A Study of the Impact of Education and Immigration Policies on the Recruitment of Foreign Students to PHEIs in Malaysia

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ABSTRACT

The strategic location, economic and political stabilities, regional and international developments and a relatively cheaper cost of living collectively contribute to the development and growth of education in Malaysia, in line with the vision of becoming a regional hub of education excellence. To attract more foreign students, Private Higher Education Institutions (PHEIs) were encouraged to provide world-class qualifications and holistic education through collaborations with foreign academic partners. However, the education industry was ill equipped to meet the issues that emerged with the influx of foreign students and the underlying advantages were not sufficient to ensure sustainable and continuous recruitment of foreign students. Raising the standards of the infrastructure alone is not enough; there is a need to look at the existing Policies, which form the backbone of a successful education export industry.

This Study investigates the impact of Education and Immigration Policies on the recruitment of foreign students to PHEIs in Malaysia using the Cheng and Cheung Policy Analysis Framework and the qualitative and quantitative research paradigms. It concludes that the Policy Analysis Framework is suitable in the current context and that generally the findings suggest that Education and Immigration Policies impact the recruitment of foreign students to PHEIs in Malaysia. Specifically, Education Policies, in relation to the administration of the Institutions, such as marketing strategies, and the teaching of the Compulsory Subjects, affect recruitment of foreign students. As for Immigration Policies, the carrying of Student Passports is inconvenient and the alternative of the International Student Card is timely and necessary and the Immigration Procedures should be more student-friendly. The policy to allow foreign students to work may not increase the number of foreign students, as the current conditions are too restrictive.

To overcome the current shortcomings in the policies concerned, there is a need for the review of these policies by looking at their formulation, implementation and impact. Any attempts to re-draw the policies must be supported with substantive research and participation from PHEIs. Policies are only successful if the objectives are formulated and implemented correctly and stakeholders’ participation is incorporated from the very beginning.
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### ABSTRACT

### KEY WORDS
Policy, Private Higher Education, Foreign Students, Survey, Case Study

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Glossary

- ‘Bumiputra’ is taken to mean ‘sons of the soil’ includes all people of Portuguese descent and indigenous people of Sabah and Sarawak.
- Case Study PHEIs refer to Participating Private Colleges identified in this Study as PHEIs A, B and C.
- Department of Private Education, the department under the Ministry of Education responsible for Private Education no longer in existence.
- Education Sector includes both Public and Private Education Sectors.
- Foreign Branch Campuses include Curtin University Of Technology Sarawak Malaysia, FTMS-De Monfort University Campus Malaysia, Monash University Malaysia Swinburne University of Technology Malaysia and The University of Nottingham.
- Higher Education includes pre tertiary and tertiary education.
- Private Higher Education Institutions – includes Private Universities, University Colleges, Private Colleges and Institutes.
- Private Institutes of Higher Learning the same as Private Higher Education Institutions.
- Private Universities refers to Private Universities run by Government Linked Companies such as utilities corporations.
- Public Higher Education Institutions includes Universities, and State-funded Training Institutes.
- Public Institutes of Higher Learning/Public Higher Education Institutions.
- University College refers to Private Colleges given University status in the recent exercises between 2003 and 2005.
Abbreviation

- 8MP   The 8th Malaysian Plan
- ANOVA Analysis of Variance between Groups
- CAGR  Compound Annual Growth Rate
- GDP   Gross Domestic Product
- LAN   Lembaga Akkreditasi Negara (National Accreditation Board)
- MAPCO Malaysian Association of Private Colleges
- MoDA  Ministry of Domestic Affairs
- MoE   Ministry of Education
- MoHE  Ministry of Higher Education
- MoHR  Ministry of Human Resources
- NAIPEI National Association of Private and Independent Educational Institutions
- NEP   New Economic Policy
- OPP3  The Third Outlined Perspective Plan
- PHEI/s Private Higher Education Institution/s
- HEI/s  Higher Education Institution/s
The human heart may plan a course, but it is God who makes the steps secure

Proverbs 16:9
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1. INTRODUCTION

Education is indeed one of the greatest tools for the growth and the development of the individual and society. Apart from these esthetic and traditional values, today, education is seen as a major contributor to the GDP of a country. In the United States, for example, Higher Education brings in approximately $7 billion a year and provides for about 100,000 employment opportunities (Fiske, 1997). There are many established education exporters led by the US, and followed by the UK (Binsardi and Ekwulugo, 2003). In line with this global trend, Malaysia sees the value of education, not only as an inexpensive tool for enhancing international relations and goodwill (Hallinger, 1998), but also as a viable export commodity and a catalyst for K-economy.

Acknowledging these, the Government of Malaysia, in its National Development Policy, 1991-2000 states that it will continuously upgrade and improve education and training programmes and facilities (Masalah Pendidikan, 1994, p. 11). These are necessary if Malaysia is to succeed in becoming the regional hub for education excellence (Rahimah, 1998). However, apart from upgrading education and training programmes and facilities, there is an urgent need to review Policies as these form the vehicle to move the aspiration to become a regional hub of education excellence into a reality and to remain competitive.

This Study hence, looks at the impact of Education and Immigration Policies on the recruitment of foreign students to Private Higher Education Institutions (PHEIs) in Malaysia. Details will be discussed and narrowed down into Research Questions in the next Chapter. In summary, this Study is limited to PHEIs and especially to private colleges by virtue of the Case Study Institutions and shall review the process in which Policies are created, implemented and how these impact the recruitment of foreign students to PHEIs in Malaysia.
1.1 THE BACKGROUND

Geographically, Malaysia is one of the smaller countries in the Asia Pacific regions and consists of Peninsular Malaysia, Sabah and Sarawak with a population of about 25 million. It is a multi racial, multi cultural country consisting of Malays, Chinese, Indians and other indigenous groups such as the Kadayans in Sabah and the Iban in Sarawak. The Malays (Melayu) form the majority of the population (55%) and together with the indigenous groups are called ‘bumiputras’ (sons of the soil). As the dominant ethnic group socially and politically, Bahasa Melayu (the Malay Language) is the National Language. However the establishment of colonies and protectorates in the area of current Malaysia during the late 18th and 19th century up to the mid 20th century by the British allows for the wide use of English which is known as the Second Language. Malaysia obtained her independence from the British in 1957 and thereupon established a Constitutional Monarchy with a political system based on the UK’s parliamentary democracy (Middlehurst and Woodfield, 2003).

Politically, Malaysia has been stable since independence largely due to the ruling coalition, Barisan National (National Front), which is a multiracial coalition party comprising 14 political parties representing the various ethnic groups in the country. Apart from this political alliance, Government Policies, have to a large extent contributed to the stability of the country. One such policy is the New Economic Policy (NEP), a social contract after the 1969 racial riot, which was specifically designed to create national unity through the creation of a more equitable society, and to eradicate the social divisions and stratification inherited from colonial days. One of the main thrusts of the NEP was to promote social equity through education (Bajunid, 1996). This was achieved by the implementation of an ethnic quota system for student admissions to ensure that the composition of the student body in Public Institutions reflects the ethnicity in the general population. This Admission Policy is aimed at promoting social mobility through higher education, especially for the Malays who
are recognized as the disadvantaged or the marginalised group (Middlehurst and Woodfield, 2003).

Through the NEP, the Government used education as a tool to achieve economic and social development (Lee, 2002a; Bajunid, 1996). The Education Sector regularly receives about a quarter of the annual budget, for example, 27% of the total Budget 2003 or RM29.6 billion was allocated to the Education Sector (The 2003 Budget Speech; Teoh, 2005) and all Prime Ministers of Malaysia with the exception of the first have served as the Ministers of Education. Today, with the emergence of foreign students and the vision to be the regional hub of education excellence (Rahimah, 1998), issues in the Education Sector, and Higher Education in particular are becoming more urgent.

Education in Malaysia is embodied in the National Education Policy as well as the National Education System created under the Education Act, 1961. The current Educational System though inherited from the British, is reflective of the development of the National Education Policies since Independence in 1957 Post independence and until the 1970s, the only university in the country was University Malaya which used English as the medium of instruction.

After the watershed event of 1969, a conscious move to give education a Malaysian identity and to uphold Bahasa Malaysia as the National Language caused the formation of the Universiti Kebangsaan Malaysia (The Malaysian National University). Since then, more new universities have been set up and by the year 2002, there are 19 Public Universities catering for close to 300,000 students (MoHE, 2004). The rising demand for more places for ‘bumiputra’ students to balance the economic scale and the rising demand for a skilled work force saw the development of the Mara Colleges. Together, these formed Public Institutes of Higher Learning.
Clearly, the Policies adopted in the last 5 decades of Independence such as the NEP mapped the direction and characteristics of the Education System today. The NEP for example, by imposing the ethnic quota system for student admissions in public Institutions, created a gap in the Education System. Non-bumiputra students who were not given placements in the Public Universities had to look for alternatives, which included going to overseas education destinations such as the UK. However, students who could not afford overseas qualifications looked for local alternatives (Lee, 2002a).

This created a demand for locally available Higher Education opportunities and is seen as the catalyst for the growth of the private Higher Education industry. PHEIs, until the early 1970s, focused in providing correspondence courses in High School Certificate for repeaters generally and professional qualifications such as Pitman’s Secretarial Courses, started providing tuition support for external qualifications leading to Diplomas and Advanced Diplomas. These were mainly from the UK professional bodies such as CIMA, ABE and ICSA. However, this could not meet the growing demand for higher education, which was fuelled by the economic and political stability of the country and the rise in demand for a qualified workforce.

The move by the Government to create more Public Universities and the creation of PHEIs could not stop the growing number of students studying overseas which increased by leaps and bounds for example from 23,000 in 1990 to 150,000 in 1995 (Lee, 2004). Realising the rising demand and the need to cap the outflow of currency, the Government began loosening control over private education. PHEIs were soon offering undergraduate qualifications either as external programmes or as twinning arrangements. This perhaps can be seen as the beginning of the binary divided of Higher Education in Malaysia. PHEIs were fast becoming a force to be reckoned with in the Malaysia education industry.
The 1986/87 economic downturn, further etched a permanent mark in the Higher Education industry with many parents seeking local Higher Education alternatives as the cost of a foreign education became unaffordable. This downturn also brought in new players from the now slow and unstable manufacturing and construction industries into the thriving private education industry. This demand for more places was easily met by the formation of new PHEIs. To a large extent, these developments enhanced the growth of the PHEIs, which rocketed and literally spiralled out of control. This tremendous expansion in the last two decades, called for a stronger regulatory control from the State and this materialised in 1996, with the passing of the Private Higher Educational Institutions Act, (PHEIA 1996), which defined the Government as having regulatory control powers over all PHEIs in the country. Among others, prior approval must be obtained from the Ministry of Education (or today, from the Ministry of Higher Education) to establish a PHEI or when introducing new programmes.

The governance of PHEIs in Malaysia was placed under the Higher Education Act, 1996 and the amended University and University Colleges Act, of 1971. The Education Act, 1996 recognised the existence and function of private Higher Education to complement public tertiary education (Rahimah, 1998). These regulatory powers were further expanded with the passing of The National Accreditation Board Act, 1997, which effectively provided for the creation of a board which was empowered to formulate Policies on standards and quality control as well as accrediting Certificates, Diplomas, and Degrees awarded by private Institutions. There were numerous other Acts, of Parliament created to supplement the above mentioned Statutes and these will be discussed in greater detail during the course of this Thesis.

The developments effectively sealed the binary divide in the Malaysian Higher Education by clearly acknowledging the roles played by the public and private Institutions of Higher Learning. Until February 2004 all Institutions of Higher
Education were under the supervision of the Minister of Education and private education fell under the purview of the Department of Private Education. Today, the Ministry of Higher Education coordinates and monitors the Activities of Institutions of Higher Learning, both public and private. The 8th Malaysia Plan (2001-2005) reported that in the year 2000, 773,978 students were enrolled in the Upper Secondary and Post-Secondary Institutions, but there were only 201,271 places for the first Degrees at Public Institutions of Higher Learning. The same report indicates that PHEIs absorbed 215,000 students whilst the others had opted not to continue their studies and a small percentage opted to study overseas. It is expected that the number of students in Higher Education in Malaysia will increase to 730,000 by the year 2005, to be absorbed equally by the Private and Public Institutions (MOE, 2003).

Public Institutes of Higher Learning are established in accordance with an Incorporation Order signed by the King and are completely funded through budget allocations. Lump sum funding for development and capital expenditures allow tuition fees to be kept low while giving scholarships and loans to students from low-income families. However, the dramatic increase in student numbers and tight budgetary constraints in meeting the ever-increasing demand for Higher Education caused the State to relinquish its role as the main provider of Public Higher Education by encouraging Public Institutions to seek revenue elsewhere and by pressing the Private sector to set up independent Higher Education Institutions.

Today, individual Institutions are made responsible for their own management and generation of revenues. The Government’s role as main overseer focuses on matters concerning assurance of quality and maintenance of certain levels of accountability. Hence, since, 1998, five Public Universities were given greater institutional autonomy to generate revenue through research contracts, consulting, business ventures with industry, and other forms of investments. To cover some of their operating costs, some of these universities have increased tuition fees at both the undergraduate and graduate levels.
This corporatisation and privatization of Higher Education in Malaysia, allows for a shift from a State-controlled sector to a State-supervised sector dictated by market-based Policies. The idea of corporatisation is to create a culture of efficiency, which will then lead to excellence. With the Government subsidizing almost 90 per cent of the annual budget for each Public University, it has started to implement their corporatisation. With this gradual shift in the relationship between the Government and Institutions of Higher Learning, the former through the Ministry of Higher Education, no longer regulates access conditions, the curriculum, Degree requirements, examination systems, the appointment and remuneration of staff, the selection and admissions of students, and other administrative matters (Lee, 1985).

The Government policies encouraged the setting up of new PHEIs, funded and operated on a range of ownership modus. Most PHEIs were set up as profit-oriented entities, established and controlled by public listed or private companies, individuals and Government linked companies (GLC). A few PHEIs are run by philanthropic organisations and non-profit enterprises while a third form works on partnership basis and mergers (Lee, 2002a). There are basically four types of PHEI that have to be registered with the Ministry of Higher Education Malaysia. These are Private Colleges or Institutes, Private Universities and University Colleges, Branch Campuses of Foreign Universities and Distant Learning Centres.

Today there are 19 Public Universities, 11 Private University and University Colleges and 536 Colleges, and 5 foreign branch campuses the majority of which were incorporated or formed in the last 20 years as can be seen in Appendix X. These Institutions especially the branch campuses and pioneer Private Universities such as the Multimedia University (MMU), Universiti Tenaga Nasional (UNITEN) and Universiti Teknologi PETRONAS (UTP) are able to attract, great numbers of students. For example, MMU and UNITEN are able to have over 6,000 students each just after three years of operation (Ibrahim, 2003).
1.2 Private Higher Education Institutions (PHEIs)

Up to the early 1990s, PHEIs had taken their individual paths, a journey often dictated by genuine interest in the development of young minds and providing affordable education to the wider public. With the emergence of smaller and newer PHEIs, the underlying philosophy of providing education was soon replaced with the issue of survival. Bottom-line became the inevitable criterion for survival and quality often became the sacrificial victim.

The 7th Malaysian Plan between 1996 and 2000, which promoted growth in capital intensive, high technology industries requiring an educated, highly skilled workforce and foreign investment, caused PHEIs to boom to an unprecedented level. In 1992, there were a total of 156 PHEIs offering certificate, diploma and professional qualification either in collaboration with a university or a professional body. By 2001, there were a total of 706 PHEIs comprising private universities, university colleges, colleges and foreign university campuses catering for almost 300,000 students. Today, this number has fallen due to Government crackdown and as at 2005, there are 576 private colleges, most of which operates in the Klang Valley and other large cities (Amir, 2005).

The growth of PHEIs in the last 20 years was largely due to the economic crises of 1986/7 and 1997/8. During the 1986/7 economic slowdown, many industrialists ventured into an unpopular but stable and growing education industry. The 1997/8 saw new players entering the market due to the rise in demand for education locally as parents could no longer afford to educate their children overseas following the devaluation of the Ringgit. In fact, this crisis, which hit all of Southeast Asia, saw an increase in International students especially from within the region. For example for the year 2004, out of nearly 270,900 students, nearly 50,000 were International students. (www.mohe.org.my). As a natural progression from this, the Government and large multinational companies decided to sponsor students to local Institutions,
whether public or private to complete either a local qualification or a foreign one conducted locally.

Private Universities and University Colleges may award their own Degrees and qualifications though many still opt to remain with their franchised programmes as they deal with a large number of foreign students and are unsure whether a home-grown programme will still remain competitive. Branch Campuses of Foreign Universities award selected degree programs identical to those offered at the parent university. Currently there are 14 private universities and university colleges and 4 foreign university branch campuses. Finally Distant Learning Centres which award various academic qualifications using video conferencing, telephone and Internet as the mode of presentation. The number of management centres as these are called is not recorded and it is believed that there are at least 300 of these in the Klang Valley.

Private Colleges generally award Certificate and Diploma qualifications and conduct franchised Degree Programmes and external Professional Qualifications. Of the 270,000 students enrolled in PHEIs in the year 2001, 90% or 243,844 students were in

![No. of students in Private Higher Education in Malaysia](image)

Source: MoE, 2003

Table 1.1. Number of Students in Private Higher Education from 1995-2001
private Colleges (MoHE). In terms of growth, the private Higher Education industry witnessed significant expansion since the late 90s when the Malaysian Government initiated the drive to turn Malaysia into a regional centre of education excellence. The industry grew by a CAGR of 11.4%, from 127,596 students in 1995 to 243,844 students in 2001. Students in private universities and branch campuses of foreign universities have also grown in number, contributing about 10% of the total number of students in PHEIs in 2001.

With close to 700 PHEIs vying for approximately 240,000 local students, the private Higher Education industry is highly competitive. However, the bulk of the student enrolment in private colleges is concentrated in a few major players, who typically have groups of colleges such as Inti Universal, which has 5 colleges, SEG International with 14 colleges and PTPL with 9 colleges. For a complete list of these PHEIs and the number of colleges within the group, please refer to appendix X. The number of student enrolments in these 'Big 12' colleges (Tan, 2003) is estimated to account for at least 30% (or close to 80,000) of the total students enrolled in private colleges (243,844 students in 2001). For example, for the academic year 2002, SEGi alone had about 17,000 students enrolled in its 20 campuses (www.segi.edu.my).

The weight of these developments caused manpower shortages, as private colleges were soon suffering severely from lack of trained staff in both the Academic and Administrative areas. The influx of foreign student increased the pressure on existing Immigration and Educational Policies. Many requirements, it would seem, had been concocted as and when the need arose. There were heavy handed approaches to control and implement these Policies. Foreign students were paying the price for the errors made by PHEIs that were literally groping in the dark as they were led by officers who were equally unaware of the changes and objectives of these Policies.

These became even more critical in the light of the internationalization of Malaysian Higher Education industry. During the last decade, Malaysian PHEIs have become
progressively more international in focus, scope and strategy in three ways: establishing branch campuses overseas, forging cooperation and collaboration with foreign Higher Educational Institutions and recruitment of foreign students. These arrangements have attracted and caused greater number of foreign students to flock into the country, as they are now able to complete an Internationally-recognized Degree at a fraction of the cost.

Today, Malaysian Institutions of Higher Learning especially PHEIs have assumed an entrepreneurial nature far beyond that which could have been predicted a decade ago. The environment in which Malaysian Higher Education operates has been transformed from being relatively closed and protected into one of dynamic change and uncertainty. Education is now widely recognised as a key strategic resource (Boyd, 1999, p. 227) and Malaysia is aware that education export is able to bring in good revenue for the country given its stable political and social climate though the paradox of education policy perplexes, fascinates and challenges stakeholders (Boyd, 1999, 241).

The main attraction of Malaysia for foreign students is the affordable tuition fees and living costs, compared with countries that are traditionally favoured by students as provided in Table X. The other competitive advantage for Malaysia as a regional education hub is that the country is multi-ethnical and multi-religious. In theory, foreign students can join Public Institutes of Higher Learning but they must be proficient in the National Language as almost all Undergraduate Courses are taught in Bahasa Melayu. This does not apply to the International Islamic University and to many Courses at the Post-graduate level where English is still widely used (Teoh, 2005). Hence the use of the National Language intended to visualise a nation united in language does not encourage the enrolment of foreign students into Public Higher Institutions. Furthermore, the public HEIs offer local qualifications, which are not recognised in foreign countries whilst the PHEIs offer foreign qualifications which have gained International recognitions.
Given this scenario, and especially after the Asian Financial Crisis, PHEIs have managed to attract foreign students to follow their tertiary programmes in Malaysia. The Asian Financial Crash was so devastating on businesses and the world’s economy that parents who could otherwise afford to send their children overseas for further education, looked at studying within the country as the only alternative. ‘3+0s’ as they are fondly called today, became the buzz within the education industry and among the general public (Lee, 1999; Mahdzan, 1999). Private Colleges were fast to jump on the bandwagon to bring in these qualifications to Malaysian Shores, in the hope of providing the best possible education at the lowest possible price. The 1998 economic crisis had not only affected local students continuing their courses of study overseas, but it had also caused similar difficulties within the region. In 1994, there were about 1,000 foreign students pursuing their tertiary education in Malaysia. This increased to 17,249 in 2001. By the end of 2002, the number of foreign students studying in the private Higher Education Institutions in Malaysia rose by 32% to 22,823 (Bank Negara Malaysia - Annual Report 2002). Foreign students make up about 6.64% of

![Cross Country Cost Comparison (RM p.a.)](image)
the total student population in PHEIs, with students from China and Indonesia forming the bulk.

These developments established the critical role of PHEIs in the restructuring of the Malaysian economy and became the philosophy behind the 1996 legislation. This legislation partially abolished the existing binary divide by creating more universities, and, in particular, private universities whilst creating opportunity for the retention of students within the country and meeting the demand from foreign students. However, this move was not comprehensive enough to accommodate the growth of a sector aimed at becoming internationally oriented and focused national needs which was to ensure that the Malaysian PHEIs remain globally competitive.

The 1996 legislations effectively sealed the binary divide in the Malaysian Education sector and at the same time the existence and function of PHEIs to complement Public Higher Education (Rahimah, 1998). This extensive group of legislations was necessary to carry out the plan to be a regional centre of educational excellence. The legislations include the Private Higher Educational Institutions Act, 1996 (Act, 555), Education Act, 1996 (Act, 550) and the Lembaga Akreditasi Negara (National Accreditation Board) Act, 1997 (Act, 556). With the implementation of Act, 555 and
Act. 556, the scenario of private Higher Education has changed drastically. For example since the implementation of the Acts, 10 private universities and 5 branch campuses of foreign universities have been established of which two are from Australia.

Since 1998, other activities pertaining to promoting education in Malaysia overseas have also been increased. Two such documents are the Eight Malaysia Plan (8MP) and the Third Overall Perspective Plan (OPP3). These documents contain many policy statements that lead to making Malaysia a regional centre of educational excellence. The Eight Malaysia Plan (8MP) and the Third Overall Perspective Plan (OPP3) emphasize the importance of developing human resources and contain many policy statements that lead to making Malaysia as a regional centre of educational excellence. These papers among others describe the efforts and experience of making Malaysia a regional centre of educational excellence. However, this Study concentrates specifically on Education and Immigration Policies that have direct impact on the recruitment of foreign students to PHEIs in Malaysia.

1.3 The Significance Of The Study

If the Government Policy is fundamental to Institutional direction, then one way to view the extent to which globalisation has impacted on PHEIs in Malaysia is to examine the Government’s rationales for Higher Education policy particularly those relating to PHEIs and foreign students. As Malaysia is a relatively new Education exporter, the need for a stable and gradual growth is necessary. This can only be achieved through a proper set of policies and implementation of the same. Hence, this study is significant as it focuses on Policies which impact recruitment of foreign students. In its efforts to make Malaysia a center of educational excellence, the Government has since 1998, organized educational promotions overseas to countries such as Brunei, Indonesia, Thailand, Pakistan, Vietnam, Oman, United Arab Emirates, South Africa and Kenya (Amir, 2004b). By the end of last year, there were
approximately 23,000 foreign students from 135 countries studying in Malaysia of which 15,003 are in PHEIs whilst 3,863 students in the Public Universities and the rest in pre tertiary education. This places Policies on PHEIs and the recruitment of foreign students vital to reach the vision of making Malaysia competitive and attractive as an education destination.

One of the main issues in policy is the lack of infrastructure to accommodate the implementation of these Policies. Malaysian Higher Education industry is now facing growing international competition and it is predicted that such competition will intensify in the years ahead with the opening up of new competitors such as China and Thailand. The only response possible against such threats would be for the domestic sector to become internationally competitive in an increasingly globalised Higher Education marketplace (West, 1998). This can be achieved if policy-makers appreciate the influence of globalisation (Stent, 1993), public funding or lack of it, increased exposure to community need and the open market concept on contemporary Educational Policies.

The Policies that affect foreign students in the country generally fall under The Ministry of Higher Education, and The Ministry of Domestic Affairs. The former produces Policies that effect the management of Higher Education Institutions whilst the latter regulates immigration matters. The Ministry of Higher Education has established departments and divisions within the Ministry to co-ordinate and monitor various activities of public and private Institutions of Higher Learning. It takes its specific powers from a total of five Acts of Parliament, all of which came into force latest 1996 and these are The Education Act, 1995; The University and University Colleges (Amendments) Act, 1995; The Private Higher Education Act, 1996; The National Council of Higher Education Act, 1996; and The National Accreditation Board Act, 1996.
The Ministry of Domestic Affairs regulates immigration matters such as application and renewal of student visas. The Immigration Policies discussed in this Study are found in the Immigration Act, 1957 and the Immigration Regulations, 1963. Thus the main thrust of this thesis shall be Policies that regulate recruitment of foreign students controlled by the above-mentioned Ministries. In theory, these Ministries should work hand in hand with the PHEIs to ensure that matters concerning foreign students stay and study in the country are smooth and uninterrupted.

However, in practice, there are many areas, which show a lack of systematic and cooperative approach. The Education system can only meet these rising demands from local and foreign students if the Policies are well formulated and implemented. A cursory glance at the headlines in the local newspapers is sufficient to show that the inability of the system to cope with the expanding student numbers especially in the private sector is beginning to show, causing concern among PHEI-stakeholders. On this basis, this Study is significant as it is timely and topical.

Hence, the purpose of this paper is to respond to 2 significant questions: firstly the impact of Education Policies and secondly the impact of Immigration Policies on the recruitment of foreign students. This must be seen collectively given the interplay and the roles of these Policies in meeting the vision of making Malaysia a regional hub of education excellence. From the above questions, numerous others, specific and pertinent questions will be raised at the end of a detailed discussion in the chapter on Literature Review.

This paper is not intended as a means to participate in an argument whether educational globalization exist or whether it is conceptually sound and beneficial to the economy of the country. Indeed this paper takes off from the premise that the export of education is an important and vital part of the Malaysian GDP. Neither does this paper look at the basis for this move, namely the advances in technology, transport and telecommunication, which make integration an unavoidable aspect in
any education system. It is an undisputable fact that up to the late 1980s national prosperity depended highly on agricultural products such as rubber and oil palm and manufacturing. The decline in demand and the rise of many other Asian countries such as China with the ability to manufacture at a cheaper cost, made it inevitable for the country to look to a new source of income. Education becomes the ideal choice given the social, economic and political stability of the country that places Malaysia in a highly advantageous position.

In the current context, policy shall be looked at from the perspective of the purpose, or the ‘what’ and study of the strategies and guideline or the ‘how’ and finally the study of whether the purpose is met or the ‘does it’ and all of this in relation to the recruitment of foreign students to PHEIs. This is done with the use of Case Study Interviews and Survey Questionnaires. Questionnaires were administered to foreign students and administrators of PHEIs whilst three PHEIs were selected for the Case Study for further analysis of the issues raised based on the number of foreign students.

1.4 The Case Study Subjects

The PHEIs for the Case Study were selected based on their participation in the PHEIs Questionnaire and their willingness to form part of the Study. A total of 47 private colleges were contacted and of these, 4 were contacted but only 3 agreed to participate in the Case Study. These Institutes are hereinafter identified as Institutes A, B and C.

Institute A is one of the pioneers in PHE and had campuses all over the country. It has a long history of catering for foreign students and offering foreign courses on Malaysian shores. This PHEI offers programmes ranging from Business to Language and Law many of which are either foreign qualifications which can be completed entirely in Malaysia or twinning programmes with universities in the UK, the USA or Australia. The PHEI is a subsidiary of a Public listed company and is controlled by a
minority who have diverse interests in other business ventures such as manufacturing and construction. Since its incorporation on the Second Board, there have been three major overhauls in the management line-up. Currently, the highest control of Academic and Administrative matters is in the hands of a few individuals, all of whom have little or no experience in the Education industry. The second level of control is in the hands of academics; almost all are retirees from Public universities, who bring with them Institution-specific management styles. The third level of control is in the hands of the Heads of Schools who are often viewed as peers by the lecturers.

The survey was carried out at its main campus in the Klang Valley, which, at the time had approximately 2,000 students of which 300 were foreign students. The interviews were with three persons who dealt directly with International student-affairs and these are the Assistant Director of Administration (Respondent A1), International Students’ Manager (Respondent A2) and the International Students’ Officer (Respondent A3).

Institute B aims to bring out the best in students by providing more than quality education and equipping them with both academic and strong character to face a competitive working world. This is achieved by uncovering hidden talent, potential and inner strength within a student that would allow him/her to achieve even more than his/her own expectations in their lifetime. Set up in the late 1990s, this Institution offers a comprehensive range of programmes including Foundation, Diploma and Degree. It has a large purpose-built campus (perhaps one of the largest in the country) on the outskirts of Kuala Lumpur, which provides students with both academic and recreational facilities.

The researcher did not have the opportunity to have a first hand view of them, but the location is certainly tranquil and very ‘studenty’ and far from the hustle and bustle of the city. It is a member of a Public-listed Company with businesses in areas such as education, property development, hospitality and agrochemicals. It is fast growing to be one of the best-equipped PHEIs in Malaysia. The control is in the hands of a Board of Directors who oversee the running of the Institution under the leadership of its
President. There has been no major change in the line up of the management since its inauguration. It has collaboration with at least 50 foreign institutions from all over the world and as many other PHEIs in the country. Students have the option to complete the entire Degree or continue part of the study at a Partner university overseas. The survey was carried out in its campus with two persons who were directly responsible for the welfare of foreign students. Respondent B1 is the International Students’ Manager and Respondent B2 is the International Students’ Executive. Initially, the name of the Marketing Executive for International Recruitment was given as one of the respondents. However an appointment could not be made with the person concerned for an interview. This PHEI has approximately 5,000 students of which 800 are foreign students with at least half from China.

Institute C is a subsidiary of one the large conglomerate Companies which has diverse interest in steel, manufacturing, garments, computers and communications and automotive industry was set up as part of the holding Company’s community service wing in the early 1990s. It offers a wide range of Qualifications from pre-university to post graduate in areas such as Computer Science, Engineering, Pharmacy, and Commerce & Economics. This Institute is listed as one of the larger PHEIs in Malaysia and has a very large indoor campus. Managers and executives, a number of whom are retirees from the Public Universities, assist the Chief Operating Officer who functions as the Principal. Interviews at this PHEI were with its International students Manager (Respondent C1), Acting Assistant Manager of International Students’ Services (Respondent C2) and International Students’ Marketing Executive (Respondent C3). This PHEI has approximately 1,500 students of which 320 are foreign students. Of these, a total of 250 are from China.
1.5 Chapter Outline

The discussion and analysis and conclusion of the impact of the Education and Immigration Policies on the recruitment of foreign students to PHEIs are provided for in the next 4 chapters of this Thesis. Chapter 2 looks at the literature that forms the basis for this discussion. It starts off with the discussion of the statutory provisions, which provide the Education and Immigration Policies. The discussion of these provisions lead to the identification of the Research Questions. The third part of the chapter shall focus on the framework against which the identified Policies will be analysed. Instead of opting for the traditional policy analysis framework, this Study proposes to use the policy analysis framework proposed by Yin and Wing (1995). The choice of this particular framework, which came out of the Hong Kong education system, is on the basis that Hong Kong faced similar tensions as Malaysia, thus making it relevant to the current need.

The third Chapter on Research Methodology shall focus on the research tools utilized in this Study. It provides the rational for the selection of these research tools and the constraints in administering the Questionnaires and conducting the Interviews. The chapter ends with a specific section on the issues of validity, reliability and authenticity in relation to the Questionnaire Survey and Interview Case Study. The next chapter, Chapter four, summarises the findings from the Questionnaires and Interviews by linking them to the Research Questions identified in the earlier Chapter. It ends with a summary discussion on the issues of reliability and validity of the findings. The fifth Chapter focuses on the analysis of the finding vis-à-vis the Research Questions and the purpose of the Study. This Chapter attempts to set the direction to find the answers to the issues raised from the start of this Study and finalised in the next Chapter. This sixth and final Chapter, Conclusion, will not only identify the answers to the Research Questions based on the findings and its analysis but also raise some questions, which come out of this exercise. This Chapter offers some recommendations as a way to set the direction for the Education industry in
general and PHE industry in particular, if Malaysia is to attain her vision of becoming the regional hub of education excellence.

Thus in conclusion, the Thesis will mark the first Study in policies concerning recruitment of foreign students to PHEIs and it is hoped that the findings will sufficiently support a conclusion that will give rise to further studies in this area. Certainly, being the first, any findings will add to existing knowledge and understanding of the situation at hand.
2. POLICY REVIEW AND ANALYSIS FRAMEWORK

2.1 Introduction

In making Malaysia a regional hub for education, the education authorities must ensure that issues concerning the PHEIs, especially those relating to policies, be given priority. More so today with the influx of foreign students into the PHEIs for the reasons indicated in the Introduction.

Therefore, in a study of the impact of policies on the recruitment and retention of foreign students to the PHEIs in Malaysia, the focus must be on how to improve Education and Immigration policies to retain market share in the ever-growing and globally competitive industry of education export. The emergence of new education exporting countries such as Singapore and China together with the established ones like the UK and the USA makes education-export highly competitive. Education and Immigration policies in the country must be reviewed if Malaysia wants to remain competitive and attractive to foreign students. This becomes more urgent where there is already a decline in the number of foreign students enrolled at the PHEIs in the last year (NST January 25, 2005 Higher Education Ministry). This development can only be arrested if the authorities act immediately, failing which, the future of the PHEIs, which depend on foreign student registration, will be very bleak.

Therefore, agencies responsible for the formulation of policies must ensure that any changes or development do not drastically and negatively influence Education Institutions especially those dealing with foreign students. Below, the author concentrates specifically on these policies and the policy analysis framework as defined by Yin and Wing (1995). As policies often raise great public interest as they either directly or indirectly affect players within the field, this study shall call on the PHEIs to identify the impact of Education and Immigration policies in the recruitment and retention of foreign students. Thus while the identified policies becomes the basis
for the survey and interviews, the framework becomes the canvas upon which the policies and the findings will be analysed in the latter chapters. This chapter starts with a brief analysis of policies in general and Education and Immigration policies, which impact on the recruitment and retention of foreign students to the PHEIs in 2.2. Thereafter, the relevant policies are identified and discussed in 2.3 and 2.4. The identified policies are then discussed in relation to the selected policy framework analysis in 2.5 and a general conclusion in 2.6.

