of the earliest studies done in the area of college admissions was the work of Broome, “A Historical and Critical Discussion of College Admission Requirements,” published in 1903.* Broome described the development of college admissions during the seventeenth and eighteenth centuries as the story of entrance requirements and admission procedures at Harvard College. During this period, prospective students at all major American colleges and universities were examined as to their character, background, and demonstrated proficiency in Latin and Greek. Later, toward the end of the eighteenth century, a new requirement, a working knowledge of arithmetic, was added to Latin and Greek as a required subject for admission to college.¹

The beginning of the nineteenth century marked the development of private academies which served to meet the growing popular demand for a less classical and more practical type of education.²

The 19th century witnessed a shift from a classical curriculum to a more practical one. By the mid-19th century, there is no uniformity to the requirements for admission at the various colleges. By the middle of the nineteenth century, there was no substantial agreement among colleges as to what subjects and how much should be required for admission.³ By the late 1800s, applicants were generally expected to possess a working knowledge of arithmetic. State universities admit almost everyone who graduates from a high school certified by the university’s faculty. The U of Chicago is the first to add English and modern languages to the curriculum.⁴

Out of the conflicts arising from the diversity of entrance requirements came the first efforts toward the development of a national movement for uniformity in college admissions.⁵

A committee of the National Education Association, the Committee of College Entrance Requirements, presented a report in 1900 covering a four-year investigation of admission requirements and ways and means of securing uniformity in college admissions.⁶

¹ <https://files.eric.ed.gov/fulltext/EJ992666.pdf>

² IBID

³ IBID

⁴ <https://canvas.harvard.edu/courses/5473/files/1353912/download?verifier=iRcqUVRGcxvjxsnCCLuklmrj7tFwUH1SjqI3T1Zf&wrap=1>

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⁶ IBID

During the ten-year period 1946 to 1956, college entrance requirements reached a fairly uniform level. Investigations by Nelson (1951), Traxler and Townsend (1953), Emanuel (1953), and Knutson (1954) revealed that most colleges tended to admit students on the basis of six major factors: 1) high-school graduation, 2) a minimum number of prescribed units in designated subjects, 3) rank in graduating class, 4) recommendation of the principal, 5) personal interview, and 6) aptitude and achievement-test scores.⁷ In 1956, Bowles proposed that colleges could give up the formal entrance requirements of yesteryear because of the availability of tests which enabled colleges to make selections on the basis of aptitude and promise that were as good as, and perhaps better than, selections made on the basis of the colleges' old standardized requirements. Five years later, Berger (1961) reported that more than 75 percent of the admissions directors included in his survey considered Scholastic Aptitude Test scores as "absolutely essential" to the admissions process in 1960. Thus, testing by standardized examinations sponsored by regional or national associations had become an accepted part of the college admission process during the late 1950's (Fishman and Pasanella, 1960).⁸

B. Emergence of standardized testing

The historical use of standardized tests in the United States reflects two fundamentally American beliefs about the organization and allocation of educational opportunities: fairness and efficiency. The fairness principle involves, for example, assurances to parents that their children are offered opportunities similar to those given children in other schools or neighborhoods. Efficiency refers to the orderly provision of educational services to all children. These have been the foundation blocks for the American system of mass public schooling; testing has been a key ingredient of the mortar.⁹

Since their earliest administration in the mid-19th century, standardized tests have been used to assess student learning, hold schools accountable for results, and allocate educational opportunities to students.¹⁰ Throughout the history of educational testing, advances in test design and innovations in scanning and scoring technologies helped make group-administered testing of masses of students more efficient and reliable.¹¹

High-stakes testing is not a new phenomenon. From the outset, standardized tests were used as an instrument of school reform and as a prod for student learning.

