



Marginal Schools for Migrants

Exploring the lesser institutions for foreign students

By David North

Those wishing to still further expand migration to this country routinely bemoan the fact that many foreign students who study in the United States return home when their studies end.

The advocates must assume that most of these students have done well in school, as many of them do, and that they have attended serious, competent educational institutions — which, sadly, was not true for many of them.

The concept of these advocates is always that we are losing some of the “best and the brightest”. The preferred policy response is that we should staple a green card to the diplomas of aliens with advanced degrees in the high-tech fields or, for instance, that we should make it possible for H-1B workers’ spouses (usually married to former alien students) to be given automatic work permits.

Clearly there is a lot of foreign-born, U.S.-educated talent, but our current immigration laws permit many of these skilled people to stay in the United States if they want to (not always under the terms that they would choose, of course). This is particularly true at the PhD level, where retention rates are high and where many have degrees in the STEM fields of science, technology, engineering, and math.

But these alien PhDs are in the minority.

There is a large underclass of lesser foreign students, often enrolled in lesser institutions, which is too often neglected by our politicians and by their chums and supporters in industry. These students, and these marginal institutions, in turn, persist because of a combination of institutional cunning and governmental lassitude. An unknown, but presumably large, number of the students at these institutions drop into illegal status and are rarely expelled from the nation unless they commit a major crime.

In short, it makes sense to examine the non-Harvard end of the spectrum of schools for aliens.

Did you know, for example, that literally thousands of educational entities are permitted to cause the admission of foreign students *despite* the fact that they cannot secure accreditation by agencies (some pretty casual in their approach) recognized by the U.S. Department of Education?

Did you know that until quite recently the Department of Homeland Security (DHS) was permitting aliens to obtain pilot-training in entities *not* recognized by the Federal Aviation Authority despite explicit instructions to the contrary from the Congress?¹ Or that the Department of Homeland Security is currently ignoring a law passed by Congress demanding that English-language schools be accredited before they can receive foreign students?²

Did you know that there are schools, authorized by DHS, that *only* offer classes on weekends so that their foreign students can work at 9-5 jobs, off-campus, sometimes full-time from the start of their studies? (The traditional notion of the foreign student program is that it is an educational one, not yet another nonimmigrant worker program.)

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Finally, did you know that an alien (even one with minimal credentials) can buy his or her way into the nation as a government-recognized student at a tiny fraction of the fees paid to *coyotes* at the southern border?

In a society where it is obvious that the privileged are treated much better than the rest of us, I suppose it is predictable that these relatively privileged alien students can break the law at much lower cost, and at much lower risk, than the alien farm workers wading across the Rio Grande. Sadly, that has become the American Way.

In order to get a better understanding of these largely ignored problems, we at the Center for Immigration Studies took both a macro and a micro look at what we will call the marginal schools for migrants (MSMs), mostly in the private-for-profit sector.

Defining Marginal Schools for Migrants

First, a matter of definition: MSMs, despite the low standards of the education offered and their lack of accreditation are different from — to some extent at least — the out-and-out visa mills that offer no education at all and exist only to make money for the criminals operating them by selling visas to alien co-conspirators who simply want to come to this country any way they can.

I sense that there must be more visa mills operating in the United States escaping the notice of the sleepy DHS agency in charge, ICE's Student Exchange and Visitor Program, as I have noted in a series of CIS blogs in recent years.³

Perhaps it would be useful to review a hierarchy of the educational institutions working with foreign students, from the Harvards and the Stanfords on the top, to the visa mills at the bottom. MSMs stand at the second lowest step of the following ladder:

1. Research universities
2. Non-profit four-year colleges
3. Community colleges
4. Mainline, for-profit post-secondary institutions (accredited)
5. Marginal schools for migrants (always *unaccredited*, usually for-profit)
6. Visa mills

The first four tiers consist of institutions accredited by organizations recognized by the U.S. Department of Education, which is a hurdle, but in many cases, not a very serious one. The fifth tier consists of entities that have *not* managed to get over that barrier, but which are fully licensed by ICE to cause the issuance of F-1 visas.

Let me repeat an unpleasant truth: There is no need for a school licensed to accept foreign students to be accredited by anyone. Why this category exists at all is an excellent question.

All of the schools in the fourth tier, however, are not necessarily paragons of educational virtue. The Obama administration is worried, justifiably, about the quality of education offered by these for-profits and the extent to which they are subsidized by the taxpayers through Pell Grants (which are for domestic students only).