2.2 Policy

An examination of the literature on this topic reveals different undertakings of what is meant by policy. Whichever definition is to be preferred, it is important to note that policies exist in any machinery, whether public or private and form a vital part of the administration of any establishment. Some authors prefer to identify policy as a statement of philosophy or goals and plans of action, proposed or adopted by some agencies (Khalid, 2001, p. 87), whilst others often indicate policies as a collection of rules or procedures or guiding principles detailing how something may or may not be done or how it will be done (Menou, 1991). Adopting a balance between these views, this paper adopts the definition as given below where policy is seen as the statement of purpose, guidelines and strategies to achieve a purpose or an operational framework.

A policy consists of a statement of purpose and one or more broad guidelines or strategies as to how that purpose is to be achieved which, taken together, provide a framework for the operation of a school or program (Caldwell and Spinks, 1986 p. 11-12).

2.2.1 Policies in Education

As statements of prescriptive intent (Kogan, 1975, p. 55), policies are the permission and prohibitions about what is acceptable and what is not at any one given time within
a particular industry (Ling, 2001). It is a long-term solution to a problem, solved not by the maker but by the persons who actively implement and practise these policies or in other words, the stakeholders. As in similar areas, in education, the policy creators and implementers are separate and distinct institutions, who often interact with one another at various levels of the policy process. This supports the views of some writers who stress on the relationship between education policies and politics, power and control in defining education policies. Codd (1995), for example defines education policies as an exercise of power and control directed towards the attainment or preservation of some preferred arrangement of schools and society. Codd (1995) argues that education policies are sets of political decisions, which involve the exercise of power in order to preserve or alter the nature of Education Institutions or practices. Thus, only those who exercise power and control can formulate education policies and therefore making them political decisions. This may not necessarily augment with Cladwell and Spinks’s (1996) definition, as the authors did not indicate the difficulty in implementation and the strained relationship between the policy-makers and the policy-implementers.

Certainly as a guiding principle, persons directly responsible for education such as the Minister and the Secretary General are political appointees who formulate policies as part of their job portfolio. However, Education policies can also be formulated by bodies and agencies, including those who do not (either temporarily or otherwise) enjoy the exercise of relevant forms of power and control (Yin & Wing, 1995) but seek merely to influence education arrangements indirectly, such as through NGOs, think tanks and other relevant national and international bodies. However, central to the notion of an education policy is a detailed prescription for action aimed at the preservation or alteration of Education Institutions or practices (Yin, et al., 2002) and educational policy and …policy making can be used in either power and control related or influence aspirant senses and contexts (Mc Laughlin, 2000, p. 442).

2.2.2 Types of Policy
Education policies originate at different levels and contexts in the education system and from varying agents and agencies ranging from national to classroom level at schools. There are different ‘languages’ of policy debate, which can be roughly labelled as ‘official’, ‘professional’, ‘research’ and ‘popular’ and education policies differ with respect to the scope of their contents and applications (McLaughlin, 1999). One-way of expressing these differences, is to invoke various kinds of continuum on which policies can be located. One such continuum involves generality and specificity. At one end of this continuum policies are very general, involving matters such as the aims of education and structure of education system, whilst at the other end, they are very specific and relate to issues such as procedures.

The other related, but not necessarily opposite continuum, can be described as involving ‘depth and ‘surface’ characteristics. The ‘depth’ end of this continuum involves education policies with clear philosophical implications and ramifications such as the policy to use school uniforms. At the ‘surface’ end of this continuum are education policies, which are less apt for philosophical reflection such as the colour of the school uniform. It is useful to note that the distinction between these different (though interrelated) aspects of education policy and policymaking is in the process of education policymaking, the policy itself, and the application and evaluation of the policy (McLaughlin, 2000).

This study does not examine the aims of education and the structure of the education system, i.e. why foreign students are recruited or the rationale for wanting to make Malaysia a regional hub of education. Rather this study focuses on the specific policies that are applied in reaching the aim, such as procedures in student visa application. Likewise, this study focuses not on the ‘depth’ but rather at the ‘surface’ end of the continuum. Hence the questions raised will not be why make Malaysia a regional hub but rather, how to make this a viable target.
Thus in any study involving the impact of policies, one must be aware and be able to identify the target of the policy. The issue then is not just whether the target is clear but whether it is achievable. The policy target is achievable if the players appreciate and are aware of the tensions within the industry (Ling, 2001). In summary this study will provide answers to whether the aim to make education a viable export of Malaysia (Rahimah, 1998), is achievable through the strategies and guidelines created by the current policies. In order to achieve this, an understanding of the policies and the policy processed shall be discussed forthwith.

### 2.2.3 Policies and PHEIs

Policies that affect Higher Education Institutions in Malaysia fall under three separate ministries, namely The Ministry of Higher Education, The Ministry of Human Resources and The Ministry of Domestic Affairs, whose functions are summarily provided in Table 2.1. The Ministry of Higher Education (MoHE), created in February 2004 is responsible for the operational and administrative aspects of private and public higher education. The Ministry of Human Resources regulates the employment of lecturers and The Ministry of Domestic Affairs (MoDA) through the State Immigration Departments regulates immigration matters concerning foreign lecturers and students. The ministries relevant to this study are MoHE and MoDA as it focuses on the recruitment and retention of foreign students to PHEIs.

<table>
<thead>
<tr>
<th>Name</th>
<th>Relevant Parent Act</th>
<th>Responsibility</th>
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<tbody>
<tr>
<td>The Ministry of Human Resources [MoHR]</td>
<td>The Employment Act 1955</td>
<td>Manpower planning and employment related issues</td>
</tr>
<tr>
<td>The Ministry of Higher Education [MoHE]</td>
<td>The Education Act 1971</td>
<td>Operational and administrative aspects of Higher Education, such as issuance of Permits/Licenses, standardisation of curriculum and setting of quality standards.</td>
</tr>
<tr>
<td>The Ministry of Domestic Affairs [MoDA]</td>
<td>The Immigration Act 1957</td>
<td>Visa related issues</td>
</tr>
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Table 2.1. The Ministries and their Education-related Functions
As the Education and Immigration policies have direct impact on foreign students, this study attempts to breakdown the effectiveness and impact of these policies on the recruitment and retention of foreign students to the PHEIs. The Education Policy is governed generally by the Education Act, 1971, whilst immigration issues fall under the purview of The Immigration Act, 1957, details of which will be discussed in the following sections. Whilst Immigration policies remain mostly unchanged, the Education policies saw major revisions in 1996 when a string of enactments were introduced as a measure to realise the vision to make Malaysia the regional hub of education excellence.

2.2.4 Education Policies

The 1996 revisions not only amended existing statutes but also introduced several new statutes with the hope of making the education industry in Malaysia more competitive. Collectively, these statutes opened up new pathways especially for the private higher education industry with the provision for the setting up of new government linked private universities and private university-colleges, to cite an example. The relevant 1996-Acts include The Education Act, 1996 (Act 550), The Private Higher Education Institutions Act, 1996 (Act 555), The National Accreditation Board Act, 1996 (Act 556), The National Council On Higher Education Act, 1996 (Act 546) and The National Higher Education Fund Council Act, 1997 (Act 566). Together with the Immigration Act, these statutes aim to provide a structure for the growth of higher education in the country by making Institutes of Higher Education more efficient and sufficient. Below is a brief overview of the legislations and their relevance to the recruitment of foreign students.
2.2.4.1. The Education Act, 1996

This Act was enacted to provide for education and matters connected therewith such as the National Education System; assessment and examination; Higher Education, both public and private; registration of Education Institutions; registration of teachers; inspectorate of schools; finance; and offences and appeals. This Act is relevant in the recruitment of foreign students as it indicates whether a particular PHEI is a registered body and permitted to recruit. Though all Public Institutions of Higher Education by default have the authority to recruit, PHEIs are required to apply to MoHE for the permit. The permit is given only upon fulfillment of certain conditions such as the provision for an on-campus or managed out-campus student accommodation.

Other conditions are provided for in Appendix Y entitled ‘PENDAFTARAN SEMULA INSTITUSI PENDIDIKAN SWASTA (IPS) YANG DIBERI KEBENARAN MENGAMBIL PELAJAR ANTARABANGSA’ (Re-registration of PHEIs and Private Education Institution (PES) which is given the permit to recruit international students), the government circular for the application of a permit to recruit foreign students. However for foreign students, there is no database, which works as a definitive record of the PHEIs that has permit to recruit. In fact, a search for these PHEIs shows that 5 foreign university branch campuses and 21 private universities and university colleges can recruit and they are named accordingly. However as for private colleges the search indicates that 174 private colleges can recruit, but only lists 134 (www.studymalaysia, June 2005, Appendix 5). Furthermore, some of these private colleges named cannot be contacted when the researcher tried to call them to administer the questionnaire even with the assistance of the yellow pages and phone operators. Thus, the names of PHEIs on the list cannot by default indicate that the PHEIs can recruit foreign students. Herein lies the first research question, i.e. whether foreign students are aware of the PHEIs that have permits to recruit international students. As an alternative, it will be suggested in the
questionnaires that all PHEIs should be allowed to recruit and the responses for these questions shall be discussed in the latter chapters.

2.2.4.2. Private Higher Education Institution Act, 1996

This Act was passed to provide for the establishment, registration, management and supervision and the control of the quality of education provided by PHEIs. This Act liberalised education policy by allowing for the establishment of private universities, university colleges and branch campuses of foreign universities (Ariff, 2001; Lee 2003). It also aims at regulating PHEIs, which have been expanding rapidly. The implementation of the policies and regulation under this Act is vital to the recruitment and retention of foreign students. If Malaysia is to compete with traditional education exporters and reach its vision of becoming a regional hub of education excellence, more is required from the enforcers of this Act to ensure that the foreign students are satisfied with the overall quality of the PHEIs in Malaysia. This includes the quality of hostel, recreation, education, general administration and that of International students services. Effective implementation of these provisions will ensure a continuous flow of foreign students to the PHEI in Malaysia. Specific issues concerning quality were raised in the questionnaires and interviews and the answers provide some interesting findings as can be seen in the latter chapters.

2.2.4.3. The National Accreditation Board Act, 1996

This Act provides for the establishment of the National Accreditation Board or the Lembaga Akreditasi Negara (LAN), as a quality control body for assuring minimum standards by accrediting courses and programmes. The main aim is to ensure that courses offered in Higher Education Institutions are of a minimum standard. Today, though LAN provides the yardstick to measure the quality of programmes, there is an overlap of function with two other bodies, the Malaysian Quality Framework and the Partner-universities or Professional bodies. Whilst the former remains in the background and its functions vague, the latter plays a vital role in the PHEIs with which it has collaboration. The awarding Institutions control the syllabi and curricula.
of any programme, which is considered as twinning or foreign qualification. Currently such arrangements exist with Institutions in the UK, Australia and the US. As such, the quality of a programme is not solely the purview of LAN, though some overzealous officers try to impose LAN’s requirements on the foreign Institutions thus shying away some of the more established universities from entering into an agreement with the local PHEIs.

For the PHEIs, this contradiction results in them walking the tight rope in order to balance the need to meet LAN’s standards and at the same time those of the awarding body. This is raised in the interviews and the responses are summarised in the latter chapters together with the issue concerning the compulsory subjects. Foreign students are required to sit for Bahasa Melayu (the National Language), Malaysian Studies, Moral or Islamic Studies for Muslim students. The rational for the introduction of these subjects stems from the Malaysian Education Policy as indicated in the introduction. The issue is whether these subjects add value to foreign students’ qualifications. This will be raised in the questionnaires and interviews and the findings discussed in Chapters 4 and 5.

2.2.4.4. The National Council On Higher Education Act, 1996

This provides for the establishment of the National Council on Higher Education. The functions of this council are very wide. Primarily the council functions as the body which plans, formulates and determines National policies and strategies for the development of higher education and to co-ordinate the development of higher education in the country (Ariff, 2001). It also functions as the determinant for policies and criteria for the allocation of funds to Higher Education Institutions and the administration of the National Higher Education Fund created under the same Act. The Council determines and set guidelines on fee structure and the conduct of any course of study or training programme by Higher Education Institutions jointly or in association, affiliation, collaboration or otherwise, with any University or Institution.
of Higher Education or other Education Institution or Organization within or outside Malaysia.

In relation to foreign students, the issues here are too varied and therefore, no questions are formulated regarding the functions of the Council in the surveys though reference to it is inevitable throughout the latter chapters. Furthermore, with the exception of one, all the respondents were not aware of the Council. This is not surprising as the Council generally functions as policy-provider and there is no direct contact with officers working with foreign students in the PHEIs.

As indicated earlier, the recruitment of foreign students to PHEIs is influenced by both Education and Immigration policies. Whilst the main Education policies and the relevant Acts were discussed above, the issues pertaining to the Immigration policies are now examined.

### 2.2.5 Immigration Policies

Immigration policies unlike Education policies generally see the inter-play between two major Ministries. In theory the Ministries of Higher Education and Domestic Affairs work hand in hand with the PHEIs to ensure that matters concerning foreign students stay and study in the country are smooth and uninterrupted. The role of Immigration Policies is important, as the universities themselves are part of the immigration process in that they directly attract or recruit students (C.H.I.U, 2001, p. 3). In Malaysia, the main thrust of the Immigration Policy is found in the Immigration Act, 1957 and the Immigration Regulations, 1963.

The 1957 Act indicates that anyone who enters the country for purposes of education must obtain his/her student visa. Initially this was achieved at the Home country and students enter the country with a valid student visa. However the difficulty in reaching the Malaysian Embassy in foreign countries and the difficulty in getting the visa prompted the Malaysian Government to amend the application procedure for study
visa to foreign students (Ariff, 2001). Today, all students except those from the People’s Republic of China, no longer need to apply for visas from the Malaysian Embassies/Missions in their Home country. All applications, processing, approval and issuance of Student Passes or Visas are done in Malaysia. For China students, they need to obtain their Entry Visas from the Malaysian Embassy in Beijing, Guangzhou or Shanghai prior to their entry into Malaysia.

This new ruling requires a student to show his/her letter of acceptance from the PHEI, on arrival at the Immigration point in Malaysia. A special pass will be issued, referring them to the respective State Immigration Department for the issuance of a Student’s Visa. A foreign student enters on the conditions that he/she possesses good character and has the financial capacity to meet the Course fees, living and travel expenses and a clean bill of health (www.imm.gov.my). Students are also required to be proficient in English. As the provisions do not have a mechanism to test the proficiency of a student, it is up to the individual PHEIs to determine if the student requires the 6-months’ English Course. Another one of the Entry conditions is the student’s qualification from his/her Home country. One major concern is the lack of provision for the entry of mature students and this will be raised in the interviews and summarised in the latter chapters.

PHEI representatives will receive and attend to the student upon arrival as a form of support service provided to International students. Within two weeks of his/her arrival, the PHEI must apply for the Student’s Study Visa in accordance to Reg. 13, of the Immigration Regulations, 1963. Application is made to the State Immigration Department to enable a Student Pass sticker to be affixed to his/her travel document or passport. The fee for a Student Pass is RM60.00 a year (or part of a year), while the Visa fee ranges from RM6.50 to RM100.00 depending on the country (Appendix X). All payment of fees, issuance of Student’s Passes and Visas can be done at the relevant State Immigration Department.
At the initial application stage, the PHEI is required to submit a covering and the Offer Letter, the completed Form IM14 in duplicate, two photocopies of the student’s passport or travel document and two passport size photographs of the student. The PHEI is then required to sign a Personal Bond prescribed under Regulation 18 of the Immigration Regulations, 1963 as a guarantee that the person to whom such pass is issued will comply with the provisions of the Ordinance and of any regulations made (Appendix X). In practice, the bond makes transfer of students between Institutions nearly impossible. The question then is whether the student should apply for his/her own visa as with all other traditional education providers. This issue was raised in the questionnaires and the interviews and the findings summarised forthwith.

Once the application is successful, the Immigration Department will inform the foreign student concerned through the PHEI. In accordance to Regulation 13(4) (a) & (b) Immigration Regulations, 1963, foreign student are not allowed to transfer to other Education Institutions, unless prior approval is obtained from the Immigration Department. They are also required to pursue courses of study that have been approved by MoHE. All applications pertaining to renewal or transfer of foreign student Visas must be submitted to the Visa, Pass and Permit Division, and must be supported by the Student Progress Report or a release letter from the original PHEI. This issue will be raised in the interviews to gauge whether the respondents perceive the regulation and restriction pertaining to transfer can be justified to ensure ethical practice and to avoid ‘student pinching’.

Furthermore, the PHEI must report to the Immigration Department when a foreign student fails within a reasonable time to enter the PHEI after obtaining approval from the Immigration Department or having entered such PHEI, fails to remain or ceases to be retained as a student. The rationale is to ensure that only genuine students enter into the country as there had been cases where foreign students were found working. In such situation, the PHEIs are also liable to a fine and their permit to recruit terminated. However, the policy does not indicate what is meant by reasonable time
and this shall be raised in the interviews. Furthermore, this requirement places an onerous burden on a PHEI, which now becomes accountable for the actions of its foreign students. The interviews provide some very important insights as is demonstrated in Chapters 4 and 5.

Another issue concerning immigration policies and foreign students is in relation to part-time work. Up to December 2004, foreign students were not allowed to work but the ban was lifted in order to make Malaysia more attractive as an educational hub (Azmi, 2004). However, foreign students are only allowed to work in certain industries such as the Service Industry and take on part-time employment if the PHEI is of the opinion that it will not affect their studies. To show that the Government is serious about this, the PHEI is now required to provide a quarterly report on the academic performance of the working student to the Department of Immigration. These conditions are so stringent and cumbersome that some feel that they should revert to the pre-December 2004 ruling where students are not allowed to work. Many feel that these conditions at one end makes Malaysia less attractive to foreign students, or at the other allow PHEIs to circumvent the conditions to ensure continued foreign student registration. During all the interviews, this topic gathered a lot of interest mainly because it is relatively new and the findings will be discussed forthwith.

The Immigration Department also includes as part of the regulations governing foreign students, rules pertaining to the entry of student-family. The rule states that only postgraduate students are allowed to bring their immediate families into the country. It states that family members of the foreign students with student passes may enter the country on the condition that they complete 3 copies of Immigration Form 47 and 2 copies of Immigration Form 12. Attached with these forms are 2 photographs measuring 3.5 cm x 5.0 cm, proof of family relationship and a copy of the passport or travel document. The application may be submitted to the nearest Malaysian Representative Office abroad with a copy of the Student Visa. For
countries that have no Malaysian Representative office abroad, the applicant may enter Malaysia on a Social Pass and thereafter apply for extension to the State Immigration office where the Education Institution is located within 1 (one) month from the date of entry. This point, though salient will be raised in both the questionnaires and interviews albeit in relation to the general distinction between undergraduate and postgraduate students’ families.

2.3 Policies Relevant to The Study

The impact of Education and Immigration policies varies in respect of the impact on foreign students and PHEIs as well as in their degree. However, in order to provide a comprehensive analysis of the issue at hand, the policies, which directly impact the recruitment and retention of foreign students to PHEIs in Malaysia, will be clearly identified for further discussions.

In so far as Education policies are concerned, the questionnaires and interviews raise the questions as to how students are informed whether the PHEI has the permit to recruit foreign students and whether all PHEIs should be allowed be recruit. The study shall enquire if the aims under PHEIA, 1996 such as quality student accommodations are met and whether the LAN subjects should be made compulsory. Apart from the above, the study shall also enquire if the Government should maintain minimum entry requirement or should there be provisions to allow matured students who lack the necessary paper qualifications to register for a basic Degree.

With respect to Immigration policies, the issues raised in this study pertain to approval for transfer from one PHEI to another and the application for Visas by the PHEIs. The study shall also enquire into the new provision, which allows foreign students to enter into gainful employment while studying in the country. Another one of the main Immigration policies that has in recent weeks generated some concern is the requirement for foreign students to carry their travel documents (passports) at all times and this will be surveyed both in the questionnaires and the interviews. For
purposes of convergence, the identified provisions are transformed into research questions and are summarised in Table 2.2. The findings will be analysed at the end of this study in order to achieve a logical conclusion.

<table>
<thead>
<tr>
<th>Education Policies</th>
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<tbody>
<tr>
<td>1. Should all PHEIs be allowed to recruit foreign students?</td>
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<tr>
<td>2. Are the aims of PHEIA 1996 satisfied?</td>
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<tr>
<td>3. Should the LAN subjects be made compulsory for foreign students?</td>
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<td>4. Should the Government maintain the minimum entry requirement?</td>
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<th>Immigration Policies</th>
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<tr>
<td>5. Is there a need for approval when a student wants to transfer from one PHEI to another?</td>
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<td>6. Should student visas be applied by the individual PHEI instead of students?</td>
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<tr>
<td>7. Should foreign students be allowed to seek employment?</td>
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<tr>
<td>8. Should foreign students be required to carry their passports at all times?</td>
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Table 2.2. Policy Research Questions Raised in the Study

2.4 Policy Analyses Framework

Table 2.2 indicates some of the more relevant policies, which have impact on the recruitment and retention of foreign students to PHEIs in Malaysia and these must be analysed using an established framework. There are numerous frameworks for policy analysis but very few are specifically developed for the analysis of Education policies. These frameworks are generally known as perspectives within the context of social science. The most popular ones are the pluralistic-incrementalism perspective (Lindblom, 1959), the rational-comprehensive (Carley, 1980; Simon, 1977) and rational democratic (Forester, 1985) perspectives. This study shall not however, use any of the above but rely on the framework proposed by Yin and Wing (1995). The use of established perspectives created by social scientists as early as the late 19th century, may not be sufficient and specific enough to be employed in the analysis of Education policies. The lack of a powerful framework to analysis will make any discourse or debate on Education policies superficial and fragmented by setting a tight limitation on the development and discussion of educational policies (Yin & Wing, 1995, p. 10) as Education policies involve very specific and conflicting interests of
varying degrees more so in a developing nation like Malaysia. In creating this framework the authors said,

*Policy development in general involves a process of problem identification, policy goals establishment, generation of alternative to achieve policy goals, evaluation of cost effectiveness of alternatives, choice of the most appropriate means, policy implementation and policy evaluation* (Yin & Wing, p. 10).

The Yin and Wing policy analysis framework provides four frames as shown in Table 2.3 below, each for the four stages of policy, namely pre formulation, formulation, implementation and post implementation. The pre-formulation stage concerns the underlying problems and the background of policies and the need to set up the policy objective and formulation at later stages. The formulation stage is about the setting of the objectives into action by creating the policy and planning the process of implementation upon considering the various constraints. The third frame is to analyse the implementation and identify the gaps between implementation and planning. The fourth frame focuses on the outcome or impact of the policy including expected policy and education outcomes and hidden policy outcomes at different levels and holds the ultimate key to the success of any policy because an analysis of policies cannot be justified without studying its impact (Salhieh & Singh, 2003). These frames shall be explained in detail using the various direct references to Education and Immigration policies issues identified in section 2.4 of this chapter.
2.4.1 The Pre-Formulation Stage

This stage concerns the analysis of the background and the underlying principles that influence the development of a policy. Therefore, it starts from the premise where the problem/s is identified and thereafter the objective to formulate the policy is set (Khalid, 2001). Problem/s emerges from within the educational system at societal level and from outside the society. Problems within the education system attract most attention and can usually be justified and mutually agreed upon (Yin and Wing, 1995, p. 11). At societal level, the problems are that of economic development and political instability whilst problems outside the society are mainly external competition and global trends. In short, policy analysis is influenced by political, socio-cultural and economic development of the particular country.
In the current context, the problem within the education system is primarily the difficulty in maintaining a healthy balance between the need to upgrade and improve Public Higher Education Institutions, a vital infrastructure to the prolonged development of the country and to sustain PHEIs, as education is a viable export bringing in an estimated RM. 778 million (MoHE, 2005) in 2004. As a source of revenue, it would be reasonable to expect some investment from the public funds into PHEIs. However this seems not to be the case. For example the 1999 budget allocated approximately RM 19 billion or a quarter of the year’s allocation to the education sector (www.mir.com). Of this, about 12.6 billion was as direct public expenditure on public institutions, and 33.9 % or RM 6.4 billion by via indirect public transfer and payments for the various government agencies (www.oecd.org/els/education), which includes indirect benefit for the private sector. Thus, nothing was set aside as direct investment into private tertiary sector, though the PHE sector is seen as the catalyst for making Malaysia the regional hub of education.

Apart from issues pertaining to the allocation of resources, Malaysia also faces problems from outside and within the society. At times the global trend can be beneficial, for example the Asian financial crisis and the 9/11 tragedy brought more foreign students to Malaysia. The financial crisis, with the weakened regional currency, diverted students from the traditional education providers such as the UK which now seem beyond reach for some parents, to the Malaysian PHEIs offering foreign courses as a fraction of the cost. The 9/11 tragedy on the other hand, diverted Middle East students to Malaysia, when obtaining visa to study in the US became more difficult. However, the emergence of new education exporters such as China and Singapore, and aggressive recruitment policies by the traditional education exporters such as the UK, the USA and Australia, makes global competition a major problem, which the policy-makers must consider before deciding on creating a policy. Furthermore, policies and strategies of organisations such as GATS, foreign universities and professional bodies also influence the performance of Malaysia as a
regional hub of education. Thus policies must be attuned to the needs of the PHEIs, for Malaysia to remain competitive.

Yin and Wing (1995) state that whilst problems within the education system attract most attention, but equally publicity-generating are problems within the society. Issues at the societal level generally arise from the political stability and economic development of the society. At the societal level, policy-makers must be aware of the social problems that come with the influx of foreign students in the country such as abuse student visas and student involvement in vice activities. This is a perennial problem, one that plagues almost all education exporting countries. Malaysia has the advantage of learning from traditional education exporters especially when it comes to the impact of education export at societal level. Policies should be able to arrest any shortcoming within the system so as to ensure that the aim to be a regional hub is achieved.

The next issue within the pre-formulation stage is the setting of the underlying objectives of the policy. This helps policy-makers establish the goal/s of the policy. The key points include the identification of the existing problems, setting of the objectives and functions of education, philosophical and legal considerations, balancing the conflicting theories in education and finally taking into account the practical constraints such as resources, time, political and environmental issues (Yin & Wing, 1995).

The biggest problem with the setting of objectives is the beliefs and values that underline them. Traditionally, policy-makers set objectives as influenced by their own beliefs and values (Kogan, 1985) and Ball calls this authoritative allocation of values (1990, p. 3). Their beliefs and values are a reflection of the beliefs and values of the education system from which they come and may not reflect the current beliefs and values of the majority of the society and education stakeholders. Certainly the National Education Policy introduced post independence and the 1969 water shed
emphasises on a need to ‘Malaysianise’ the Education System. One such move is to give importance to the National Language, a fact realised by the setting up of the National University (University Kebangsaan Malaysia) in 1972 (Ahmad, 1999).

Today this need to ‘Malaysianise’ the Education System is also seen in the introduction of Compulsory Subjects at the tertiary level. However this policy extends to foreign students as well as local, thereby raising the question whether the need to ‘Malaysianise’ the System, justifies the introduction of these compulsory subjects to foreign students. Are the policy-makers guided by their own values and beliefs? Are these subjects a reflection of the value and beliefs of the policymakers rather than one that adds value to the qualification of the foreign students? To find out these answers, pertinent questions were raised in the interviews and questionnaires. To many respondents, the introduction of Bahasa Melayu can be justified as they have to live among Malaysians and learning another language can be fun (Respondent A1). However most felt that the introduction of Moral Studies and Islamic studies is not suitable as the government is trying to indoctrinate the students in our beliefs (Respondent B2). This respondent went on to point out that there are some problems with Muslim students as Malaysia follows the Sunni teaching whilst some students follow the Shiite. As there are some major differences, students attend the course only because it is compulsory and not because they find it useful (Respondent B2).

To sum up, the emphasis in this frame is the underlying principles (concepts and beliefs), which have an impact on the judgement of the policy makers (Yin & Wing, 1995, p. 12) and on the objectives of the policy. As a general rule, policy-makers are required to analyse issues in order to develop new and successful policies, which could provide the framework for good, benign and liberal practices. Thus, their believes and values should merely provide a guiding foundation rather than the rational for a policy.

2.4.2 The Formulation Stage
Policy construction in the education system can be viewed as a constantly evolving, drawing upon new situations and new ideological concepts for its direction (Yin and Wing, 1995). When policies are analysed, it is important to note the variants that exist at formulation policy is constructed in an arena where contesting interests and motivations struggle for dominance (Ling, 2001). Apart from this, one should also analyse the process in which the decision was made, the various perspectives and technologies employed and the quality of the finalised policy. These are more pertinent in education because of the far-reaching effect of any failure (Yin and Wing, 1995; Lee, 2000).

In analysing the characteristics of the policy-makers, legitimacy becomes the primary question (Yin & Wing, 1995). Legitimacy is the notion, which gives authority to the policy-makers in creating the policy (Wade, 1998). Legitimacy is determined by the way in which the policy-makers are given power usually through general election. As a democratic country, Malaysia holds a general election every five years and since independence in 1957, the country had been under the rule of the leading coalition The National Front (Barisan National). Certainly the political stability enjoyed by the country today does not cast any doubt on the legal legitimacy of the policy-makers. However, legitimacy goes beyond legal legitimacy, it concerns moral and social legitimacy. Social legitimacy is defined as the duty of the policy-makers to the public in ensuring that the policy they make reflects the current need of the society (Yin et al., 2002). This can be achieved by having consultation with relevant bodies before a policy is made. On the other hand, moral legitimacy concerns the personal qualities and expertise of the policy-makers and the composition of the policy-making body. Moral legitimacy would require a policy-maker who is not able to provide his best in policy-making to step aside for more competent and able policy-makers. In theory this is ideal however one that does not often happen in practice!
The composition of any policy-making body is usually political in nature and Malaysia is no exception to this. The Education and Immigration policies come from or on the mandate of the Ministries concerned, as non-governmental bodies or agencies do not create policies. Rarely is there any consultation with the relevant bodies or the grassroots. In fact, the Secretary General of MAPCU stated that the organisation had on numerous occasions written to the relevant bodies with the view to participating in the policy-making process, an offer not taken up by the relevant authorities (The Sun, 2005).

Herein lies the biggest hurdle in the formulation of policies, as policy-makers are not the stakeholders in the system and with no consultation before formulation, too often, the policies for the practitioners seem ill prepared and illogical. Taking one of the numerous examples is the policy to allow foreign students to work in certain industries. The conditions attached include the submission of a quarterly report by the PHEI concerning the academic performance of the student. Whilst one can appreciate the reason for this, i.e. that work does not interrupt the studies of the student and to meet the manpower need of the country, the issue remains whether preparing such reports will indeed meet this aim or whether as one officer puts it, ‘Do they really read them?’(Respondent C2)

It is a known fact that the more stringent and illogical a procedure is, the more likely are people to circumvent it and this is often the case as gathered from the interviews. PHEIs are willing to ‘keep an eye closed’ in order not to increase the workload of the officers and irritate the students (Respondent B2). Furthermore, ‘so long as the students are not into something ‘bad’ then it is ok for them to do some odd job where the opportunity arises’(Respondent C1). These circumventions are made easier given the lack of enforcement and the PHEIs must ensure that the foreign students are happy and that the part time employment that they are in does not interfere with their studies (Respondent C2). From the business perspective these views make sense, as students are the ‘passive marketers’ of the Institution.
The next issue is that of the characteristics of the process, which concerns consultation, participation, open and free discourse and consensus among the various stakeholders within the policy-making institution (Yin & Wing, 1995). One such example today is the call by the leader of one of the opposition parties for a Royal Commission on education to look into the problems that has plagued the education industry in the country (Lim, 2005). This call is supported by academics who state that the policy-making body formulates policies which have far-reaching impact on the system and therefore, it should have a balanced composition which represents the interest of various related parties (Yin & Wing, 1995).

The expertise and personal qualities of the policy-makers are also important to the development of an Education policy. Persons who have little or no knowledge of the demands and conflicts within the industry should not be given roles in formulating the policies. In fact one of the respondents was rather blunt on this point, stating that policy-makers from the public university system should not take the lead in making policy that will impact PHEIs as they lack fundamental and crucial knowledge of the industry (Respondent B1). Policy-makers with knowledge of PHEIs will have greater appreciation of the issues concerning the recruitment of foreign students in the country, for example, the availability of student hostels or even the difficulty of being responsible for student visas and conduct. As any failure of the policies to provide the best possible education to students will tarnish the image of the institution and the country as education providers (Respondent B2).

The next element within the formulation stage is the characteristic of the decision-making process of education policy. The issue deals with how decisions are made and whether the policy-makers make them with public participation. It is a rule of thumb that policy-makers should have open-forum discussion so that the public may be able to participate in the formation of the policy. The most recent exercise is the Royal Commission, where public participation provided great insights on issues that must be
addressed in overhauling the Police Force. Similarly, a Royal Commission on Education will benefit the industry. As such, to make policies on the recruitment of foreign students, policy-makers must invite not only representation from organisations such as NAIPEI or MAPCU, which represent the PHEIs but also from the wider public. Such openness will also ensure that the public have access to all the related and unbiased information regarding the formulation of the policy (Caplan, 1991, Postlethwaite, 1991, Knott & Wildavsky, 1991), which is seen as a practical and ethical move by the policy-makers (Forrester, 1985) thus giving them moral authority.

Having practical authority allows policy-makers minimal interruption during the planning process and to gain support for the resulting policy. Ethical authority provides policy-makers the opportunity to hear the public as the policy may have a far-reaching effect on them (Yin & Wing, 1995, p. 14). Apart from consultation, analysis may also be focused on how political bargaining and social consensus are sought in order to arrive at a finalised policy among members of the decision-making body, which represents the interests of different groups. These can only be achieved if the foregoing two points; stakeholders’ consultation and practitioners’ participation in the policy-making process are met.

Policy-making processes cannot be analysed without an understanding of the perspectives and technology employed in coming up with the policy. When dealing with the perspectives and technological issues, one has to look at issues such as the global movement in education and economic and management analysis. There are numerous issues within this context, firstly ecological analysis, i.e. whether the policy-makers have a global and ecological perspective on the education system when a new policy is implemented (Yin & Wing, 1995). Policy-makers in matters relating to policies on the recruitment of foreign students must, first and foremost, understand the global perspective in making education an export. Policy-makers must take care to understand the different constraints within the PHEIs to cater for the needs of foreign students. These are not new problems, as one has only to look at the traditional
education exporters, such as the UK who had overcome similar problems in the past. One respondent eloquently puts this as, “I do not understand why we do what we do” (Respondent B2). He said this in relation to the policy to allow foreign students to work, which is, riddled with so many restrictions that it is best; he feels not to have such a policy at all.