Formal written testing began to replace oral examinations at about the same time that American schools changed their mission from servicing the elites to educating the masses. Since then tests have remained a symbol of the American commitment to mass education, both for their perceived objectivity and for their undeniable efficiency.¹²

Although standardized tests were seen by some as instruments of fairness and scientific rigor applied to education, they were soon put to uses that exceeded the technical limits of their design. A review of the history of achievement testing reveals that the rationales for standardized tests and the controversies surrounding test use are as old as testing itself.¹³

⁷ IBID

⁸ IBID

⁹ <https://www.princeton.edu/~ota/disk1/1992/9236/923606.PDF>

¹⁰ IBID

¹¹ IBID

¹² IBID

¹³ IBID

3. Overview of Recent Scandals

A. Operation Varsity Blues (2019)

America's secondary education system and Hollywood alike were rocked when 50 people, including actresses Felicity Huffman and Lori Loughlin as well as ringleader William "Rick" Singer, were charged in a massive college admissions cheating scam in March 2019. The charges were the end result of an ongoing investigation dubbed "Operation Varsity Blues."¹⁴

According to an affidavit filed by federal prosecutors in the case, Singer used two firms, Key Worldwide Foundation and The Edge College & Career Network, to organize an elaborate scheme to get lesser qualified children of wealthy parents into elite colleges and universities by bribing exam administrators to inflate test scores, bribing coaches and other officials to help fake athletic recruitment, and using a charitable organization to hide the source of and launder bribery payments.

Cheating on college entrance exams, like the SATs, and fabricating sports credentials were the two primary methods Singer used to help his clients' children gain admission. To achieve the latter, some parents allegedly photoshopped their children into athletic competitions to make it look like they had experience in the said sport they were being recruited for. Meanwhile, Mark Riddell, a former director of college entrance exams at IMG Academy, was allegedly paid by Singer to take admission tests on behalf of the clients' children.

Over time, parents allegedly paid over \$25 million to Singer, who used part of the money to carry out the bribery scheme. Singer claims that he helped children of over 750 families fake their way into a college or university of their choice.

On March 12, the FBI coordinated a nationwide raid while federal prosecutors in Boston charged 50 people with conspiracy to commit felony mail fraud and honest services mail fraud. In the months since, many of the parents charged have been in and out of court as they plead their case, with sentencing for some issued in September.

Singer, who pleaded guilty, faces up to 65 years in prison and a fine of \$1.25 million. As of now, because he is cooperating with the prosecution, he is still a free man.

- **Key players and institutions involved**

- **William "Rick" Singer:** At the epicenter of Operation Varsity Blues stands William "Rick" Singer, a college admissions consultant and the mastermind behind the elaborate scheme. Singer orchestrated the entire operation, utilizing his organizations, Key Worldwide Foundation and The Edge College & Career Network, to carry out the fraudulent activities. His methods included bribery, manipulation, and deceit aimed at securing spots for the children of wealthy clients in esteemed educational institutions.
- **Felicity Huffman and Lori Loughlin:** Among the high-profile individuals charged were actresses Felicity Huffman and Lori Loughlin. Both Huffman and Loughlin were accused of paying substantial sums to Singer to ensure their children's admission into elite colleges through fraudulent means. Huffman, in particular, admitted to paying \$15,000 to have her daughter's SAT scores inflated.
- **Mark Riddell:** Mark Riddell, a pivotal player in the scandal, was a former director of college entrance exams at IMG Academy. Allegedly paid by Singer, Riddell took admission tests on behalf of the children of Singer's clients, manipulating exam results to bolster their academic profiles.¹⁵

¹⁴ <https://www.etonline.com/operation-varsity-blues-a-guide-to-the-college-admissions-scandal-134135>

¹⁵ <https://www.npr.org/2022/04/09/1091862034/college-admissions-scam-conviction-coach>