Further, being an accredited fourth-tier institution does not necessarily mean that the school is not involved in criminal violations of the immigration law. For example, two fully accredited career colleges in the New York area, Micropower Career Institute and the Institute for Health Education, were raided by ICE investigators in May of this year, and five of the key people were indicted in federal court for the practice of falsifying attendance records of foreign students (thus keeping them in apparent legal status when they had, in fact, become illegal aliens).⁴

It also should be noted that within the fifth tier are two groups of institutions that are non-profit entities that have *not* sought accreditation; these are public schools and divinity schools; both have the power to cause the issuance of F-1 visas, but are not covered by this report. Some of the theological schools, particularly the fundamentalist ones, have a strong feeling that it is wrong for any entity, particularly one identified with government, to rule on their credentials.

So our population of interest, the MSMs, consists of all the unaccredited schools that are licensed by DHS to educate foreign students, minus the public (K-12), and theological schools that also fall into this category. These are typically career colleges and English training schools and they are almost always for-profits.

They have names like these:

- ABC Beauty Academy, Inc., Flushing, N.Y.
- Above It All, Inc., Kailua-Kona, Hawaii
- Abundant Life Academy, St. George, Utah
- Academe of the Oaks, Decatur, Ga.
- Academia Language School, Honolulu, Hawaii
- Academy of Animal Arts, Inc., Largo, Fla.
- Academy of Health and Beauty, Orlando, Fla.
- Advance English Academy, San Francisco, Calif.

The chances are that the reader has heard of none of them; I had not encountered any of them until I noticed them on a list of MSMs prepared by the Center for Immigration Studies. They all are certified (by DHS)⁵ to issue the Form I-20 (which leads to the F-1 visa or the M-1 visa) and are *not* accredited by entities recognized by the U.S. Department of Education.⁶ Some of those listed above may be splendid institutions, but none are accredited.

And, as to the last one listed, were I ever-so-slightly skilled with the English language I would probably have named it “Advanced English Academy”. One of the signs of the marginality of these institutions is that they often have linguistic and other errors in their websites, sometimes whoppers.⁷

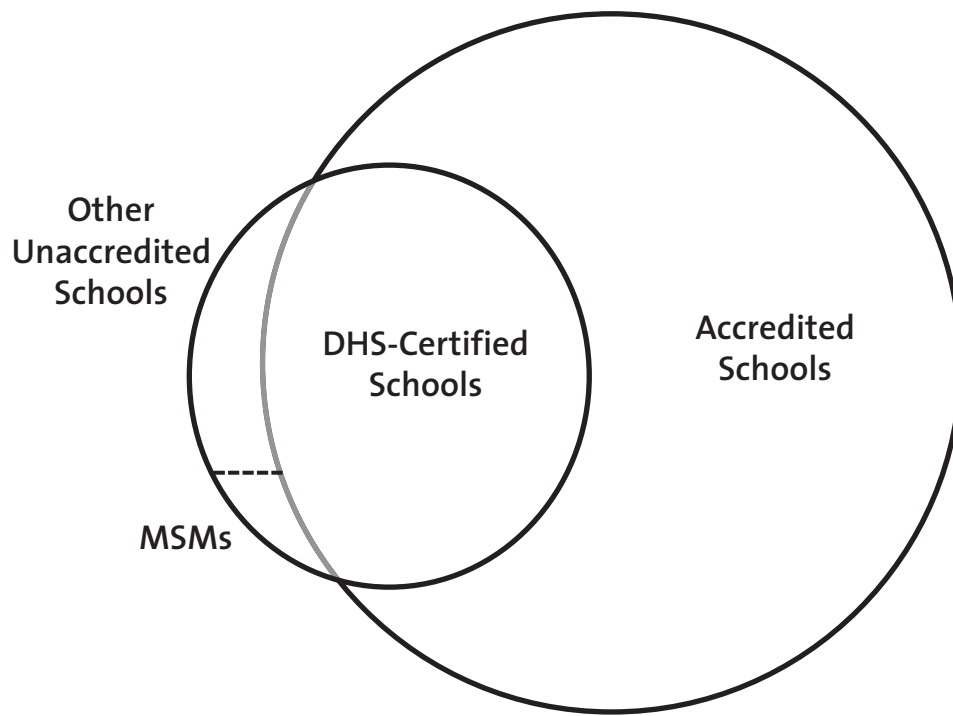
The majority of these entities are involved with F student visas, which are for academic students (defined broadly); a minority deal with vocational students who have M visas. (Seminary students, for reasons I do not understand, also have M-visas.)