Local policy-makers can learn from other education providers such as the UK, Australia and the USA. In fact the information for providing education export service is endless with which any decision on the policy can be well framed to provide the very best for the local Institutions and the students in particular, thus making Malaysia the choice destination for students. One example where policy took into consideration this issue was the introduction of the 3+0 programmes whereby students were able to complete a foreign degree in Malaysia at a fraction of the cost.

What an ingenious idea! Sadly, however, the structure of the system could not cope with the impeding problems arising the sudden influx of foreign students. Obviously here, the intended and hidden effects of policy on the Education System were not assessed effectively before the policy was formulated. For example, of 11,189 teaching staff in non-university PHEIs, only 3651 or 32.6% has a post-graduate qualification. For PHEIs with the university status, the 2003 figure shows that of 2992 teaching staff, 1961 or 65.5% have postgraduate qualifications (Table 2.4). The figures directly influence the quality of teaching in these institutions and will further influence the recruitment and retention of students into PHEIs. This poses a greater dilemma with the introduction of home-grown qualifications by the university-PHEIs because the foreign students will prefer to register into a programme with international recognition.
Other elements within the formulation stage are identified and discussed summarily in this paragraph. In formulating, policy-makers must consider the process by which the policy is to be implemented within the education system (Yin & Wing, 1995). A failure to address this will cause an imbalance in the whole system and will as a result adversely affect the vision to make Malaysia a regional hub of education excellence. Another related issue is that of economic and management consideration. In the analysis of policy formulation, it is vital that the manner in which resources are allocated is well understood to achieve the desired effect of the policy.

Policy-makers must also consider policy monitoring arrangement, policy publicity and promotion as well as the possible management difficulties that might be encountered by the PHEIs when implementing a policy. Further issues in the formulation of policy is the legitimacy of an education policy based on it’s rationality (Yin and Wing, 1995) The policy-makers can ensure this by making sure that there is a relationship between the proposed policy and the objectives set, which can be achieved by research, experiment and pilot studies. These exercises provide knowledge on the viability, relevance and suitability of the policy and become the base and foundation of rationality of policies (Coleman, 1991; Cohen, 1991).
Finally, the analysis of the policy formulation cannot be complete without a discussion of the overall quality of the resulting policy. The policy-makers must ensure the suitability of the policy in terms of its scope, implementation schedule, use of resources and benefit, feasibility and acceptability of the policy (Yin and Wing, 1995). Of these, suitability is assessed in terms of the scope of the policy, the time frame for implementation and the use of resources against the benefits derived from the policy. Feasibility is checked in the light of the known constraints in resources, time, knowledge, information as well as political limitations. Under these constraints the policy-makers should be able to draw up the priority of implementation in order to meet the set objectives and ensure that the stakeholders and the public accept the policy. Thus, it is necessary at the summation of this framework that if there are discrepancies in any one of the outlined areas of analysis, such as in the decision making process, the resulting policy may not be able to achieve the policy objectives (Yin & Wing, 1995).

2.4.3 The Implementation Stage

Implementation of policies is vital to the success of a policy and forms the cornerstone of this study, mainly because the Respondents are persons directly responsible for implementing Education and Immigration policies. Thus the next few paragraphs examine the theories concerning implementation of policies and where relevant, reference shall be made to the case studies and surveys.

Khalid defines implementation as the "process of transferring goals associated with a policy into results" (2001, p. 88). Implementation does not determine the ends of governance but provide sources for achieving objectives from the policy (Albrow, 1979 in Khalid, 2001, p. 88). Implementation is often perceived as delivering policy goals and goal delivery is often associated with methods of making sure desirable policy outcomes are properly affected (Ryan, 1999, p. 36-7).
Implementation is informed by three theories and the earliest theory, which helped shape perceptions of policy implementation, was the classical model, which states that administration, is a mechanical process where structural components of administrative organisations is viewed as central to implementation. Weber describes the classical model as ideal because a bureaucratic structure allows the legalistic king of authority or a group of decision makers to ensure that the policies are implemented by subordinate administrators (Nakamura & Smallwood, 1993, at p. 7) in a structured manner. Subordinate administrators are expected to obey and carry out the commands promptly, automatically and without questioning and this forms the basis for the classical model (Nakamura & Smallwood, 1993).

Though this idea is widely accepted, the other theory regarding implementation is Woodrow’s (1856 - 1924) theory, which rests on the axis that politics and administration are separate and distinct activities. Woodrow based his theory on the belief that the implementers are professionals who are able to carry out the implementation objectively and with scientific rationality without being influenced by policy-makers. In reality, policy is a set of instructions from policy makers to policy implementers that spell out both goals and the means for achieving those goals (Nakamura & Smallwood, 1981, p. 31) as managers are not able to implement objectively and with scientific rationality, uninfluenced by the policy-makers.

The third theory is that of Taylor’s which is a combination of both Weber and Woodrow with the added element of 'efficiency' (Nakamura & Smallwood, 1993). This theory rests on the assumption that once the policy is made, it will be implemented and the outcome will be as close as possible to the expectation of the policy-makers. This is because, the bureaucratic principle makes it possible for the aims and objectives to be filtered down to the administrators who then, using their rationality and scientific abilities, apply the policies to effect the desirable outcome. Khalid (2001) calls this the hierarchical model of implementation and it is illustrated in Table 2.5. Thus, central to the issue of policy implementation is the effectiveness
and structural means required to meet the necessary outcome, which is often achieved, by *compromise, bargaining and negotiation* (Ryan, 1996, p. 38). Therefore, to be effective, there is a need to have a structure, which enables smooth implementation of the policies.

Currently, the Malaysian education environment has a bureaucratic structure whereby the policy-makers create and ensures that policies are implemented with the view to meet education objectives and it is enforced by sanctions. However, such a system will not work in an environment where implementers are able to circumvent a policy, by using loopholes or where enforcement is negligible. This scenario is often seen as tensions within the system (Ling, 2001) and one example where PHEIs use existing loopholes to circumvent policies is the establishment of management centres to run post-graduate and distant-learning courses as management centres do not fall under the purview of the Ministry of Education nor LAN. This tension can be illustrated with the view of Respondent A1 who states that records of working foreign students are not kept (though required) mainly because there is no enforcement.

There are also numerous other tensions in policy implementation that affects policies and these are the top-down and bottom-up framework and the institutional and statutory-coherence tensions (Ryan, 1999, p. 45-6). These tensions are likely to

| Step 1 | The authority selects/creates the policy to be implemented |
| Step 2 | The authority instructs the administrators on the policy |
| Step 3 | The administrators deliver and implement as they were |

*Table 2.5. Hierarchical model of implementation* (Source: Khalid, 2001, p. 89)
continue if not escalate, against a background of increased competition and demands for assessment outcomes and quality in the education system (Ling, 2001). Top-down tension is generally associated with the Weberian-type bureaucratic structure especially where there is no proper mechanism for dealing with the powers of the actors (Ryan, 1999, p. 49). The bottom up mode on the other hand, incorporates the influence of the players for the completeness of implementation, whilst the institutional and statutory coherence tension disaggregates the policy process to focus on the role of bureaucrats (Ryan, 1999, p. 46). These tensions in short seek the cooperation of all stakeholders in order to ensure that the objective/s of the policy are met through implementation. This leads us back to the initial question of whether the policy reflects the aspirations of the stakeholders and is only possible if there was consultation with those who will eventually implement the policy at formulation stage.

The outcome of policy implementation is also affected by three broad variables as stated by Mazmanian and Sabatier (1989), namely the tractability of problem, the capacity of the legislation to structure positive implementation and the effect of political variables relating to the particular policy. The other factors are the character of the formation process, the character of the organisation and inter-organisation relationships, street level bureaucratic relationship and changes and response within the society. Therefore, for the practitioner, the primary concern when implementing a policy is to assess and understand the framework within which the policy is to be implemented (Ryan 1996). This framework is influenced by the four factors indicated below:

"[T]he knowing what you want to do, the availability of resources, the ability to marshall and control these resources to achieve the desired end and if others are to carry out the tasks, communicating what is wanted and controlling their performance", (Barret and Fudge, 1981, p. 13).
Implementation requires the understanding of not only the policy, but also the structure within which it is to be implemented. The top-down tension and the bottom-up tension, rest heavily on the structure of the Institution. Generally, implementers are interested in the end results of implementation and in ensuring that the mode is the best both in terms of time and resources. In a PHEI, where the bottom-line is the main concern, this quest poses a great challenge. The existing loose structure provides the implementers with the opportunity to maneuver to achieve the desired aim, though they still have a responsibility to ensure close compliance.

Khalid however, places heavy reliance on the influence of politics and resources on implementers (2001). Implementation is a collective effort and therefore the expertise of people with specialised knowledge and experience is vital to the successful implementation of any policy. Furthermore, there is a need to develop co-ordination between [all parties] to produce collective voice for policy implementation (Khalid, 2001, p. 91, emphasis added). One of the characteristics of an affective school is collaborative planning and implementation (Bajunid, 1996, p. 62). Collaborative planning requires experience, people-skill and the ability to achieve the desired outcome given the environment within which the policy is implemented.

No matter how well policies are created there will always remain a gap between planning and implementation. Therefore in a study of policies, one cannot disregard the need for an in-depth inquiry into the areas of discrepancies and what causes the gap. Yin and Wing (1995) identify these areas and divide them into two specific subheadings, namely, that which concerns preparation for the implementation of policy and the level of change planned by the policy-maker. The former can further be divided into the readiness of the stakeholders, resources, time frame for implementation, and legal preparation, whilst the latter, into the existing system, organisation, classroom or the individual levels and congruence between the levels (p. 17).
Stakeholder readiness refer to the cognitive, psychological and technological readiness of the players in the industry such as education officers, school administrators, teachers, students, parents and other related professionals (Cheng & Ng, 1991, Cheng, 1992). In order to be ready, the stakeholders must understand the objectives of the policy and the consequences of implementation. Only then can this ignite the willingness to support and be involved in the policy (Ying & Wing, 1995). If the policy-makers use heavy-handed approaches in implementing the policies, one can most certainly find passive compliance, which will result in negative outcomes. Hence, in order to achieve this equilibrium, policy-makers must invest enough time and effort in making all parties concerned interested and aware of the policy and the rewards of a smooth implementation. One way to ensure these is to encourage their participation from the very start of policy-formulation, as identified in the earlier parts of this chapter. Statements such as the limited category opened for foreign students to work in indicate that the government merely categorise foreign students as labourers (Respondent A3) can be avoided if consultation takes place at the initial stage. Implementers will endeavour to implement the policies so that the aims become achievable when they consider the policies as theirs.

As in almost all other sciences, one of the major problems that plagues education policy-makers is the limitation of resources. Even before considering the creation of a policy, policy-makers must give due regard to the cost of implementation. Among others this cost will include facilities, equipment, personnel and monetary considerations, which are the prime factors that contribute to successful implementation of policy (Yin and Wing, 1995, p. 17). In the current study, one of the major problems felt by all stakeholders is a lack of resource consideration in the creation and implementation of education policies. For example, the lack of resources to build in-campus student housing also influences foreign students’ choice of PHEI. Of the three Institutions, which are the subject of this case study, only one had a fully
owned and in-campus-multi-storeyed student hostel. It cannot be a mere co-incidence that foreign students form almost 50% of its total student population.

Another issue that is often seen as the deciding factor is students’ choice of PHEI is the teaching faculty. Though statistics are not available, all three respondents of PHEI A indicated that there has been a major decline in the number of foreign students in the last five years. Incidentally, the students’ from PHEI A responded to Question 3 of the Student Questionnaire (The teaching quality in this college is good) in the negative in comparison to the other two Institutions. Needless to say, the failure to consider situations like these before setting the goal to make Malaysia a regional hub of education is beginning to show negative signs whereby student are looking to outside Malaysia for alternative higher education.

The issues concerning time frame refers to the availability of time, the stratification of the stages for implementation and the feasibility of the schedule (Yin and Wing, 1995). Like everything else, implementing policies must be scheduled so that the implementers will be able to gauge the success of the exercise. Before heading in this direction is it important that policy-makers consider whether the environment is ready and able to accept the changes. The findings would suggest that generally interviewees feel that many of the policies are not well thought-of and lack foresight.

Another major concern for policy-makers with regards to preparing for implementation is the legal rights of persons involved in the system. Naturally no policy can exist without supporting Acts of Parliament or Regulations. Currently, the vast number of statutes is sufficient to cater for the protection of legal rights of immediate persons and therefore does not raise any immediate difficulty. The policy-makers should also be concerned with the expected change as a result of implementation. The analysis of the levels of change planned by education policy is crucial. There are three levels and these are the (a) changes in the Education System where the policy-makers must consciously consider (b) the impact on the System
having in mind cost effectiveness and (c) the need to balance the different Education System (Yin and Wing, 1995). Thus a policy with regard to the recruitment of foreign students will have indirect implication on the general Malaysian education scenario. Certainly, any such policy must therefore consider its impact on the other levels of education such as the Public Higher Education System, special education and Primary and Secondary Education. Taking this one step further, it cannot be wrong to assume that the impact of these policies can also be seen in other areas such as in the social level, such as abuses of student visas and student involvement in vice activities.

Other issues impacting on implementation are management practices, classroom or individual level and how students are counselled. Any changes introduced as a result of the policy should not be biased so as to cause undue difficulty on the different players. Finally, the congruent level which states that there must be a consistency in the level of changes at the various levels in order to obtain complete equilibrium in the implementation of policies (Yin and Wing, 1995). This is to say that any change in the lower level will have no impact on the benefit of the policy if there is no corresponding and effective change in the upper level. When this happens, without any doubt, one can claim that the policy has failed. A good example to cite here will be the policy of introducing compulsory subjects. For example, Respondent B2 views Moral and Islamic studies as irrelevant and states that students attend these because they have to and not because it is interesting or needed.

2.4.4 Analysis of the Impact

Table 2.3 indicates that the fourth and final frame in policy analysis, concerns impact of implementation. Though generally there are numerous types of policies, one cannot deny that each policy has the capacity to cause outcomes, which is either positive or negative (Cheng, 1992). In theory, a positive outcome is highly possible with great efforts being taken at the initial stage with enough research into the matter. In reality, however, as the stakeholders’ understanding and abilities vary, implementation of a
policy rarely leads to the exact intended impact. Irrespective of the type of policy, a successfully implemented policy must bring about positive outcomes. In order to reach this, the issue at pre-formulation, formulation and implementation stages must be considered earnestly. Nonetheless, irrespective of the care given, sometimes-unforeseen circumstances can cause a negative impact (Cheng and Ng, 1991). In such situation, an analysis of the impact will provide the answer on how to avoid similar outcome in the future.

Implementation is also influenced by the domestic causal and external factors. Bell (1997) noted that domestic causal factors might be more significant than external factors, though the degree of impact will differ from one sector to another. In recent years, higher education is demonstrably one sector in which the external factor, such as international economic pressures, has been significant for domestic policy development (Rahimah, 1998), for example, the rush to have the open door policy more regulated was a direct result of the influx of foreign students post the Asian economic crisis for reasons indicated earlier. On the domestic causal factor, requirements such as the need for PHEIs to send quarterly reports concerning working students requires the PHEIs to balance implementation and the need to treat their students as adults, able to manage their own affairs.

2.5 Conclusion

In conclusion, the interplay and interaction of diverse groups and individuals will continuously make and remake the arena in which educational policy is formed resulting in new frameworks. However, this study uses the framework supported by Yin and Wing (1995) in analysing the impact of Education and Immigration policies on the recruitment and retention of foreign students to PHEIs in Malaysia. In the current study, the information on the policies identified in Table 2.2 and information obtained from the questionnaires and interviews will be analysed based on this framework. The model states that the impact of policy is dependent on how the issues
pertaining to the particular policy is handled in each of the four identified stages. It is argued here that the information from the case studies and questionnaires when placed against the literature on policy analyses as presented by Yin and Wing (1995) are sufficient to provide a clear understanding of the impact of Immigration and Education policies on the recruitment of foreign students to PHEIs in Malaysia.

As indicated above, the research plan is to administer two questionnaires; one to the PHEIs and the other to foreign students at PHEIs. The information gathered from the former will help identify three PHEIs as subjects for the case study. The information from the second will be used as basis for analysing the responses from the first questionnaire and the case study interviews. In this way, the author is of the view that the conclusion and synthesis, made thereafter will be well informed and corroborated.
3. RESEARCH METHODS

3.1 Introduction

As discussed in the literature review, this study is focused on finding answers to queries on education and immigration policies which impact on the recruitment and retention of foreign students to PHEIs. These results are sought by combining quantitative and qualitative methods of questionnaire survey and case study. The focus of this chapter is on research methods and begins with a general understanding of research narrowing down to research methods, tools, and finally to issues of authenticity and ethics.

3.2 The Research Paradigms

Research is a scientific process of finding answers to questions through systematic investigation adding to existing knowledge (Burns, 1994; Spata, 2003). Early research in the social sciences revolved around non-numerical methods like observation, interviews and historical studies (Smith and Heshusius, 1986). With the development of scientific theory, social scientists, such as Comte and Dilthey, sought a more suitable approach to studying social and human issues, developing interpretivist and the positivist approaches.

Weber, though greatly influenced by Dilthey, noted that both the research paradigms had shortcomings; while positivism could not attach meaning to social reality, interpretivism did not entertain the possibility that social reality might be the existing reality. He believed the differences between the two sciences stemmed from different interests in the subject matter (Smith, 1983). Realising these, he merged both the positivist and interpretivist perspectives, falling short of unifying the quantitative and the qualitative paradigms, which were in direct competition with each other (Onwuegbuzie 2002). This became the fertile ground for the emergence of post
positivism led by pragmatists such as Hanson and Popper who advocated the use of mixed methodologies. They emphasised deductive logic, reflected in formal writing styles using impersonal voice (Onwuegbuzie 2002, p. 519) giving rise to more radical paradigms such as constructivism, interpretivism and naturalism.

This trend continued up to the 1980s until the emergence of mixed model studies by pragmatists who combined qualitative and quantitative approaches within the various stages of the research process (Tashakkori and Teddlie, 1998). Pragmatists acknowledged the false dichotomy between quantitative and qualitative approaches and mooted a combined approach to understand educational and social phenomena. They accepted external reality and believed that researchers played a role in the interpretation of results (Howe, 1988; Reichardt and Rallis, 1994).

Currently there are three schools of thought on the relationship between quantitative and qualitative research; the purist, the situationalist and the pragmatist. Whilst the purists advocate mono-method studies, i.e., no mixture of research methods, situationalists contend that the selection of research methods must be situational and pragmatists argue that researchers must try to integrate various methods in a single study (Creswell, 1995, Tashakkori and Teddlie, 1998). Today, social scientists are more inclined to use a combination of both the quantitative and qualitative research paradigms as a way to provide a balanced view of the topic.

In the present study, the researcher adopts a pragmatist approach by combining both the qualitative and quantitative methods. The primary rationale for the combined paradigms is the need for triangulation whereby the information obtained via the quantitative method will triangulate with those obtained thorough the qualitative method and vice versa. Having established the research paradigms, the next step is to determine the research method/s to be utilised in this study.

3.3 The Research Methods
The selection of the research method/s is dependent on the purpose of the research. Generally there are four research purposes as illustrated in Table 3.1 below and these demonstrate the relationships between variables. These are to gather information about people’s beliefs, opinions, attitude and behaviour, to collect data on the behaviour in natural setting, and to establish and describe the relationship between variables (Spata, 2003). These purposes correspond to the four categories of research methods, namely experimental research, naturalistic observation, co-relational study and survey research which are further distinguishable in their tools, though there may be some overlaps, for example, interview is a popular tool in both, case study and survey research.

Experimental research ordinarily uses dairies and case studies as its research tools (Gall et al, 2003). This type of research is limited because it is sometimes impossible or unethical to study certain variables. Naturalistic observation uses observation and document analysis as its main tools (Spata, 2003). However, it is limited in its ability to make predictions or explain a cause of behaviour. Furthermore, the researcher has no control over the external factors that influence the particular behaviour (Gall et al, 2003). Co-relational study uses case studies as its main research tool, which in turn employs tools such as document analysis, interview and observation. Unlike naturalistic observation, the researcher who employs co-relational study has low to moderate level of control over external factors though he/she may find it difficult to establish the cause and effect of the variables (Spata, 2003). Lastly, survey, which primarily uses questionnaires and interviews as its research tools, though some are known to use observation and content analysis (de Vaus, 2002). Like naturalistic observation, survey research is limited in making predictions or explaining causes of behaviour. However, it is more suitable when used to gather large amounts of data or as a preliminary study for a deeper probe at a later stage.
The present study adopts survey and case study as the research methods and interviews and questionnaires as their tools respectively. There are two questionnaires administered in this study, one to foreign students, to enquire into their perception of the education and immigration policies and how this affects recruitment and retention of foreign students to PHEIs in Malaysia. The second questionnaire is addressed to international student managers or executives at PHEIs who deal with international students with the view to select the Case Study PHEIs and to enquire into the impact of selected policies on recruitment and retention of foreign students. The analysis of both the questionnaires will provide enough material to form the basis for the interviews at three selected PHEIs, which will be the focus of the case study. The combined method will provide an objectivity to the study as it is important for social scientist to strive to eliminate their biases, move beyond common-sense preconceptions, and not become emotionally involved with the objects of study (Onwuegbuzie, 2002, p. 519).

<table>
<thead>
<tr>
<th>Research Method</th>
<th>Research Epistemology &amp; Paradigm</th>
<th>Purpose</th>
<th>Common Tools</th>
<th>Limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experimental</td>
<td>Interpretivist Qualitative</td>
<td>Demonstrate relationships between variables.</td>
<td>Diary Case Studies</td>
<td>Impossible or unethical to study certain variable.</td>
</tr>
<tr>
<td>Survey Research</td>
<td>Positivist Quantitative</td>
<td>Gather information about people’s beliefs, opinions, attitude and behaviour.</td>
<td>Questionnaires Interviews</td>
<td>Limited in making predictions or explaining causes of behaviour</td>
</tr>
<tr>
<td>Naturalistic Observations</td>
<td>Interpretivist Qualitative</td>
<td>Collect data on the behaviour in natural setting</td>
<td>Observation Document analysis Case studies</td>
<td>Limited in making predictions or explaining caused of behaviour. No control over outside factors</td>
</tr>
<tr>
<td>Correlation studies</td>
<td>Positivist Quantitative</td>
<td>Establish and describe the relationship between variables.</td>
<td>Case studies</td>
<td>Low to moderate control over outside factors. Cannot establish cause and effect.</td>
</tr>
</tbody>
</table>

**Table 3.1. Types of research and their tools** (Source: Spata, 2003, p. 12)
3.4 Case Study

The Case Study was legitimised in the late 60s as a form of educational research and evaluation and has its antecedents in the disciplines of sociology, anthropology, history, psychology, law and medicine (Simon, 1977). It rapidly gained acceptance to become the tool for exercises that involved evaluation, educational analysis and action research. Case studies were traditionally viewed as lacking the rigour and objectivity of scientific research (Rowley, 2002) however, there is an extensive amount of literature today, supporting Case Study as a rigorous and reliable research method.

The Case Study is an enquiry, which investigates a contemporary phenomenon within its real-life context (Johnson, 1994, p. 20) or the examination in the context of a phenomenon (Yin, 1994). It is considered the obvious option especially when one is seeking to undertake a modest scale research project or when trying to make comparison within a limited range of organisations (Rowley, 2002). Case studies offer insights that are generally lacking in the other methods as they are epistemologically in harmony with the reader’s experience (Adelman et al., 1976, p. 4) and provide the researcher with the ability to explore the diversity of practice (Kogan et. al, 1984). Case studies are well accepted as a useful tool for the preliminary and exploratory stages of research project to build fresh theories (Eisenhardt, 1989)

The popularity of case study as a research method rests on it being flexible in dealing with complex issues. It is flexible enough to accommodate either a multiple-case study or a single case study and it allows for numerous cases to be conducted within a single study (Johnson, 1994). For example, in an earlier study, on the effect of policy implementation on managers, three levels of managers from a PHEI were interviewed to allow for a variety of views and thus enable a more rounded picture. This is usually referred to as relatability (Bassey, 1981), where case study is noted for its ability to be sufficiently lifelike and any difference or similarities can be easily identified
(Johnson, 1994, p. 22). The relatability of Case Studies makes it intelligible to ordinary people, in comparison to scientific research, where the use of non-technical words leads to non-technical findings and thereby makes the analysis easily readable, understood and accessible. Case Study also forms archives of descriptive material sufficiently rich to admit subsequent re-interpretation, given the variety and complexities of educational environments (Adelman et al., 1976, p. 8), thus allowing it to be interpreted in context, (Cronbach, 1975, p. 123) and making the empirical generalisation an observation to be explained, not watertight conclusion (Hamilton, 1980).

However, the main limitation of the case study is usually leveled at its lack of scientific rigour since it is subjective and highly dependent on the nature of the phenomenon and the circumstances in which the study is conducted (Johnson, 1994). Reliance on the skill and industry of the researcher further entrenches this subjective nature. Furthermore, Case Study is critiqued to encourage esoteric interest, and making the study narrow, which counters the advantage of relatability (Bassey, 1981). In addition, as the researcher is led by the data, the outcome is usually an accumulation of data rather than a rounded picture (Yin, 1984). To overcome these limitations, the researcher must adopt a more objective view and this is often done by the use of a quantitative method to provide the required objectivity, which in this study is a survey questionnaire.

3.5 Survey

Survey Research is defined as the gathering of information about people’s beliefs, opinions, attitude and behaviour (Gall et al, 2003). Survey can be anything from a short paper and pencil feedback to intense one-on-one in-depth interviews and is distinguished by two key features, i.e., the form of data and the method of analysis (Marsh 1982). It was developed mainly by social reformers and political radicals such as Cobbett, Mayhew and Engels in Britain in the 1830s (de Vaus, 2002). It ranges
from government-funded surveys such as the Pittsburgh Survey on social problems in 1907 to surveys by private organisations such as the Gallup Organisation (Kelsey, 2002).

Survey elicits equivalent and straightforward information from an identified population and the responses are merely indicative of findings that are more concrete and are used frequently as springboard for a more detailed study of the issue (Johnson, 1994). It involves the analysis of the information in a systematic way with the possibility of providing an understanding of the variables and presenting it for the consumption of a variety of audience (Sowell, 2001). There are two types of Survey, i.e. descriptive and analytical. The former is a strategy to gather information on issues from the wider public, such as the general census. The latter is a strategy specially designed to explore in detail issues associated with variables and frequently employed in education research. Thus allowing the researcher to gather and analyse the information in order to prove or disprove a hypothesis.

A survey can be a small exercise, such as a few interviews, or an extremely large cross-country research like the Phil Delta surveys (Sowell, 2001). However, educational surveys rarely take on such mammoth tasks owing to the constraint of time and cost. Nonetheless, the flexibility and versatility of survey research at different levels makes it a suitable and popular research method in education (Fogelman, 2002). There are two survey designs, the Longitudinal survey and the Cross-sectional survey, the distinction of which lies in the time of data collection. Longitudinal is the study over a period of time and Cross-sectional is a study at a particular point of time (Sowell, 2001). The former involves a study of trend, cohort or panel whereas the latter is a study of attitudes and practices, comparison of groups and national assessment, generally with a larger sample size.

Irrespective of its scale, Survey Research uses a considerable amount of time and effort in comparison to other research methods (Bell, 2002). It is complex, ...requires
the ability to work alone on occasion, and to cope with the emotional pressures of pursuing the work (Jarvis, 1999, p. 125). Thus a researcher must consider the size, structure, purpose and tools, issues pertaining to sampling and questions of authenticity and ethics before embarking on survey, as these may vary from the other research methods (Gall et al., 2003).

Survey primarily uses questionnaires and interviews as its research tools, though some surveys are known to use observation and content analysis (de Vaus, 2002). This study uses an analytical cross-sectional questionnaire survey to triangulate the findings of the Case Study and to look at the impact of education and immigration policies on the recruitment and retention of foreign students to PHEIs in Malaysia.

3.6 The Research Tools

This Study uses Case Study and Survey as its research methods, providing a harmonious merger of the qualitative and quantitative paradigms. From these paradigms and for the reasons indicated above, the researcher opts for interview and questionnaire as the research tools, which are now examined.

3.6.1 Interview

An interview is a social encounter between two persons with a focus or a purpose (Johnson, 1994). It stresses on learning the native's point of view and is a suitable method for gathering information (Hannabus, 1996, p. 22). Interviews work on the probes and prompt (Johnson, 1994, p. 137), a method through which the interviewer leads the respondent in a particular direction. Probing is one of the most challenging skills a researcher has to learn especially when dealing with respondents who in their view is making assumptions (Hannabus, 1996, p. 25). Interview is also flexible, but depends heavily on the rapport between the interviewer and the respondent.
There are two types of Interviews, structured and unstructured. Unstructured Interviews emphasise the sharing of information and experiences and are suitable in situations where the respondent has expert knowledge in the particular area (Burn 1994). Structured Interviews on the other hand, are interviews, which are standardised, cover a large number of respondents and work on the principle of consistency (Johnson, 1994). The current study employs an unstructured interview as the researcher is seeking the expert knowledge of a specified number of respondents who are those involved with international students. In conducting the interviews, the researcher was mindful of the following elements identified as the pre-condition for a successful interview.

As an interview is primarily a social encounter, the interviewer must be aware of his/her body language, emotional and physical condition and also that of the respondent. The success of an interview is further dependent on the sensitivity of the research area and questions, the environment of the interview and the ability of the interviewer to be analytical and not be influenced by personal biasness and prejudices. Apart from this, the other elements that contribute to the success of an interview are discussed in the following paragraphs.

Firstly, the interviewer must possess substantial knowledge of the issues and the background of the area that is being investigated. This is important because it allows the interviewer to understand what is meant by the respondent and enhances rapport. The respondent may be disillusioned if the interviewer expects explanation of every concept (Dexter, 1970). Knowledge creates mutual respect, which in turn creates good relationship and a good relationship is crucial to the success of the interview (Hannabus, 1996).

Secondly, an interviewer must ask questions, which are relevant and informed (Johnson, 1994). An unstructured interview relies on the experience and knowledge of the respondent and the asking of 'intelligent' and relevant questions to ensure that
there is some form of uniformity in the mode of questioning. This sets the direction of the interview. A lack of direction makes it a free-floating conversation, which may deviate from the original perspective of the interview (Johnson, 1994).

Thirdly, the researcher must be sensitized to the direction taken by the respondent, as unstructured interviews are not governed by the rigid rule of standardisation and format (Burn, 1994). Furthermore, the interviewer relies heavily on the experience of the respondent hence he/she must be sensitive to the change in direction during the interview. This factor is closely linked to the need to have a good rapport with the respondent and the need to have substantial knowledge on the subject matter. Without having a base, the interviewer will not be able to identify if the interview is moving in the right direction. An interviewer who is not sensitised may conduct an interview with a preconceived mind-set, which may prove fatal to the interview and subsequently the findings.

Fourthly, the interviewer must at all times be in control of the interview. These controls may take the forms of keeping the conversation on track and knowing when to end the interview. Time is of the essence and one should not be in a rush nor should the interview seem to go on forever. The initial time allocated for all interviews in this study was about one hour, however, some interviews lasted at least one hour and thirty minutes. Such flexibility is important since the information and experience of the respondent outweighs that of the interviewer.

Fifthly, the success of an interview is the recording of the data. The first thing that comes to mind is having the interview tape-recorded. However, recording may restrain frank disclosure and is time consuming. It is estimated that one hour of recording requires nine hours of transcription and checking (Bucher et al., 1956). Recording of data can also take place in the form of notes, though it could be distracting (Johnson 1994). In the current study, none of the respondents agreed to the recording of the interview. At the interviews the researcher realized that some
comments by the respondents were rather frank, and recording may not produce frank disclosure.

Finally, the success of an interview is also dependent on ordinary skills of human encounter and social interaction. This includes knowing when not to interrupt and even letting silences work for you, avoiding double negatives, jargon and abstractions and loaded expressions, being non-judgmental; and knowing how to focus and pace and asking questions which avoid closed yes/no answers (Hannabus, 1996). These considerations are rarely applicable in questionnaires as noted in the discussion below.

3.6.2 Questionnaire

Questionnaire is a popular mode of collecting data on educational issues involving situations, which cannot be observed, such as feelings, opinions, and experiences (Gall et. al., 2003). Questionnaires are documents, which provide the opportunity to ask the same questions to all individuals in the sample. The respondents have the flexibility to complete the questionnaire at leisure by writing or ticking their answers as per the instruction and returning it at a time convenient to them (Gall et. al., 2003). It allows for wider sampling and uses less time than an interview for example, but in comparison, it does not allow for a deeper probe into the responses of the respondents.

The ideal questionnaire must be clear, unambiguous and help engage the interests of the respondents to obtain answers, reflective of their true opinion (Johnson, 1994) and it must be friendly to the mind and the eyes, i.e. clear and easy to read. To achieve these characteristics, the researcher must consider the research problem, (Punch, 1998), the objectives of the study and the availability of resources such as respondents, finance and time (Cohen and Manion, 1994).
The guidelines for designing and administering questionnaires are summarised in the ten-point rule in Tables X. The preliminary task, as identified, is to establish the research question and the objective of the study, in order to identify the information required and the potential respondents. The completed questionnaire is processed through a pilot study consisting of a representation of the actual pre-determined sample (Gall, et. al., 2003). *The closer the match between the pilot sample and the final sample the better* the findings (de Vaus, 2002, p. 117). It is important to examine the variation in answers, the meaning of words to different individuals, redundancy, scalability of the responses and non-response (de Vaus, 2002, p. 116). The piloting process provided some valuable feedbacks on the questions and the palatability of the questionnaire. Post- piloting, the questionnaire should be given an overall revision to ensure that the identified problems are removed.

The next step is to identify the sample using one of the many probability and non-probability samplings methods as illustrated in Table 3.2. Sampling is the manner in which the survey respondents are selected and it forms part of the history of survey (de Vaus 2002). The probability samplings are random, systematic, stratified, stage and cluster whereas the non-probability samplings are convenience, purposive, quota, dimensional and snowball (Fogelman, 2002). In the random approach a sample is selected randomly from the total population but this mode is incongruous where the total population is not ascertainable. Systematic sampling explains sampling selected systematically from an accurately constructed frame. Stratified sampling employs a system where the population is subdivided into categories and then a sample is randomly taken from each category. This is a suitable method where the need is to subdivide the potential respondents before making a final selection. Cluster refers to sampling where the study is done in a selected cluster or location. Where it becomes inconvenient to study each and every respondent in the chosen cluster, a second random sample is utilised and this is known as stage sample.
The non-probability sampling starts with a convenience sample which as the name suggests, allows the researcher to select a random sample from a convenient population that the researcher wishes to study. This is followed by purposive sampling, where the researcher handpicks the subject to be studied so as to ensure the expertise held by that respondent is fully utilised. Dimensional is the penultimate type of sampling, where the researcher selects the quota to be studied after the inclusion of all the dimensions of the practice. Finally snowball sampling, which may start of as any one of the earlier types but due to the identification of experts by certain initial respondents, the size of the respondents increases thus, creating the ‘snowball’ effect.