- **John Vandemoer:** He coached sailing at Stanford for 11 years, was among the first to take a plea deal on racketeering charges. Prosecutors said he passed checks from Mr. Singer to Stanford development officers adding up to \$770,000. Mr. Vandemoer served one day in jail and six months of house arrest. He also lost his job at Stanford and his family's university-subsidized housing. But he has since found a new career: Mr. Vandemoer, who has a geology degree, recently began a job at a water engineering firm that builds drinking water systems.
- **Methods used in the scandal**
- **Bribing Exam Administrators:** Singer's scheme involved bribing exam administrators to manipulate standardized test scores. This ensured that the children of his clients appeared more academically accomplished than they were, increasing their chances of gaining admission to prestigious institutions.
- **Fake Athletic Recruitment:** Another method employed was the fabrication of athletic credentials. Singer bribed coaches and officials to create false profiles of the students as promising athletes, even if they had little to no experience in the purported sports. Singer would then funnel money to college coaches and athletic administrators, bribing them to designate these students as recruited athletes, thereby exponentially increasing their chances of gaining admission.¹⁶ Some parents allegedly went as far as photoshopping their children into sports images to bolster the illusion.
- **Use of Charitable Organizations:** Singer used his non-profit organizations, Key Worldwide Foundation, and The Edge College & Career Network, to funnel and launder bribery payments. This not only concealed the true source of the funds but also created a semblance of legitimacy through seemingly charitable activities.

B. Harvard Admissions Lawsuit

- **2013: Supreme Court Defers Decision on Fisher v. University of Texas**

One of Edward Blum's more famous challenges is Fisher v. University of Texas. The case centers on a white woman, Abigail Fisher, who claimed that the University of Texas had not granted her admission because of her race. The case made it to the Supreme Court in 2013, and had the potential to change the Court's standing on the legality of affirmative action in college decisions. The Justices ultimately referred the case back to the lower courts for further consideration, rather than making a definitive ruling. While this case isn't directly related to the eventual Harvard challenge, it clearly inspired Blum's next moves.¹⁷

- **2014: A Website Appears, Seeking Plaintiffs**

HarvardNotFair.org plainly asks for Asian-American students rejected by Harvard University to submit their complaints. On the homepage (which features an image of an Asian woman), the site prompts visitors to submit their information.

"Were You Denied Admission to Harvard? It may be because you're the wrong race," the homepage headline reads. Below, it also suggests joining the group Students for Fair Admissions.

The "Legal Issues" page—one of only four pages on the site—speaks solely about Fisher v. University of Texas. "One of the most important parts of the Fisher opinion concerns whether, and how, a university can use race and ethnicity to accept or reject an applicant, it reads. "It is our belief that Harvard has not followed the Supreme Court's instructions and it is vulnerable to a lawsuit."

The "About Us" page says the site is run by The Project on Fair Representation. Blum is that organization's Director.

¹⁶ <https://www.bestcolleges.com/blog/operation-varsity-blues-college-admissions-scandal/>

¹⁷ <https://www.townandcountrymag.com/society/money-and-power/a24561452/harvard-lawsuit-affirmative-action-timeline/>

Though it's unclear exactly when the site went live, the Internet Archive has no record of it appearing before August 2014.

- **2014: The Lawsuit Is Filed**

Plaintiffs accuse Harvard of limiting the number of Asian-American students admitted to the institution. They allege that Harvard sets the bar higher for that demographic, and effectively creates a quota for the ethnic group.¹⁸

- **2016: Supreme Court Revisits Fisher v. University of Texas**

The 2016 decision upholds affirmative action, ruling against Fisher and Blum. It should be noted that Justice Anthony Kennedy was the swing vote that made the ruling possible, and he has since been replaced by Brett Kavanaugh.¹⁹

- **October-November 2018: The Harvard Discrimination Trial Goes Before a District Court Judge**

Over the course of the trial, plaintiffs highlight varied standards for recruitment (Asian-American men in rural states need to score 60 points higher on the PSAT than rural white men to receive a recruitment letter, for example). Also at issue is prospective students' "personal score," a loosely-defined factor in admissions decisions. While Asian-American applicants statistically fare better in academic evaluations, they rank behind other ethnic groups on the personal score.²⁰

For its part, Harvard called on economist David Card as an expert witness. Card presented contrary analysis of the same data set, which showed no statistically significant difference for Asian-American students' chances of acceptance.

Harvard has been notoriously secretive about its admissions process, but the federal trial brought many of its admission committee's practices to light.