In terms of numbers, we know that there are 36,813 institutions accredited by DOE-accepted agencies⁸ and there are 16,116 institutions that DHS has licensed to facilitate the entrance of foreign students.⁹ When these two lists are overlaid on each other, there are some 3,600 that are on the DHS list, but not the DoE one, i.e., licensed but *not* accredited. We estimate, based on a sampling operation, that about three-quarters of the 3,600 are either K-12 institutions or theological seminaries. Subtracting those 2,700 out leaves 900 or so in our MSM category.

Approximately 900 schools, collectively, can admit a lot of foreign students and there is clearly not the slightest assurance that they will secure a useful education. One worries about the extent to which students do not, in fact, continue with the lackluster educations that they are experiencing and drop out and fall into illegal status. Or, alternatively, secure the visa, enter the United States, and never even begin to go to school.

It should be noted that while there are numerous — too numerous — MSMs, they are only a tiny fraction of the universe of American educational institutions, as Figure 1 suggests. It should not be too difficult to bring them up to standards or to terminate their power to create F-1 and M-1 visas.

Figure 1. Marginal Schools for Migrants, While Numerous, Are a Tiny Segment of the U.S. Educational System



Source: Center for Immigration Studies, Washington, D.C.

Note: The data and estimation sources relating to the sizes of the four segments shown above are described in the text.

In order to get a better idea of how these lesser educational institutions operate, and to secure a sense of the financial investments made in them by the foreign students, I visited three of them in the state where I live, Virginia. I see no need to name the places in this report, but should any government official be interested, I will pass along the identifications.

In the course of these visits I compared the three institutions to what was clearly a visa mill, also operating in my state, that I had visited several times in the recent past. The University of Northern Virginia was run out of the English basement of a third-rate office building in Annandale, Va., about a dozen miles south of the White House, and which I wrote about earlier.¹⁰ UNVA has since been put out of action by Virginia's cautious state government and, after that happened, the even sleepier DHS agency, SEVP, in a highly unusual act, denied it the right to issue the I-20 form. An effort to re-open UNVA in South Dakota, another state with relaxed requirements, apparently has not worked. Despite these setbacks there still is a website for the place, albeit a dated one.¹¹

Three Specific MSMs

The entities I visited had the following in common:

- All three were authorized by SEVP to admit foreign students;
- None had secured accreditation from a DOE-recognized agency;

- All three were certified by the State Council of Higher Education for Virginia (SCHEV);
- Two of the three had not met the accreditation deadlines set by SCHEV's own regulations; and
- All three were open for business.

Further, all three were located in office suites in new or fairly new buildings in the Virginia suburbs of Washington; were in pleasant physical environments; and had active websites. They all looked much more prosperous than UNVA. Were the three of them investing more in chrome than in curriculum? Possibly.

All were visited on weekdays in June, and in no instance was there evidence of classes in session when I arrived, though all had some classrooms and there were a bevy of computers in each. Most significantly, all are in the business of welcoming foreign students and all make it possible for a newly admitted foreign student to secure a visa and come to the United States at a remarkably low (initial) cost, a topic we will cover later. The financial burden of that alien *staying legal* because of his or her enrollment is another matter.

All three are subject to the rules of SCHEV, and to that agency's often relaxed interpretations of its own regulations. Those rules stipulate:

*In order to remain eligible for certification, the post-secondary school must secure, at a minimum candidacy status [toward accreditation] or equivalent within three years of its initial date of certification, and initial accreditation no later than six years after initial certification.*¹²

Despite all these similarities, there were significant differences among the trio in their academic offerings and in their likelihood of survival. I visited all of them saying that I was doing a little comparison shopping for my great-nephew, an Australian citizen looking for a student visa to come to the United States.

MSM #1. This entity is said to have opened in 2010. It offers 14 different programs at five different levels, from a certificate through associate's, bachelor's, and master's degrees to an "advanced graduate specialist degree". These programs are generally in accounting, business administration, and computer information systems. There is also a certificate in paralegal studies on offer.

A newspaper article in 2013 said that it took on some of the former UNVA students when the latter entity was finally closed. The article also said that it had, at the time, only eight F-1 students. A series of on-line reviews by students were largely negative in tone and of borderline literacy.

As one walks into the office building where it is housed, the reception area and the offices are on the first floor and the classrooms are on another floor, a physical layout much like UNVA and the other MSMs visited. After talking to a receptionist/admissions person, I went to the classrooms and found the doors to the three or four small rooms open, but no one inside. That was the case with MSM#2, as well. I did not get to see any classrooms at MSM#3.

