Operation: Varsity Blues

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The FBI announced on March 12, 2019, that 50 people were charged in a college admissions scam. The mastermind of the scheme, William Singer had cooperated and pleaded guilty to racketeering, conspiracy money laundering and obstruction of justice. By April 8, a dozen parents, including Felicity Huffman, and a men’s tennis coach agreed to plead guilty to one count of conspiracy to commit mail fraud and honest services mail fraud to help get their children into selective colleges.

This resource guide provides highlights of the case, Washington Post reprints of selected articles and commentary, including a Tom Toles editorial cartoon, and suggested activities. Many questions arise to be debated and dissected. They focus on the fairness, eligibility and process of college admissions. Why is college attendance at an elite or selective university sought? Does it matter after the first job? How does this “side door entry” compare and contrast to legacy and direct gifts to universities by wealthy parents?

Lisa Wu, former oceanography lab director at Thomas Jefferson HS for Science and Technology, contributed to this resource guide’s activities on work ethics and awareness of well-known people who struggled before success. In her more than 30 years of teaching she worked with many STEM students on their projects and college essays.
2019 Operation: Varsity Blues Highlights

On Tuesday, March 12, 2019, FBI charged 50 people in a college admissions scam. Unsealed documents revealed two television stars, company CEOs and other wealthy parents were willing to pay to get their children admitted to elite universities. In addition to the 33 parents, included in the charges were two SAT/ACT exam administrators, one exam proctor, nine collegiate coaches, and one college athletics administrator.

William Rick Singer, the man behind the scheme and fake charity Key Worldwide Foundation, pled guilty to four charges of racketeering conspiracy, money laundering conspiracy, conspiracy to defraud the U.S. and obstruction of justice. He is alleged to have taken about $25 million from 2011-2018. The payments were made to Key Worldwide Foundation to help underserved children. Some of the parents even included the payments on their itemized tax deductions as charitable contributions.

Mark Riddell, who took the tests in place of students or replaced their responses, was charged with two counts of conspiracy to commit mail fraud and honest services mail fraud. Two others are accused of accepting bribes when they allowed Riddell to take the tests. Singer is alleged to have been paid between $15,000 and $75,000 per test.

Charges included conspiracy to commit mail fraud and honest services mail fraud. Types of actions taken include:
- False documentation of a “learning disability” to allow more time to take tests
- Changing answers on SAT and ACT forms by proctors
- Conditional acceptance through college athletic departments
- Using PhotoShop on action photographs to replace faces of actual student athletes with those of children whose parents paid for this deception — these students had not been on actual high school teams or these sports were not provided in their high schools
- Alteration of applicants’ statistics (including ranks in competitive sports such as tennis)
- Providing college essays or revising ones written by students

For more information, read Washington Post coverage:
“FBI accuses wealthy parents, including celebrities, in college-entrance bribery scheme”
https://www.washingtonpost.com/world/national-security/fbi-accuses-wealthy-parents-including-celebrities-in-college-entrance-bribery-scheme/2019/03/12/d91c9942-44d1-11e9-8aab-95b8d80a1e4f_story.html?utm_term=.3b3613c7f90c

“College admissions bribery scheme affidavit”
https://www.washingtonpost.com/college-admissions-bribery-scheme-affidavit/d216435e-e073-41f6-b6fa-33ed835d053d_note.html?questionId=c2ba5e52-6a22-42ed-a0c9-05c83ee5f83d&utm_term=.71eb4f62c380

“College coaches took bribes to pass kids as star athletes, FBI says. The NCAA is investigating.”
OPINIONS

Why the college admissions scandal merits prosecution

BY RANDALL D. ELIASON

One of the dozens of parents charged this week in the college admissions scandal was Gordon Caplan, co-chair of the international law firm Willkie Farr & Gallagher LLP. In an ironic twist, lawyers from Willkie Farr also represent James Gatto, a former Adidas executive recently convicted in the NCAA basketball recruiting scandal. The two cases reveal two different seamy undersides of the admissions process at elite universities. They also highlight the sometimes blurry line between what is criminal and what may be merely deplorable.