The two sides arrived at opposite conclusions by manipulating the data in different ways. The plaintiffs excluded recruited athletes, children of alumni, and children of faculty, arguing that these groups received preferential treatment. Harvard analyzed the full applicant pool, saying that conclusions about admissions discrimination couldn't be made without consulting the full data set.

- **2019: District Court Decision and Subsequent Developments**

In October 2019, the district court judge in the Harvard admissions lawsuit ruled in favor of the university, stating that while the admissions process was not perfect, it was not racially discriminatory. The judge concluded that Harvard's use of race as one factor among many in the admissions process was constitutional and aimed at promoting diversity on campus.²¹

Following the district court decision, Students for Fair Admissions (SFFA) appealed the ruling to the First Circuit Court of Appeals. The appeal aims to challenge the district court's findings and continue the legal battle against Harvard's admissions practices. The Harvard admissions lawsuit has sparked national conversations about race, meritocracy, and affirmative action in higher education.²²

- **2023: Supreme Court Rejects Affirmative Action**

The Supreme Court rejected affirmative action at colleges and universities around the nation, declaring that the race-conscious admissions programs at Harvard and the University of North Carolina were

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unlawful and sharply curtailing a policy that had long been a pillar of higher education.²³

The decision all but ensured that the student population at the campuses of elite institutions would become whiter and more Asian and less Black and Latino. It was also expected to set off a scramble as schools revisit their admissions practices, and it could complicate diversity efforts elsewhere, narrowing the pipeline of highly credentialed minority candidates and making it harder for employers to consider race in hiring.²⁴

- **Key players and institutions involved**

- **Students for Fair Admissions (SFFA)**

- *Role:* SFFA, led by Edward Blum, is the plaintiff in the lawsuit. The organization accuses Harvard University of discriminatory admissions practices against Asian-American applicants.
- *Motivation:* SFFA contends that Harvard imposes higher standards on Asian-American applicants compared to other racial or ethnic groups, alleging that the university's admissions policies disadvantage qualified Asian-American candidates.

- **Harvard University**

- *Role:* As the defendant in the lawsuit, Harvard is at the center of the legal battle. The university faces allegations of racial discrimination in its admissions process.
- *Response:* Harvard has consistently defended its admissions policies, asserting that they are lawful, necessary for fostering a diverse student body, and in line with previous legal precedents.

- **Edward Blum**

- *Role:* Edward Blum, a conservative activist, is the director of The Project on Fair Representation and a key figure behind SFFA. He has a history of challenging affirmative action policies and has been instrumental in bringing lawsuits against institutions, including Harvard.
- *Motivation:* Blum aims to challenge and reshape affirmative action policies in higher education, asserting that such policies lead to reverse discrimination.

C. Other notable cases

1. Claremont McKenna College (2012)

Claremont McKenna College, a private liberal arts college in California, faced a scandal in 2012 when the then-dean of admissions, Richard Vos, resigned after admitting to inflating SAT scores for several years to boost the school's ranking in college guides. The independent investigation by a law firm found that only one person -- formerly a vice president -- was involved.²⁵ Further, the college found that the scores of individual applicants were not adjusted, just the aggregate data reported externally (and in some cases internally).²⁶ The real figures contained in the report generally portray Claremont McKenna as an institution with highly competitive admissions, but the massaging of data was to make that competitiveness more intense.²⁷

2. University of Illinois Clout Scandal (2009)

²³ <https://www.nytimes.com/2023/06/29/us/politics/supreme-court-admissions-affirmative-action-harvard-unc.html>

²⁴ IBID

²⁵ <https://www.insidehighered.com/news/2012/04/18/claremont-mckenna-admits-extent-deception-admissions-statistics>

²⁶ IBID

²⁷ IBID

This scandal revealed that the University of Illinois had been admitting applicants with political connections or family ties, bypassing standard admissions processes. In particularly egregious cases, acceptances were timed so as to cause the least suspicion among fellow applicants who attended the same high school; some clout list applicants were waitlisted until the end of the school year, when such a decision might raise fewer eyebrows.²⁸ An investigation found that 800 applicants were placed on a “clout list” and that senior administrators did in fact routinely pressure admissions officers to admit them and often after there had been a decision to deny them. In addition, the investigation found that applicants who were more qualified than those admitted were in some cases denied admission. As a result of the investigation, the university’s Board of Trustees was reconstituted.²⁹