<table>
<thead>
<tr>
<th>Categories of Sampling</th>
<th>Main Features</th>
<th>Types of Samplings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probability</td>
<td>Largely controlled by researcher</td>
<td>Random</td>
</tr>
<tr>
<td></td>
<td>Depends on availability and accessibility of sampling frame</td>
<td>Systematic</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stratified</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cluster</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stage</td>
</tr>
<tr>
<td>Non-Probability</td>
<td>The researcher has minimum or no control</td>
<td>Convenience</td>
</tr>
<tr>
<td></td>
<td>Not possible to include or exclude person from the sample</td>
<td>Purposive</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Quota</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dimensional</td>
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<tr>
<td></td>
<td></td>
<td>Snowball</td>
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</tbody>
</table>

Table 3.2. Sampling

This study employs probability - random sampling of foreign students, as the total population of foreign student in the PHEIs is largely ascertainable, represented by the dotted box in Table 3.3. As for the PHEIs, the researcher opted for a probability-stratified sampling where the PHEIs are divided into non-university PHEIs (shaded box), university- PHEIs (unshaded) and further subdivided them into those with and those without foreign students. Thereafter, questionnaires were administered randomly to the PHEIs within the non-university PHEIs with foreign students as represented overlapping areas in Table 3.3.
Once all aspects of the drafting and designing of questionnaires are satisfactorily concluded, and the potential respondents and the organisation identified, the success of the questionnaire comes down to smooth and trouble-free administration. The administration must be well planned; for example, Palihawada and Holmes (1999) administered a questionnaire during the last 10 minutes of the final session of the semester in order to avoid potential biases. The administration of questionnaire should not unduly encroach on the time and goodwill of the volunteer respondents and that of the organisation within which it is administered. It is also important to include a cover note explaining the purpose of the questionnaire.

It is vital that the respondents are pre-contacted before handing them the questionnaire to ensure good relationship and high return of questionnaires. Where consent is sought from an organisation, it is important that a copy is given at the time of request for an educated consideration of the request. Once consent is obtained, the questionnaire is administered, the findings tabulated and analysed and the report prepared. In the process of questionnaire administration, it is important that the researcher safeguards the identity of the respondents so that the subjects of research will not be harmed and the ethical issues of anonymity and confidentiality will not be breached (Sapsford and Abbott, 1996).
The use of questionnaire and interviews provide this study with enough information on the impact of education and immigration policies on the recruitment and retention of foreign students to PHEIs in Malaysia. Apart from understanding the process of the case study interview and the survey questionnaire (Table 3.4), a researcher must also appreciate the issues within the various stages, i.e. from identifying the research question to writing the report. These stages raise different issues as accuracy, reliability and validity, which become the methodological problems of research and are necessary elements for authenticity (Johnson, 1994, p. 106) and will be discussed forthwith.
3.7 The Authenticity of Research

Authenticity is the process where the findings are substantiated, the quality assessed and the research approach and methodology determined. It is an elusive target and in a situation where there is no perfect truth, reliability, validity and triangulation contribute to an acceptable level of authenticity, sufficient to satisfy both researcher and reader that the study is meaningful and worthwhile (Coleman, 2002, p. 71). The necessity to authenticate is to ensure identical or similar results by using the same method of procedure or that the operation of the study can be repeated with the same results (Yin 1994, p. 144). Authenticity is achieved by the validity and reliability of a study and it rests on the need for triangulation. These phrases, which were originally developed for use in quantitative research by positivists, play important roles today in qualitative research though they may have to be treated somewhat differently (Brock-Utne, 1996, p. 612).
Reliability is a necessary precondition for attaining validity and is reinforced by triangulation (Brock-Utne 1996, p. 614). It provides the avenue for the researcher to defend and explain the methodology used and the findings made and whether the research will stand up against outside scrutiny (Easterby-Smith et al., 1994, p. 89). The goal of reliability is to minimise the errors and biases in a study and is best approached as if someone were always looking over your shoulder (Yin, 1994, p. 146).

Validity is the criteria by which the accuracy of the phenomenon studied and described is judged. It can be divided into two, external reflecting the extent to which findings may be generalised to the wider population and internal validity where the research findings accurately represent the phenomenon under investigation (Bush 2002). The main concern for internal validity is the potential biases of the researcher, respondent and the questions (Cohen and Manion, 1994). Internal validation calls for the experiential involvement of the researcher and this is essential because knowledge is validated experimentally (Lee, 1994, p.91).

If validity is the precondition of reliability then triangulation is the basis by which the validity of a research is improved. This is done in four ways, crosschecking, exploring, and confirming the findings and with the use of seminar groups. These involves the use of different techniques to crosscheck, team discussion to explore and criticise the research, written accounts to confirm the findings and seminar groups as a venue for reflective analysis (Cohen and Manion, 1994). Thus validation involves a process where numerous sources of information or evidence are compared so as to determine the accuracy of a particular instance. For example, Robson (1994) used interview and observation to triangulate a study, which was primarily based on document analysis and Busher (2002) used open-ended interviews, documentary analysis to triangulate observation by an insider researcher.
Therefore, to authenticate is the process by which the findings of a study are substantiated. Thus a factual question, which may produce one type of answer on one occasion but a different answer on another, is ... unreliable (Bell, 1987). It is also the means by which the quality of the study is assessed and the research approach and methodology is evaluated. Hence, though the necessity of authenticity forms the basis of all studies, it meaning and significance varies according to the stance of the researcher (Bush, 2002, p.59), the research paradigms and tools are now examined.

In case studies, the ambiguity created through the varying levels of reliability encouraged writers like Bassey to coin the term 'trustworthiness' as opposed to reliability as the luminance for case study. This concept which was initially put forward by Lincoln and Cuba (Bush, 2002) works from the premise of ethics, which will be discussed in the latter part of this paper. A careful formulation of the research questions may minimise the effect but the significance of this in semi-structured and unstructured interview is somewhat doubtful. Similar problem can also be seen in observations where close involvement of the researcher creates the possibility for biases.

However, in interviews, the nature and applicability of reliability procedures depend on the type of interview. The problem of reliability is greater in an unstructured interview than in a structured one as the former allows a person to respond in his unique way (Nisbett and Watt, 1984). In observation, reliability applies to issues of interpretation and subjectivity and the answer to the question whether a glass of water is half-full or half-empty best illustrates this point. While both answers will be technically correct, the interpretation attached to each statement brings about distinct findings. It is precisely this very nature of observation that makes assessing reliability difficult (Brock-Utne, 1996). However, in documentary analysis, the permanency of data provides the advantage of re-analysis, allowing reliability checks and replication studies (Robson, 1994, p. 243), thus reliability does not become an issue.
In relation to triangulation, it is important that the case study-researcher is not misled either by the interview or by documents (Adelman at al., 1984; Nisbett and Watt, 1984). There are two types of triangulation: methodological and respondent triangulation and it is common to use both types of triangulation (Lee, 2000). The former is the use of research method to explore the same issue and the latter is the use of different participants to answer the same question (Coleman 2002). In summary, the basic principle in data collection for case study is to check your data across a variety of methods and sources (Coleman, 2002, p. 69). This ensures that the findings can withstand criticisms and in turn protect the integrity of the researcher. The current study employs methodological and respondent triangulation, whereby the case study data is triangulated by the questionnaire data and the data from one interviewee triangulates that of another.

In surveys, Reliability deals with the quality of measures, i.e. the consistency or repeatability of the measures adopted and Validity is the criteria by which the accuracy of the phenomenon studied and described is judged. Reliability in questionnaire relates to the nature and applicability of reliability procedures, which depend on the research question and the pool and size of a sample. A narrow sample is more likely to make the findings unreliable whilst a larger and varied pool makes it more reliable. Survey emphasises reliability through the standardization of measuring instruments (Bush 2002) and on data collection techniques. One of the main ways of assessing Reliability is through the test-retest procedure (Bush 2002, p. 61). An instrument is said to be reliable if it gives similar results every time it is used within the same group of people. Comparing the findings with other sources, directly questioning the respondents, or crosschecking findings with the pilot study tests are ways in which questionnaire reliability is tested.

In survey, there are three possible causes of invalidity, the first being that the respondents may not be able to complete the questionnaire accurately. Secondly, the responses in the unreturned questionnaires may vary and thereby influence the
findings. Thirdly, large surveys place a heavy burden on resources and the choice of limited respondents raises the questions as to the impartiality of the evidence collected (Busher, 2002). Therefore a careful formulation of the survey question may minimise the effect of the first, proper administration timing overcomes the second and triangulating the findings of the survey will help resolve the issues of impartiality.

In summary, even when the processes are followed carefully, the researcher must ensure that the study can withstand outside scrutiny. This means the researcher must ensure that the findings are reliable and valid and are triangulated. Apart from understanding the process of the research and appreciating the tensions in ensuring the authenticity of the study, the research is strictly bound by the rules of ethics.

3.8 The Ethical Consideration

Ethics is the respect for the dignity and privacy of the research subject and the pursuit of truth, which can be achieved by obtaining consent and protecting the anonymity and confidentiality (Pring, 2000). Ethical consideration concerns matters such as upholding the rights of the participants, safeguarding professional status and academic standards and protecting the rights of the public to know the findings (Yin, 2000). The very ‘need-to-know’ nature of research places on the researcher the responsibility to carefully and accurately present the ‘truth’, thus making a fully ethical research virtually impossible (Busher and Clarke, 1990).

Ethics can be distinguished from morality in that ethics is the philosophical enquiry into the basis of moral or moral judgements whereas morality concerns what is right or wrong (Pring, 2000, p. 14). Ethical considerations are sometimes given legislative effect for example the limits on the collection and the use of statistical data collected from the government department (Raffe et al., 1989), but still much rests on the researcher’s commitment to honesty (Sammons, 1989) and the avoidance of plagiarism (Burger and Patchner, 1985).
A research is within the boundaries of ethics if consent is obtained from the research subjects and the rules pertaining to the anonymity and confidentiality of the research subjects is maintained (Pring, 2000). Ethical educational research involves researchers in a dialogue that is transformed by social and moral framework as well as their own moral predilections and views. Researchers must weigh up the balance of harm that might occur if they do not intervene at all including considering the consequences of depriving people of opportunities or information from which they might benefit if the research has carried out (Kelly, 1989). This underscores the contextual complexities within which research is carried out and of which researchers have to take account.

Ethical consideration is also dependent on the nature of the Institution researched, the limit of the research design and the socio-political factors of the researcher and the researched (Weber and Mitchell, 1999). It also depends on the bodies that sponsor the project, as these Institutions sometimes dictate the manner in which the research findings are dealt with.

Ethical problems also arise in methodologies and positivists relate the problem to the relationship of the researcher and the provider of information; studies may intrude into areas that are sensitive or which cause stress on the respondent. Thus consent is vital. The ethical consideration in the non-positivist tools relates to the role of the researcher who reflects on his/her own practices (Rowley, 2002). For example, in interviews, the question often raised is of consent, and in document research - the issue that the document was created for one reason and used for another whilst in observation the question of subjectivity, interpretation and biases.

Therefore, when opting for research, the researcher must prior to doing the research, ensure the issues pertaining to ethics are given due consideration for any breach of ethics will question the validity of the findings and the professionalism of the researcher. This problem is higher when a researcher conducts an internal research.
For example in the present study, one of the respondents offered to be a subject of the study without the consent of the PHEI. As tempting as this offer was, the researcher wrote to the PHEI concerned but no consent came about and hence the PHEI was not a part of this study. However, as a researcher, especially in a society where researchers do not enjoy much support, the officer concerned was part of the pilot respondent for questionnaire given out to PHEIs, which he participated in his personal capacity.

3.9 The Conclusion

In conclusion, when the researcher opts for a research, he/she has the option of choosing the research paradigm/s, the research method/s and the research tool/s. However any selection can only be valid in the light of the authenticity of the research and its ethical consideration. In the current study, the researcher opts for the pragmatist approach, which uses a combination of the qualitative and quantitative paradigms. From the qualitative paradigm, the researcher selects case study and from the quantitative, survey. As for the research tools, the researcher opts for interview for the former and questionnaire for the latter. Thus, it is hoped that the findings of the case study and questionnaires will be sufficient to triangulate each other and support the research question, which looks at the impact of Immigration and Education policies on the recruitment of foreign students to PHEIs.

4. Findings

This study seeks to find answers on how the Education and Immigration policies impact the recruitment and retention of foreign students to PHEIs in Malaysia. Chapter 1 of this thesis provides the historical, political and cultural backgrounds to this study whilst chapter 2 the contextual and chapter 3 the methodological backgrounds. This chapter brings together all the above by introducing and describing the data and linking its relevance to the research questions and the aims of the
findings. It is divided into subheadings representing the data from the Surveys and the Case Study. In doing so, this will form the foundation for the preceding chapters on analysis and thereafter conclusion.

The research questions are answered with findings from the 2 Questionnaires (Appendix X) and the Case Study Interviews. The first Questionnaire was administered to international student officers in 48 PHEIs and the second to 1,420 foreign students at three PHEIs. A total of 27 responses were collected for Questionnaire 1, many of which through direct telephone conversations, whilst 478 responses were collected for Questionnaire 2. From the 27, 3 PHEIs identified as Institutes A, B and C, were short listed as the subject of the Case Study. A total of 8 officers were interviewed from the 3 Institutes and the data collected will be used to substantiate the findings of Questionnaires 1 and 2. The three personnel involved are officers who are in direct contact with international students and deals with Education and Immigration policies on a daily basis. The detailed outcome of the Survey and the Case Study is provided for in the following subsections whilst Table 4.1 provides the summary of the study as described above.

<table>
<thead>
<tr>
<th>Research Methods</th>
<th>Research Tools</th>
<th>Total Number of Respondents</th>
<th>Tables related to the respective Surveys and Case Study as cited in this Chapter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Survey</td>
<td>Questionnaire 1</td>
<td>27</td>
<td>2, 3, 4, 5 and 6</td>
</tr>
<tr>
<td></td>
<td>Questionnaire 2</td>
<td>478</td>
<td>6, 7, 8 and 9</td>
</tr>
<tr>
<td>Case Study</td>
<td>Interviews</td>
<td>8</td>
<td>10 and 11</td>
</tr>
</tbody>
</table>

Table 4.1. Research Methods, Tools and Corresponding Tables

4.1 Survey Questionnaire 1

The purpose of Questionnaire 1 was primarily to identify the PHEI, which will be the subject of the Case Study and to use the data there obtained to corroborate the findings of the case-study interviews and support any conclusions derived there from.
Thus the piloting of Questionnaire 1 merely involved the relevance and the structure of the questionnaire to ensure palatability (Gall et al., 2003). The draft Questionnaire was presented to 5 officers dealing with international students from 3 PHEIs who had agreed to assist. This provided some interesting insights into the varying interpretation of the jargon used, the redundancy of words, scalability of response and non-response (de Vaus, 2002). After due consideration, all relevant suggestions were accommodated and the final Questionnaire was ready for administration.

Prior to the administration of the Questionnaire, 122 PHEIs (www.studymalaysia.com) (Appendix X) were contacted. This particular list was utilised on the basis that foreign students intending to study in Malaysia will avail themselves of this list from whichever country they are in. Thus, a presumption had to be made at this stage that all PHEIs listed are able to recruit foreign students on the basis that the list is on a webpage intended to any foreign students interested to study in Malaysia. These PHEIs were contacted via telephone and in most instances the communication was with the person responsible for international students, either the manager or an officer. Of the 122 contacted, 47 (39%) agreed to participate in the survey. Many of which were the smaller PHEIs, as can be seen from Table 3 below, there are only 15 (32%) of the PHEIs that have students more than 1 000. The larger PHEIs were not interested and one plausible reason could be as put forward by one respondent, the competition is too steep and competitors are known to use various tricks to lure students away (Respondent A1).

The administration of Questionnaire 1 was either via fax or by post as per the request of the respondents and is summarised in Table 2. Only 15 were administered through the post upon the request of the PHEIs. A stamped self-addressed envelope was included for the return of the Questionnaire and dispatched with a cover page explaining the aims of the Study (Johnson, 1994) and the date within which it should be returned. A total of 32 were faxed to the respective PHEIs via fax together with the cover letter. After two weeks, 6 questionnaires were returned, 4 faxed and 2 posted.
The 47 PHEIs were contacted again to enquire into the progress of the Questionnaire. Another 5 were returned and where the participants claimed that they had not received, the questionnaire was re-sent via fax. At this stage another 4 responses were faxed to the researcher. There were only 15 responses, which was 31%, and these were mainly from the minor PHEIs where the number of foreign students were negligible. As the findings of the questionnaire survey are vital to corroborate the findings of the interviews, the researcher attempted to contact the officers again. Whilst some indicated that they were busy or that they no longer wanted to participate in the Survey, other officers wanted to provide the answers over the telephone. The difficulty here was the necessity to keep the administration of the Questionnaire purely to the questions, as there was a high probability of its turning into an interview. This method provided a further 11 responses making a total of returned questionnaires to 26 (55%).

Finally, within the month, the researcher sent out ‘Thank You’ cards to all 47 Institutions, as some of the respondents could not be identified, as they had not indicated the name of the PHEI on the top-left hand corner of the Questionnaire as per instruction. Within a week of the ‘Thank You’ cards, another completed Questionnaire was received making now a total of 27, which works out to approximately 60%. The findings of Questionnaire 1 were then tabulated as indicated in Table 4 and is analysed in the following chapter. One of the major problems in the administration of Questionnaire 1 is getting the completed Questionnaires back. However in the present study, the persistence outlined above paid off positively with high returns, thus giving this paper a higher degree of validity (Bush, 2002).

<table>
<thead>
<tr>
<th>Stages of Survey</th>
<th>Stage 1</th>
<th>Stage 2</th>
<th>Stage 3</th>
<th>Stage 4</th>
<th>Stage 5</th>
<th>Stage 6</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of PHEIs Administered</strong></td>
<td>122</td>
<td>47</td>
<td>41</td>
<td>36</td>
<td>31</td>
<td>47</td>
<td>-</td>
</tr>
</tbody>
</table>
Mode of Administration |Tel | Fax - 32| Tel/Fax |Tel | Tel/Fax | Post | -
--- | --- | --- | --- | --- | --- | --- | ---
Number Returned | - | 6 | 5 | 4 | 11 | 1 | 27

Notes:
Stage 1 - Contacted via telephone to obtain consent. 47 PHEIs agreed to participate;
Stage 2 - Sent questionnaire either through fax or post. Received 6 responses;
Stage 3 - Contact a week after posting or faxing - received another 5;
Stage 4 - Send questionnaire again via fax. Received 4 responses;
Stage 5 - Called them again within 2 days. Where permissible, the questionnaire was conducted via the telephone. A total of 12 responses were received;
Stage 6 - Thank you note sent to all PHEIs as in Stage 2. One response was received.

Table 4.2. Data Source and the Administration of Questionnaire 1

Questionnaire 1 had 20 questions in all and the first question was on the approximate number of foreign students and total student population at the PHEI. This is an important question as the Case Study subjects were selected based on the figures given. Table 3 shows the average number of foreign students and students in the PHEIs. A cursory review of the Table shows that the percentage of foreign students in relation to the total student population at the PHEIs varies from 1% to 91%. It also shows that a majority of foreign students are from China, whilst a few PHEIs deal only with students from one particular country, such as Korea or China. This information is part of Question 2, which forms one of the criteria for the selection of the Case-Study PHEIs. The Question required the respondents to indicate on the scale of 1 – 9 the country of origin of the students and this is summarised in Table 3.

<table>
<thead>
<tr>
<th>Respondent PHEI</th>
<th>Question 1 (a) Approximate Number of Foreign Students</th>
<th>Question 1 (b) Approximate Number of Students</th>
<th>Percentage (%) of Foreign students to the total number of students</th>
<th>Students by their country of origin on the scale of 1-9 (with 1 being the most number of students)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2000</td>
<td>2200</td>
<td>91</td>
<td>China: 1</td>
</tr>
<tr>
<td>2</td>
<td>900</td>
<td>1200</td>
<td>75</td>
<td>China: 1</td>
</tr>
<tr>
<td>3</td>
<td>800</td>
<td>3000</td>
<td>27</td>
<td>China: 1</td>
</tr>
<tr>
<td>4</td>
<td>320</td>
<td>1500</td>
<td>21</td>
<td>China: 1</td>
</tr>
<tr>
<td>5</td>
<td>1300</td>
<td>7000</td>
<td>19</td>
<td>China: 1</td>
</tr>
<tr>
<td>6</td>
<td>23</td>
<td>127</td>
<td>18</td>
<td>China: 1</td>
</tr>
<tr>
<td>7</td>
<td>300</td>
<td>2000</td>
<td>15</td>
<td>China: 1</td>
</tr>
<tr>
<td>8</td>
<td>50</td>
<td>350</td>
<td>14</td>
<td>China: 1</td>
</tr>
</tbody>
</table>
As indicated in the chapter on Literature Review, the aim of this study is to analyse the impact of the Education and Immigration policies on the recruitment and retention of foreign students to PHEIs in Malaysia. This is done through the use of Survey Questionnaires and Case Study interviews. In relation to this, both Questions 1 and 2 provide the basis for the selection of the Case Study PHEIs. Together, these provide the necessary validity to the data obtained from the interviews as the selection of the Case Study PHEIs is based on the number of foreign students, in reference to their percentage and nationality. Table 3 shows that PHEI 1 has 91% of foreign students whilst PHEIs 24 – 27 have the least, i.e. 1%. The selected PHEIs have 15% - 27% of foreign students and as shown are among the top 10 in relation to the number of foreign students and this further contributes to the validity of the Study.
Question 3 focuses on the ‘dilemma’ in the recruitment of foreign students. Respondents were required to indicate the issues that cause them concern on the scale of 1-5. It can be gathered from Table 4 that the issue that gives the greatest concern in respect to the recruitment of foreign students is student discipline. Though initially this was surprising, the interviews provided some answers to why PHEIs think this is so. This is followed by the initial application of visas, the relevance of the syllabus or course to the prospective students, renewal of the visas and finally payment of fees. As indicted earlier, at the initial stage of tabulation, the findings did not make any sense but when this was raised in the interviews, the findings can be substantiated and these will be discussed later.

<table>
<thead>
<tr>
<th></th>
<th>Scale*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial application for visa</td>
<td>2</td>
</tr>
<tr>
<td>Renewal of visa</td>
<td>4</td>
</tr>
<tr>
<td>Relevance of syllabus/course to students/prospective students</td>
<td>3</td>
</tr>
<tr>
<td>Payment of fees</td>
<td>5</td>
</tr>
<tr>
<td>Student discipline</td>
<td>1</td>
</tr>
</tbody>
</table>

Notes:
Represents data from Question 3
*As scaled by 27 PHEIs respondents of Questionnaire 1
1= causes most concern

Table 4.4. Issues of concern in the recruitment of foreign students

Questions 4-20 were organised on a four-points Likert scale running from 1 = strongly disagree, 2 = disagree, 3 = agree to 4 = strongly agree. As can be seen in Table 5, the mean score Questions 7, 6 and 20 is above 3, i.e. 3.5, 3.4 and 3.1 respectively, which clearly indicates that on average all 3 Case Study PHEIs had either agreed or strongly agreed with the propositions made. For Questions 5 and 13 the mean scores were 2.7 and 2.6 and these show that a larger number of respondents had agreed with the propositions. Mean scores between the range of 2.0 and 2.5 were calculated for Questions 18, 11, 15, 4, 10, 14, 17, 8 and 16 indicated that though a large majority of the respondents ticked disagree or strongly disagree, at least two had
agreed or strongly agreed with the propositions. The mean score for Question 9 was 1.7 as all except one respondent had disagreed or strongly disagreed with the proposition. Finally for Question 12, the mean scores was 1.2, which indicates that the majority of the respondents in the Survey had strongly disagreed with the proposition.

The responses to Survey Questionnaire 1 gathered from the 27 PHEIs (including one from each Case Study PHEI) show slightly different findings. For Questions 5, and 7, the mean scores were 3.7 and 3.6 respectively which indicate that the respondents largely agreed or strongly agreed with the propositions made. The mean score for Questions 8, 10, 11, 13, 20, 6 15 and 19 were in the descending order of 3.3 to 3.0 and these indicate a mixed response from the respondents. Questions 4, 16 and 17 received a mean score of 2.6 indicating that the majority of the respondents had disagreed with the propositions whilst for Questions 14 and 9 was 2.5 and 2.3 respectively giving similar findings. For Questions 18 and 20, the mean scores were 1.9 and 1.5 respectively which indicate that the respondents largely disagreed or strongly disagreed with the propositions. Placing the mean scores for PHEIs A, B and C against those from Survey Questionnaire 1, significant variance as can be seen in Table 5 which will be further discussed in the following chapter.
<table>
<thead>
<tr>
<th>Category of Respondent</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>Mean Score</td>
</tr>
<tr>
<td>NO QUESTIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Student’s choice of PHEI is dependant on the courses offered.</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1.3</td>
</tr>
<tr>
<td>5. Student’s choice of PHEI is dependant on the reputation of the PHEIs teaching faculty.</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>6. Student’s choice of PHEI is dependant on the marketing strategies of the PHEI.</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>3.3</td>
</tr>
<tr>
<td>7. Student’s choice of PHEI is dependant on the reputation of the PHEIs international student services.</td>
<td>4</td>
<td>4</td>
<td>3</td>
<td>3.7</td>
</tr>
<tr>
<td>8. The current practice that only PHEIs (Private Higher Education Institutions) with a ‘permit to recruit’ should be allowed to recruit foreign students should be maintained.</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1.7</td>
</tr>
<tr>
<td>9. Student’s visa should no longer be applied for through PHEIs but should be applied for by the student individually.</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>10. The need for approval from the Department of Immigration to transfer from one college to another is necessary.</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1.3</td>
</tr>
<tr>
<td>11. The report to the immigration department by colleges on class attendance of all the foreign students for purposes of visa renewal is necessary.</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2.0</td>
</tr>
<tr>
<td>12. International students must carry their national passports at all times.</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>13. A valid student’s identification should be sufficient proof that the student is registered with a PHEI in the country. (Note: currently students are required to carry their passports, failing which they will be detained)</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>1.7</td>
</tr>
<tr>
<td>14. Bahasa Melayu for foreign students is relevant.</td>
<td>4</td>
<td>3</td>
<td>2</td>
<td>3.0</td>
</tr>
<tr>
<td>15. Malaysian Studies for foreign students is relevant.</td>
<td>4</td>
<td>4</td>
<td>2</td>
<td>3.3</td>
</tr>
<tr>
<td>16. Moral Studies (or Islamic Studies for Muslim students) is relevant.</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>2.7</td>
</tr>
<tr>
<td>17. The announcement (The Straits Times, Feb 2 2004) by the government allowing foreign students to work, will increase the number of foreign students in the country?</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1.7</td>
</tr>
<tr>
<td>18. Foreign students should be allowed to work without the need to apply for working permits.</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2.0</td>
</tr>
<tr>
<td>19. The report to the immigration department by colleges on the academic progress of the working foreign students is necessary.</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1.7</td>
</tr>
<tr>
<td>20. Family (spouse and children) should be allowed to stay in Malaysia during the student’s course of study. (Currently only post graduate students are allowed to bring in their families)</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>3.3</td>
</tr>
</tbody>
</table>
Notes:
Represents mean scores from Questions 4-20 for Case Study Institutes A, B, C and average mean score for the 27 PHEIs in Questionnaire 1
Legend: Strongly Disagree = 1; Disagree = 2; Agree = 3; Strongly agree = 4
1 Representing the Case Study Institutes A, B and C. They are identified as A1, A2, A3, B1, B2, C1, C2 and C3.

Table 4.5. Mean Scores for PHEIs A, B & C and Survey Questionnaire 1

These questions are a reflection of the Research Questions as indicated in Table 6. Questions 4-7 concern the aims of the Private Higher Education Institution Act 1996 as reflected in Research Question 2 whilst Question 8 asks whether all PHEIs should be allowed to recruit foreign students as reflected in Research Question 1. Questions 14-16 concerns the introduction of the Compulsory Subjects as raised in Research Question 3. Research Questions 5 and 6 were reflected in Questions 10 and 9, whilst Questions 12 and 13 concern Research Question 8. Questions 17-19 are about the policy to allow foreign students to work as given in Research Question 7. Two additional Questions, 11 and 20, were included as all the pilot respondents felt that these too impact the recruitment of foreign students to PHEIs in Malaysia and the information adds to the overall understanding of the Education and Immigration policies and their impact on the recruitment and retention of foreign students to PHEIs in Malaysia. The information obtained from Questionnaire 1 forms the basis of the interviews and sets the direction of the interviews as it allows for the asking intelligent and relevant questions and without making the interviews a free-floating conversation (Johnson, 1994).
Is there a need for approval when a student wants to transfer from one PHEI to another?

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes (N)</th>
<th>No (N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Should student visas be applied by the individual PHEI instead of students?</td>
<td>9-10</td>
<td>14</td>
</tr>
<tr>
<td>Should foreign students be allowed to enter into employment?</td>
<td>17-19</td>
<td>16-18</td>
</tr>
<tr>
<td>Should foreign student be required to carry their national passport at all times?</td>
<td>12-13</td>
<td>13</td>
</tr>
</tbody>
</table>

Notes:
N/A = no questions asked

Table 4.6. Research Questions and corresponding questions Questionnaires 1 and 2

4.2 Survey Questionnaire 2

The target respondents for Questionnaire 2 were foreign students at the 3 Case Study PHEIs and thus it was piloted with 19 foreign students at 4 different PHEIs in the Klang Valley. This exercise was conducted in June 2005 and the suggestions as to jargons, *the meaning of words* (de Vaus, 2001, p. 116) and redundancy of words were taken into account. Generally the pilot provided some clear indication on the reaction and views of the foreign students on the impact of Education and Immigration policies on the recruitment and retention of foreign students to PHEIs in Malaysia. However, the pilot was not helpful in relation to the scalability of the responses and non-response (de Vaus, 2001) as only 97 (20%) from the 478 respondents scaled Question 2 as per instruction. None the less, findings from the pilot are corroborative in value and vital to the validity of this Study as the findings are reflective of the findings of Survey Questionnaire 2 as shown in Table 9.

The amended Questionnaire was then submitted to the three PHEIs, at the start of the interviews. From the total of 1420 handed to the officers at the Case Study PHEIs, 478 were returned which makes 34% returned as shown in Table 7. The researcher was not allowed to administer the Questionnaire in person. From the conversation with the officers, it was gathered that the support staff within the respective International Student Services Departments, administered the questionnaires and the
respondents were given between 3 – 5 days to return the completed Questionnaire by dropping it in a designated box in the respective International Student Services Departments. In the words of one officer, *this may not be the best way, as students are known to take the paper and not return it but instead use it as recycled paper* (Respondent B2). Based on this, it is highly possible that had the administration of the Questionnaire used a ‘give and collect’ method it could have yielded higher returns. However, a 34% return is very encouraging and indicates that this area is of interest to the officers and the respondents alike.

The findings of the Questionnaire shall be presented in Tables 7, 8 and 9 and discussed in the preceding paragraphs. All Tables shall include the summary the findings from the Questionnaire, which will first be shown under the individual PHEI column and thereafter the average or the total whichever is relevant in the next for purposes of comparison. The Tables shall also incorporate the findings from the Pilot Study, which are, as shown, very similar to the actual study and these further supports and validates this Study. The analysis of the findings and the inferences drawn therewith shall be discussed in detailed in the following chapter on Analysis.

There were a total of 20 questions in Questionnaire 2. Questions 1 and 2 were general questions on the students’ country of origin and the reason(s) they chose to study in Malaysia. Table 7 summarises the data source and the respondents by their country of origin for both the Pilot study and the Survey. The descending order of respondents’ by their country of origin is China, 295 (61.7%), followed by the ASEAN region, 88 (18.4%), the Middle East, 41 (8.6%), the Indian Subcontinent, 28 (5.9%), Africa, 11 (2.3%), Maldives, 7 (1.5%), Europe, 2 (0.4%) and Australia, 2 (0.4%). Whilst there are no respondents from the Americas, 4 (0.8%) respondents are from Korea (3) and Japan (1). The breakdown of respondents by their country of origin is reflected in the Pilot Study, where 10 (52.6%) are from China, 4, (21.1%) from ASEAN, 3 (5.3%) and 1 (5.3%) each from The Maldives and Europe. One significant difference is notes
as a result of higher Middle East respondents in the Pilot vis-à-vis the actual study. This will be discussed in the following chapter on Analysis.
<table>
<thead>
<tr>
<th>Country of Origin</th>
<th>Total&lt;sup&gt;1&lt;/sup&gt;</th>
<th>%</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>Total&lt;sup&gt;2&lt;/sup&gt;</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) China</td>
<td>10</td>
<td>52.6</td>
<td>84</td>
<td>113</td>
<td>98</td>
<td>295</td>
<td>61.7</td>
</tr>
<tr>
<td>(b) Southeast Asia or ASEAN countries (excluding Malaysia)</td>
<td>4</td>
<td>21.1</td>
<td>7</td>
<td>69</td>
<td>12</td>
<td>88</td>
<td>18.4</td>
</tr>
<tr>
<td>(c) Maldives</td>
<td>1</td>
<td>5.3</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>7</td>
<td>1.5</td>
</tr>
<tr>
<td>(d) Africa</td>
<td>0</td>
<td>0.0</td>
<td>5</td>
<td>6</td>
<td>0</td>
<td>11</td>
<td>2.3</td>
</tr>
<tr>
<td>(e) Middle East</td>
<td>3</td>
<td>15.8</td>
<td>10</td>
<td>21</td>
<td>10</td>
<td>41</td>
<td>8.6</td>
</tr>
<tr>
<td>(f) Indian subcontinent (India, Pakistan, Bangladesh, Sri Lanka)</td>
<td>0</td>
<td>0.0</td>
<td>6</td>
<td>18</td>
<td>4</td>
<td>28</td>
<td>5.9</td>
</tr>
<tr>
<td>(g) Europe (including Russia)</td>
<td>1</td>
<td>5.3</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0.4</td>
</tr>
<tr>
<td>(h) Australia and New Zealand</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>0.4</td>
</tr>
<tr>
<td>(i) The Americas (including Canada and South America)</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>(j) Others (please indicate)&lt;sup&gt;3&lt;/sup&gt;</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>0.8</td>
</tr>
<tr>
<td><strong>Total Number of Respondents</strong></td>
<td><strong>19</strong></td>
<td><strong>100.0</strong></td>
<td><strong>116</strong></td>
<td><strong>235</strong></td>
<td><strong>127</strong></td>
<td><strong>478</strong></td>
<td><strong>100.0</strong></td>
</tr>
<tr>
<td><strong>Percentage of return (%)</strong>&lt;sup&gt;3&lt;/sup&gt;</td>
<td><strong>100.0</strong></td>
<td><strong>100.0</strong></td>
<td><strong>38.6</strong></td>
<td><strong>29.4</strong></td>
<td><strong>39.6</strong></td>
<td><strong>33.7</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

**Notes:**

1= Total number of pilot-respondents by country of origin
2= Total number of student-respondents by country of origin
3= Korea and Japan
4= Of 1420 questionnaires distributed, 478 were returned
5= Total number of questionnaires returned over number distributed (Pilot = 19, A = 300, B= 800, C= 320) times 100.