In the admissions case unveiled this week, Caplan is charged with allegedly paying the owner of a college counseling business, Rick Singer, $75,000 to have a proctor alter Caplan’s daughter’s ACT exam answers and improve her score. Singer’s schemes with other parents also allegedly included falsifying application materials to make students appear to be star athletes and paying bribes to college coaches and administrators to admit them.

In the NCAA basketball case, the defendants secretly paid star high school athletes and their families thousands of dollars in exchange for their agreement to attend particular universities and later sign sponsorship deals with Adidas. This violated NCAA rules that, among other things, prohibit student athletes from being paid. Gatto and his co-defendants were convicted of defrauding the universities by helping them admit athletes who would end up being ineligible to play if the payments were ever discovered.

Gatto’s attorneys — Caplan’s law firm colleagues — have argued convincingly, albeit so far unsuccessfully, that Gatto’s behavior violated NCAA rules but did not rise to the level of criminal fraud. Caplan and other parents in the admissions case may make a similar argument: that their behavior was wrong, but not criminal. After all, if you cheat on an exam in college, you would expect to be disciplined, but you wouldn’t expect to be charged with a crime. If you cheat to gain admission, you might expect to be disgraced and have your child expelled but not to be branded a felon — particularly if you have paid or are planning to pay the school roughly a quarter-million dollars in tuition and fees over four years.

Yet there are some significant differences between the two cases. In the NCAA case, the athletes who were paid were being aggressively recruited by the schools — the
supposed victims. There was no question the students were qualified to play and that the universities wanted them to attend. It’s hard to see how the universities were defrauded by getting the very players they so desperately wanted, particularly when some of their own coaches were allegedly in on the scheme.

That’s not true in the new admissions case. The students admitted were reportedly not otherwise qualified and were not being recruited. By allegedly falsifying test scores and application materials, the defendants obtained or sought to obtain valuable admission slots to which the students were not otherwise entitled. They deprived the universities of their ability to award those slots to students who were truly deserving.

In the NCAA case, although the payments to the students were secret, there was nothing inherently fraudulent about them. If they were professional athletes, the money would have been considered a signing bonus. It was only the violation of NCAA rules and the fiction that Division I NCAA student athletes are “amateurs” that supposedly transformed the payments into a fraud.

But in the admissions case, the allegations involve altered test scores, doctored admissions files and bribe payments laundered through a phony charitable organization. These are inherently corrupt activities — what prosecutors sometimes call badges of fraud. They do not depend on the rules of a private organization like the NCAA to make them wrong.

Those directly involved in paying and receiving bribes will find their conduct hard to defend, and Singer and a coach have already pleaded guilty. With the accused parents, it’s going to vary case by case. Those who only reportedly paid for fake test scores may argue that cheating on a test should not be a crime. For parents whose students were allegedly admitted as a result of bribes, everything will turn on what prosecutors can prove about their knowledge. Some may claim they thought they were simply paying a high-priced consultant or making a sizable donation to the school but did not know the details of the bribery scheme. Parents may also face tax issues if they improperly took a charitable deduction for their alleged payments to Singer’s organization.

We are currently in the midst of a national debate about over-criminalization. Not everything that causes outrage merits a federal prosecution. The NCAA defendants are appealing their convictions and have a plausible argument that prosecutors have pushed the boundaries of criminal fraud too far. Parents charged this week may try to make a similar claim, but given the nature of the schemes here, they will have a steeper hill to climb.