3. MIT Dean Of Admissions Faked Degrees (2007)

The Massachusetts Institute of Technology’s dean of admissions, Marilee Jones, resigned and confessed to the ultimate sin of her profession: lying on an application. Jones, who had led the admissions office since 1998, falsely claimed degrees at three schools in upstate New York, an MIT spokeswoman said. In reality, Jones briefly attended just one of the schools, Rensselaer Polytechnic Institute (RPI), and never enrolled at the other two.

In a prepared statement, Jones said she had “misled the Institute about my academic credentials” in applying for her first job at MIT in 1979, and “did not have the courage to correct my resume when I applied for my current job or at any time since.”³⁰

4. After Princeton University acknowledged past and present racism within its educational system in September 2020, a federal investigation was opened into the matter.

Following the protests against the killing of George Floyd in 2020, the university's president, Christopher L. Eisgruber, released an open letter acknowledging that "racism and the damage it does to people of color ... persist at Princeton as in our society."³¹

After the letter was shared, the Trump administration opened a civil rights investigation into whether Princeton had violated any anti-discrimination laws.

"You admitted Princeton's educational program is and for decades has been racist," Robert King, the assistant secretary in the Office of Postsecondary Education, wrote in a letter to the school. "The serious, even shocking nature of Princeton's admissions compel the Department to move with all appropriate speed."³²

Princeton responded in a statement, "It is unfortunate that the department appears to believe that grappling honestly with the nation's history and the current effects of systemic racism runs afoul of existing law."³³

4. Ethical Issues in College Admissions

A. Fairness and equality

²⁸ <https://washingtonmonthly.com/2009/10/23/legacy-lives-on-at-clout-u/>

²⁹ <https://d-nb.info/1148870733/34>

³⁰ <https://www.thecrimson.com/article/2007/4/26/mit-admissions-dean-resigns-after-fake/>

³¹ <https://www.insider.com/famous-ivy-league-university-scandals#after-princeton-university-acknowledged-past-and-present-racism-within-its-educational-system-in-september-2020-a-federal-investigation-was-opened-into-the-matter-5>

³² IBID

³³ IBID

1. Examination of how scandals perpetuate inequality

College admissions scandals, such as Operation Varsity Blues, underscore how wealth and privilege can be exploited to manipulate the system, perpetuating inequality. On top of the scandal, other troubling practices such as legacy admissions and donor preferences remind us that admissions is biased toward the wealthy.³⁴ It is estimated that three-quarters of the top 100 research universities and liberal arts colleges use legacy status as a variable in deciding who to admit.³⁵ A study of elite college admissions found that the children of alumni are 45 percent more likely to be admitted than a non-legacy student. For example, in any given year, over one-third of Harvard's, Penn's, Princeton's, and Brown's freshmen are children of alumni.³⁶

2. Impact on underprivileged students

Underprivileged students often lack the resources and opportunities available to their wealthier counterparts. College admissions scandals deepen these disparities by creating an uneven playing field where wealth, not merit, determines access to education. Low-income students and so many students of color are denied access to high-quality public schools. That many affluent, White, and East Asian American students experience tremendous advantages in college preparation.³⁷ These things are much, much more unfair than someone with a perfect SAT score—one of thousands of similar applicants in the pool—getting turned down by Harvard and then being able to attend some other fantastic college.³⁸

B. Integrity of the admissions process

1. Discussion on the erosion of trust in the system

The public revelation of corruption can discourage underprivileged students, creating a perception that the system is rigged against them. *“We will not be able to build a world that operates with any honesty or integrity if our institutions, especially those responsible for our children’s education, do not operate within those bounds. This systemic cheating scandal is our moment to catch our breath and take stock of not only how we got here but how we can actively change it.”*³⁹ says Elizabeth Hayes, the author of *The Gilded Flower* Trilogies and the *Wildflowers* Series.

