

The 3 biggest higher education controversies of 2021

*By Sam Becker
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Higher education isn't a stranger to scandals and controversies, and 2021 was no exception. While some scandals from previous years approached their inevitable conclusions, the COVID-19 pandemic—or ongoing pandemic, as we enter its third year—fueled a swath of lawsuits at colleges around the country. What's more, students also took to the picket lines at some universities, demanding better treatment (and bigger paychecks).

Here is a recap of the three biggest scandals and controversies from 2021.

The “Varsity Blues” fallout

Unfortunately, the “[Varsity Blues](#)” scandal lacked Jon Voight, James Van Der Beek, or [Scott Caan stealing a police car](#). But the college admissions scandal—which originally made headlines back in 2019, entangling some celebrities and other big names—[effectively wrapped up](#) in 2021 with guilty pleas, guilty verdicts, and sentences being doled out.

To recap, [Operation Varsity Blues](#) (as dubbed by federal investigators) involved a criminal conspiracy to get students placed into a number of top universities, such as the [University of Southern California](#), the [University of Texas](#), and [Yale University](#), sometimes without students' knowledge. Test scores were altered. Learning disabilities were conjured up in order to gain access to additional accommodations. Some students

were even photoshopped into sports teams—showing them participating in sports that they never actually played.

It's a long, intricate story. But as of the end of 2021, most of the dust has settled, with dozens of parents being implicated, along with college coaches and athletic administrators, and the ringleader of the whole thing, William Rick Singer.

“Money and connections are at the center of the Varsity Blues Scandal. What made this scheme different was that Rick Singer used the athletics department to be the primary vehicle of deception rather than the college’s development, alumni, or admissions office directly,” says [Sara Harberson](#), a college admissions expert, former dean of admissions at Franklin & Marshall College, and the founder of Application Nation, a private, subscription-based Facebook group designed to help parents navigate the admissions process. “Interestingly, the parents paid Singer only a fraction of what would be expected from a college to get a weaker student admitted.”

While the dust may be settling from the Varsity Blues scandal, Harberson says these types of schemes—those that involve lying or cheating to get a student into their desired school—remain common. And if anyone is to blame, it’s those people who work in admissions offices, to whom it would have been “blatantly obvious” that “things were not adding up in a student’s application,” she says.

“It still feels like 1952 in college admissions. Who you know, who you pay off, and who you are remain powerful tools that the wealthy and connected families use knowingly and effectively.”

Columbia University’s student-worker strike

At one point in 2021, the biggest strike in America was unfolding on the campus of [Columbia University](#) in New York City. Roughly 3,000 student-workers, mostly graduate students, went on strike at the beginning of November in response to what the [Student Workers of Columbia](#) (a United Auto Workers Local 2110 union) says are unfair labor practices.

Johannah King-Slutzky, a Ph.D. student in Columbia’s department of English and comparative literature, says that she and others took to the picket line to secure higher wages, more benefits, further recognition of

student union members, and changes to Columbia's system for investigating claims of discrimination and harassment. All told, she says, the dispute has been ongoing in some form or another since 2014.

"Columbia had a record-breaking year for earnings, and they have been trying to pinch pennies," King-Slutzky says, citing [the university's latest annual report](#). "Columbia is one of the wealthiest universities in the country. It charges the highest tuition in the country, and despite its incredible wealth, it's extracting as much as it can from its students and graduate students."

Columbia University has [published a proposal](#) in response to the strike, which would include pay increases, stipends, and the creation of health care funds for student workers and their dependents.

However, the students feel that it's not nearly enough.

"We've been asking for a couple of years for a fair contract, and the university has stonewalled us and refused to bargain in good faith," says Daniel Santiago Sáenz, a Ph.D. candidate and teaching fellow at Columbia, who is also an international student who was born in Colombia but grew up in Canada. "We're just asking for what we believe to be a fair contract."

The key issue, he says, is that the cost of living in New York City is simply too high—and student worker wages are too low—to make ends meet. As an international student, too, he's not legally allowed to find another job off-campus, blocking one potential outlet for additional income.

In aggregate, the situation at Columbia is complicated. The striking students say they are looking for meager increases in pay and benefits in order to help offset the costs of living, studying, and working in an expensive city. And they feel pretty good about their chances, looking ahead.

"Many of us come from working-class, low-income, or underrepresented minority groups in academia. This strike is a class struggle, says Sáenz. "We'll see what other doors this can open for a more stable and healthier academia."

Remote-learning lawsuits resulting from campus closures

When the pandemic hit college campuses in March 2020, many students were forced to go home—and stay there. As a result, a number of students felt that they were getting shortchanged; they were paying full tuition and not really getting the on-campus experience and tutelage they expected. [More than 4,200 colleges and universities](#) nationwide closed their campuses to some degree, affecting nearly 26 million students. So it was only a matter of time before students started filing lawsuits in an effort to recoup some of that tuition.

Hundreds of lawsuits were filed around the country, and the top five collegial targets of those lawsuits were USC, the University of Miami, [New York University](#), [Cornell University](#), and Pennsylvania State University—although each had fewer than 10 COVID-related cases filed against them as of December 2021, according to data from Carla Rydholm, senior director of product management at [Lex Machina](#), a legal analytics company.

But the lingering question is, Do any of these lawsuits have a chance of being successful?

“In general, in order to have standing, plaintiffs only have to show that they have suffered some cognizable injury,” says Jonathan B. Orleans, a higher ed and employment attorney at the law firm [Pullman & Comley](#). “In these cases, the plaintiffs contend that what they have received is less than what they paid for, so they have suffered monetary damages. I haven’t seen a decision throwing any of these cases out of court for lack of standing.”

Orleans says that most schools are asking the courts to dismiss the cases, but whether or not any of them end up being successful remains to be seen.

“The results depend very much on the specific facts in each case, and to some extent on the particular state in which the school is located,” he says. “Keep in mind that contracts are governed by state law, not by federal law, so we won’t necessarily get nationwide uniformity in the decisions in these cases.”

Further, many of these lawsuits may be the result of legal professionals looking for a payday.

“These suits are clearly driven by lawyers, not the students who are largely thankful schools did not completely close down,” says Dwayne Robinson, a partner at the Miami-based law firm [Kozyak Tropin & Throckmorton](#), which served as counsel for Miami-Dade County College—one of many schools that was a target of lawsuits following COVID-related shutdowns.

Javier Lopez, the managing partner at Kozyak Tropin & Throckmorton, adds that while these lawsuits mainly concern students and schools, the general public has an interest in keeping an eye on them, as the taxpayer, ultimately, is on the hook for damages.

“We taxpayers fund these schools even if we will never attend them,” Lopez says. “So every time a public college or university spends money because a student claims they did not get to use the student union or the basketball gym for as long as they expected, we are all footing that bill.”

See how the schools you're considering landed in Fortune's rankings of the best [part-time](#), [executive](#), [full-time](#), and [online](#) MBA programs.