Table 4.7. Data Source and Respondents by country of origin

The initial intention of Question 1 was to personalise student’s views on the proposition placed before them and to compare the views of students from different countries. However, given the significant variance between the number of respondents, it is now not possible to process the data in this manner and thus in this measure, it is accurate to state that the aim of the Questionnaire in relation to the purpose of Question 1 is not achievable. In fact, this ‘failure’ of the Questionnaire is also reflected in Question 2.
Question 2 did not reach the level of success as intended as only 97 (20%) of the 478 respondents scaled the question as per instruction. This question was intended as a general guide to all preceding question whereby the respondents may indicate whether their choice of country is influenced by education policies, immigration policies, or other factors not within the control of the education and immigration policy makers such as proximity of Malaysia to the student’s home country or religion. However, some general overview can be derived from the 20% respondents as discussed forthwith and summarised in Table 8, which also provides the scale of the Pilot respondents.

Significantly the most likely reason why foreign students both from the actual and the Pilot Study opt to study Malaysia is the cost of education, which is cheaper compared to other countries. From the 97 respondents, 68 (70%) chose cost of education, which is cheaper compared to other countries as the most likely reason why they chose to study in Malaysia. This was followed by 18 respondents (19%) who chose to study in Malaysia because of good teaching facilities. Eight students (8%) chose Malaysia because of the international recognition of their qualifications while 2 (2%) and 1 (1%) chose Malaysia as their education destination because of the easy immigration and admission procedures respectively. In fact these findings are a reflection of those from the pilot study where 14 (72%) out of 19 pilot respondents chose Malaysia because it is cheaper compared to other education providers. Quality education and internationally recognised qualification were tied at 2. Their choices are not influenced by the ease of immigration and college admission procedures as only 2 and 1 respondents respectively chose these as the main reason for their choice of country. This finding is significant as it indicates that the Education and Immigration policies have direct impact on students’ choice of country and PHEIs and thus supports the fundamental of this Study, which enquires into the recruitment and retention of foreign students to PHEIs in Malaysia.
Questions 3-20 were organised on a four-points Likert scale running from 1 = strongly disagree, 2 = disagree, 3 = agree to 4 = strongly agree (See Appendix X). Table 9 summarises the mean scores for the respondents from all 3 Case Study PHEIs separately as well as the average, followed by the mean score for the Pilot Study. All Questions reflect the research Questions as indicated in the Chapter on Literature Review.

Questions 3 – 8 reflects Research Question 2 which is about the policies under the Private Higher Education Institutions Act 1996 whilst Questions 9-11 are on Research Question 3, on the introduction of compulsory subjects. Question 12 is on the minimum requirement for entry policy whilst Questions 13-20 concern Immigration policies as listed in Research Questions 8. Research Question 6 is represented in Questions 13 and 14. Question 15 is a reflection of Research Question 5 whilst Questions 16 – 18 concern the latest policy, which allows foreign students to work, a

<table>
<thead>
<tr>
<th>Number and Percentage of Respondents¹</th>
<th>Pilot</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Why did you choose to study in Malaysia? Write 1 (ONE) for the most likely reason and 6 (SIX) for the least.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Cost – cheap compared to other countries</td>
<td>14 73.7</td>
<td>68 70.1</td>
</tr>
<tr>
<td>(b) Quality Education – good teachers</td>
<td>2 10.5</td>
<td>18 18.6</td>
</tr>
<tr>
<td>(c) Internationally recognised education</td>
<td>2 10.5</td>
<td>8 8.2</td>
</tr>
<tr>
<td>(d) Ease of immigration procedures (to obtain visa)</td>
<td>1 5.3</td>
<td>2 2.1</td>
</tr>
<tr>
<td>(e) Ease of admission procedures into college</td>
<td>0 0.0</td>
<td>1 1.0</td>
</tr>
<tr>
<td>(f) Others (please indicate)²</td>
<td>0 0.0</td>
<td>0 0.0</td>
</tr>
<tr>
<td>Total</td>
<td>19 100</td>
<td>97 100</td>
</tr>
</tbody>
</table>

Notes:

**Represents data from Question 2 in Questionnaire 2**

¹= Total Number and Percentage of Respondents scaling the variant as the most likely reason (1) for opting to study in Malaysia.

² = 18 ticked other reasons (Agent (7), Relative (2), Friend (2), External Twinning (1), Government Scholarship (1), Near Home (1), Luck (1), and Islamic country (1), but none as scaled it as the main reason.

Table 4.8. The most likely reason for students’ choosing to study in Malaysia.
reflection of Research Question 7. Finally questions 19 – 20 are general questions with regards to the need for the submission of student reports and bringing in of family. The significance of the questions and the findings will be analysed and discussed in greater detail in the next chapter whilst the following paragraphs shall describe the data as summarised in Table 9.

The average mean scores for questions 16, 20 and 17 were 3.4, 3.1 and 3.0, which indicate that the respondents generally agreed with the proposition. Similar findings were recorded from the Pilot Study where the respondents generally agreed with the propositions with 3.3, 3.1 and 3.0 respectively. There is however some slight variance between the individual PHEIs and these will be analysed using the ANOVA table in the next chapter. For Question 12 the mean score average is 2.8 whilst Questions 4 and 18 shares the same average of 2.6. In the Pilot study, Question 12’s mean score is 3 which indicate that the respondents generally agreed with the proposition, while for Questions 4 and 18 the mean score average is 2.7 and 2.5. This indicates that the number of actual respondents who had disagreed with the propositions is more than those who agreed. With the exception of Question 12, the same can be concluded for Questions 4 and 8.

The mean score average for Questions 3, 5, 6, 15 and 19 were 2.5 which indicate that the responses were largely mixed as was the Pilot Study average for these Questions which ranged from 2.6 for Questions 3, 5 and 6 whilst the average 2.4 and 2.5 for Questions 15 and 19 respectively. Again at a cursory glance, the data in Table 9 shows some variance in the findings between the Case Study PHEIs and these will be analysed in the following chapter. The average mean score for Question 7 was 2.4 whilst Questions 9 and 14 were 2.3 showing that once again the responses were mixed, but largely disagreeing with the propositions made as with the findings of the Pilot Study where the mean score averaged were 2.2, 2.5 and 2.6 respectively. The same preliminary conclusions can be drawn from the responses for Questions 8, 11 and 10 where the mean scores were 2.1-2.0 and these were 2.5, 2.2 and 2.4 in the Pilot
Study. Finally, Question 13, the only Questions which shows that the majority of the respondents had either strongly disagreed or disagreed with the proposition as the mean score from the Questionnaire is at 1.6 and for the Pilot Study at 1.7. In fact, there is not much variance between these and those of the individual PHEIs where are the mean scores are in the range of 1.

In summary, Questionnaire 2 provides invaluable student perspectives on the Education and Immigration policies and how these impact the recruitment and retention of foreign students to PHEIs in Malaysia. The large number of respondents enables the study to have a higher level of validity (Bush, 2002) and with the findings from Questionnaire 1 and the Interviews; these will provide answers and meet the aims of this study. However, there are also some variations between the Case Study Institutions notably that of Institute A and this will be analysed using ANOVA and discussed in detail in the next Chapter.

<table>
<thead>
<tr>
<th>No</th>
<th>QUESTION</th>
<th>Pilot¹</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>Avg²</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>I chose this college because it offered the course that I wanted to do.</td>
<td>2.6</td>
<td>2.0</td>
<td>2.7</td>
<td>2.8</td>
<td>2.5</td>
</tr>
<tr>
<td>4</td>
<td>I chose this college because it has good teaching faculty (lecturers).</td>
<td>2.7</td>
<td>2.0</td>
<td>2.8</td>
<td>2.9</td>
<td>2.6</td>
</tr>
<tr>
<td>5</td>
<td>I chose this college because my agent advised me to.</td>
<td>2.6</td>
<td>1.9</td>
<td>2.8</td>
<td>2.9</td>
<td>2.5</td>
</tr>
<tr>
<td>6</td>
<td>I chose this college because it has a good International Student Services Department.</td>
<td>2.6</td>
<td>1.9</td>
<td>2.7</td>
<td>2.8</td>
<td>2.5</td>
</tr>
<tr>
<td>7</td>
<td>I chose this college because it has good recreational facilities.</td>
<td>2.2</td>
<td>1.9</td>
<td>2.7</td>
<td>2.5</td>
<td>2.4</td>
</tr>
<tr>
<td>8</td>
<td>I chose this college because it has good student lodging (hostels) facilities.</td>
<td>2.5</td>
<td>2.0</td>
<td>2.2</td>
<td>2.5</td>
<td>2.2</td>
</tr>
<tr>
<td>9</td>
<td>Bahasa Melayu for foreign students is relevant.</td>
<td>2.5</td>
<td>2.2</td>
<td>2.3</td>
<td>2.3</td>
<td>2.3</td>
</tr>
<tr>
<td>10</td>
<td>Malaysian Studies for foreign students is relevant.</td>
<td>2.4</td>
<td>2.0</td>
<td>2.1</td>
<td>1.9</td>
<td>2.0</td>
</tr>
<tr>
<td>11</td>
<td>Moral Studies (or Islamic Studies for Muslim students) is relevant.</td>
<td>2.2</td>
<td>1.9</td>
<td>2.0</td>
<td>2.3</td>
<td>2.1</td>
</tr>
<tr>
<td>12</td>
<td>The minimum entry requirement for all courses must be maintained.</td>
<td>3.0</td>
<td>2.3</td>
<td>3.0</td>
<td>3.0</td>
<td>2.8</td>
</tr>
<tr>
<td>13</td>
<td>International students must carry their national passports at all times.</td>
<td>1.7</td>
<td>1.3</td>
<td>1.7</td>
<td>1.8</td>
<td>1.6</td>
</tr>
</tbody>
</table>
Student visa should be applied by the individual student and not by the institution

The need for approval from the Department of Immigration to transfer from one college to another is necessary.

Foreign students should be allowed to work

They should be allowed to work without the need to apply for working permits.

The report to the immigration department by colleges on the academic progress of the working foreign students is necessary.

The report to the immigration department by colleges on class attendance of all the foreign students for purposes of visa renewal is necessary.

Family (spouse and children) should be allowed to stay in Malaysia during the student’s course of study. (Currently only post graduate students are allowed to bring in their families)

### Notes:

Represents data from Questions 3-20
Legend: Strongly Disagree = 1; Disagree = 2; Agree = 3; Strongly agree = 4

1 = Average of a total of 19 respondents
2 = Average mean score of 478 student-respondents from 3 Case Study PHEIs

### Table 4.9. Mean Scores for Questionnaire 2, Questions 3-20

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>14</td>
<td>Student visa should be applied by the individual student and not by the institution</td>
<td>2.6</td>
<td>2.8</td>
<td>1.9</td>
</tr>
<tr>
<td>15</td>
<td>The need for approval from the Department of Immigration to transfer from one college to another is necessary.</td>
<td>2.4</td>
<td>2.8</td>
<td>2.5</td>
</tr>
<tr>
<td>16</td>
<td>Foreign students should be allowed to work</td>
<td>3.3</td>
<td>3.4</td>
<td>3.6</td>
</tr>
<tr>
<td>17</td>
<td>They should be allowed to work without the need to apply for working permits.</td>
<td>3.0</td>
<td>2.3</td>
<td>3.5</td>
</tr>
<tr>
<td>18</td>
<td>The report to the immigration department by colleges on the academic progress of the working foreign students is necessary.</td>
<td>2.5</td>
<td>2.8</td>
<td>2.7</td>
</tr>
<tr>
<td>19</td>
<td>The report to the immigration department by colleges on class attendance of all the foreign students for purposes of visa renewal is necessary.</td>
<td>2.5</td>
<td>2.6</td>
<td>2.7</td>
</tr>
<tr>
<td>20</td>
<td>Family (spouse and children) should be allowed to stay in Malaysia during the student’s course of study. (Currently only post graduate students are allowed to bring in their families)</td>
<td>3.1</td>
<td>3.3</td>
<td>3.0</td>
</tr>
</tbody>
</table>

### 4.3 Case Study Interviews

From the administered Questionnaire 1, three (3) PHEIs were identified for the purposes of the case study. The sampling mode adopted was the non-probability mode (de Vaus, 2002) whereby the researcher handpicks the subjects to be studied so as to ensure only PHEIs with foreign students are part of the study. This further ensures that only those with direct knowledge of the policies becomes subject matter of the study. The selection was also based on the basis that these PHEIs have a significant number of foreign students vis-à-vis their total student population. Institute A has a total of 2000 students, 300 (15%) of whom are foreign students, Institute B has 800 (27%) foreign students from a total of 3000 students whilst Institute C has 320 (21%) foreign students from a total of 1500 students. There were, however, PHEIs, with larger percentages of foreign students such as PHEI 1 from Table 3, which had 91% of foreign students. But these were not part of the study, as they had not consented to become one of the Case Study PHEIs. Once selected and consent obtained, the
interviews were scheduled all of which through direct telephone conversations with the Manager or Director of the respective International Students Department.

The interviews, with the exception of one, went very smoothly. One of the respondents from PHEI B was not available for the interview, even after numerous attempts. Thus the study had 8 respondents instead of the original 9. The interview dates and duration is indicated in Table 10. Like in all interviews, the success depended heavily on the rapport between the researcher and respondent (Johnson, 1994). In fact some of the interviews went on for almost 2 hours and the respondents who were initially rather reserved opened up even when the questions asked were rather sensitive. One example of a sensitive question is on whether they report to the Immigration Department foreign students who are working. Respondent C2, for example, stated that he felt such an action is really unnecessary especially where students take on odd jobs on an irregular basis.
### Table 4.10: The Summary of the Interviews

<table>
<thead>
<tr>
<th>Case Study</th>
<th>Respondent</th>
<th>Job-Title</th>
<th>Date</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>A1</td>
<td>Manager - International Students Service Department</td>
<td>15 July 2005</td>
<td>90</td>
</tr>
<tr>
<td></td>
<td>A2</td>
<td>The Assistant Director of Administration – Government Liaison</td>
<td>17 July 2005</td>
<td>120</td>
</tr>
<tr>
<td></td>
<td>A3</td>
<td>The Head of Business School</td>
<td>25 July 2005</td>
<td>120</td>
</tr>
<tr>
<td>B</td>
<td>B1</td>
<td>Manager - International Students Service Department</td>
<td>1 September 2005</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td>B2</td>
<td>The Visa Officer</td>
<td>1 September 2005</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>N/A¹</td>
<td>Centre Principal</td>
<td>Interview not be carried out⁴</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>C1</td>
<td>Chief Operating Officer</td>
<td>1 September 2005</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>C2</td>
<td>Director of Marketing</td>
<td>23 August 2005</td>
<td>140</td>
</tr>
<tr>
<td></td>
<td>C3</td>
<td>International Student Manager</td>
<td>23 August 2005</td>
<td>120</td>
</tr>
</tbody>
</table>

Notes:

1 = As identified in this thesis.
2 = In minutes
3 = This respondent was not given any identification in this study.
4 = The interview could not be carried out due to 4 last minute cancellations.

In order to set the direction of the Interviews as well as a general guide, the questions raised in the Interviews consisted of the findings from Questionnaire 1, Research Questions (Table 11) identified in the Chapter on Literature Review in this thesis and related questions. These formed the basic for the flow and structure in the Interviews and stopped them from becoming free-floating conversations (Johnson, 1994). In this part of the Chapter, the findings of the Interviews shall be presented summarily in the preceding paragraphs, and the analysis of which will be provided for in the following chapter.

At the Interviews, the Respondents were given a copy of Table 5, which shows the findings of Questionnaire 1, which were the summary responses from the 27 respondent-PHEIs. This was limited to the scale Questions 3-20 of the Questionnaire. Interviewees were shown the average scale for Question 3 and the mean scores for
Questions 4-20. They were asked to comment on these by way of adding to the findings either in support or otherwise or to provide alternatives and suggestions.

4.4 The Interview Data

The first of the 8 identified Research Questions was whether there should be limits on the number of PHEIs recruiting of foreign students. As indicated in the chapter on literature review, only certain PHEIs are permitted to recruit foreign students and this may confuse foreign students opting to study at a PHEI in Malaysia, especially those applying directly and not through an agent. The present policy requires a PHEI to apply for the permit to recruit. Upon fulfilling all conditions, the permit will be given for 5 years after which the Institution will have to re-apply. Question 8 was on whether the current practice of permitting only those with permits to recruit should be maintained. The mean score for this is 3.3 indicating that the Respondents agree with the propositions. When raised in the Interviews, this did not concur with the findings as almost all respondents felt that there must be limits on the number of PHEIs able to recruit foreign students. For many, there must be greater restrictions in which only those with good track records should be given permits to recruit foreign students. To the respondents, opening up the recruitment will further damage the image of the country as a regional centre of excellence.

When asked about the lack of sufficient reliable data regarding the recruiting status of a PHEI, all respondents agreed that the present system, though not perfect, is still the best, whereby, the individual Embassies or Consular will advise the student on the status of a PHEI. Though this causes some confusion especially when a course a student wishes to enroll is no longer offered at the PHEIs, it is by far the best system as there is no one centre or database which foreign students can rely on in checking the status of the PHEI in question. In many instances, PHEIs are known to blackmail the student with the threat of non-refund and loss of student bond (Respondent C1). Respondent B2 felt that allowing all PHEIs the permit to recruit would provide a fair
playing field, which, in a long run will lift the quality of PHEIs as a whole. To the others, PHEIs in the country are not capable of self-monitoring and therefore incapable of providing the best to their students. To these respondents, there are also too many bogus PHEIs out to make a quick profit (Respondent A3) and this will affect Malaysia’s image as a regional centre of education excellence. Therefore licensing and stringent mode of enforcement are the only modes of ensuring foreign students are not short changed (Respondent A1).

However, having said that, the respondents were aware that the system is far from perfect given the fact that the current one can be confusing and there are numerous loopholes in the current law which allows for certain organisations, such as management centres, to recruit even though they do not have the permit to do so. These Institutions do not fall directly within the purview of LAN and the Ministry of Higher Education and thus there is a need for the review of the policies in this regard.

On the issue that a number of the PHEIs with permits to recruit foreign students operating from shop lots, many felt that this is a problem with the provision of a licence whereby the licensing agency must be more stringent and selective in the provision of licenses. Some respondents felt that their PHEIs having invested a large amount of money into education have to compete with lesser competitors who do not have the necessary facilities (Respondent B1). To many of the respondents it would seem that smaller PHEIs should not be given the permit to recruit for these Institutions do not have the infrastructure to provide the best education environment for foreign students. This will indirectly impact the recruitment of foreign students in the country in the long run (Respondent B2). Thus by reducing the number of PHEIs with permit to recruit foreign students, and with more stringent enforcement, the authorities can ensure that non-serious players are weeded out (Respondent B1).

This problem is further heightened with the loopholes in law, which allow management centres to provide courses such as MBAs. In fact many of these centres
do not have the facilities to meet the *educational, physical, emotional and psychological demands of the foreign students* (Respondent C1). Having had the experience of working in a management centre offering a US – based MBA programme mainly for foreign students, he, as the manager of the programme functioned as *the student counsellor, the ‘discipline teacher’ and parent for students, some of whom were as young as 21* (Respondent C1). Even though the programmes offered by these management centres are largely post-graduate qualifications, the provision for support facilities was necessary. According to Respondent C1 even at postgraduate level, discipline is a *big issue* as some students were found to be working and not attending classes, nor were they submitting their coursework. Other respondents echoed his statement and felt that only PHEIs with *a good reputation* (Respondent C3) should be given the permit to recruit foreign students. When asked if such measure will impact the recruitment of foreign students, albeit positively, to PHEIs in Malaysia, all respondents felt that the result of such measures are not short-term but rather long term and that in ensuring stricter enforcement, eventually the quality of PHEIs in the country will be increased, benefiting not only foreign students but also local.

Many felt that discipline is a big issue especially for students from certain countries who come in on student visas with the intention to work. Their views reflect the findings from Questionnaire 1 where student discipline was noted as 1 on the scale of 1 – 5 as issue that cause great concern when it came to the recruitment of foreign students to a PHEI. In fact one of the conditions for the approval of permit to recruit foreign students is listed as the need for the PHEI to have ‘kawalan disiplin ketat’ (tight control on student discipline). All respondents agreed that the condition though seem simple is indeed impossible to undertake. The most obvious reason being, students are adults and cannot be treated as children. Thus the ideal to ensure control of student discipline remains just that – an ideal. In fact the reports to the Immigration Department for the renewal of student visa in most situations just meets the required percentage of attendance. In the interviews, all Case-Study PHEIs stated that they
ensure that the students know of the requirement and that if they risk falling short of the minimum, a letter will be given to them to require them to *buck up* (Respondent A3).

This study also looks at the aims of the Private Higher Education Institutions Act 1996 and whether these are met as raised in Research Question 2 and asked in Questions 4-7. In general the aims of this Act ensures that the students are provided with the best possible learning environment. As there are many areas within the PHEIA 1996, this Study focused specifically on the areas of course offered, quality of teaching, market strategies and the reputation of the International Students’ Services and how these impact the recruitment and retention of foreign students to PHEIs in Malaysia. Question 4 asked if the students’ choice of PHEI is dependent on the courses offered, to which the mean score was 2.6 indicating a mixed bag of response from the respondents with more agreeing than disagreeing. When put forward, to the respondents at the Interviews, the officers agreed with the finding as they felt that largely students’ choice of PHEI is dependent on the availability of courses, though it may not be the single deciding factor. They concur that other policy-factors such as teaching faculty, marketing strategies and student services impact the recruitment and retention of foreign students to PHEIs.

This support the findings for Question 5, which was given a mean, score of 3.7, which indicates that many of the respondents in the study strongly agree that the teaching faculty influences student’s choice of PHEI. Some Interviewees however, did not agree with the findings on the basis that students are rarely aware of the quality of the teaching staff before enrolment, though acknowledging at the same time that a small percentage may have been informed of this by friends already in a course. A similar finding can be seen for Question 6, where the mean score is 3.1, indicating that the respondents agree with the proposition that marketing strategies influences students’ choice of PHEI. This is repeated in Question 7 where the mean score is 3.6 as most of the respondents strongly agreed that the reputation of the international student services does influence students’ choice of PHEI. When asked which do these factors
influence more: recruitment or retention, almost all interviewees felt that the impact is greater in the retention. Students, whether local or foreign wants value for money and thus changing PHEIs on the basis of the quality of support services is rather common.

So when asked whether the general aims of PHEIA 1996 are met, all Interviewees felt that the respective PHEIs are doing the best. For example, Respondent B2 was happy indicating that they have a large campus complete with hostel, recreational and learning facilities and is sufficient proof that the aims of PHEIA 1996 are met. Of course for Respondent A1 it boils down to the question of funding (PHEI A not having a campus of its own). For him, no amount of enforcement can ensure that PHEIs have all the necessary facilities. In fact he was of the opinion that not all foreign students opt for in-campus lodging. Furthermore he doubted the basis for a stricter enforcement of these regulations given the fact that there is no financial support given to the PHEIs who want to or had invested large amounts of money in the setting up of a self-sufficient campus. The least the government can do is to provide tax benefits to encourage more private investment in the building of such campuses, which will ultimately encourage a more consistent development of the education sector in the country (Respondent A1). This opinion was echoed by Respondents C1 and C2 who felt that the PHEIs generally do their best to provide all that is required to ensure that a foreign student’s stay in the country is memorable and that his/her learning experience is smooth given the situation or within the constraints of the PHEI.

When asked whether teaching Bahasa Melayu is relevant and is another way in ensuring their stay here pleasant, the respondents’ answers varied. This is a reflection of Question 14, which is part of 3 Questions on the Compulsory Subjects (Research Question 3). The mean score for this Question is 2.5, which indicates that approximately 50% of the respondents disagree that teaching Bahasa Melayu is relevant to the course. This was echoed by PHEI B, who strongly disagreed with the proposition though PHEIs A and C strongly agreed with the proposition respectively.
As for Malaysian Studies, the mean score is 3 indicating that the majority of respondents agree with the proposition that Malaysian Studies is relevant to foreign students. As stated by Respondent A1, *students can learn about the diverse culture that is so uniquely Malaysian*, a sentiment echoed by PHEI C.

However, PHEI B felt that this subject is not relevant and students are merely pushed to do a paper they are not interested in doing. This Respondent felt the same about Moral Studies (or Islamic studies for Muslim Students). These subjects, in his view, are not relevant to students. Furthermore, subjects like Islamic Studies cause confusion especially where the student believes in the Shiites whilst the teaching represents the Sunni version practised in Malaysian (Respondent B2). Respondents from PHEI C and A who disagreed with the proposition and suggested that the subjects be made an option, as most students are not keen on the subjects. On the question whether the compulsion to learn these subjects impact the recruitment and retention of foreign students to PHEIs in Malaysia, all Interviewees indicated that though it may not directly contribute, it does in a very minor way. Students are not happy that they have to sit *papers they find unnecessary* (Respondent A3).

On the question of the minimum standard requirement (Research Question 4), many of the interviewees were not aware that there is a minimum standard requirement for entry into courses. For all, with the exception of Respondent A1, the only minimum standards are those set by the foreign partners or professional body, which awards the qualification. Thus as far as they are concerned, the minimum requirement established by the authorities is a non-issue. Respondent A1 felt that many of these requirements are simply out of date, as these do not take into consideration matured students and school dropouts. As an educationist, he felt that the primary purpose of the education system is to *provide opportunity to students especially those for one reason or another does not have formal education or qualification*. Furthermore, there are times statutory bodies such as LAN does not consider the requirements of the degree-awarding Institution and insist that their sometimes *narrow criteria* be implemented.
and this causes injustice to the students. There are many foreign students affected by these rulings and usually PHEIs find ways to circumvent these rulings for the benefit of the students. As for English, Respondent A1 was of the view that the minimum 6 months’ course in English is insufficient. His view was supported by all the respondents from PHEIs B and C, especially when it concerns students from China. These students who proceed on to undergraduate and postgraduate courses are not able to express well more so when they enrol in a British course which places heavy reliance on essay-type-close book assessments (Respondent A1).

When asked if the Education policies are the cause of the current decline in foreign students in the country, Respondent A1 stated that it is a contributory factor, albeit a minor one. All respondents concurred that the main cause of the decline, is the lack of enforcement by the authorities as there are many black sheep PHEIs who are out to make quick profit from the recruitment of foreign students. When pressed on for specific answers, the officers provided some very concrete examples. For example, a particular PHEI with the permit to recruit foreign students was ordered to be shut down when it was discovered that the PHEI concerned was recruiting workers into the country using student visas. Much damage to the image of Malaysia as an educational destination had already been done, when it was ordered to close down after being in operation for nearly six years (Respondents C2).

Respondent B1 cited the example another PHEI, which uses false advertisement tactics to lure foreign students into the country, such as pictures of large-impressive buildings, giving the impression that these are parts of the PHEI’s campus. In fact, the PHEI operates from the top of a shop lot and does not have its own campus (Respondent B1). The researcher was given the name of the particular PHEI and checking both the brochure and the homepage of the PHEI, it was quite clear how the information provided can be misleading especially to foreign students. These examples indicate a lack of enforcement, which contributed to the country’s losing out in foreign student enrolments to other traditional and new education providers.
Respondent A1 having had numerous years of experience in private higher education provided one very important reason for the decline. He is of the view that the system is not able to cope with the emergence of foreign students both socially and administratively. Socially, he states that many Malaysian are biased against students from Africa, the Middle East and more recently those from China owing to the image that is created by the local and international media – African for their involvement in criminal activities such as the ‘black money’, Middle East students for terrorism and Chinese, more specifically female students with their involvement in vice activities. Although these are generalisations and only a few cases are heard of every year, the problem rests with the fact that the affected students have no avenue for complaint or redress.

This social ‘stigma’ is further accentuated by the fact that there are some PHEIs with permits to recruit but is who are not able to provide the courses advertised or provide a proper educational environment. In such situations, the students are advised to approach their home Embassies or Consulates to lodge formal complaints. In most situations, they often need to find solution themselves and this involves changing PHEIs and losing the student bond and tuition fees for the year, which they pay in advance. For students who cannot afford to lose the money, they must bear with the situation until a time when they can move without much financial implications. The respondents feel that the decline of foreign students is directly contributed by the policies in two instances. Firstly, the failure of the authorities to provide the proper administrative infrastructure to ensure the learning experience of these students is positive. Secondly, the issue of permits to recruit foreign students is very ad hoc and loose. One clear example is the lack of managed-student accommodation, though it is a condition for the provision of permits (Appendix x).

Proceeding naturally from the above discussion, the Interviewees were asked how much of the decline was a direct result of Immigrations policies rather than Education
Policies. Many Interviewees feel that the distinction between these policies and their impact on the recruitment and retention of foreign students is too fine to define. For example, Research Question 5 on the issue of approval for transfer to another PHEI, is an Educational Policy though the enforcement of which remains with the Immigration Department. The Interviewees agree that such a policy is required as it helps minimise the problem of student pinching, which was rampant a few years ago (Respondent B1). However, they feel that the time spent can be reduced. At times, students are without their passports for almost 4 weeks, though the Immigration’s Client Charter states the maximum as 2 weeks (Respondent A1). This creates greater problems especially where students are arrested for not having their passports on them. Even having an official letter using the letterhead of the college, signed by the International Students Manager with contact numbers coupled with a valid student card does not stop these students from being arrested (Respondent C3). Thus many felt that the promise by the Immigration authorities to issue special cards to all foreign students whilst in the country can provide a suitable alternative. However, the authorities promised that this will be implemented in June 2005, but to date there had not been any such move, leaving students and PHEIs in a limbo (Respondent A2).

When asked what can the Immigration authorities do to ensure more student-friendly and PHEI-friendly procedures, all the respondents felt that there must be more dialogue with the parties concerned. Currently, many of the officers are merely pushing papers (Respondent C1) without understanding the implications on the students and PHEIs. They must ensure that the policies are implemented efficiently and effectively without delay. One example is the time taken to renew student visas. Respondent C3 stated that there was a time where a foreign student was without a passport for 3 months, even though all documents were in order. In fact, there is a need for the Department of Immigration to have avenues where the foreign students can explain the situation in person especially where there are mitigating factors for matters such as not meeting the minimum attendance. This is further accentuated by
the fact that there are not many officers who can converse in Mandarin, though a large proportion of the foreign students in this country are from China (Respondent C2).

On the issue whether these delays can be minimised if students apply for visa on their own (Research Question 6), Respondent C3 felt that this should be done by the PHEI. This supports the mean score of 2.3 in Question 9, which indicates that close to 50% of the respondents do not agree with the proposition. Though there are no provisions, which prohibit the students from applying for their visas directly, the current procedure can be mind boggling to foreign students. Where a student applies for his or her visa, they are required to take time off classes and as the process takes a long time, they are required to wait a whole day. In fact it is not unusual for a student to go back a couple of times before getting back the passport (Respondent C2). Most respondents agreed that visa application should be made through the individual PHEIs. Furthermore, as quipped by Respondent A2, if the process took a shorter time and was made easier, then the International Student Officers at the PHEIs will be out of jobs!

Research Question 8, gained a lot of attention in recent months concerning whether foreign students should be allowed to work. In December 2004, the Minister of Higher Education announced that all foreign students could work part-time in designated industries on the fulfilment of certain conditions such as it will not affect their students and upon the consent of the individual PHEIs. The Interviewees concurred with the mean score for Question 17 (2.6: indicating mixed response), as they feel that the idea of allowing foreign students to work will increase the number of students in the country, but the restriction in relation to the industries in which the foreign students are allowed to work is ludicrous (Respondent A3). The industries where these students are allowed to work are hotels, restaurants, petrol stations and agriculture. In the words of Respondent A3 the government is merely looking to fulfil labour shortage in these industries and the move is not to encourage enrolment of
foreign students. He added that a student should be allowed to take on employment anywhere and this should be controlled by the economics of supply and demand.

When asked if these students should apply for work permits, 3 of the 8 Interviewees felt that this is a good idea since it will provide sufficient data for future reference. To the others, such move will merely increase red tape and given the current delays within the system, such a move should not be implemented. The latter view supports the mean score of 1.9 for Question 18, showing that respondents do not agree with the propositions made. The same was felt by most Interviewees when asked whether the academic progress of working students should be made necessary (Question 19). However, the respondents of Questionnaire 1 generally felt that such a report is necessary as the mean score is 3.

The Interviewees were shown the mean score for Question 12 which was 1.5 indicating that the respondents had either, disagreed or strongly disagreed with the proposition that foreign students should carry their National Passports at all times (Research Question 7). All the Interviewees agreed that the best alternative is a standard Foreign Student Pass or Card issued by the Immigration Department, as did most respondents who gave Question 13 a mean score 3.2. A student identification will not only overcome the current dilemma of having to carry their National Passports, but ensure only bona fide students have access to the card. The alternative, some Interviewees felt, is student identification from the individual PHEIs, which will be sufficient proof of their student status. However, the alternative is only workable if there is greater enforcement to weed out PHEIs that abuse their permits to recruit (Respondent A3) and ensure that more stringent measures are taken to ensure that only those who deserve the permit are allowed to recruit (Respondent B1).