2. Consequences for universities and students

Scandals compromise the credibility of universities, affecting their ability to attract qualified students and maintain the trust of stakeholders. This loss of credibility can have long-lasting consequences for an institution's standing in the academic community.

5. Accountability in College Admissions

A. Lack of oversight

1. Examination of the role of universities in preventing misconduct

The prevention of misconduct in the college admissions process requires active and vigilant efforts from universities to uphold ethical standards and maintain the integrity of their admissions procedures.

³⁴ <https://daily.jstor.org/what-makes-a-fair-college-admissions-process/>

³⁵ <https://www.higheredjobs.com/Articles/articleDisplay.cfm?ID=2884&Title=The%20Ethics%20of%20Current%20College%20Controversies>

³⁶ IBID

³⁷ <https://daily.jstor.org/what-makes-a-fair-college-admissions-process/>

³⁸ IBID

³⁹ https://medium.com/@Liz_Hayes/crisis-of-integrity-and-greed-lessons-from-the-college-scandal-63e548556072

Ever since the Operations Varsity Blues scandal, there are admissions operations or processing offices that have been caught up in this scandal, and some who have not been, that are proactively taking measures to ensure across-the-board accountability for all sports admission decisions, conducting comprehensive admissions processing reviews, and adding in checks and balances that will guard against, prevent, or catch inconsistencies or oversights in admit decisions, particularly with athletic recruits and walk-on athletes.⁴⁰

2. Critique of regulatory mechanisms

Regulatory mechanisms are crucial for maintaining the integrity of the college admissions process. However, a critical examination of these mechanisms reveals areas that may require improvement.

Ed Trust recommends that Congress:⁴¹

- Safeguard and strengthen student consumer protection policies like gainful employment and borrower defence to protect students from predatory colleges and universities
- Improve higher education data to create greater transparency and understanding of opportunity, value, and outcomes
- Hold campuses responsible for providing college opportunity by enrolling a reasonable share of students of colour and students from low-income families, and ensuring all students achieve success
- Invest in colleges that are committed to equity and have been historically under-resourced so that they can implement evidence-based strategies to support student success
- Enforce meaningful consequences for colleges that after given time, resources, and support, fail to improve their efforts to provide college opportunity and outcomes

B. Legal consequences

1. Overview of legal actions taken against individuals involved

- a. **Operation Varsity Blues:** In the high-profile Operation Varsity Blues, individuals such as Lori Loughlin and Felicity Huffman faced charges including conspiracy to commit mail fraud and honest services mail fraud. The charges stemmed from their involvement in schemes to secure college admissions for their children through fraudulent means.
- b. **Harvard Admissions Lawsuit:** While not criminal, the Harvard Admissions Lawsuit involved legal challenges against Harvard University, alleging discrimination against Asian-American applicants. The legal action focused on civil rights violations.

2. Analysis of the effectiveness of legal measures

An in-depth analysis of the legal measures taken in response to college admissions scandals is crucial to understanding their impact and effectiveness:

- a. **Operation Varsity Blues:** The legal actions in Operation Varsity Blues sent a strong deterrent message about the consequences of fraudulent admissions practices. Publicized trials and convictions may dissuade others from attempting similar schemes. The scandal prompted universities to reevaluate their admissions processes, leading to reforms and increased scrutiny. Institutions implemented

⁴⁰ <https://www.aacrao.org/resources/newsletters-blogs/aacrao-connect/article/admissions-processing-accountability-after-operation-varsity-blues>

⁴¹ <https://s3-us-east-2.amazonaws.com/edtrustmain/wp-content/uploads/2014/09/10171900/Creating-Accountability-for-College-Access-Success-Recommendations-for-the-Higher-Education-Act-and-Beyond-2019.pdf>

measures to enhance transparency and prevent similar misconduct. Legal actions resulting from Operation Varsity Blues set precedents for prosecuting individuals involved in college admissions fraud. These cases may serve as benchmarks for future legal proceedings.

