

## **International Admissions: Ethical Challenges**

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In its May 2013 Report of the Commission on International Student Recruitment (<http://www.nacacnet.org/media-center/Documents/ICR.pdf>), the National Association for College Admission Counseling (NACAC) explores the contentious arena of commission-based international student recruitment contracts. The exclusive focus on commission payments is misplaced. The most disturbing abuses are more closely tied to money paid by students to education agents than commissions from institutions to agents. The lack of oversight by institutions of their international student recruitment practices, including their contracts with agents, is the issue. In addition to clarifying terms, the substantive steps that institutions ought to take to ensure they are operating a clean house are articulated below.

## **DO ALL AGENTS RECEIVE COMMISSIONS?**

An education agent is a company or an individual recruiting students seeking to study in other countries. Education agents may be “stand-alone” or part of a travel agency, immigration consultancy, or other commercial operation.

The NACAC report neatly categorizes three types of education agents (p. 40) but additional terminology is needed. Those earning fees only from institutions, as commission payments or other fees, should be characterized as “institution recruitment agents.” Those earning fees only from students should be characterized as “student agents.” Those accepting fees from both should be characterized as “mixed fee agents” (the report calls this “double-dipping,” p. 13).

## **WHAT ARE THE ABUSES?**

The NACAC report rightly links commissioned recruiting—i.e., the payment of incentive commissions for each recruited student—with the possibility of an “array of misrepresentations” (p. 10). But the recruitment arena is littered with far worse transgressions, including the widespread faking or doctoring of academic and financial documents and systemic attempts to cheat on globally administered entrance examinations.

How widespread? According to one *Times Higher Education* (London) article of June 13, 2013, a NAFSA: Association of International Education report concluded that “90 per cent of recommendation letters for Chinese applicants to Western universities had been falsified” (<http://www.timeshighereducation.co.uk/news/fraud-fears-rocket-as-chinese->

seek-a-place-at-any-price/2004704.article). These abuses are sanctioned by students or their parents, who pay fees for these services.

There is a need to focus policy on "high-fraud high-volume" countries where the most troubling practices occur.

### **ARE COMMISSION FEES THE PROBLEM?**

Commissions from institutions increase incentives to misrepresent information. Some agents steer students from an institution or program that pays no or little commission to a less suitable one that pays the agent US\$1,000, US\$2,000, or significantly more. Agents usually represent a suite of institutions that pay and pay comparably.

The more lucrative model for earning large sums of money is through student fees. Charges for routine service like filing an application offer high earnings. The same *Times* article notes that agencies in China are paid up to US\$10,000 by the student and at times double for admission to highly ranked institutions. Handsome fees can be charged for document fabrication or arranging for a rogue test-taker. Further, high-volume fees are earned from students' quixotic pursuit of admission even when the agent knows the student will be refused.

Universities know most students they meet abroad will not show up on their shores. Experienced agents know that most prospects will decide to stay at home for their studies, use another agent, attend another institution not in the agent's portfolio, or be refused a visa. Since only a small percentage of prospects will ultimately earn a commission for an agent, many are inclined to try to capture larger fees from students for the application process than rely on the

small commissions *that might be earned* from those candidates successfully placed abroad. In China and India, agents earn far more from fees charged to students than is paid to them from institution commissions.

### **WHAT IS THE ROOT CAUSE OF THE TRICKERY?**

For the much wider array of unethical practices, such as doctoring the academic record or cheating on examinations (such as SAT), the root problem lies with the student and, too often, parents, pushing for an admissions (or scholarship) advantage. Agents serve as a go-between in guidance or execution.

When the SATs were cancelled nationwide in South Korea in May 2013, the *Wall Street Journal* on May 9, 2013 (<http://online.wsj.com/article/SB10001424127887323744604578472313648304172.html>) reported that the motivations to cheat were impelled by parents. Similarly, the gross, rampant grade inflation found in high schools established for students seeking to study abroad is not the fault of agents. The schools are simply sating parental appetites for top academic results for their children to enhance admission prospects in overseas institutions.

### **SOLUTIONS: SUPERVISION OF AGENTS**

The NACAC report correctly emphasizes institutional accountability in its opening Commission Recommendation Relative to the Statement of Principles of Good Practice. Institutions should go well beyond the report's recommendations for greater accountability (p. 45). Applications should require declarations of truthfulness from students and elaborate the consequences of dishonesty. Students should be explicitly instructed about what is unacceptable, such as

altering or faking academic records. Students should be required to declare whether and what third-party assistance was provided. Those admitted should be notified in advance that English-language proficiency test results will be verified upon arrival and that they will be interviewed briefly and asked to write an essay.

In hiring agents, agreements should specify the terms and limitations of the relationship and that malfeasance will lead to immediate termination and possible referral to criminal law procedures. Periodic checking should be done at the discretion of the institution.

These represent low-cost, and even no-cost, measures for which no institution can claim a lack of resources. Beyond these measures, depending on the scale of operations, institutions can deploy delegations with expertise in the country in question to check whether agency agreements are being honored. Are students being appropriately advised? Are agency fees in compliance with the institution's agreement? Does student counseling evince accurate knowledge of the institution? Are documents genuine? Certainly, this is not easy task. Agents or parents may send faked documents and the student may be an unwitting accomplice. Institutions may not have contracts with agents and yet receive their applications from them. But this challenge only accentuates the need for careful recruitment strategies without shortcuts.

### **SOLUTIONS: INSTITUTIONAL PROPRIETY**

The NACAC report states "(A) critical consideration for policy makers is the ability and/or willingness of colleges to establish and take seriously such procedures to ensure against misbehavior" (p. 42).

NACAC's use of "willingness" questions whether "ability" is actually the issue. Perhaps, it is not a lack of institutional gravitas but rather a canny recognition that more diligence in their relationships with agents could mean fewer students and lower revenues.

Without capacity or resources for rigorous enforcement, organizations that train, accredit, or license agents cloak institutions to avoiding serious accountability. This avoidance has attracted increasing governmental oversight in the United States, the United Kingdom, and Canada, amongst others.

Institutions' financial dependence on international student fees significantly undermines an inclination toward strict oversight of recruitment practices. Admitting unqualified students, the unwarranted passing of students in courses, or participating in deals of dubious propriety with agents or even overseas institutions, are all examples of desperate acts that risk institutional reputation in the long run.

## **CONCLUSION**

There are substantial financial incentives for agents to act improperly. Focusing on commission payments tends to distract from the bigger problem. There are large numbers of individuals paying large sums to agents for a variety of advantages in the admission processes. Particularly, in a short list of high-fraud high-volume countries, agents command large financial rewards by exploiting genuine but poorly informed or easily manipulated prospects. Completing the problem are educational institutions desperate for international student fees that may be willing to compromise their academic standards, and be willfully ignorant of improprieties committed by agents, students, and parents.

There is meaningful scope to clean up the field of international student recruitment, but this requires institutions to pay for their responsibilities and accept only honorable returns.