The last question to the Interviewees was on the right of the families of foreign students to stay in the country irrespective of the programme the student is enrolled (Question 20). The mean score for this Question was 3.2, which indicates that the
respondents largely agreed with the proposition that the distinction between postgraduate and undergraduate student is redundant. This notion was echoed by almost all of the Interviewees. Respondent A3 cited the example of 2 undergraduate Oman students at his PHEI who are married and both of who are fathers for the first time. They make frequent trips back home to spend time with their families, which if the policy is modified will reduce the emotional and financial strains on these students. Thus the majority of the respondents felt that the current policy, which allows post-graduate students to bring in their families, is good and should be extended to undergraduates as well.
<table>
<thead>
<tr>
<th>Research Questions</th>
<th>Related Questions at the Interviews</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Education Policies</strong></td>
<td></td>
</tr>
<tr>
<td>Should all PHEIs be allowed to recruit foreign students?</td>
<td>Should all PHEIs be allowed to recruit foreign students? One of the conditions for the permit for recruitment is that the PHEI has own campus or managed student accommodation outside campus. What do you think of this requirement? Should the distinction today between management centres and PHEIs be continued?</td>
</tr>
<tr>
<td>Are the aims of PHEIA 1996 satisfied?</td>
<td>Is a student’s choice of PHEI dependent on the quality of teaching, facilities, international student services etc?</td>
</tr>
<tr>
<td>Should the LAN subjects be made compulsory for foreign students?</td>
<td>Are Bahasa Melayu, Moral or Islamic Studies and Malaysian Studies (Compulsory Subjects) relevant?</td>
</tr>
<tr>
<td>Should the government maintain the minimum entry requirement?</td>
<td>Should the government maintain the minimum entry requirement?</td>
</tr>
<tr>
<td><strong>Immigration Policies</strong></td>
<td></td>
</tr>
<tr>
<td>Is there a need for approval when a student wants to transfer from one PHEI to another?</td>
<td>Do you think the need for approval when a student wants to transfer from one PHEI to another is necessary? How can the immigration department ensure greater student-friendly procedures?</td>
</tr>
<tr>
<td>Should student visas be applied by the individual PHEI instead of students?</td>
<td>Should student visas be applied by the individual PHEI instead of students? What are the disadvantages of the current system?</td>
</tr>
<tr>
<td>Should foreign students be allowed to enter into employment?</td>
<td>Should foreign students be allowed to enter into employment?</td>
</tr>
<tr>
<td>Should foreign student be required to carry their national passport at all times?</td>
<td>Should foreign student be required to carry their national passport at all times? The secretary general of MAPCU suggested the use of student card as an alternative to carrying of passport. What is your view?</td>
</tr>
<tr>
<td><strong>General Questions</strong>*</td>
<td></td>
</tr>
<tr>
<td>Student Discipline</td>
<td>Many institutions feel that the main difficulty with international students is student discipline. What do you think? One of the conditions for permit to recruit foreign students is that the PHEI has ‘kawalan disiplin ketat’ (tight control on student discipline). What is your opinion on this?</td>
</tr>
<tr>
<td>Decline in student numbers</td>
<td>Recent statistics has shown a decline in foreign students registration at PHEIs. What do you think are the main factors that caused this? How much of this is a directly caused by Policies?</td>
</tr>
</tbody>
</table>

Notes:
* Not identified in the original Research Question

Table 4.11. The Interview Schedule and Corresponding Research Questions
4.5 Conclusion

In short the interviews provided a large amount of data, which for purposes of brevity, had to be cropped to fit into the constraints of this thesis. The data obtained not only provided some helpful insights to the current situation but also added on to the existing knowledge (Burn, 1996). More importantly, the interviews provided answers to the Research Questions set out in the beginning of this thesis and with the data from Questionnaires 1 and 2 provides enough information to form valid and reliable conclusions on the impact of Education and Immigration Policies on the recruitment and retention of foreign students to PHEIs in Malaysia. The questionnaire survey and the interviews, as indicated in the chapter on Research Methodology, are able to corroborate each other and fulfil the requirement for validity regarding research findings. These findings will be further analysed in the following chapter on analysis. Conclusions drawn from this analysis will be summarised in the last chapter of this thesis.

5. ANALYSIS

5.1 Introduction

This study gathered a large amount of data from 2 Questionnaire Surveys and 8 Case Study Interviews, which provides some helpful insights and answers some pertinent questions with regard to the impact of Education and Immigration Policies on the recruitment of foreign students to PHEIs in Malaysia. This Chapter focuses on the detailed discussion and scrutiny of the findings listed in the earlier chapter. The first few paragraphs apply directly to Questions 1-3 of Questionnaire 1, which were not specifically on policies. Thereafter, the discussion follows a thematic and systematic discussion and scrutiny of the findings in the order of the Education Policies followed by the Immigration Policies. This shall be done by looking at the similarities and
differences in the data obtained from Questionnaires 1 and 2 and Interviews, which becomes a necessary part as it further strengthens the validity and reliability of this study. All reference to Questions in the rounded brackets, for example, (Q 4), by default refers to Questions from Questionnaire 2 (Appendix Y) and all reference in the squared brackets [e.g. RQ1] refers to Research Questions.

Scrutiny of data is followed by the analysis of the theories, issues and challenges as raised in the Chapter on Literature Review and a discourse on the implication of the findings will be in relation to the Research Questions. Finally, this Chapter will be capped with a critique on Research Methodology in relation to the issues of validity and reliability. At the end of this Chapter, it is hoped that the discussion will lead to a conclusive response to the thesis question, i.e. the impact of Education and Immigration Policies on the recruitment of foreign students to PHEIs in Malaysia.

5.2 General and Preliminary Data Scrutiny

The aims of Questionnaire 1 were to identify the Case Study PHEIs, and to use the data obtained in support of the findings of Questionnaire 2 and Case Study Interviews. Question 1 enquired into the approximate number of foreign students and total student population at the PHEI. Question 2 required the PHEIs to scale foreign students according to the country of origin. Of the 27 PHEIs, 12 (44.4%) scaled students from China as forming the largest number of students according to their country of origin. This supports the fact that the majority of foreign students studying in Malaysia today are from China (MoHE, 2004). As a result, the selection of the Case Study PHEIs was dependent on the total number of foreign students and that most were from China. Thus, the Case Study Interviews were with PHEIs, which indicated that the largest number of foreign students were from China. The response and data from Questionnaire 2, lends support to the above as 295 (61.7%) of the 478 respondents were from China (Table 5.1).
All these add to the validity and reliability of this study as it represents the voice of the majority both in terms of student–respondents and Case Study Interviews. Thus the information obtained supports the fact that the largest population of foreign students are from China as given in government statistics. However statistics as to the percentage or actual number of students from China are not available from the 3 PHEIs. Apart from China, the other countries with a large number of students are the ASEAN and the Middle East regions (Table 5.1). However, whether the breakdown represents the total student population in the country is unclear as data of foreign students by their country of origin is unavailable. For the current purpose, the information given above is sufficient for the validity and reliability of the study.

<table>
<thead>
<tr>
<th>Country of Origin</th>
<th>Students by Country of Origin</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) China</td>
<td>295</td>
</tr>
<tr>
<td>(b) Southeast Asia or ASEAN countries (excluding Malaysia)</td>
<td>88</td>
</tr>
<tr>
<td>(c) Maldives</td>
<td>7</td>
</tr>
<tr>
<td>(d) Africa</td>
<td>11</td>
</tr>
<tr>
<td>(e) Middle East</td>
<td>41</td>
</tr>
<tr>
<td>(f) Indian subcontinent (India, Pakistan, Bangladesh, Sri Lanka)</td>
<td>28</td>
</tr>
<tr>
<td>(g) Europe (including Russia)</td>
<td>2</td>
</tr>
<tr>
<td>(h) Australia and New Zealand</td>
<td>2</td>
</tr>
<tr>
<td>(i) The Americas (including Canada and South America)</td>
<td>0</td>
</tr>
<tr>
<td>(j) Others (please indicate)**</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>478</td>
</tr>
</tbody>
</table>

Notes:
Data from Question 1 of Questionnaire 2.
** Korea and Japan (2 each)

Table 5.1. Number of student-respondents and percentage by country of origin

Question 3 focuses on the ‘dilemma’ in the recruitment of foreign students. Respondents were required to indicate the issues that cause them concern on the scale of 1-5. This Question was not put to the student respondents in Questionnaire 2 but was raised in the interviews where the findings were discussed. A summary finding is given in Table 5.2, where it can be seen that 12 out of 27 respondents (44.4%) scaled
student discipline as the issue, which gives the greatest concern. Though initially this was surprising, the interviews provided some answers to why PHEI-respondents think so.

To many of the respondents, student discipline gives the greatest concern because PHEIs are held responsible for the actions of their foreign students. In fact, there are provisions under the Immigration Regulations 1963 which allow the authorities to blacklist a PHEI in situations where the students were caught working. This provision was last used in 1992 where a number of PHEIs were ordered to close for breach of it in particular and other breach of licence conditions (Respondent A1). Thus PHEIs must act with care in the recruitment of foreign students as they risk losing of their licence. In fact, the larger the PHEI, the higher the risk as in most cases, foreign students are becoming the main source of income (Respondent B2) especially in PHEIs which rely solely on private investments and profit.

The Concern about student discipline was followed by concerns about the initial application of visa. This is mainly due to the long delay in the approval of the visas (Respondent C2). This finding is supported by the findings of Questionnaire 2 (Q2), where only 2 (2%) out of the 97 respondents chose ease of immigration procedures as the most likely reason why they opted to study in Malaysia (Table 5.2). In defence, Respondent A1 indicates that the waiting time is getting gradually shorter in some Visa Application Centres, in most situations the duration is officer and centre dependent. For example, the waiting time at the Kuala Lumpur Immigration Department is shorter than that at the Selangor Immigration Department (Respondent A1).

This problem is accentuated by the fact that PHEIs are not required to indicate the entry criteria for the students (Respondent A1). This system, he said would lead to abuses and as such the officer must be vigilant, thus causing longer delays. To avoid this problem, Respondent A1 suggests that the entry qualification for each student
should be included at the time of application. When put to the other respondents, most of them agreed in theory with the suggestions but stated that there is a need to rethink the application process. Many feel that the suggestion will only add to the existing bureaucracy and further delay. The best way is to allow students with all the necessary documents to apply for their student visas upon entry as is a common practice in many traditional education providers (Respondent B1).

This seems to be a valid suggestion given the fact that the majority of student entry is bona fide and have all the necessary papers. Allowing this will also reduce the number of applicants at the various centres and thus speed up the application process and remove the dilemma associated with students not having their passports during the interim. However, any changes must be done with caution especially in the light of recent developments in the countries such as the UK and the USA, where students are required to apply for student visas before entering the country. This will also minimise the problems relating to the need for students to have on them their travel documents or passport. Therefore changing the policy may not be the answer, and solution must be sought in policies in order to ensure that the country in general and PHEIs in specific remain attractive to foreign students.

The next issue of concern was the relevance of the syllabus or course to the prospective students, which was scaled as 3. This, when put to the respondents in the Interviews, gave new insights to the policies and its impact on foreign students. Respondent A3 said that it is very common to have students who enrolled into a PHEI to be told that the course he or she is interested in is not offered at the Institution. Permit to recruit foreign students are given for 5 years for Courses accredited by LAN (National Accreditation Board). When it concerns foreign Courses or twinning programmes, the provision of permit is further conditioned on the agreement between the PHEI and the foreign Institute. Where the Course has less than 1-year accreditation or agreement with the foreign partner, permit to recruit foreign students will not be granted (Respondent A1). This in theory, should give enough notice to
agents and the consular to advise the student accordingly. However, in practice, the
agents’ or the Consulars’ failure to update the information causes mix-ups resulting in
students to enrolling in Courses for which the PHEI no longer has the permit to
recruit.

When this happens, the PHEI faces the dilemma of ensuring that the student enrols in
a relevant programme often involving transfers to another PHEI. PHEIs are not keen
on this as this will mean the officers will have to make a trip to the Immigration
Department and cancel the student visa and they will be required to refund the
students’ tuition fees. In a situation like this, the PHEI will try to encourage the
student to enrol in another programme within the PHEI and this is often seen as
‘blackmailing’ by the competitor. Thus many officers interviewed felt that here is a
need to rethink the conditions for the issuance of permit/s. Perhaps it is best to provide
PHEI-dependent permits rather than the current course-dependent one. Such changes
will ensure that only established and serious players (PHEIs) with necessary facilities
to cater for tertiary education will be given permits to recruit foreign students. This
may initially cause a constriction in the market and allow some PHEIs to monopolise
the industry. However, in the long term, with the raising of standards an increase in
number of PHEIs with permits is foreseeable. Such practices will ensure that students
are given the best and raise the standard of PHEIs.

The issue of renewal of a visa was indicated as the fourth issue of concern in the
recruitment of foreign students. The current procedure for the renewal of visa is rather
tedious though not complicated. The PHEI is required to complete the Student Visa
Renewal Form and attach with it a copy of the student’s results and record of class
attendance. Though all respondents were in agreement with the need for the student
performance report, one respondent in particular felt that in submitting this report, the
authorities are treating the students as children (Respondent A1). The rational for the
report is that only genuine students continue in the course and those who come into
the country with the view to find employment can be weeded out, which all the
respondents agree will help in ensuring the ‘genuineness’ of the students. However, many felt that there is no need for the renewal to be done every year as this is tedious and time consuming especially when a large majority of the foreign students studying at PHEIs opt for a 3-years degree programme after the initial 6-months English Course (Respondent A1).

This dilemma is further accentuated by the fact that a large percentage of renewal usually takes place between July and September (Respondent B3). Perhaps, one should consider revising the policy to allow for students who are here to complete a three-year degree course – a three-year visa. Thus only requiring a student to renew his/her visa in the event he/she is unable to complete the course with the given period of time. The other dilemma faced with the issue of renewal of visa is that which concerns students who are awaiting graduation or transfer to another country. When their visa ends, the student must apply for an extension, but it can only be granted if the student is registered for a course at a PHEI (Respondent A2).

He cited a recent problem with a Nigerian student who was to transfer to the UK for his final year studies. His visa application to the UK was rejected and while waiting for the appeal outcome, his local student visa came to an end, and the student was given two choices: either to enrol in another Course in the PHEI or return to Nigeria. He opted for the latter as he found that if he enrols for a new Course, he will have to make the payment of fees in advance and there will still be no guarantee that his visa to go to the UK will be approved. In relation to this issue, the authorities should have avenues for these students to have an interim extension of their student visa (Respondent A1). Even if such extension is just for a month, many students will benefit when caught in a situation like this.

From the above findings, it can be concluded that there are many problems with Immigration Policies especially in relation to the renewal of visa and these affect the recruitment of foreign students to PHEIs in Malaysia. Again the finding is supported
by the data from Questionnaire 2 (Q2) where only 2 out of the 97 students scaled ease of Immigration Policies as the reason why they had opted to study in Malaysia, thus indicating that ease of immigration procedures are not the reason why these students opt to study in the country. This finding also supports the thesis, which enquires into the impact of Education and Immigration Policies on the recruitment of foreign students to PHEIs in Malaysia and this will be dealt with in detail towards the end of this Chapter.

Finally, the findings of Question 3 show that the matter, which is of the least concern in the recruitment of foreign students, is payment of fees. *Students’ pay in advance and this is much better than local students who often opt for the part payment scheme* (Respondent A3). As a condition for student visa, students are required to pay the whole year tuition fee before the PHEI applies for the visas. This issue was not raised in Questionnaire 2 though it would have been interesting to find out if student-respondents view this as cumbersome thus causing it to impact the recruitment of foreign students into the local PHEIs. Nonetheless, based on the current data, it may be concluded that the Education Policy of student payment of fees does not seem to affect the recruitment of foreign students to PHEIs in Malaysia.

### Issues regarding the recruitment of foreign in descending order of concern

<table>
<thead>
<tr>
<th>Issues</th>
<th>Number of PHEIs scaling the issues as the most important</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student discipline</td>
<td>12</td>
</tr>
<tr>
<td>Initial application for visa</td>
<td>10</td>
</tr>
<tr>
<td>Relevance of syllabus/course to students/prospective students</td>
<td>3</td>
</tr>
<tr>
<td>Renewal of visa</td>
<td>1</td>
</tr>
<tr>
<td>Payment of fees</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>27</strong></td>
</tr>
</tbody>
</table>

**Notes:**
The above represents data from Question 3 of Questionnaire 1
The total number of PHEIs from the 27 PHEI-respondents who indicated that it is the most important issue in the recruitment of foreign students to PHEIs in Malaysia by scaling it as 1.

**Table 5.2. The issues in the order of concern and the number of PHEIs scaling the issues as 1.**
This conclusion is further supported by the finding from Questionnaire 2 (Question 2), which is provided diagrammatically in Table 5.3. Of the 97 who scaled according to the instruction, 68 (70%) chose cost of education, which is cheaper compared to other countries as the most likely reason why they chose to study in Malaysia (Table 5.3). 18 respondents (19%) chose to study in Malaysia because of good teaching facilities, eight (8%) because of international recognition that their qualifications have while 2 (2%) and 1 (1%) chose Malaysia as their education destination because of the easy immigration and admission procedures respectively.

This is a reflection of those from the pilot study where 14 (72%) out of 19 pilot respondents chose Malaysia because it is cheaper compared to other education providers. Ease of immigration procedures received the second highest scale whilst ease of admission procedures was scaled as 5. This shows that the Education and Immigration Policies are not the reason why these students chose to study in the country. In fact in the pilot study ease of immigration procedures was scaled higher as there was a larger number of students from the Middle East showing that policies impact the recruitment of foreign students to PHEIs.

This shows that Malaysia has an instant advantage compared to other education exporters, as it is relatively cheap to study here but there still remains a decline in the number of foreign students. Hence, the fact that the cost is cheaper must be used for the benefit of the country if she is to succeed as a regional centre of education excellence. Policies will work as complimentary reasons to why students opt to study in Malaysia. Thus, the policies must be friendly and easy. Furthermore, if Malaysia is a choice for education destination mainly because it is cheap, there should not be any decline in the number of foreign students as reported in recent times. Hence, there can only be one conclusion from these, i.e. that the policies impact the recruitment of students and this is further supported by the fact that only 3 out of 97 students’ choice of Malaysia was as a result of easy Immigration and Education Policies.
The foreign students’ reason for choosing to study in Malaysia in descending order.

<table>
<thead>
<tr>
<th>Reason</th>
<th>Number of student-respondents scaled as the most likely reason*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost – cheap compared to other countries</td>
<td>68</td>
</tr>
<tr>
<td>Quality Education – good teachers</td>
<td>18</td>
</tr>
<tr>
<td>Internationally recognised education</td>
<td>8</td>
</tr>
<tr>
<td>Ease of immigration procedures (to obtain visa)</td>
<td>2</td>
</tr>
<tr>
<td>Ease of admission procedures into college</td>
<td>1</td>
</tr>
<tr>
<td>Others</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>97</td>
</tr>
</tbody>
</table>

Notes:
The above represents data from Question 2 of Questionnaire 2
*The total number of foreign students scaled the reasons as the most likely reason why they opted to study in Malaysia from a total of 97 students who correctly scaled Question 2 of Questionnaire 2.

Table 5.3. The reasons in the order of the most likely reason and the number of students selecting them.

Thus it can be concluded that generally PHEIs feel that there are problems with some Education and Immigration Policies and this is corroborated by the findings of Questionnaire 2 (Q 2) where only 3% of student respondents scaled ease of immigration procedures and admission procedures as the reason for opting to study in Malaysia. The various opinions from the Interviews cited above, further lend support to the fact that generally Education and Immigration Policies do not positively contribute to the recruitment of foreign students to PHEIs in Malaysia.

The Research Questions were translated into Questions and raised in both the Questionnaires and the Interviews. The preceding paragraphs shall look at the various policies in the light of the Research Questions identified as research areas of concern hereinafter. These areas of concern for clarity are divided into six areas and these are Policies on selected aims of PHEIA 1996, Recruitment, Student Visa, Travel Documents, Compulsory Subjects and Provision to allow foreign students to work. The subdivisions are created to provide a thematic discussion of the issues concerning the impact of Education and Immigration Policies on the recruitment of foreign students to PHEIs in Malaysia. A summary of the research areas of concern as
identified in the Research Questions and the relevant Questions in both Questionnaires are given in Table 5.4.
<table>
<thead>
<tr>
<th>Research Areas of Concern</th>
<th>Question Number</th>
<th>Questionnaire 1</th>
<th>Questionnaire 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aims of PHEIA 1996</td>
<td>4, 5, 6 &amp; 7</td>
<td>3, 4, 5, &amp; 6</td>
<td></td>
</tr>
<tr>
<td>Permit to recruit</td>
<td>8</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Student visa application and renewal</td>
<td>9, 10, 11 &amp; 20</td>
<td>14,15, 19 &amp; 20</td>
<td></td>
</tr>
<tr>
<td>Carrying of student passport</td>
<td>12 &amp; 13</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>The relevance of Compulsory Studies</td>
<td>14, 15 &amp; 16</td>
<td>9, 10 &amp; 11</td>
<td></td>
</tr>
<tr>
<td>Provision allowing foreign students to work</td>
<td>17, 18 &amp; 19</td>
<td>16, 17 &amp; 18</td>
<td></td>
</tr>
</tbody>
</table>

**Table 5.4 Research Areas and Corresponding Questions in Questionnaires 1 and 2**

The discussion is supported by an ANOVA analysis for each variable as given in Table 5.5 below. The Purpose of the ANOVA was to delineate those factors that are significantly different for the 2 groups of PHEIs (Case Study and Questionnaire 1 Respondent PHEIs). The ANOVA performed on the individual areas of concern using the mean scores of Questions 4-20 for Questionnaire 1. Where there are significant variances, a Tukey's Multiple Comparison Test was performed to compare the Case Study PHEIs to each other and to the Respondents-PHEIs. The ANOVA for Questionnaire 1 show significant variant for issues concerning the policies on the Compulsory Subjects. The Tukey’s Multiple Comparison test shows that the views of PHEI A is significantly different from PHEI C and that of the 27 Respondent PHEIs and that PHEIs C view is significantly different from that of the 27 Respondent PHEIs. This indicates that the results with the exception of those on Compulsory Subjects do not vary and as such adds to the validity of this study as corroborative data.
ANOVA | Tukey’s Multiple Comparison Test
--- | ---
Variables | $p$ | Dependable variable compared | $p$ |
Aims of PHEIA 1996 | 0.2294 | N/A | N/A |
Permit to recruit | N/A | N/A | N/A |
Student visa application and renewal | 0.2133 | N/A | N/A |
Carrying of student passport | 0.8882 | N/A | N/A |
The relevance of Compulsory Studies | 0.0001* | PHEI A vs. PHEI B | 0.001* |
 |  | PHEI A vs. PHEI C | 0.05 |
 |  | PHEI A vs. 27-PHEIs | 0.05 |
 |  | PHEI B vs. PHEI C | 0.001* |
 |  | PHEI B vs. 27-PHEIs | 0.001* |
 |  | PHEI C vs. 27-PHEIs | 0.05 |
Provision allowing foreign students to work | 0.3634 | N/A | N/A |

Notes:
Data from ANOVA and Tukey’s Multiple Comparison Test performed on the mean score average of Questions from Questionnaire 1 in 5 groups of variables.
The dependable variables are the Case Study PHEIs A, B and C and 27 PHEI-respondents of Survey Questionnaire 1.
*Denotes significant variance ($p < 0.05$)
N/A indicates that the data is Not Available. ANOVA was not performed where it involved one set of data, whilst the Tukey’s Multiple Comparison Test was only performed when ANOVA results show significant variance.

Table 5.5 Statistical Analysis of the 5 groups of variable from Questionnaire 1

Similarly, the findings with regard to the 6 research areas that contribute to the recruitment of foreign students to PHEIs from Questionnaire 2 (Questions 3-20) were compared with the findings of corresponding Questions from the Pilot Study and the Case-Study PHEIs A, B and C. An ANOVA was performed using the mean scores for both and this showed significant variant ($p = <0.05$), in issues concerning policies on the aims of PHEIA 1996, Student Visa Requirements and the Compulsory Subjects. As above, Tukey’s Multiple Comparison Test was performed on these to establish the details of the variance and these will be discussed in turn in the preceding paragraphs and summarised in Table 5.6.

A two-tailed $t$-test was performed to compare the findings from Questionnaire 1 and 2 in accordance to the research areas of concern established above. However the results
show no significant variance in the data (See Appendix Z), indicating that the data from the PHEIs are not significantly different from the data of the students. This support that the authenticity of this Study as the students’ view supports those of the PHEI-respondents.

<table>
<thead>
<tr>
<th>Variables</th>
<th>ANOVA</th>
<th>Tukey’s Multiple Comparison Test</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Aims of PHEIA 1996</td>
<td>0.0001*</td>
<td>PHEIA vs. PHEIB PHEIA vs. PHEIC</td>
<td>0.001*</td>
<td>0.001*</td>
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<tr>
<td></td>
<td></td>
<td>PHEIA vs. Pilot PHEIB vs. PHEIC</td>
<td>0.001*</td>
<td>0.001*</td>
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<tr>
<td></td>
<td></td>
<td>PHEIB vs. Pilot</td>
<td>0.05</td>
<td>0.001*</td>
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<tr>
<td></td>
<td></td>
<td>PHEIC vs. Pilot</td>
<td>0.001*</td>
<td></td>
</tr>
<tr>
<td>Permit to recruit</td>
<td>N/A</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Student visa application and renewal</td>
<td>0.0109*</td>
<td>PHEIA vs. PHEIB PHEIA vs. PHEIC</td>
<td>0.05</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PHEIA vs. Pilot PHEIB vs. PHEIC</td>
<td>0.05</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PHEIB vs. Pilot</td>
<td>0.05*</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PHEIC vs. Pilot</td>
<td>0.05*</td>
<td></td>
</tr>
<tr>
<td>Carrying of student passport</td>
<td>N/A</td>
<td></td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>The relevance of Compulsory Studies</td>
<td>0.0001*</td>
<td>PHEIA vs. PHEIB PHEIA vs. PHEIC</td>
<td>0.05</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>PHEIA vs. Pilot PHEIB vs. PHEIC</td>
<td>0.05</td>
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<tr>
<td></td>
<td></td>
<td>PHEIB vs. Pilot</td>
<td>0.001*</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PHEIC vs. Pilot</td>
<td>0.001*</td>
<td></td>
</tr>
<tr>
<td>Provision allowing foreign students to work</td>
<td>0.1925</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
</tbody>
</table>
Notes:
Data from ANOVA and Tukey’s Multiple Comparison Test performed on the mean score average of Questions from Questionnaire 2 in 5 groups of variables.
The dependable variables are the Student Respondents from PHEIs A, B and C and the Pilot Study Respondents of Survey Questionnaire 2.
*Denotes significant variance ($p < 0.05$)
N/A indicates that the data is Not Available. ANOVA was not performed where it involved one set of data, whilst the Tukey’s Multiple Comparison Test was only performed when ANOVA results show significant variance.

Table 5.6 Statistical Analysis of the 5 groups of variable from Questionnaire 2
5.3 Education Policies

5.3.1 Policies Under the Private Higher Education Institutions Act, 1996 (PHEIA, 1996)

The PHEIA, 1996, was passed with the aim to regulate PHEIs in matters such as registration, management, supervision and control of the quality of education. This Act governs issues such as quality of hostel, recreation, education, general administration and the quality of International Student Services. Questionnaires 1 and 2 raised questions to enquire whether the aims of PHEIA, 1996, as identified in the Chapter on Literature Review are satisfied. The four issues raised were on courses offered, quality of teaching faculty, marketing strategies and the quality of International Student Services. Questionnaire 2 contains the additional questions on recreational facilities and student lodging, as these were information that only the student can provide without being biased. Whilst Questionnaire 1 asked questions on whether the choice is dependent on these, Questionnaire 2 asked students if they choose the PHEI based on these specific conditions. The ANOVA showed no significant variant between the Respondent PHEIs and those of the Case Study-PHEIs (Table 5.5) but notable variance in the findings of Questionnaire 2 and the Pilot Study (Table 5.6). The Preceding paragraphs will shed some light on these findings and interlink them with the data from the Interviews.

In general, PHEIs disagree that the students’ choice of PHEI was dependent on the course offered. When asked to comment on this, the Interviewees from PHEIs B and C unlike those from PHEI A, disagreed with the findings, saying that the students’ choice of PHEIs was indeed dependent on the course offered. PHEIs B and C generally felt that many students opted for a particular PHEI on the advice of the recruiting agent rather than on the choice of courses offered. Respondents were quick to point out that the courses offered do make a difference, for example if a student
wanted to do a specialisation, then he or she might not enrol in a PHEI that did not offer the course. In Questionnaire 2 (Q 3) the student-respondents indicated that their choice of PHEI was not dependent on the courses offered thus supporting the statements from PHEIs B and C. Incidentally, the Tukey’s Multiple Comparative Test performed on the findings of Questionnaire 2 showed that students responses from PHEI A significantly differed from those of PHEIs B and C as the p=<0.05.

However it also allows for the conclusion that generally students’ main concern in the selection of PHEI is not the course offered. This does not indicate that the PHEIA, 1996 does not impact the recruitment of foreign students to PHEIs in Malaysia. On the contrary, it is now possible to conclude that though the initial choice of PHEI is not primarily determined by the courses they offer. There are other policy and non-policy factors such as the reputation of the PHEI that influences students’ choice of PHEI. These policies may concern those within the aims of PHEIA, 1996 as discussed in the following paragraphs.

The next question was whether students’ choice of PHEI is dependent on the reputation of its teaching faculty. The respondent-PHEIs believe that the reputation of the teaching faculty influences students’ choice of PHEIs, as the mean score was a high 3.6 (Table 5.7). The student-respondents, however, did not agree that their choice of PHEI is dependent on good teaching faculty as the mean score was 2.6 (Table 5.7). The findings show an important cliché, i.e., where the PHEIs think that their teaching reputation attract foreign students, foreign students do not use this criterion in their selection of PHEIs.

The difference between these findings supports the statement that students are generally not aware of the quality of teaching at a PHEI prior to enrolment (Respondent A3). Respondents from PHEIs B and C believe that students tend to follow friends into a particular PHEI. Therefore it is possible to presume that they were informed of the quality of teaching at the PHEI before they enrol. This cannot be
substantiated by the findings from Questionnaire 2. In fact, this allows one to conclude that the quality of the teaching faculty may not be the reason for the students’ choice of the PHEI. Once again, a TMCT on the findings of Questionnaire 2 indicates that there is a significant variance (p<0.05) between the responses from student-respondents of PHEIs A and that of PHEIS B and C. This supports the conclusion that quality of teaching faculty alone does not influence students’ recruitment. Thus the quest to find the answer continues!

As PHEIA, 1996, is concerned with the general administration of PHEIs the next Question asked on the role of marketing in the primary choice of a PHEI on the basis that marketing is the forefront issue in recruitment. This received a mean score of 3.1 indicating that respondents agreed that students’ choice of PHEI is dependent on the marketing strategies of the PHEIs (Table 5.7). This hypothesis is supported by the findings from Questionnaire 2 (Q 5), as the students-respondents strongly agree (mean score 3.5) with the proposition (Table 5.7). Marketing plays a vital role in the success of any brand and education is not an exception. Thus the statement that students’ choice of PHEI is dependent on the reputation alone is not sustainable. Although PHEIs would like to think otherwise, the main reason for students’ choice of PHEIs is influenced by the agent who convinces them to pursue a course at a particular PHEI.

This is further supported by the fact that all PHEIs have their own agents overseas who are paid commission and often act as agents for other Institutions both from Malaysia and other countries. The importance placed on agents shows that PHEIs are aware that marketing strategies play very important roles in the recruitment of foreign students. Many PHEIs take further steps to enhance this presumption by having the International Student Offices manned by Officers with marketing backgrounds. In all two of the three Case Study PHEIs, the Head of the International Student Office is a marketing heavyweight. This indicates that the PHEIs place marketing and marketing strategies first in the list of priorities when it comes to International Student Services. It is all about money (Respondent B2), foreign students are seen as a constant source
of income and therefore it is important that the programmes are marketed well and that a good relationship with the agents in the various countries is maintained. In fact, of the 8 interviewees from the three Case-Study PHEIs, only 1 (Respondent A1) had had formal training in counselling by virtue of being a trained teacher. The others are degree holders in marketing (4), business administration (2) and law (1).

As much as this confirms that marketing strategies are very important in the recruitment of foreign students, it also supports the presumption that PHEIs do not have qualified personnel in the management of foreign students affairs although admittedly, this is one very important aspect of PHEIA, 1996. This is important in the light of the mean score of 3.6 for Questions 7, indicating that the respondents strongly agree with the proposition that the students’ choice of PHEI is dependent on the reputation of the International Student Services (Table 5.7). However, the student-respondents in Questionnaire 2 (Q 6) gave the same proposition a mean score of 2.5, which indicates that they did not choose the PHEI because of the reputation of the International Students Services (Table 5.7). This is probably because students rarely have any contact with the International Student Department of the PHEI prior to coming to Malaysia.

If one of the aims of PHEIA, 1996, was to ensure the quality of the International Students Department was of a particular standard, then the findings above indicated that this had not been achieved. This problem is mainly due to the lack of guidelines from the authorities on the management of foreign students’ affairs and enforcement. Where policies are clear, there is not enough enforcement (Respondent A1). Currently all guidelines are concerned with the syllabus and immigration procedures and none on the overall welfare of the student. In fact of the 3 Case-Study PHEIs, only PHEI B has a trained-in-house counsellor. To many of the Officers interviewed, they admitted that they often acted as counsellors albeit in their capacity as persons who are in direct/constant contact with foreign students. The lack of a trained counsellor is
certainly regrettable but as said by one Respondent, *given the emphasis and direction of the company at the moment we will just have to make do* (Respondent C2).

In conclusion, some presumptions can be made on whether the aims of PHEIA, 1996 are met and if these affect the recruitment of foreign student to PHEIs in Malaysia. Firstly, PHEIs-respondents agree that reputation of the teaching faculty, marketing strategies and the reputation of the International Student Services influences students’ choice of PHEI but not courses offered at the PHEI. Secondly, the student-respondents clearly indicate that only marketing strategies largely influences students’ choice of PHEI. These allow the conclusion that from the students’ perspective, with the exception of marketing strategies, the aims of the PHEIA, 1996, do not primarily impact students’ choice of PHEIs. Nothing in the findings is able to confirm whether these affect the retention of foreign students. It would have been better to have questions that also asked the students whether the reason they continued to remain in the PHEI was these facilities being of ‘world class’. However, if this was done, one has to presume that the students had been in Malaysia for longer than 6 months and this would only be possible with a change in the mode of selection of the respondents.
### General Education Policies

<table>
<thead>
<tr>
<th>Factors that influences students’ choice of PHEI</th>
<th>Question No.</th>
<th>Mean Score</th>
<th>Question No.</th>
<th>Pilot Mean Score</th>
<th>Actual Mean Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courses offered.</td>
<td>4</td>
<td>2.6</td>
<td>3</td>
<td>2.6</td>
<td>2.5</td>
</tr>
<tr>
<td>The reputation of the teaching faculty.</td>
<td>5</td>
<td>3.7</td>
<td>4</td>
<td>2.7</td>
<td>2.6</td>
</tr>
<tr>
<td>Marketing strategies</td>
<td>6</td>
<td>3.1</td>
<td>5</td>
<td>2.6</td>
<td>3.5</td>
</tr>
<tr>
<td>The reputation of the International Student Services.</td>
<td>7</td>
<td>3.6</td>
<td>6</td>
<td>2.6</td>
<td>2.5</td>
</tr>
<tr>
<td>Good recreational facilities.</td>
<td>N/A</td>
<td>N/A</td>
<td>7</td>
<td>2.2</td>
<td>2.4</td>
</tr>
<tr>
<td>Good student lodging (hostels) facilities.</td>
<td>N/A</td>
<td>N/A</td>
<td>8</td>
<td>2.5</td>
<td>2.2</td>
</tr>
</tbody>
</table>

**Notes:**
1= strongly disagree; 2 = disagree; 3 = agree; 4 = strongly agree
N/A = No questions were raised
The number of respondents: 27 for Questionnaire 1 and 478 for Questionnaire 2.

| Table 5.7 Policy under Private Higher Education Institutions Act, 1996 |

Hence if the general aims of the PHEIA, 1996 do not influence the students’ choice, the question is whether marketing strategies alone can ensure a continuous flow of foreign students to PHEIs in the country. Recent statistics show a decline in the number of foreign students and there is a presumption that this is due to the failure of the policies to meet the needs of the foreign students and to ensure that the quality of PHEIs are comparable to others in the region. In the quest of finding answers, further questions were set on Policies and the discussion of which is given in the preceding paragraphs.