- b. **Harvard Admissions Lawsuit:** While not a criminal case, the lawsuit against Harvard has sparked debates about affirmative action and may influence how universities approach admissions in the future. The Court ruled unconstitutional the consideration of race in college admissions policies, a practice it upheld 45 years earlier in *Regents of the University of California v. Bakke* which said race (but not quotas) could be a factor in college admission policies.⁴²

6. Reforms and Proposed Solutions

A. Changes in admissions policies

1. Exploration of reforms implemented by universities

Big changes are coming to how elite colleges choose future students – and how those applicants vie for coveted seats.⁴³

Even before the COVID-19 pandemic, a growing number of highly selective colleges began making standardized test scores an optional part of applications. One of the hopes was that it would lead to a more diverse student population. Then when the pandemic hit, test-optional policies became the default for logistical reasons: As of this past spring, submitting SAT or ACT scores was still optional at most schools. Although studies have shown the shift from these tests has meant only small changes in what the student body looks like at small, private institutions, experts predict the court's affirmative action decision will cement those policies. And that could mean more emphasis on personal statements and essays – an area where race often comes up.

Another item for college officials to deliberate: legacy admissions, the practice of giving preference to applicants whose family members attended the institution.

Richard Kahlenberg, a progressive scholar who served as an expert witness for the plaintiffs in the Harvard and UNC cases, said he believes at least some elite colleges will abandon the practice now that they can no longer consider race in admissions.⁴⁴

B. Strengthening oversight and accountability

1. Discussion on potential measures to prevent future scandals

In the wake of high-profile college admissions scandals that have shaken the foundations of trust in the education system, there is an urgent need to reflect on and implement robust measures to prevent such transgressions in the future. Here are some potential measures that colleges and universities can deploy to prevent future scandals:

- **Use Auditing to Find Fraud Opportunities:** An internal audit can help colleges and universities find loopholes in their processes. Colleges and universities can conduct an internal audit themselves or hire a third party to do it. Whichever route they choose, the most important part is to conduct audits

⁴² <https://www.investopedia.com/supreme-court-affirmative-action-decision-2023-7555848>

⁴³ <https://www.usatoday.com/story/news/education/2023/06/30/affirmative-action-ruling-college-admissions-what-students-can-expect/70371168007/>

⁴⁴ IBID

regularly. Processes change, fraud schemes change and times change. One audit will not prove the integrity of a procedure forever.⁴⁵

- **Technological Safeguards:** Colleges can consider investing in secure and technologically advanced admissions platforms with features like blockchain technology to safeguard against data manipulation and fraud. Technology can also help schools track incidents, conduct investigations and identify risk areas. Schools that adopt case management software to fight admissions fraud will find it easier to track, investigate and report fraudulent applications.⁴⁶
- **Stricter Compliance:** Ensure there is a robust set of validation requirements – in compliance-speak, “controls” – relating to assessments of athletic talent. Artificial intelligence (or human admissions officers) might even compare submitted athletic photos against any social media or other public photos.⁴⁷
- **Enhanced Internal Controls:** The best way to avoid trouble is to promote a culture of compliance and reporting, which fits nicely with the core values of an educational institution. Blowing the whistle on wrongful conduct should be expected and protected.⁴⁸

2. The role of ethical standards and codes of conduct

In order to prevent these scandals, the ethical foundation upon which institutions operate holds paramount significance. As higher education institutions strive to foster an environment of integrity, inclusivity, and fairness, ethical standards and codes of conduct emerge as linchpins, shaping the character of the admissions landscape.

- **Development of Codes:** Establishing clear and comprehensive codes of conduct specifically addressing admissions practices, outlining ethical guidelines, and specifying consequences for violations.
- **Regular Review and Updates:** Regularly reviewing and updating codes of conduct to ensure their relevance, responsiveness to evolving ethical considerations, and alignment with institutional values.
- **Formation of Committees:** Creating institutional ethics committees responsible for overseeing ethical matters related to admissions, providing guidance, and ensuring adherence to ethical standards.
- **Integration into Policies:** Integrating ethical decision-making frameworks into university policies and procedures, providing a structured approach for handling ethical dilemmas in the admissions process.

