Operation Varsity Blues: Lessons Learned, and Legal and Practical Realities of Admissions

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Operation Varsity Blues - The Facts
- Rick Singer’s illicit cheating & bribery scheme
- Cheating on college entrance exams
- College coaches were bribed to admit non-athletes
- Largest college admission case every prosecuted by US DOJ
- 52 parents, coaches and administrators charged criminally
- 15 parents pled guilty

The Actress
Felicity Huffman

- Paid $15,000 to Rick Singer
- Daughter received extended time to take SAT
- Proctor corrected daughter’s wrong answers to inflate score
- Huffman’s daughter was unaware of this cheating scheme

Sentence: 14 days in prison; one year supervised release; $30,000 fine; and, 250 hours of community service.

Businessman – Devin Sloane

- Paid $250,000 seeking son’s admission to USC as an athlete
- Staged photos of son in water polo gear in family’s pool
- Motivation: “just trying to do what’s best for my child”

Sentence: 4 months in prison; $95,000 fine; and, 500 hours of community service.

The Corporate Lawyer

Gordon Caplan

- Paid Rick Singer $75,000
- Daughter received unlimited time to take ACT
- Proctor corrected daughter’s wrong answers to inflate score
- “In committing this crime, I made the worst decision of my life.”

Sentence: 1 month in prison; one year supervised release; $50,000 fine; and, 250 hours of community service.
Caplan is likely to be disbarred from the New York bar.
Businessman – Stephen Semprevivo
- Paid $450,000 seeking admission to Georgetown as athlete
- Son did not play tennis competitively
- Parent involved the son in submitting dishonest essay

Sentence: 4 months in prison; 2 years supervised release; $100,000 fine; and, 500 hours of community service.

The Wealthy Couple – Gregory & Marcia Abbott
- Paid $125,000 to have both ACT and SAT scores inflated
- Only defendants to engage the cheating scheme twice
- Motivation: desperate to help daughter after her Lyme disease
  - “The fact they did it twice shows a sense of invincibility. For the Abbotts, they wanted to win, to crush the competition.”

Sentence for both: 1 month in prison; $45,000 fine; and, 250 hours of community service.

The Vintner – Agustin Huneeus
- Paid $50,000 to falsify daughter’s SAT results
- Also paid $250,000 for USC admission as “water polo player”
- Knowingly involved daughter in this double scheme

Sentence: 5 months in prison; $100,000 fine; and, 500 hours of community service.
**The Jeweler - Majorie Klapper**

- Paid $15,000 to inflate son’s ACT score
- Lied about son’s race and ethnicity, and falsely claimed her son was a first-generation college student
- Worked with Singer previously to inflate her older son’s SAT score, and claimed “super tutors” explained the bump

Sentence: 3 weeks in prison; $9,500 fine; and, 250 hours of community service.

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**Basic Legal Standards for Admissions**

1. Admission selection process must not be arbitrary – there must be a reasonable explanation for the action or decision.
2. An institution should follow its published admissions standards and honor its admissions decisions, under a legal contract theory.
3. Admissions policies should not discriminate on the basis of a protected class (e.g., race, sex, age, or disability).

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**Discretion Afforded and Legal Deference Extended to Admissions Officials**

- Colleges and universities have traditionally been given wide discretion in establishing their admissions standards.
- The expert domain of educators has long been respected and understood to encompass their duty and expertise to establish admissions criteria.
- The law has shown great deference to institutional decision making in this area.
Reality Check
- Increasing selectivity at the elite institutions fuels anxiety
  - Harvard, USC, Stanford, Columbia, etc are not increasing in size so more applications just means more selective (i.e., 40k applications for 1600 seats)
  - Less than 1% of undergraduates attend an Ivy League; less than 10% attend a public flagship or intensive research university
  - Students respond by applying to more schools
- Early Decision, Early Action, Regular Decision – and ED2, EA1, EA2, etc...
- About half of top-40 national universities offer Early Decision, a binding decision that tends to favor the affluent and savvy, well-connected student

Reality Check
- "in the absence of a narrative, the public creates their own" – VP for enrollment at NACAC 2019
- The complexity of admissions work makes transparency difficult.
- Must do more to help the public understand how decisions are made and why.
- Trust in the testing agencies

UNC Charlotte Admissions Practices
- UNC System Minimum Admission Requirements for First Year and Transfer Admission
- Volume and quality of first year applicant pool drive competition for admission
  - 20K applications for Fall 2019, 65% acceptance rate
  - Middle 50% of admitted freshmen: 3.8-4.5 WGPA / 1130-1280 SAT
- More competitive majors receive additional review
Special Populations or Initiatives

- Athletes
- Legacies
- Adult Student Admission Program, Veterans
- Multiple pathways – deferred admission to spring; Passport; 49erNext
- Appeals processes

Opportunities and Challenges in the Field

- Increasing competition due to decline in high school graduates
- As state funding to public universities declines, universities become dependent on tuition revenue from non-residents and private donors
- Value of higher education is increasingly politicized and everyone is an “expert”
- Independent counselors are accountable only to clients; largely an unregulated business
  - Independents work for more affluent families, while low- and middle-income families rely on overburdened school counselors
  - Similarly, there is disparate access to test prep services