#### 5.3.2 Policy on Permit to Recruit

From the Education Act, 1996, the policy, which only allows PHEIs with permit, to recruit, was raised in Questionnaire 1. This issue, however, was not raised in
Questionnaire 2 as generally all Pilot respondents indicated that they were not aware of the limitations on recruitment. An ANOVA could not be performed as this part involved a single set of data (Table 5.5). Therefore, the discussion shall focus on the mean score (3.3) indicating that the PHEI-respondents agree, that the current practice of allowing only certain PHEIs to recruit via the issuance of the permit to recruit should be maintained (Table 5.8).

Respondent C 2 felt that this was the only method by which the authorities could control the quality of education in the private sector, especially when it affected the reputation of the country as a regional centre of education excellence. However, PHEIs A and B either disagreed or strongly disagreed with the proposition on the basis that this limit placed unnatural control on the Education market. In fact, Respondent A1 was of the view that the limits were merely acting as substitutes for good control of the System, which was currently very lacking. Indeed had the authorities looked into the issue of ensuring that licences to operate PHEIs were more selective, there was no need for further checks, as only those who truly deserved the licence would be operating an Education Institution.

When proper and stringent measures are in place, the authorities will be able to ensure that the students’ needs are met with basic facilities in place before their recruitment. Hence the problem with the issuance of licence/permit to recruit is not just one of enforcement but also of provision, which will be dealt with in greater detail in the latter part of this chapter where the policies are evaluated in the light of the findings. Based on the findings and the outcome of the interviews, it can be concluded here that the current practice of only allowing PHEIs with permits to recruit foreign students be continued for the moment until the Education industry and providers can reach standards needed to meet international demands. As students were not aware of the limitations, it was clear that their choice of PHEI was greatly influenced by the agents. This also confirms that the list of 134 PHEIs (www.studymalaysia.com) cannot by default indicate that all the PHEIs have the permits to recruit.
<table>
<thead>
<tr>
<th>Specific Education Policy</th>
<th>Questionnaire 1</th>
<th>Questionnaire 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits to Recruit Foreign Students</td>
<td>Question No.</td>
<td>Mean Score</td>
</tr>
<tr>
<td>Whether the policy to allow only PHEIs with permit to recruit be maintained.</td>
<td>8</td>
<td>3.3</td>
</tr>
</tbody>
</table>

**Notes:**
1 = strongly disagree; 2 = disagree; 3 = agree; 4 = strongly agree
N/A = No questions were raised
The number of respondents: 27 for Questionnaire 1 and 478 for Questionnaire 2

Table 5.8 Policy on recruitment of foreign students

5.3.3 Policies on Compulsory Subjects

The chapter on Literature Review identifies the National Accreditation Act, 1996, as the third Enactment, which provides Education Policies, which affect foreign students. From this Act, the Policies on the Compulsory subjects were identified and questions were raised in the Questionnaires and the Case Study Interviews. These subjects are Bahasa Melayu, Moral Studies (or Islamic Studies for Muslim students) and Malaysian Studies and received mean scores of 2.5, 3.0 and 2.6, generally indicating that the respondents had agreed with the propositions (Table 5.9). Generally it is thought that these subjects do not interest foreign students and they are unhappy with the introduction of these subjects. When put to the PHEIs, and ANOVA compared, the findings show p = 0.0001* indicating that there is significant variance in the mean score of the PHEIs (Table 5.5). This prompted the researcher to do a Tukey’s Multiple Comparison Test to show the mean difference between the individual PHEIs and the p value variance.

From this analysis, it can be concluded that there was significant variance (p = <0.005) in the dependable variance, namely between PHEI A with B, PHEI B with C and PHEI B with the 27 Respondent-PHEI (Table 5.5). PHEI B strongly disagreed...
with the proportions whilst PHEIs A and C agreed as did the majority of the 27 respondent PHEIs. Respondent B2 indicated that students generally feel they are forced to do these subjects. Respondent C2 though generally agrees with the introduction of Compulsory Subjects, he felt that Islamic Studies should be made an option as some students follow a different sect of the religion.

The responses from Questionnaire 2 indicate that the students clearly disagreed that these subjects are relevant. The average mean scores of 2.3 (Q 9, on Bahasa Melayu), 2.0 (Q 10, on Malaysian Studies) and 2.1 (Q 11, on Moral or Islamic Studies) are as shown in Table 5.9. Thus these findings suggest that students generally feel that the compulsory studies are not relevant. Whether these had impact on the recruitment of foreign students cannot be answered; however, students prefer not to do the subjects as they find these a waste of time (Respondent C2). The ANOVA performed shows a significant variance in the findings (Table 5.6). The Tukey’s Multiple Comparison Test show significant variance between PHEI A, B and C from the Pilot study (Table 5.6).

<table>
<thead>
<tr>
<th>Specific Education Policy</th>
<th>Questionnaire 1</th>
<th>Questionnaire 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>The teaching of Compulsory Subjects</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bahasa Melayu is relevant.</td>
<td>Question No. 14.</td>
<td>Mean Score 2.5</td>
</tr>
<tr>
<td>Malaysian Studies is relevant.</td>
<td>Question No. 15.</td>
<td>Mean Score 3.0</td>
</tr>
<tr>
<td>Moral Studies (or Islamic Studies) is relevant.</td>
<td>Question No. 16.</td>
<td>Mean Score 2.6</td>
</tr>
</tbody>
</table>

Notes:
1= strongly disagree; 2 = disagree; 3 = agree; 4 = strongly agree
N/A = No questions were raised
The number of respondents: 27 for Questionnaire 1 and 478 for Questionnaire 2

Table 5.9. Policy on the teaching of the Compulsory Studies
Questionnaire 2 included one question (Q 12), which was not in Questionnaire 1, and this was on the minimum entry requirement. On hindsight these Questions should not have been included as they do not add to the validity of the study although initially recognised as a Research Question [RQ4]. The target of the Questions was with regards to entry of matured students, however many are not aware of the Policy. As indicated by the Interviewees, the only minimum requirement that they are concerned with are those indicated by the awarding Institutes and the need for 6 months at an English Course for students from non-English speaking countries. Furthermore, this Question was phrased too wide resulting in the interpretation of the mean score as good as how the students interpreted ‘minimum entry requirement’.

5.4 Immigration Policies

The 1957 Immigration Act states that anyone who enters the country for purposes of education must obtain a Student Visa. The student can either apply for it directly or via the individual PHEI and the latter is the most common method of application today. Though the need for a visa is a no-issue, there are some issues of concern surrounding visa application and renewal and these were clearly identified in the Literature Review Chapter of this Thesis [RQs 5 & 6]. The issues raised are with regards to application of student visa by PHEIs, need for the approval from the Department of Immigration for students to transfer from one PHEI to another, the need for attendance report at renewal of visa and finally, the provision with regards to bringing in of students’ families which is limited currently to post graduate students.

Summarily, these are lumped into one category for the purposes of analysis and are reflected in Questionnaire 1, Questions 9, 10, 11 and 20 and in Questionnaire 2 (Qs 14, 15, 19 and 20). The ANOVA performed shows p=0.2133 indicating no significant difference between the PHEIs (Table 5.5). However, a closer look at the mean score as indicated in the Table below indicate that the mean score for Question 9 remains at 2.3 whilst for all the other 3 Questions the mean score hinges between 3.2 and 3.3
(Table 5.10). These show that the respondents are of the view that the Student Visa should be applied to via the individual PHEIs rather than by the individual students as proposed. Generally they agree that the approval from the Department of Immigration is necessary for transfer, that the report submitted for renewal of student visa and that families of students should be allowed to stay in the country irrespective of the students’ status.

These questions when placed before the student-respondents in Questionnaire 2, gave similar findings indicating that the above presumption can generally be substantiated though the student-respondents disagreed with the need for the academic progress report and class attendance for the purpose of renewal of visa (Table 5.10). The ANOVA performed show significant variance and a Tukey’s Multiple Comparison Test indicates that the findings of PHEIs B and C varied from the Pilot (Table 5.6). Whilst the results suggest that the major policies do not impact the recruitment of foreign students to PHEIs, the minor ones such as those that involve reports on students’ progress do not go well with the foreign students as reflected above.

One reason why students prefer to have the visa application processed through the individual PHEIs is the delay in the process. As indicated earlier, it sometimes takes up to 3 week for the visa to be processed and students will have to skip classes in order to have these sorted out. Further there is also the issue of language barrier as students may not be conversant in English, thus impeding communication. In short, the findings on the miscellaneous provisions on application and renewal of visa clearly indicate that there is a need for change. Though PHEI-respondents indicate that the current common practice where PHEIs apply for student visa is best maintained, there is a presumption that students only agree with this, as the system is too complicated for them. Hence this findings show that the Immigration Policies and procedures are not student-friendly and thus affect the recruitment of foreign students to PHEIs in Malaysia.
<table>
<thead>
<tr>
<th>General Immigration Policies</th>
<th>Questionnaire 1</th>
<th>Questionnaire 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application and Renewal of Student Visas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student visas to be applied by individual students</td>
<td>Question No. 9</td>
<td>Mean Score 2.3</td>
</tr>
<tr>
<td>The necessity of approval from the Department of Immigration for transfer</td>
<td>Question No. 10</td>
<td>Mean Score 3.3</td>
</tr>
<tr>
<td>The necessity of class report for renewal</td>
<td>Question No. 11</td>
<td>Mean Score 3.3</td>
</tr>
<tr>
<td>Students’ families be allowed to stay in Malaysia</td>
<td>Question No. 20</td>
<td>Mean Score 3.2</td>
</tr>
</tbody>
</table>

Notes:
1 = strongly disagree; 2 = disagree; 3 = agree; 4 = strongly agree
N/A = No questions were raised
The number of respondents: 27 for Questionnaire 1 and 478 for Questionnaire 2

Table 5.10. Policies on Application and Renewal of Student Visas and Entry of Student Families

On the question relating to students’ travel documents, the current need for students to carry them at all times and a possible alternative, the ANOVA performed, shows \( p = 0.8882 \), (Table 5.5) indicating that there is no significant variance in the findings. The mean score for Question 12 of 1.5 shows that the respondents generally are in disagreement with the proposition that students should carry their National Passports at all times. As a natural extension of the question, Question 13 asks if a valid student card should be sufficient proof of studentship. The respondents agreed with the proposition as the mean score is 3.2 (Table 5.11). At the interviews, it was clear that there had been initiatives to issue an International Student Card, which is yet to materialise. On the policies on travel documents, the research findings indicate that it impacts the recruitment of students.

Questionnaire 2 (Q 13) raised the same question, which had a mean score of 1.6 (Table 5.11) indicating that the student-respondents strongly disagreed with the proposition that all foreign students should carry their travel documents. However an ANOVA could not be performed (Table 5.6). During the interviews all 8 Interviewees...
felt that it is absolutely important that there is an immediate need for the issuance of student identification card as promised by the authorities. In fact, this view is supported by the PHEI-respondents who agree that a valid student’s identification should be sufficient proof that the student is registered with a PHEI in the country. The findings support the theory that the policies impact recruitment foreign students to PHEIs and in the present issue, negatively, as students as well as PHEIs are unhappy with the current status. Hence the message from this study is unequivocal. There must be a change in the policy concerning the need for students to carry their passports at all times. This change is necessary if Malaysia wants to remain competitive as global education exporter and reach the target of becoming the regional hub of education excellence.
<table>
<thead>
<tr>
<th>Specific Immigration Policies</th>
<th>Questionnaire 1</th>
<th>Questionnaire 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Foreign Student Identification</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foreign students must carry passport at all times</td>
<td>12</td>
<td>13</td>
</tr>
<tr>
<td>Mean Score</td>
<td>1.5</td>
<td>1.7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1.6</td>
</tr>
<tr>
<td>A valid student identification is sufficient proof of studentship</td>
<td>13</td>
<td>N/A</td>
</tr>
<tr>
<td>Mean Score</td>
<td>3.2</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>

**Notes:**
1 = strongly disagree; 2 = disagree; 3 = agree; 4 = strongly agree
N/A = No questions were raised

The number of respondents: 27 for Questionnaire 1 and 478 for Questionnaire 2

| Table 5.11 Policies on Carrying of Passport and International Student Card |
|---|---|---|

The final set of questions on Immigration Policies was on the recent policy to allow foreign students to enter into part-time employment while studying in Malaysia. This was reflected in Questions 17, 18 and 19 in Questionnaire 1. The ANOVA performed show no significant variance, thus indicating that all three PHEIs share almost the same views with the rest of the Respondent-PHEIs (Table 5.5). A cursory glance at the mean score findings as indicated in Table 5.12 below shows that the respondents generally agree that the report on the academic progress of the working student to the Department of Immigration is necessary. A mixed response can be seen for Question 17 which asked if the policy to allow students to work will increase the number of foreign students as the mean score shows an average of 2.6. However, for Question 18, the mean score average is 1.9 indicating that the respondents generally disagree with the proposition that students be allowed to work without permits.

When similar Questions were put to the students in Questionnaire 2 (Qs 16, 17 and 18), which received the mean scores of 3.4, 3.0 and 2.6 (Table 5.12). An ANOVA was performed on these and the findings show no significant variant (Table 5.6). These indicate that the students agree with the propositions that foreign students should be allowed to work and be allowed to work without the need to apply for a
permit. However, they do not agree with the proposition that the report to the Immigration Department by colleges on the academic progress of the working foreign students is necessary. These suggest that whilst the respondents have mixed thoughts on whether the policy to allow foreign students to work will increase the number of foreign students, they felt that any such move must be with a permit. As stated by Respondent A1, this is for the protection of working students more than a mean of increasing red tape. As for the submission of the academic report, the respondents agree that such action is necessary to ensure that students do not fall behind in their studies.

When put to them that these are adults and therefore, treating them like children will not augment well with the general way of things in higher education, many Interviewees felt that the report allows them to check on the progress of the students. In conclusion, it is clear that there is a strong descent from the PHEIs that the policy to allow students to work will increase the number of foreign students in the country. It is possible because of the conditions among others that these students can only work in certain industries, which gives the impression that the policy is merely filling the gap for the lack of manpower in these industries. Nonetheless, the student-respondents welcome the move but feel that the need for the report is unnecessary.

<table>
<thead>
<tr>
<th>Specific Immigration Policies</th>
<th>Questionnaire 1</th>
<th>Questionnaire 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working Foreign Students</td>
<td>Question No.</td>
<td>Mean Score</td>
</tr>
<tr>
<td>Will increase the number of foreign students in the country?</td>
<td>17.</td>
<td>2.6</td>
</tr>
<tr>
<td>Foreign students should be allowed to work without working permits.</td>
<td>18.</td>
<td>1.9</td>
</tr>
<tr>
<td>Academic report of the working foreign students is necessary.</td>
<td>19.</td>
<td>3.0</td>
</tr>
</tbody>
</table>
In short, the findings analysed above indicate that foreign students opt to study in Malaysia because it is relatively cheaper than other education providers. In fact on the scale of 1-5, (1 being most relevant), students had clearly indicated that ease of Immigration and Education Policies are not the reasons why they had opted to study in Malaysia. With respect to specific Education Policies, concerning student facilities and general administration of the PHEIs under PHEIA, 1996 do not impact the recruitment of foreign students, as students are not aware of these prior to enrolment. It is clear that students are greatly influenced by marketing strategies and in particular the recruiting agents in their selection of PHEIs. The analysis also shows that the current policy, which only allows PHEIs with permit, to recruit, should be maintained until a viable alternative can be found. The policies on the Compulsory Subjects seems to not augment well with most students and some PHEIs and this indicates a need to rethink this policy in the light of this findings.

With respect to the Immigration Policies, the findings of this Study clearly indicate that there is a need for the procedures to be more student-friendly. This can be done by reducing delays in the process for the application and renewal of visas and ensuring that the front-liners at the Immigration Centres are conversant in languages such as Mandarin to cater for the large number of students from China. It is also established here that the policy concerning students’ families should be extended to undergraduates. On the policy requiring students to carry their passports at all times, this study unequivocally establishes that there is a need for immediate change and it supports the issuance of the ‘International Student Card’, pending which the student
identification from the PHEIs should be sufficient. Finally on the policy to allow foreign students to work, this Study establishes that this Policy may not increase the number of foreign students intended. The restrictive conditions and the requirement for progress report to the Immigration Department do not augment well with the students.

From the above discussions, it is clear that the Education and Immigration Policies impact the recruitment of foreign students. In order to ensure that the impact is neutralised, there is an immediate need to rethink some of these policies. Re thinking will require one to go back to the root of these policies, namely back to the drawing board. The next part of this Chapter shall focus on the issues concerning pre-creation, creation, and implementation and post implementation of the policies, which requires change or review. This will be done by analysing the theories, ideas, issues and challenges noted in the Literature Review in relation to the data obtained from the Surveys and Case Study interviews discussed above.
5.5 Discussion and analysis of data vis-à-vis Literature Review

This study is informed by the policy framework proposed by Yin and Wing (1995) which contains four frames each representing the four stages of policy: pre-formulation, formulation, implementation and post implementation. The pre-formulation stage concerns the underlying problems and the background of policies and the need to set up the policy objective, the formulation stage is about putting the objectives into action by creating the policy and planning the implementation in the light of the various constraints. The third frame is to analyse the implementation and identify the gaps between implementation and planning, whilst the fourth frame focuses on the outcome or impact of the policy including expected and hidden outcomes at different levels. This holds the ultimate key to the success of any policy because an analysis cannot be justified without studying its impact (Salhieh & Singh, 2003).

This section of the Chapter shall limit the discussion to policies that seem to affect the recruitment of foreign students to PHEIs as reflected in the findings analysed above. As a precursor, it is important to note that any issues within the education system attracts most attention Yin and Wing (1995) as do societal issues. In the present scenario, the attention is ‘doubled’; as the influx of foreign students also bring with it an array of social issues. Thus there is a need to review the current policies so as to minimise problems that are ‘easily overcome’. This will allow policy-makers to focus on issues that are more pertinent, for example social ills which is often seen as the perennial problem, one that plagues almost all education exporting countries. Malaysia has the advantage of learning from traditional education exporters. Hence policies should be developed to arrest any shortcoming within the system so as to ensure that the aim to be a regional hub of education excellence becomes a reality.

5.5.1 Pre-formulation stage
The pre-formulation stage is from the identification of problem/s to the formulation of the objective (Khalid, 2001). Problems can emerge from within the educational system or from outside, i.e. the society. Problems from within are usually directly contributed by the policies regulating the education system. External problems are those that either from economic development or political instability or external competition and global trends. The present Study takes off from the premise that politically and economically, Malaysia is stable and this adds no additional burden to the system. However, external problems concerning competition and global trends are issues that should be foremost in the minds of the policy makers. In this light, therefore, there is an urgent need to endure that the policies meet the demands and needs of the PHEIs and foreign students in order to minimise problems. Thus relevant and effective policy formulation is seen as the catalyst for making Malaysia the regional hub of education excellence.

Policies such as those involving the aims of PHEIA, 1996 are effective, relevant and must be maintained. However, the vehicle to achieve these aims may not be sufficient. The Government’s direct participation in marketing the Malaysian brand through road shows organised by the Ministry of International Trade and Industry, helps in promoting PHEIs abroad. These, however, are not enough. As remarked by Respondent A1, there is a need for further action from the government in ensuring that the PHE sector also receives some form of financial support in the form of direct investment or tax exemptions. For example, the data from this Study indicates that the recreational and hostel facilities are poor. Thus, financial support will ensure that the PHEIs are able to meet the rising demands for quality education facilities. Currently, private education thrives on private investments, which demands the highest returns within the shortest period of time. Faced with this dilemma, operators of PHEIs are quick to ensure minimum cost at maximum returns in order to keep investors happy. This results in sub-standard learning, recreational and living facilities. From the three Case-Study PHEIs, only one (PHEI B) has its’ own in-campus student lodging with
modern facilities. Thus it is understandable when student-respondents from PHEIs A and C had disagreed that the quality of recreational and student hostels are good.

Certainly one can presume that the PHEIs concerned had arranged for an externally managed student-lodging in order to meet the condition of the permit to recruit foreign students. However, surprisingly student-respondents from PHEI B had also disagreed with the proposition that the quality of the student accommodation at their PHEI is good. This clearly shows that having a self-managed student accommodation alone is not sufficient but rather, there is a need to ensure that the quality of the accommodations is of a reasonable standard. Herein lies an example of the manifestation of the dilemma in the pre-formulation stage. The Education Authorities in formulating the policy had forgotten to place the objective in the right latitude.

Thus, the issue is not whether there is a managed student accommodation but rather a student accommodation of a particular standard. Students expect a reasonable standard in the quality of the accommodation and when this is not met, the policy impacts recruitment negatively. Furthermore, as indicated earlier in the Literature Review, there is a need to ensure continuous assessment and review of the policy and the objectives. The requirements were set in 1999 and had not seen a review to date (Respondent A1). Naturally, once a policy is set, there must be follow-up by way of research to ensure that the aims are in place. Had this been done, it would have been clear to the authorities that the conditions stipulated in the provision of permits alone is not sufficient to ensure that foreign students have the best possible learning and living environment.

Apart from the internal factor as discussed above, external factors too influence the recruitment of foreign students. The data from Questionnaire 2 clearly indicates that students opt to study in Malaysia because it is cheaper compared to other countries. This is one of the impacts of the Asian financial crisis of 1997/1998. Apart from this,
the 9/11 tragedy too impact student-choice to study in Malaysia. During the pilot study, 3 students indicated that they opted to study in Malaysia not only because it is cheap but also because of the easier Immigration procedures. These students are from the Middle East and since the 9/11 tragedy, it had become more difficult for students from Muslim countries to study in the United States. PHEIs offer American Degree Programmes, which allow these students to study for up to 3 years in Malaysia and continue their final part in the United States. Students using this mode find it easier to obtain their US Student Visas. The two situations above are examples of external factors that had positively impacted the recruitment of foreign students into the country.

However, there are external developments, which had negative impact on the recruitment of foreign students, which can only be neutralised with suitable and well thought Education and Immigration Policies. The growth of new education exporters especially within the regions such as China and Singapore with their aggressive recruitment policies makes competition within higher education a major problem. Education and Immigration Policies must be able to neutralise these aspects and make Malaysia a popular education destination. In comparison to Singapore, Malaysia has the advantage of being much cheaper in terms of living cost and in relation to China, Malaysia has the advantage of a wider use of the English language. These can be used for the advantage of the PHEIs if only our policies are more student-friendly. The data as indicated above show that only 2 student-respondents from the 97 had chosen ease of Immigration procedures as the main reason for their choice to study in Malaysia. This clearly shows that there is a need to review the policies and procedures in order to attract more foreign students on to Malaysian shores.

Thus, policy-makers must consider the eternal developments before bringing out new policies or when reviewing existing ones. This must be done having the needs of the PHEIs in mind and at the same time making policies to ensure that Malaysia remains competitive. Once again, the answer lies in the objective being in the right place.
Authorities can only achieve these if there is substantive research in the area, which is able to provide a better understanding of the situation at hand.

Within the context of private higher education in the country, policies cannot be seen as a stopgap measure. The setting of objectives will help policy-makers establish the goal/s of the policy. The first step in setting the objectives is to identify the existing problem which, for example, the poor quality of student lodging. The next is to identify the objectives and functions of education in context, i.e. to become the regional hub of education excellence. Thereafter the authorities are required to consider philosophical and legal considerations, i.e., the necessity of good student accommodation to the overall objective and the feasibility of enforcing the regulation and finally taking into account the constraints of resources, time, politics and environment (Yin & Wing, 1995).

The greatest challenge with the setting of objectives is the beliefs and values that underline them for traditionally, policy-makers set objectives as influenced by their own beliefs and values (Kogan, 1985) and Ball calls this authoritative allocation of values (1990, p. 3). The emphasis must be the underlying principles (concepts and beliefs), which impact the judgement of the policy-makers (Yin & Wing, 1995) and on the objectives of the policy. As a general rule, policy-makers are required to analyse issues in order to develop new and successful policies, which could provide the framework for good, benign and liberal practices.

To fully appreciate the issue, one just has to look at the Immigration Policy requiring foreign students to carry their travel documents at all times. The data from both the Surveys and Interviews clearly indicate that foreign students and officers at PHEIs strongly disagree that the students should be allowed to carry their passports at all times. Many agree that a suitable alternative is the proposed ‘International Students Card’. The authorities (Education and Immigration) are aware of the dangers of requiring students to carry their National Passports at all times, yet they are not able to
formulate a viable alternative to the issue at hand. Though promises were made that a special ‘International Student Card’ will be issued by June 2005 (Respondent A3), nothing had materialised as of yet although the various PHEI-representing bodies had vocalised their reservations with the late delivery of the promise and requested interim alternatives.

However, some Interviewees suggest that while waiting for the card to materialise, authorities should allow the students to use their Institution Identification Card as proof of their studentship. Relating back to the issue of pre-formulation, it is perhaps necessary for the authorities today to review the policy in question and ask what should be the objective of setting an alternative. Certainly, the main issue here is to ensure that students who enter the country on a student visa remain bona fide students, a dilemma faced by almost all tertiary education exporters. Past enforcements on this issue had shown that there are ‘bogus’ PHEIs who abuse their permits to recruit students by bringing in ‘foreign students’ for work. Hence, if the alternative is accepted, the objective many not be achieved. On this basis, the authorities have no option but to hasten the process for the special ‘International Students’ Card’.

Thus, in ensuring that a policy reaches its desired objective, the policy-makers must ensure that the objectives are well identified. In achieving this, research becomes a necessary part of the process. Adequate pre formulation research will ensure that the makers of the policy become acquainted with the problem, which requires the policy in the first place, and the objective thereby which must be set to overcome it. Where these are not met, random, incomprehensible and negative effects become the trademarks of policy and policy makers. Thus in conclusion, from the given examples above, it can be concluded that the pre formulation stage of policy is vital for the success of any policy. Had greater consideration been given at this initial stage of policy, the problems of bad student accommodation and the unnecessary problems relating to foreign students carrying their travel documents at all times can be
elevated. When proper actions become mandatory at the pre-formulation stage, it is clear that the policy resulting from it will not affect the recruitment of foreign students but rather enhance it further.

5.5.2 The Formulation Stage

The data obtained from the Surveys and Case Studies can be utilised in further elaborating the formulation stage of policy. The primary question at this stage is the legitimacy of the policy-makers (Yin & Wing, 1995), or the authority of the creators of the policy. Apart from political legitimacy obtained through a duly elected government, legitimacy in policy also involves the necessity of consultation with the relevant bodies prior to the creation of a policy. As indicated earlier, the general notion is that neither the ‘players’ (PHEIs) nor their representatives (NAIPEI, MAPCU) are consulted before a policy is dished out (The Sun, ). It is a rule of thumb that policy-makers should have open-forum discussions so that the public may be able to participate in the formation of the policy. For a policy to be successful, there must be consultation, participation, open and free discourse and consensus among the various stakeholders within the policy-making institution (Yin & Wing, 1995). The only time, this was held was in March 2005 (Respondent A3). PHEIs were called to attend a dialogue session with regards to the issuance of the ‘International Students’ Card’ to all foreign students that they can carry in lieu of their Passports.

Even then the consultation is of no benefit if there are no actions taken after the dialogue, as in this case. This falls back on the moral legitimacy of the policy-makers. The third limb of the policy formulation stage, moral legitimacy concerns the personal qualities and expertise of the policy-makers and the composition of the policy-making body. Moral legitimacy would require a policy-maker who is not able to provide his best in policy-making to step aside for more competent and able policy-makers. In theory this is the ideal, however one that does not often happen in practice! It has been a year since the promise to issue these special cards was given and to date, no
move had taken place. The issue then is to see who is responsible and why this was not implemented. Given the political climate today, it is highly unlikely that the person will be asked to step down or resign for his or her lack of moral accountability.

Thus, bigger hurdles in the formulation of policies are the lack of consultation and action. As policy-makers are not the stakeholders in the system consultation is necessary and too often without which, the policies seem ill-prepared and illogical. It is a known fact that the more stringent and illogical a procedure is, the more likely are people to circumvent it as gathered from the interviews.

On the issue of report on working students, PHEIs are willing to ‘keep an eye closed’ in order not to increase the workload of the officers and irritate the students (Respondent B2). Furthermore, ‘so long as the students are not into something ‘bad’ then it is ok for them to do some odd job where the opportunity arises’(Respondent C1). These circumventions are made easier given the lack of enforcement and the modus operandi of the PHEIs which ensure that the foreign students are happy and that their part time employment does not interfere with their studies (Respondent C2). From the business perspective these views make sense, as student are the ‘passive marketers’ of the Institution. Where the policy fails to provide the best and reach its objective, it will have negative impact and in this case on the recruitment of foreign students to PHEIs in Malaysia.

As such, to make policies on the recruitment of foreign students, policy-makers must invite not only representation from organisations such as NAIPEI or MAPCU, which represent the PHEIs but also from the wider public. Such openness will also ensure that the public have access to all the related and unbiased information regarding the formulation of the policy (Caplan, 1991, Postlethwaite, 1991, Knott & Wildavsky, 1991), which is seen as a practical and ethical move by the policy-makers (Forrester, 1985). However, consultation without action is a pure waste of time and thus, it is important that the authorities act on the suggestions to overcome the problem which
in the first place gave rise to the consultation. The example of the issuance of the ‘International Student Card’ cited above best illustrates this point.

5.5.3 The Implementation stage

Implementation of policies is vital to the success of a policy and forms the cornerstone of this study, mainly because the Case Study Interviewees are persons directly responsible in implementing Education and Immigration Policies. Thus, the next few paragraphs shall look at the theories concerning implementation of policies in relation to the data obtained from the Surveys and Case Study Interviews.

Implementation is the "process of transferring goals associated with a policy into results" (Khalid 2001, p. 88). It does not determine the end of governance rather it provides the source for achieving the policy objective/s. It is the delivery of the goals of a policy though methods which ensures the best desirable outcomes. As discussed, the classical model is first and most relevant theory in relation to implementation of policies in the Malaysian context. It is a bureaucratic structure (Nakamura & Smallwood, 1993) where the authority as the policy-maker ensures that the players within the industry implement the policies. These players are usually the PHEIs who obey and carry out the commands promptly, automatically and without questioning, at least in theory.

Today in Malaysia, managers are controlled by the bureaucratic structure where policy-makers create the policy and provide the process of implementation. It is merely paper pushing as officers do not want to take on the responsibility to ensure that the implementation is smooth and student-friendly (Respondent A1). This is further accentuated by the fact that this bureaucratic model is enforced by sanctions and the most dreaded on is the removal of foreign students’ recruitment permit. As indicated earlier, many officers find ways to circumvent the rule so as to ensure that their PHEI remains attractive to foreign students and is often seen as tensions within
the system. A tension deemed necessary by PHEIs as recruitment of foreign students is important and is looked upon as the main source of income (Respondent B2).

The data gathered in this Study is sufficient to show that there is an element of forced implementation of the policies. This is seen in areas such as the Compulsory Studies where the general view seem to show that the subjects are ‘a waste of time’ and not relevant to the qualifications of the students. Other relevant examples are those involving attendance reports for the renewal of visas and progress report of working foreign students. Again the data supports the fact that by large the PHEI-respondents and student-respondents feel that these are not necessary and merely adds to the existing red-tape (Respondent A1) and makes Malaysia less attractive as an education destination.

Another tension, which is quite easily noticed from the Interviews, is the top-down tension, generally associated with the Weberian-type bureaucratic structure, as it does not provide the appropriate power-sharing mechanism (Ryan, 1999). For example, Respondent A3 indicates that often PHEIs are required to implement the policy unwillingly. When prompted for example, he quotes the situation where the renewal of student visa requires the officer to submit all documents on the student most of which had already been given to the Immigration Department when the visa was first applied. PHEIs comply even though they feel it is a waste of time and resources (not to add being environmentally unfriendly with a whole load of papers!)

In order to make policies friendly and thus encourage a positive flow of foreign students into PHEIs in the country, there must be a reversal in this tension. The bottom up mode will encourage this by the incorporation of the role of players for the completeness of implementation. The cooperation of all stakeholders will ensure that the objective/s of the policy are met through proper implementation. As stated in the Literature Review, this leads us back to the questions whether the policy does indeed reflect the aspirations of the stakeholder, which is only possible if at formulation stage
there was consultation with those who will eventually implement the policy. This in practice, if the authorities had taken the initiative to enquire with the PHEIs, they would have realized the difficulties and found ways to ensure greater compliance (willing) and smoother process.

Implementation is also affected by four other factors namely, the availability of resources, knowing what is being implemented, the ability to control the resources and communicating what is wanted and controlling performance (Barret and Fudge, 1981). Just taking a look at the conditions for the permit to recruit foreign students, one gets the impression that there is lack of resources for PHEIs especially where the main agenda is bottom-line and the pocket of investors. However as Khalid (2001) states, this forms one of the main factors which influences implementation. This concern is also voiced out by the Respondents in the interviews. Many felt that there must be greater support from the government if PHEIs are required to maintain a minimum standard especially where it concerns the recruitment of foreign students. As implementation is a collective effort all parties must work together to produce the desired results of implementation, which is primarily to meet the objectives of the policy. Collaborative implementation requires experience, people-skill and the right environment. Currently, the study establishes that the recruitment of foreign students is more of a matter of profit rather than growth. The authorities view this as a commodity rather than a matter of intellectual development. There is no long-term planning but rather short-term stopgap measures used to overcome problems as they crop up. A good example here is the policy to allow foreign students to work. This was mooted by the need to encourage more foreign students into the country and to overcome the lack of manpower in certain industries (Respondent C1).

No matter how well policies are created there will always remain a gap between planning and implementation and this study is able to show that the gaps are very clearly in the way of making Malaysia a regional hub of education excellence. These gaps can be minimised if the implementation and the change are well planned by the
policy maker (Yin and Wing, 1995) are available. This can be done by ensuring that the stakeholders are ready for the change and the implementation in terms of resources, identified as the prime factors that contribute to successful implementation of policy (Yin and Wing, 1995, p. 17). Policy-makers must also ensure that the time frame for implementation is appropriate and that the system is well able to meet the changes. Stakeholder readiness concerns the ability of Education officers, School administrators, teachers, students, parents and other related professionals (Cheng & Ng, 1991) to understand the objectives of the policy and the consequences of implementation. When they do not, there will be passive implementation just like in situations where PHEIs are required to teach the Compulsory Subjects and heavy-handed approach in implementing the policies.