7. Public Perception and Impact

A. Public distrust in higher education

In the aftermath of high-profile college admissions scandals, a palpable undercurrent of distrust has permeated public sentiment towards higher education institutions.

1. **Examination of how scandals shape public opinion:** College admissions scandals, such as Operation Varsity Blues and the Harvard Admissions Lawsuit, have acted as catalysts in eroding the trust that the public places in the fairness and transparency of the admissions process. Highly publicized

⁴⁵ <https://www.caseiq.com/resources/3-ways-to-prevent-college-admissions-fraud/#:~:text=Upgrade%20Your%20Approval%20Processes&text=Alternatively%2C%20re%2Dtrain%20officers.,and%20modify%20your%20current%20procedures.>

⁴⁶ IBID

⁴⁷ <https://www.forbes.com/sites/paulrosen/2019/03/19/varsity-blues-how-universities-can-protect-themselves-in-the-wake-of-the-admissions-scandal/?sh=5e8796145a9b>

⁴⁸ IBID

controversies and scandals involving college admissions has also tarnished the image of higher education in the public's eyes.⁴⁹

2. **Perceived Inequity:** The exposure of preferential treatment and manipulation in admissions decisions through these scandals has fueled perceptions of a two-tiered system, where those with financial means or influential connections can gain an unfair advantage. This perceived inequity has far-reaching implications for the perceived accessibility of higher education. "The case really picks up two themes that I think define public life at the moment: One is a pervasive distrust of elite institutions and the second is a belief, whether people endorse it or not, that money is kind of the universal solvent," said Wharton legal studies and business ethics professor Julian Jonker.⁵⁰

B. Long-term implications for the perception of higher education

1. **Loss of Accreditation:** Negative press coverage is only the beginning in some circumstances. From that coverage can come investigations that may lead to a loss of accreditation, conditional accreditation, or closure of a degree program.⁵¹
2. **Declining Enrollment:** Institutions may suffer reputational harm from the negative press exposure from a cheating scandal—exposure that may directly impact enrollment. If students can't trust the credentials a university bestows, why would they choose to spend their money on tuition there? If one program's credibility is called into question, it may affect other programs as well, causing potential applicants to shun institutions that have had any publicized instances of academic dishonesty.⁵²
3. **Erosion of Higher Education's Credibility:** The enduring impact of admissions scandals extends beyond the immediate aftermath, influencing the public's perception of higher education as a whole. The erosion of credibility can hinder the ability of universities to attract students, secure funding, and maintain their standing as trusted institutions.
4. **Policy and Regulatory Scrutiny:** Public distrust often translates into calls for increased oversight and regulatory scrutiny of higher education institutions. Policymakers may respond to scandals by proposing reforms and measures aimed at ensuring greater transparency and fairness in the admissions process.

8. Conclusion

In examining the landscape of college admissions, this research paper has uncovered critical insights into recent scandals, historical contexts, ethical issues, accountability measures, and proposed reforms. Key findings illuminate the intricate challenges faced by higher education institutions in upholding the integrity of their admissions processes.

As the findings reveal, ethics and accountability stand as linchpins in preserving the credibility of higher education. The erosion of trust and the far-reaching consequences of admissions scandals highlight the pivotal role that ethical standards play in ensuring fairness, transparency, and equal opportunities for all aspiring students. Without a steadfast commitment to ethical conduct and accountability, the very essence of the educational journey is compromised.

⁴⁹ <https://www.forbes.com/sites/michaelnietzel/2023/07/11/americans-confidence-in-higher-education-sinks-to-a-new-low/?sh=4e57b73c5341>

⁵⁰ <https://knowledge.wharton.upenn.edu/podcast/knowledge-at-wharton-podcast/college-admissions-scandal/>

⁵¹ <https://www.measurelearning.com/resources/the-reputational-effects-of-academic-dishonesty-in-higher-education>

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