Discussion Questions

1. Find the following terms in the article, underline and define them.
   Allegedly: Inherent
   Bribe: Entitled
   Cheat: Fraud
   Criminal: Over-criminalization
   Entitled: Plausible

2. Summarize the two cases that are presented by Randall D. Eliason.

3. What is the main contrast between the two situations?

4. What is your opinion of the NCAA basketball/Adidas recruiting scandal?

5. What is your opinion of the college admissions case?
The recent college admissions scandal has raised fundamental questions about notions of fairness and meritocracy. As wealthy and famous parents paid exorbitant sums for a “side door” to get their children admitted to elite academic institutions, those lacking such resources have rightly expressed indignation. Especially since the advent of standardized exams, such as the SAT and ACT, these institutions have held themselves out as models of fairness and meritocracy — and a pathway for the talented from all walks of life to enjoy the climb to the top, however they might define it.

But such scandals pose even more fundamental questions that Americans must increasingly confront. Does concentrated wealth and radical economic inequality almost assure repeated attempts to create such side doors?

Some are arguing that poverty, not inequality, represents real moral concern.

Some intellectuals have lately been dismissing concerns about our nation’s extreme economic inequality. Philosopher Harry Frankfurthas recently argued that worrying about inequality represents an unhealthy “preoccupation with the condition of others.” Economist Deirdre McCloskey has likewise insisted, “It doesn’t matter ethically whether the poor have the same number of diamond bracelets and Porsche automobiles as do owners of hedge funds.”

What matters, both suggest, is whether the poor have enough to eat, a roof over their heads and some semblance of equality under the law.

William “Rick” Singer, founder of the Edge College & Career Network, departs federal court in Boston on March 12 after he pleaded guilty to charges in a nationwide college admissions bribery scandal.
These views are well-captured by the doctrine of “sufficientarianism” — that is to say, it’s poverty, not inequality, that represents the real moral concern for us in the 21st century.

History’s great moral philosophers disagree, arguing that great wealth corrupts.

Yet the accumulated wisdom of previous centuries suggests something very different: that economic inequality and highly concentrated wealth represent their own dangers to moral and civic life; and that extremely wealthy citizens pose distinct concerns. For Plato, in about the 4th century B.C., great riches foster “luxury and a lack of restraint.” The fabulously rich, in his account, have little interest in friendship, community, sharing or conforming their behavior to legal and moral standards. Their fortunes, he reasoned, give them a sense of impunity. For this reason, Plato’s Athenian Stranger deduces in the “Laws,” “it is impossible for someone to be both unusually good and unusually rich.”

Nearly two millennia later, Thomas Hobbes (1588-1679), though worlds apart from Plato in many respects, came to remarkably similar conclusions about the effects of wealth. “Dispositions,” he reasoned in “De Homine,” “are frequently made more proud by riches and civil power, for those who can do more demand that they be allowed more, that is, they are more inclined to cause injuries and they are more unsuited for entering a society of equitable law with those who can do less.” This speaks directly to those who, like McCloskey, insist that great individual fortunes are unproblematic so long as there exists a genuine equality under the law.

Perhaps most to the point might be Jean-Jacques Rousseau (1712-1778), who argued in “The Social Contract” that a stable and secure republic requires that “no citizen is rich enough to be able to purchase another, and none is so poor that he is forced to sell himself.” In radically unequal societies, Rousseau suggested, the wealthy feel justified in purchasing moral compromises from their less-wealthy neighbors — soccer coaches, SAT proctors and the like.

As Rousseau elaborated in “Discourse on Inequality,” in radically unequal societies, having the poor and even middle classes depend on the wealthy “engenders so much indiffERENCE to good and evil altogether” — because the ordinary citizen wants not just to have enough to eat but also to keep up with the Joneses, so to speak.

Although the poor may well have enough to eat, a society that values and celebrates wealth above all offers the comparatively poor all the incentives they need to sell out their virtue to the highest bidder.

What does this mean for the college admissions scandal?

Plato taught that when people possess enormous fortunes, compared with their peers, they assume they have impunity from the moral standards imposed on everyone else. Hobbes taught that with this sense of impunity, the fabulously wealthy come to believe they are above the laws that would punish the poor, were they able to attempt the same.

Plato’s and Hobbes’s logic was on display in the affluenza case in Fort Worth a few years ago, in which a wealthy 16-year-old was given probation for a drunken-driving case that left four dead — because, his lawyer successfully argued, his wealth made it difficult for him to understand that ordinary legal and moral standards applied to him.