Hence in order to achieve this equilibrium, policy-makers must invest enough time and effort in making all parties concerned interested and aware of the policy and reward smooth implementation. One way to ensure these is to encourage their participation from the very start of policy-formulation, which was identified in the earlier parts of this chapter. Statements such as “the limited category opened for foreign students to work indicates that the government merely categorise foreign students as menial workers” (Respondent A3) can be avoided if consultation had taken place at the pre-formulation stage. Where the policies are viewed as theirs, implementers will endeavour to implement them and thereby the aims become achievable.

In the current study, one of the major problems felt by all stakeholders is the lack of consideration for resources in the creation and implementation of educational policies. For example, the lack of resources to build in-campus, student housing also influences foreign students choice of PHEI. Of all three Institutions, which are the subjects of this case study, only one had a fully owned and in-campus-multi-storeyed student hostel. Thus it cannot be mere co-incidence that foreign students form almost 50% of its total student population. Another issue that is often seen as the deciding factor is
students’ choice of PHEI is the teaching faculty. Though statistics are not available, all three respondents of PHEI A indicated that there has been a major decline in the number of foreign students in the last five years. Co-incidentally, the students’ response to whether they choose the PHEI because of good teaching faculty, was answered by the majority in the negative, in comparison to the other two Institutions. Needless to say, the failure to consider situations like these before setting the goal to make Malaysia a regional hub of education is beginning to show negative signs whereby student are looking to outside Malaysia as alternatives for higher education.

Naturally, policy-makers must be aware of the change, which takes place as a result of this implementation. One of the most obvious effects is the loss of revenue to PHEIs resulting from the drop in student numbers. PHEIs are required to compete with Public Higher Institutions and new operators who are given permits to recruit. As indicated by Respondent B1, PHEI B has all the necessary facilities but has to compete with PHEIs, which are not able to meet the basic condition for recruitment (Appendix X). Yin and Wing, (1995) acknowledge three levels and these are the (a) changes in the educational system where the policy-makers must consciously consider (b) the impact on the System having in mind cost effectiveness and (c) the need to balance the different Educational System. Thus the implementation must be orderly to reach the desired results. Consistency at the various levels gives equilibrium in the implementation of policies and thus ensuring that the policy-makers are successful as is the policy. The study is able to show an example of policy that had not been successful – the policy on the teaching of the Compulsory Subjects. In many situations, students seem to view the learning of Moral or Islamic Studies as one that does not add value to their qualification. Respondent B2 states that, “students attend these because they have to and not because it is interesting or needed”.

In short, the implementation of policies must ensure that the objectives are met which is only possible with the support of the stakeholders, who in this case are the PHEIs. Thus it becomes necessary for policy-makers to have complete PHEI participation
and representation at the various levels from pre formulation to implementation. There is however another issue that must be considered in looking at policies and this is the impact of policy on students and stakeholders and this will be discussed forthwith.

5.5.4 Post Implementation

The final stage of policy analysis concerns the impact of implementation. Each policy has the capacity to cause either positive or negative or both positive and negative outcomes. For example, the policy to allow foreign students to work is positive. However, the requirement for report is burdensome and is deemed negative. Furthermore as indicated by Respondent C2, students sometimes work without notifying the PHEI concerned and thus no report is made. This is further accentuated by the lack of guidelines as to whether there is a need for students to apply for work permit. So, even though in theory policy-makers would intend a positive outcome, in reality, policy rarely leads to the exact intended impact. The problem is not just as a result of poor planning, formulation or implementation but can also be as a result of unforeseen external circumstances such as the growth of new Education exporters within the region. It is therefore important that the impact of policies be consistently reviewed to remove any policies which cause the objective not be achieved and to modify policy as required by the environment. The analysis of the impact will provide the answer on how to avoid similar outcomes in the future.

Malaysia has the advantage of being a cheaper education destination and this can be utilised for the benefit of the country by ensuring that the students’ stay is pleasant. One such move can be with the issuance of student identification as the best alternative to the policy requiring students to carry their passport at all times. Thus, in summary, the impact of the policies must be studies before the review of any existing policies or formulation of new policies can be made. In doing so, policy-makers must
ensure sufficient research is carried out and the participation of stakeholders are well utilised.
5.6 The Implications Of The Findings To The Questions Raised In The Study

The findings contributes to the Study, in that it provides the basis information needed to see whether certain policies identified in the initial stage of the literature review had indeed met the objectives that they had intended. Through the Survey Questionnaires and the Case Study Interviews, a large amount of data was accumulated and these supports the Study that the policies, both Education and Immigration had impact on the recruitment of foreign students to PHEIs in Malaysia. The impact, however, though largely is viewed positively; some had negative impact and can be deduced as contributing to the reduction in the number of foreign students in the country. Policies such as those that implement the aims of PHEIA 1996, Compulsory subjects, the requirement to carry student passports at all times and the policy requiring submission of reports for renewal of visas and working students seem to indicate negative impact.

Generally student-respondents and Case Study Interviewees feel that these policies are not beneficial. Thus a review of these policies become necessary if Malaysia wants to attain her vision of becoming the regional hub of education excellence, especially, in the light of new and renewed competition from new and traditional education exporters. The policy-makers must ensure that the advantages such as a relatively cheaper cost of living, strong multi-lingual tradition, multi-racial and multi religious environment work as an added benefit to a good system of education sustained by a set of Education and Immigration Policies which is well formulated and implemented. When this equilibrium is achieved only then can Malaysia reap the benefit of being the regional hub of education excellence and a feared competitor in the global education arena.

Finally, much has been said about the Questionnaire Survey and Case-Study Interviews and the data obtained from these exercises. In this section of this chapter,
the focus is on a critique of the research methodology used in reference to their validity and reliability.
5.7 A Brief Critique of the Research Methodology

The initial plan was to use one Questionnaire survey to PHEIs and 3 Case Study Institutions from which 9 interviews will be conducted. However, as the research enfolded, it became obvious that there is a need to have the student perspective on the policies under discussion. Thus the study then included another Questionnaire, identified as Questionnaire 2, which was forwarded to foreign students in the 3 Case Study PHEIs. The data obtained from Questionnaire 1 helped identify the potential Case Study-PHEIs, which was then contacted to obtain consent for the Interviews and the administration of Questionnaire 2. From the 4 contacted, three agreed to participate in the Study and each PHEI provided 3 names of Officers who had direct dealings with foreign students for the purposes of interviews. Though generally the interviews went on with much success, the administration of the Questionnaire 2 was not according to plan as the officers and not the researcher administered it. As a result some responses were not according to instruction as indicated and as discussed in the Chapter on Findings.

Taken together, it can be concluded here that the Case Study Interviews were able to corroborate the findings of the Questionnaire Surveys, which in turn were able to corroborate each other. For example, in the question on the Policy requiring students to carry their passports, findings from Questionnaires 1 and 2 and those of the Interviews clearly indicate that the Policy does impact albeit negatively on the recruitment of foreign student to PHEIs in Malaysia. However, there were some parts of the Questionnaire, which were best left out, for example, Questionnaire 2, (Question 12) on minimum entry requirement. At the pilot study, the suggestion was included and thought necessary. But only at the interviews was it clear that many were not aware of the existence of such requirement thus raising doubt on the findings. There may be two ways of interpreting the Question, one about the minimum requirement of the English Language and the other about the basic entry
requirement or qualification from the country of origin. The original intention was with regards to the qualification from the county of origin. This was not clearly indicated and therefore in reference to this, the Questionnaire was a failure.

The other aspect, which will add to further validate the findings and make it more reliable will be the interviews with student-respondents. A lack of this makes this paper rather biased for example with reference to the advanced payment of fees. On hindsight, it would have been better to include student interviewees to assess the findings of Questionnaire 2. This will give greater clarity in answering the question raised in this Study, i.e. impact of the Education and Immigration Policies on the recruitment of foreign students to PHEIs in Malaysia.

Nonetheless, in conclusion it can be stated for certain that the Study was a success as some answers are clear and unequivocal. Primarily the students choose to study in Malaysia because it is cheaper compared to other alternatives and that the ease of Immigration and Education procedures are deemed not the factor for the choice. Rising from these, students’ choice of PHEIs are merely a marketing factor and that students are unhappy with the recreational and accommodation indicate that some Education Policies under PHEIA, 1996 are yet to meet their objectives. Furthermore, the compulsion to study Bahasa Melayu, Moral (or Islamic Studies) and Malaysian Studies is deemed unnecessary. The necessity of academic reports for renewal and progress report on working-students is deemed merely to add to the existing red tape. Finally, the Policy requiring students to carry their passports is burdensome on the students and is deemed irrelevant. On the strength of all the above conclusions, it can be said that the research methods utilised in this adds reliability and validity to the study.
6. Conclusion

The large number of foreign students in the country especially in the last decade places Higher Education, particularly Private Higher Education in a very precarious position. The policy-makers are placed with the responsibility of ensuring that foreign students residence in the country is memorable and that qualifications obtained are of International standards. The implementation of 3+0, Twinning and External Professional Degree programmes were moves in the right direction and places Malaysia in an admirable position as a regional education exporter. Foreign students, seeking foreign qualification but are not able or unwilling to spend large amounts of money, to find this academic route. By opting to study in Malaysia, students are able to obtain a UK qualification at a fraction of the cost. This is the main reason why foreign students opt to study in Malaysia and this is supported by the findings of this Study.

The biggest beneficiary of the influx of foreign students has been PHEIs. Though the number of foreign students in the Public Institutions of Higher Learning had increased, the increase is small compared to those in the PHEIs (MITI, 2005). There are many possible reasons for this lopsided increase. The five most obvious reasons are language, recognition of qualifications, marketing strategies and the focus on Research and Development. First, most of the Undergraduate Courses are taught in the National Language at the Public Institutions of Higher Learning unlike at the Graduate levels (Ahmad and Noran, 2000). Secondly, the local qualifications (degrees awarded by the Malaysian public universities) do not have International recognition.

Thirdly, public Institutes do not market as aggressively as PHEIs and as seen from Questionnaire 2, students’ choice of PHEIs is largely influenced by their marketing strategies. Fourthly, the main thrust of the Public Institutions had always been to cater for the local Higher Education needs. For example, some Courses such as Medicine and Pharmacy are labelled as critical Courses and thus Public Institutions are not
allowed to enrol foreign students at the Undergraduate level. Fifthly, traditionally, Public Institutions have always attracted foreign students at Graduate level owing to the higher emphasis on Research and Development. At this level, the number of students enrolled is lower than those at the Undergraduate level, which is lacking in the PHEIs. These reasons, collectively contribute to the large number of foreign students at PHEIs.

The reverse is true for PHEIs, who do not provide many Graduate level qualifications because of the low student turnover, manpower, financial and physical constraints. Thus PHEIs focuses on professional and Undergraduate degree programmes, which generally attract larger number of students. Furthermore, these are often foreign professional or degree Courses, using English as the medium of instruction, - the very reason why foreign students flock to PHEIs. Furthermore, with the provision for twinning, 3+0 and the setting up of foreign campuses here, students do achieve a foreign degree. These alternatives give foreign students more choice and flexibility in following a Degree programme.

PHEIs are seen as aggressive marketers, locally and internationally, for example, at the local education fairs. It is common to see marketing officers from PHEIs busy counselling students in the hope of getting their enrolment, whilst their counter parts from the Public Institutions are merely parting with brochures. This scenario is largely contributed by the role given to the Public Higher Education industry by the state. Public Institutions are first and foremost required to cater for the National Higher Education needs. As a result, Public Institutions are highly subsidised whilst PHEIs are required to be self-sufficient. Thus recruitment exercises become a major thrust of the day-to-day activities to these Institutions with ‘student-numbers’ the operating phrase. Thus, this Study is mooted by these reasons and is justifiable.

However, in the last 12 months, there has been a decline in the registration of foreign students in the country. Though the advantages of being a cheaper alternative for
internationally recognised qualifications taught in English remain true, Malaysian Education industry is beginning to see a decline in the number of foreign students coming into the country. Students might shy away if there had been a change in the political and economic stability of the country. However, the current political climate under the leadership of Dato’ Seri Abdullah Ahmad Badawi, the Prime Minister of Malaysia, is stable and the economy is growing. Thus, the only other possible reason for a decline in foreign student registrations is customer dissatisfaction, which is influenced by the Policies, and how these have been implemented. Hence, a study of the impact of Education and Immigration Policies on the recruitment of foreign students to PHEIs is timely.

In aiming to become the regional hub of education excellence, there is a need to create a comfortable learning and living environment for foreign students. This must be done simultaneously with the need to accommodate the continued increase in demand for education from national and foreign students. Thus Educational and Immigration Policies must evolve to meet these needs and the present Study will provide some basis for review of existing Policies leading to the recommendations that some provisions be either repealed or amended or new ones enacted.

The discussion focuses on Education and Immigration Policies in two separate subheadings, which shall draw together the threads of the research to arrive at some general conclusions. This is followed by a retrospective evaluation of the research and its contribution to the field and recommendations for improving the Policies through review of statutory provisions. Finally new directions for future research are identified at the end of this Chapter.

**Education Policies**

The Education Policy under PHEIA 1996, which aims to regulate PHEIs in matters such as registration, management, supervision and control of the quality of education,
was the first to be identified in this Study. The specific issues identified were on choice of Courses, quality of the teaching faculty, marketing strategies and the quality of service provided by the International Students’ Department.

Some general conclusions can be made from the findings as discussed in the preceding chapter. In relation to marketing strategies, the findings unequivocally support that the marketing policies has great impact on the recruitment of foreign students to PHEIs. Thus, the current policies to allow agents-recruitment should be allowed, as should the Malaysian Education Road Shows such as those organised by the Ministry of International Trade and Industry (MITI). In fact, the annual award for the best education exporter needs to be continued. This title, for example, was awarded to Multimedia University Malaysia (MUM), a PHEI in 2004, for having the highest number of foreign students.

However, this Study cannot conclude whether the choice of Courses, the quality of the teaching faculty and the reputation of the International Students Services impact the recruitment of foreign students to PHEIs. This is because of the indications in the Interviews that foreign students are probably unaware of these, prior to enrolment. There is also a slight inclination that the above-mentioned policies will have greater impact on the retention of foreign students rather than on the recruitment of them. This supports the need for a new study of these policies to discover the impact of Education and Immigration Policies on the retention of foreign students.

The Second Education Policy raised in this Study concerns PHEIs permit to recruit under the Education Act 1971 (amended 1997). Currently only PHEIs with permits are allowed to recruit foreign students. Thus the question was whether all PHEIs should be allowed to recruit. Current findings suggest that present policies should be maintained, on the basis that policies are beneficial as they provide the means for the authorities to control the quality of education in PHEIs. So long as the students are sufficiently informed of the recruiting status of a PHEI, this policy does not
negatively impact recruitment of foreign students. However, there are suggestions that a policy is only as good as the enforcement. Thus there is an urgent need to ensure that this policy is well enforced so that PHEIs failing to reach the stipulated standards will be de-registered and the information disseminated effectively.

Thirdly, this Study investigated policies relating to the teaching of the Compulsory subjects, raised in The National Accreditation Board Act, 1996. The problem is whether Bahasa Melayu, Moral or Islamic Studies and Malaysian Studies, collectively known as the Compulsory Subjects were taught and studied out of compulsion, as the name suggests or do these add value to the qualifications of the foreign students. It can be concluded from the findings, though not conclusively, that these subjects are largely seen as irrelevant.

While the PHEI-respondents vary in their opinions, the student-respondents have clearly indicated that they do not think that these subjects are relevant to their qualifications. Thus it created the need to review the policy to teach the Compulsory Subjects especially to foreign students. Perhaps, these subjects should not be made compulsory but optional. In fact, the original rationale for these subjects was as a means to give education especially in the PHEIs a Malaysian identity given the fact that most of the PHEIs opt, by virtue of their alliance with foreign bodies, to use English instead of the National Language as the medium of instruction. Logically, there is no need to provide this identity to a foreign student who opts to study in the country. In conclusion, while Compulsory Subjects may best be made compulsory to local students, it should remain optional to foreign students. This move will take Malaysia a little closer in reaching the vision of becoming the regional hub of education excellence.

So, in brief, it can be concluded here that Education Policies impact on the recruitment of foreign students to PHEIs in Malaysia. The analysis of findings suggests that the aims of PHEIA 1996, in so far as it related to administration of the PHEIs, and in specific, marketing strategies and the teaching of the Compulsory
Subjects, affect recruitment of foreign students. It is possible that some Education Policies especially those concerning quality of teaching and student lodging will impact the number of foreign students in the PHEIs, not necessarily through recruitment but retention. However, the policy to allow only PHEIs with permits to recruit does not impact on the recruitment of foreign students to PHEIs in Malaysia.

Immigration Policies

The Immigration policies examined are found in The 1957 Immigration Act and its 1963 Regulations and in this Study is divided into specific and general policies. The general policies are on the application of student visas by the individual PHEIs, the need for approval from the Department of Immigration for student transfer, the need for attendance reports for renewal of visas and the provision to allow Undergraduate students to bring their family into the country during their stay.

The application of student visas, though in theory can be done by the students, the complicated and time consuming process, deters students from opting to do so. This is one firm conclusion that can be drawn from the findings of this Study. Hence, a less complicated process is required if more foreign students are encouraged to personally apply for visas. Though the findings cannot directly support the conclusion that this policy and the current practice impact the recruitment of foreign students, a logical view of the situation indicates that a simpler and quicker process will give students the option to apply for the visas directly or through the PHEIs. Where students opt to apply directly, the process becomes cheaper and the visa application fees chargeable by the PHEIs can be circumvented. At this stage, it can be concluded that there is a need to review the policy and visa application procedures.

The other policy raised, concerns the need for approval in matters of student transfer. In Malaysia, foreign students are not allowed to transfer freely from one PHEI to another. The findings of this Study, suggest that this policy should be removed as it is
detrimental to the recruitment of foreign students to PHEIs. The suggestion that this policy stops the unethical practice of ‘student-pinching’ cannot substantiate its retention. ‘Student pinching’ will thrive so long as recruitment remains an exercise of aspiration and perspiration. Aspiration of the PHEI to get more students and of the student to study at a PHEI that offers better options and perspiration of the marketing officers who convinces the student that the PHEI has what it takes and of the student who takes the initial steps to enquire.

This Study shows that the respondents generally view the attendance report for renewal of student visa as unnecessary. The rationale for this policy was to monitor foreign labourers who are taken into the country on student visas. Prior to the nationwide exercise to eradicate such practices, PHEIs-respondents felt that this policy was necessary to protect foreign students from unscrupulous operators. Today with more stringent licensing control, the policy becomes a burden more than a benefit. However, PHEI-respondents agree with this policy because, they also believe that it helps maintain a control of foreign students who are generally the responsibility of the individual PHEIs. Thus, the conclusion is not conclusive. Given the current position and conclusion, it is suggested that policy-makers should review the policy and decide only if the evidence suggests that its removal or retention will not jeopardise foreign-students recruitment. Furthermore there are other more effective ways to monitor students’ progress, such as peer support group and mentoring system (McInnis, 2003).

This is contrary to the findings relating to the policy regarding allowing undergraduate students to bring their immediate families into the country. Both PHEI-respondents and student-respondents agreed that the current distinction between Graduate and Undergraduate students is not relevant and hence the policy should be reviewed. However, whether this will impact the recruitment of foreign students to PHEIs is doubtful, as the number of students with families are far and few in between. Even though, the data from the actual survey cannot provide the necessary picture, from the Pilot study, only 1 out of 19 respondent is married.
In conclusion, the impact of the general Immigration Policies on the recruitment of foreign students cannot provide definite conclusions. The current policies on the application of student visas and the need for attendance reports for renewal indicate some form of impact and can be interpreted either way. The findings on the policy for approval in the event of transfer shows conclusive impact whilst the policy on bringing the families of Undergraduate students arguably has little impact on the recruitment of foreign students to PHEIs in Malaysia.

Specific Immigration Policies raised in the Study was in relations to the current need for students to carry their travel documents at all times. Both the PHEI-respondents and the student-respondents disagreed with the policy. Many feel that the policy places heavy burden on students, as passports can be lost or stolen. On the other hand, students can be arrested for not having a valid travel document. Thus it can be concluded that these policies greatly impact the comfort of the foreign students in Malaysia. As to the alternative of an ‘International Students’ Card’, the PHEI-respondents are in favour of such a move and there have been attempts and promises made to this effect, though nothing has materialised to date. In conclusion, these findings support the policy on travel document impacts recruitment of foreign students to PHEIs in Malaysia. Hence a review is urgent and necessary if Malaysia wants to remain competitive as global education exporters and reach the target of becoming the regional hub of education excellence.

The final set of questions on Immigration Policies was related to recent policy initiatives allowing foreign students to enter part-time employment while studying in Malaysia. The findings of the PHEI-respondents do not provide an opportunity to conclude whether this will increase the number of foreign students in the country. This is because, many PHEI-respondents who, being aware of the limitations placed on the industries within which a student is allowed to work feel that the aim of the policy is not to increase student number but rather to meet manpower needs of
industry. Student-respondents however, welcome the move and on this basis, it can be concluded that the policy should be retained as it will impact the recruitment of foreign students, albeit positively.

However, students disagreed with the need for progress reports, as did the PHEI-respondents. Many felt that there is a need to treat students as adults who are able to balance study and work. In relations to work permits, again, the findings cannot be used to reach a definitive conclusion as the responses were mixed. However, generally the findings support the need for a permit though this comes more from the PHEI-respondents, rather than student-respondents. Naturally this can be expected, as students will consider the need to apply for permits as cumbersome. Using the opinions given at the Interviews, it can, however, be concluded that there is a need for permit as it allows for greater regulation. From the Study, it is clear that there are strong claims from the PHEIs that the policy to allow students to work will increase the number of foreign students in the country whilst the peripheral policies on working students’ Progress Report and permit are viewed with some caution.

In conclusion, Immigration Policies have impacted on the recruitment of foreign students to PHEIs, as it is the first point of contact for these students. The first issue that students attend to on entry into the country is the application of student visas and if this is made difficult, the impression of the environment is tainted. This Study clearly indicates that there is a need for the procedures to be more student-friendly. This is only possible through right policies and effective implementation. On carrying of students passports at all times, this Study unequivocally establishes that there is a need for immediate change and it supports the issuance of the International Student Card, pending which the student identification provided by the individual Institutions should be sufficient. Finally this Study established that the policy to allow foreign students to work might not increase the number of foreign students, as the conditions are too restrictive. Furthermore, the requirement for Progress Report to the Immigration Department does not augment well with the students and the PHEIs.
In short, some of the Education and Immigration Policies impact on the recruitment of foreign students. In order to neutralise the negative impacts, it is necessary that the said policies be reviewed. This will include a need to look at not only the formation of the policies but also the implementation and the impact of the policies. All of these will have no effect, if the objective is not set out correctly and stakeholders’ participation is not incorporated. Thus any attempt to re-draw the policies that impact the recruitment of foreign students to PHEIs in Malaysia, must be supported with substantive research and participation from PHEIs and their representatives. On this note, the following paragraphs present a retrospective evaluation of the Research and discuss the contribution of this particular Research to the field of policies that impact recruitment of foreign students.

1. Research Evaluation and Contribution to Policy Studies

On the basis of the above conclusions, it is clear that the aims of the Research, set out in the Introduction of this Thesis are met substantially. The Study has 2 simple aims, both relating to the recruitment of foreign students to PHEIs in Malaysia. The first is to enquire into the impact of Education policies and the second the enquiry into the impact of immigration policies. Prima facie, it can be said with certainty that both Education and Immigration Policies have affected the recruitment of foreign students to PHEIs in Malaysia. These impacts can either be negative or positive. Where the impact is positive, it is clear that the policy has met the intended objective/s and should be maintained.

However, the problem lies with policies that produce negative impact, which calls for an immediate review of the policy. This review of policies requires prior analysis using an established policy framework as a yardstick of measure. This Study relies on the policy framework proposed by Yin and Wing (1995), which covered all areas of policy analysis from the pre-formulation to the post-formulation stages. The analysis
is justified as the Study concludes that the selected Education and Immigration Policies impact on the recruitment of foreign students to PHEIs in Malaysia and thus must be reviewed beginning from the stage of pre-formulation up to a review post-implementation of the impact of the Policies.

This Research reaffirms the long held theory that Malaysia is popular as an education destination because it is relatively cheap compared to other traditional Education exporters. The Research also establishes that it is not the ease of Immigration procedures nor the ease of entry into PHEIs that attracts students to Malaysia. But in reality, Malaysia cannot forever remain the cheapest education destination especially with the opening up of China and Thailand as new Higher Education destinations. With an understanding of the above tensions, the Study sets out to analyse the Education and Immigration Policies that affect foreign students to PHEIs by using the Yin and Wing framework (1995). At the end of this Chapter, possible alternatives will be provided to the policies identified as having negative impact on recruitment of foreign students.

2. Contribution to Existing Theory

In this part of the chapter, attempts shall be made to analyse the policies identified above as having negative impact on the recruitment of foreign students at the four stages of policies provided by Yin and Wing (1995). Selective and relevant examples will be used from this Study to elaborate the issued at hand.

First, the findings support the theory in policy analysis that there must be consultation with the players and persons implementing the policies even before the formation of a policy. For example, it shows that a self-managed student accommodation alone is not sufficient to meet the needs of foreign students. Though this Study was not able to provide what would be sufficient, it is clear that, had the policy-makers consulted persons directly involved with foreign students, they would have found the answer
and created a policy, which might meet the need of foreign students. The problem with this policy was also as a result of the lack of follow-up once the policy had been implemented. Had this been done, it would have been clear to the authorities that the conditions stipulated in the provision of permits alone was not sufficient to ensure that foreign students had the best possible learning and living environment.

There is also a need for policy-makers not to be highly influenced by their own beliefs and values (Kogan, 1985). The findings show that almost all respondents feel that the Compulsory Subjects are not relevant to student qualifications. As a general rule, policy-makers are required to analyse the issues in order to develop new and successful policies, which could provide the framework for good, benign and liberal practices and not just formulate policies with blinders on. Similar conclusions can be made from the issues pertaining to the need for students to carry their passports at all times. This pre-formulation stage, is closely linked to the formulation stage hence, it is important that policy-makers ensure that the objectives are well identified. There must also be minimal influence from personal values and beliefs and stakeholder should be consulted regularly to get their views on a particular issue. These are closely linked to issues of moral authority as discussed below.

Policy-makers must have moral authority in order to ensure that the policies are implemented precisely to meet the objective/s, for example, the failure of the officers to report working-foreign students. Their failure to report clearly indicates that they do not agree with the need to submit Progress Reports on working-students. Moral authority requires consultation and like that discussed above, where it did not take place policy-makers’ authority is corroded. This study was also able to show that consultation alone is not sufficient; there must be an element of interest in what the stakeholders have to say. Policy-makers must not only be seen interested but they must genuinely be interested. Thus like in the issuance of an International Student Card, the failure to produce the Card as promised even after consultation does not go well with the moral authority of the policy-makers.
If implementation of policies requires PHEIs to obey and carry out the commands promptly, automatically and without questioning, then this is achievable in the local scenario only because of the sanctions imposed by the authorities. In such a heavy-handed environment, officers often followed it only if they knew they would not be caught circumventing the policy, for example, when working-foreign students are not reported. This is a well-recognised tension in the implementation of policies and according to this Study; this top down tension exists in the current Private Higher Education scenario. Thus, when it comes to implementation, policy-makers must try as much as possible to ensure willing compliance so as to ensure that the objective of the policy is met.

The impact of the lack of resources on the implementation of policies and meeting of policy objectives can also be seen from the findings of this Study. For example, the failure of some of the policies in the Private Higher Education Institutions Act, 1996, is clearly contributed by lack of financial support to PHEIs. This Study shows that there is an urgent need for Government support in order to ensure that PHEIs reach the intended International standards. Planning the implementation is also vital to the success of the policy. Planning will include considering the time, human resources and ability of the PHEIs in implementing a policy. The policy of working students clearly indicate that the PHEIs are not ready to implement the policies as they are already over-stretched trying to meet the existing requirements concerning foreign students.

Overall, these findings collectively suggest that the authorities have not in the past studied the impact of policies, which were implemented. The conclusion demonstrates that policies such as the need to submit student attendance report for renewal had outlived its’ usefulness. To many of the Case Study PHEIs, the submission merely adds to the existing red tape. Furthermore, had policy-makers studied the impact of policies, they would have known that most PHEIs officers feel that visas should no
longer be renewed on a yearly basis but for the duration of the course and that the need for foreign students to carry their passports are all times is a burden for foreign students. If policy-makers had taken some time out to study the policies already in place before coming up with new policies and implementation these, some of the existing problems could have been avoided.

3. The Study in Retrospect

Although the Study is partly successful, there are sections, which could have been better, and the most critical one was the lack of student interviews. This, to a large extent removes the students’ ‘voice’ from the Study. In retrospect, perhaps, it would have been beneficial to conduct the Case Study Interviews with not only with management but also with student representatives at the Case Study PHEIs. Although the Interviews were very useful and provided a rounded picture, there was an absence of specific students’ views on the issues raised. Thus in the analysis of the findings not much can be said with regard to the impact of these policies on foreign students especially in the light of the title of this Thesis, which clearly emphasises on the impact of these policies on the recruitment of foreign students. However, given the limits of this Study, the lack of student interviews may not be fatal, as the students ‘voice’ in the findings was still possible with a total of 478 student respondents in the survey Questionnaire. Hence the findings are not lopsided or biased and the conclusions can be defended with much ease.

Another issue with regards to the Research will be the inclusion of the question on minimum standards. It was only at the interviews that it was clear that many officers were not aware of the requirement of minimum standards. Perhaps more correctly, the interpretation given to ‘minimum standards’ were varied. In retrospect, perhaps it would have been best to remove this question all together from the Questionnaire. Finally, this Research would have benefited tremendously with the participation of Private Universities and University Colleges and not just Private Colleges. The
selection of Case Study PHEIs was based on the list of respondents to Questionnaire 1, which was administered to 47 PHEIs including 2 University Colleges. The University Colleges declined to participate in the Study, while the other Private Universities declined to take part in the Questionnaire from the very start. The participation of these PHEIs would add value to the findings and conclusions, as these are Institutions, which have close to 50 years of joint-experience in the recruitment of foreign students.

The final issue, which posed numerous problems, was the administration of Questionnaire 2. The Officers at the individual PHEIs administered the Questionnaire and as a result only 97 students scaled Question 2 correctly as per instruction. The Questionnaire was written with the view to that it will be personally administered by the researcher, as the problem relating to Question 2 was not foreseen. Had the Questionnaire been prepared to allow for open administration, this problem could have been overcome. Hence on hindsight, for the success of a Questionnaire survey, it is important that the researcher has contingency plans so that the Questionnaire will produce the desired result.

In conclusion, despite the lack of participation from PHEIs other than Private Colleges, the flaws in the Questionnaire and the absence of student interviews, the findings of this Study may be valid and the conclusion may be reliable. This, because the findings are supported by 2 Questionnaire Surveys and 8 Interviews from 3 relatively large PHEIs which are part of the Big-12 (Tan, 2004) in Malaysia today. This, therefore, provides the basis for saying that the Study contributes to the field of Policies Study especially in connection with policies that impact the recruitment of foreign students to PHEIs in Malaysia, which shall be discussed in the following paragraph.

4. Contribution to the Study
The findings contribute to the Study, as it provides the basic information to ascertain whether certain policies identified in the initial stage of the Literature Review had indeed met the objectives that they had intended. The data from the Survey Questionnaires and the Case Study Interviews are sufficient to support the statement that Education and Immigration Policies impact the recruitment of foreign students to PHEIs in Malaysia. The impact, however, though largely positive, some had negative impact and can be deduced as contributing to the reduction in the number of foreign students in the country. This Study focused on policies pertaining to the implementation of the aims of PHEIA 1996, Compulsory Subjects, the requirement to carry student passports at all times and the Policy requiring submission of reports for renewal of visas and working students. The findings and subsequent analysis show that many of these must be reviewed.

The review of these Policies becomes necessary if Malaysia is to continue to hold to the vision of becoming a regional hub of education excellence, even more so in the light of new and renewed competition from new and traditional education exporters. Policy-makers must ensure that the existing advantages such as a relatively cheap cost of living, strong multi-lingual tradition, multi-racial and multi religious environment works as an added benefit to a good system of education sustained by a set of Education and Immigration Policies which is well-formulated and implemented. Malaysia can realise the vision of becoming a regional hub of education excellence and a feared competitor in the global education when this equilibrium is achieved.

However, this Study also leaves some questions unanswered. The most obvious of which is whether the Education and Immigration Policies impact the retention of foreign students to PHEIs in Malaysia. Apart from this, it is perhaps beneficial to look at the impact of these Policies from the foreign students’ perspective to understand to a greater extend the influence of these on their choice of education destination. Finally, this Study affirms the need for effective analysis and research on the impact of individual policies on the recruitment of foreign students to PHEIs.
The analysis is necessary in order to develop new and successful policies, which could provide the framework for good, benign and liberal practices. Like in all other areas, deliberation of policies affecting education inevitably entail political deliberations that require a

need to work positively with the grain of paradox rather than seek to eliminate it – a case of celebrating the essentially contested nature of education policy by engaging in purposefully in debates about its form, content and direction. (Boyd, 1999, p. 243)

Policy-makers must be conscious that PHEIs cannot succeed if the Education and Immigration Policies leave the industry with a handicap. Malaysian PHEIs will remain unattractive and will not be able to compete with traditional education providers. Hence, unless changes are made quickly, the opportunity to give Malaysian PHEIs International reputation will be lost and the education industry will lose its credibility in an age of rapid globalisation.

Finally in conclusion, like other social policies, educational policies are subject to an intense bureaucratic struggle, thus it is imperative that the Government move quickly to put in place an effective and rapid system for processing requests from PHEIs and students. The Government of Malaysia who had earlier declared The National Education System as the pillar to National development and progress towards the Nation Building in the 21st century was not prepared for the mushrooming of private colleges. Continuous efforts by the Ministry of Higher Education is required to improve and streamline growth through synergising and fostering joint collaboration between Public and Private Higher Learning Institutions. These efforts will elevate the status of Malaysia as a regional hub of education excellence and to make Malaysia the preferred choice of education destination. In continuing along this theme, policy-makers must realise that policies and regulations are not to control but rather to facilitate.
Hence, the foundations, i.e. the policies, towards attaining this vision must be well established and stable. Certainly a well-established framework regulating the education system must be backed by policies that support its implementation (Ministry of Education, The Development of Education, National Report of Malaysia, 2004, p. 4). To attract continuous flow of foreign students, the environment must be suitable and attractive and there must be genuine efforts and full commitment from everybody; policy-makers, PHEIs, policy-implementers, policy-enforcers and policy-beneficiaries (in this case the foreign students). Where this is achieved, the vision of becoming a regional hub of educational excellence will become a reality.