The college admissions scandal is merely an extension of the same logic — with the important exception that this time the perpetrators are likely to be held accountable. But the underlying insights of Plato and Hobbes — that great wealth imbues a sense of impunity from moral and legal standards — offer a compelling explanation of how both of these episodes came about in the first place.

Beyond Plato’s and Hobbes’s insights into how enormous fortunes warp their possessors, Rousseau taught that those fortunes typically coexist
with the relatively poor. The problem is not just that a cluster of oligarchs are prepared to ignore conventional morality and laws, according to Rousseau, but also that society praises people primarily for their wealth — which nudges the comparatively poor into helping with schemes like the admissions scandal so that they might also get a taste of the wealth.

Although details on the scandal are still emerging, federal prosecutors allege that one parent spent $6.5 million to get his/her child into a college. That means someone accepted that money. Rousseau taught that in unequal societies that value money over virtue, purchasing the moral capitulation of those less well-off becomes easier.

Great inequality erodes virtue at the top, middle and bottom.

In other words, the Western tradition helps us see the college admissions scandal as inevitable, one of many predictable manifestations of contemporary inequality. Fabulously wealthy parents assume they are entitled to extend their wealth, status and privilege — and that standard rules of college admission simply do not apply to them. The comparative poverty of some of their neighbors nudge them into complicity in their schemes.

Simply ensuring that the poor “have enough” does little to address these underlying concerns.

David Lay Williams is professor of political science at DePaul University and author of Rousseau’s ‘Social Contract’: An Introduction (Cambridge University Press, 2014). He is writing a book on economic inequality in Western political thought.
What They Say About Wealth

David Lay Williams uses his knowledge of the works of three philosophers to relate what they would think of the 2019 charges against parents who used their wealth to gain college admissions for their children. Read “What 3 famous philosophers would think about the college admissions scandal.”

1. Summarize what each of these philosophers believed about wealth.
   a. Plato — 4th Century
   b. Thomas Hobbes — 1588-1679
   c. Jean-Jacques Rousseau — 1712-1778

2. Rousseau observed society’s tendency to praise “people primarily for their wealth,” according to Williams.
   a. What impact does this attitude have on the relatively poor?
   b. How might this concept apply to the people alleged to be involved in perpetrating the scheme and making it work?

3. What do fictional characters in movies or books say about the impact of wealth on society, the poor or the wealthy? You choose the character, give the source (book or movie title), quote from the work and summarize the perspective. You may think of your own example, but here are a few suggestions to get you started.
   a. Who in fiction left an impact on your view of wealth? You might consider a work written by Charles Dickens, Ayn Rand, F. Scott Fitzgerald, or John Steinbeck.
   b. You might consider characters in movies such as Slumdog Millionaire, The Hunger Games, Citizen Kane, and Wall Street (Gordon Gekko) to discuss views of wealth.
4. Have you read a memoir or biography about being poor? Rising above poverty, being destroyed by one’s poverty, or finding a better perspective on life through being at the bottom of the economic ladder. Summarize the life of the individual, the forces that played upon the person’s “success” and lessons learned.

Works such as *The Glass Castle, Angela’s Ashes, A Long Way Home* and *It’s a Good Life, If You Don’t Weaken* could be starting points.

5. What do people who are wealthy (whether born into it or working to achieve it) have to say about wealth? Select one of these individuals to learn about the path taken to financial success. What part did education play? Include at least one quotation from the person about wealth and its impact on society, the poor and the wealthy.

a. Mary Kay Ash (Mary Kay Cosmetics)  
b. Zdenek Bakala  
c. Sarah Breedlove (Madam C.J. Walker)  
d. Ursula Burns  
e. Warren Buffet  
f. Jackie Chan  
g. Kirk Douglas  
h. Bill and Melinda Gates  
i. Maria das Gracas Silva Foster  
j. John H. Johnson  
k. Kirk Kerkorian  
l. Howard Schultz  
m. George Soros  
n. Sam Walton  
o. Oprah Winfrey
Our big college admissions scandal just made the U.S. look a lot more like the rest of the world

BY CHRISTIAN CARYL
Op-ed Editor/International

The college admissions corruption scandal that broke this week, ensnaring Hollywood stars and business executives who were allegedly a bit too eager to bend the rules for their children, has unleashed an agonized discussion among Americans about decaying public mores, the self-entitlement of the wealthy and the crisis of higher education.

What that discussion has missed so far, though, is that plenty of other countries have been confronting the same problems for years. Unfortunately, the societies in question are ones we probably don’t want to emulate.

The idea of paying bribes to gain admission to elite schools, a central feature of the FBI’s “Varsity Blues” investigation, is old hat in other parts of the world. Post reporter William Wan noted a few years ago that “admission to a decent Beijing middle school often requires payments and bribes of upwards of $16,000, according to many parents. Six-figure sums are not unheard of.” Four years ago, Cai Rongsheng, the former admissions director at Beijing’s prestigious Renmin University, was prosecuted for taking payments from parents who were only too happy to compensate for their children’s lack of academic qualifications. He confessed to earning $3.6 million over an eight-year period.

It’s possible that Chinese President Xi Jinping’s relentless anti-corruption campaign has since made a dent in this sort of cheating — but I’m not holding my breath. China’s notoriously competitive educational system, combined with a pervasive culture of informal payments for

High school students participate in a rally in Zhumadian, China, last month to help them get motivated for the annual college entrance exam, the gaokao — which at the time was still 102 days away. Education has historically been seen as a way to move up in Chinese society, Gish Jen writes.
An Integrated Curriculum For The Washington Post Newspaper In Education Program

just about every service imaginable, makes for powerful negative incentives.

The Russians aren’t far behind. One 2015 study estimated that Russian families “pay about $300 million annually in bribes to ensure acceptance to universities, and another $700 million once students are enrolled.” A former deputy prime minister cited in the same paper put the figure at between $2 billion and $5 billion a year. The practice is so common that one journalist posted a price list, broken down by institution. If you want to get into the prestigious Moscow State Institute for International Relations — supposedly a public university, open only to those with the best grades — you just have to pay the right person $20,000 up front, and you’re in!

Such practices aren’t limited to authoritarian states. The world’s largest democracy has a chronic problem with corruption in the higher-education system. The most notorious case India has produced so far was the Vyapam scam in the state of Madhya Pradesh. The BBC took stock in 2015, three years after the first revelations came to light:

Some 2,530 people have been accused since 2012. Around 1,980 people have been arrested; and 550 people are still sought by police. Twenty courts in Madhya Pradesh are looking into 55 cases registered in connection with the scandal.

Varsity Blues seems pretty modest compared to this. Still, an Indian newspaper commentator reacted to the revelations from America like this: “What happens in India, happens in U.S. too.”

It’s hard to blame him. After all, the participants in the U.S. admissions fraud also systematized cheating on standardized tests to help their clients get into the right colleges — even if their methods look pretty primitive compared with some used elsewhere. India’s own “cheating mafia” is notorious for its sophistication and reach. Turkey’s Gulenist organization, an Islamist group that has now been condemned for its alleged involvement in a 2016 coup attempt, used its members inside the education bureaucracy to supply exam answers to children from its network of private schools. And China’s notoriously high-pressure university entrance exams, the gaokao, has inspired a seemingly endless stream of amazingly sneaky cheating schemes.

But why go to so much trouble? The answer is simple. The right university degree offers a pathway to social status, intellectual respectability and better jobs. That’s why diploma mills, which churn out impressive-sounding scholarly credentials for a price, resist all attempts to root them out. It also explains why politicians in countries from Spain to Malaysia keep getting caught for claiming degrees they never really earned. (Vladimir Putin is probably the highest-ranking public official to have been found to have plagiarized a dissertation — a discovery that somehow didn’t prompt his resignation, as it might have elsewhere.)

There is a glimmer of hope, though. Many people around the world — not just those appalled by the Varsity Blues revelations — still seem to understand that gaming higher-education systems isn’t just morally wrong but also potentially damaging to their fellow citizens. (Which Indian would want to be treated by a doctor from Madhya Pradesh?)

Americans once aspired to higher ideals. It’s sad to think that it’s the cheaters in the world who can now cite us as models.
Big Dollars Open Side Doors

Most of us were taught that if you work hard you will be rewarded. If you do well in middle and high school, you will potentially achieve success in college. If the goal is to enter adulthood, the workforce, and contribute to society throughout your life, then the journey in higher education should be about what you learn and what you experience, the friends you make, the activities that open new windows of opportunity and paths you may never have considered. It’s about building relationships with professors who can become lifelong mentors and advocates. Going to college should not be entitlement nor should it matter who signs the diploma.

The college admissions scandal provoked widespread outrage and highlighted what most have known for many years: The environment is more competitive than ever. It’s not enough to study hard and expect to be rewarded (at least not with your dream school). Your summers are packed with courses, trips and internships. During the school year you play sports, you lead clubs, and you may start your own non-profit. To what extent is the stress, time and effort rewarded with admission in first-choice schools?

What aspect of this college admissions scandal interests you the most? Choose one of the following issues raised and debate it with a partner or write about why you find it compelling.

- What is work ethic? How is work ethic at the heart of this scandal? What are the ethical issues surrounding the scandal?
- Is there a need for higher education reform?
- Is there a racial divide inherent in college access?
- Should colleges completely change the way they handle admissions? Do you feel the admissions system is rigged?
- What do you think will come of the high-profile FBI investigation?
- Some have said that they believe that any student who was accepted to college as a result of this scam should be expelled, or his or her diploma should be taken back. Do you agree? Why or why not?
- How does student loan debt relate to this issue? Will the college investment pay off? What about legacy students?
- What does it mean to say college admission is clearly not a meritocracy?
Struggles and Inspiration

Everyone knows the stories about how Bill Gates and Mark Zuckerberg dropped out of a university to become two of the richest people in the world. The individuals listed below are also highly accomplished. They are from different centuries, different backgrounds, and their work contributed to different fields of study. You don’t need to be a genius to recognize that their goals, like yours, could not have been achieved without tenacity.

Choose one of the individuals to research. First list several of his or her achievements. As you are researching the accomplishments, note the intellectual struggles they faced. And finally, what were the personal life struggles they had to overcome?

Discuss these successful people with a partner. What lessons can be learned from their stories? Learning about these well-known individuals and their work that faced setbacks before going on to revolutionize the field is a comforting reminder that rejection isn't necessarily the end of your life — sometimes it is just the beginning.

Isaac Asimov — American writer and professor of biochemistry
Warren Buffett — American investor, business magnate and philanthropist
Marie Curie — Scientist, Nobel Prize in Chemistry and Physics
Albert Einstein — Scientist and Nobel Prize in Physics
Tina Fey — American actress, producer, writer
Elon Musk — Engineer, innovator, entrepreneur
Barack Obama — 44th President of the United States, lawyer, educator and community activist
Steven Spielberg — American film director, screenwriter and producer
Nikola Tesla — Engineer, inventor
Harry S. Truman — 33rd President of the United States, business owner
Ted Turner — Media mogul, founder of Cable News Network
An editorial cartoonist will use labels to ensure understanding. What is Tom Toles contrasting?

2. Who is the figure in the center of the panel? What details communicate this idea?

3. The large banner is built upon aspects of the news peg.
   a. What is the basic news story?
   b. Select one part of the banner “message” to explain.

4. Toles’ alter ego sits in the lower right corner to add commentary.
   a. To what is he referring?
   b. Explain how this is an example of Toles’ use of word play.

5. Summarize Tom Toles’ editorial point of view. Do you agree or disagree with him?