One may think about a school as being in a building, or a set of them, all devoted to the school. That was not the case with any of these three, or UNVA.

MSM#1 is an F-1 visa operation, and thus has full access to both the Curricular Practical Training (CPT) and the Optional Practical Training (OPT) programs, which are authorized by DHS.¹³ CPT, at the graduate level, can offer immediate off-campus employment opportunities for the newly arrived foreign student. These jobs are supposed to relate to, and complement, the course of instruction, with the school being the entity that decides whether this is the case.

OPT is a DHS-sponsored program for former foreign students and it allows 12 months full-time, post-degree employment for all foreign students and 29 months of it for those who have been in the STEM fields. MSM#1's degree programs presumably carry with them the OPT provisions, with the IT curriculum leading to the full 29 months of employment eligibility.

Accreditation. My sense is that MSM#1 is in more danger than the other two on this score. This spring it was denied initial accreditation by the entity, the Accrediting Council for Independent Colleges and Schools (ACICS), that might have given it a green light. MSM#1 has appealed the ruling and SCHEV, according to spokesperson Kirsten Nelson, is pending action until

it learns more about the situation. ACICS' similar decision to deny accreditation to UNVA led — years after the event — to SCHEV's decision to close that institution.

MSM #2. This is a M-visa school that has a single curriculum, a 72-credit-hour certificate in computer information systems (CIS). It is a successor to STMC Training Institute, which was started in 1992. It struck me as the most solid of the trio.

While the physical quarters appear attractive, its website is less than forthcoming on such matters as class schedules and the time needed to complete the certificate. The website section entitled “calendar”, for example, shows the month of June 2014. No classes, nothing, just the days of the month.

The website, as many such do, has many photos of attractive women, but in this case one of the stunning ladies in the pictures is actually the person you meet as you enter the office.

A substantial part of the website is set aside for matters of interest to international students, but the fact of the M-visa, rather than the F-visa, must discourage some would-be alien students because of the terms of the CPT and OPT programs, which permit much less student employment than programs involving the F-1 visa.

Accreditation. This entity is unlike the other two in that it has been around for many years, but does not grant degrees — only a certificate in computer science — and, as such, does not need accreditation in the eyes of SCHEV. It is seeking accreditation as a degree-granting institution, and has some months to secure it, but in the meantime it is not granting degrees.

MSM #3. This is an F-1 institution and provides nothing but master's degree-level programs in computer science, information technology, and business administration. The university has a detailed 72-page catalogue, full descriptions of the academic programs, and a calendar that records the start and the end of classes.

On the other hand, some of its faculty and leadership have had connections in the past with tier four academic institutions — two faculty members have graduate degrees from private-for-profit institutions and two others have degrees from Washington's now-closed Southeastern University, which was de-accredited a few years ago.

Further, this entity turns the usual Monday through Friday schedule totally on its head. Virtually all of the classes are held on Saturday and Sunday. This, together with the fact that a graduate program allows full-time work on the CPT basis from the first day of school, makes all the students available for full-time, 9-5 employment.

So this is an institution for part-timers — both the students and the faculty come to school on weekends, and presumably work elsewhere during the week.

Many of the on-line reviews of this school were negative, with one pointing out that students could get CPT employment “from day one”.

Accreditation. Perhaps the most interesting up-and-down-and-back-up-again story about credentialing applies to this institution. According to Ms. Nelson of SCHEV:

[MSM#3] opened 3/9/2009, was supposed to be a candidate for accreditation by 3/10/2012. On August 19, 2013, SCHEV issued a letter of revocation. [MSM#3] appealed it and requested an informal fact-finding conference. The conference was held on October 7, 2013, and [the school] presented proof that it was currently in the process of accreditation. SCHEV gave the school until 1/31/2014 to achieve candidacy. ACICS notified the school of approval to proceed (equivalent to candidacy) on November 25, 2013. On 2/26/2014, SCHEV informed [the school] it must be fully accredited by 3/10/2015 or SCHEV will begin the process of revocation once again.

Note the glacial pace of the state agency. It took it a year and a half, from March 2012 until August 2013, for it to issue the letter of revocation. Currently, the school has until 3/10/2015 to reach the next level — and then what happens? Is it closed if it fails to meet the deadline? No, then the agency “will begin the process of revocation once again”.

When I visited the school in question and asked about the schools credentials, one of the owners proudly told me “[T]ell your nephew that by the time he arrives we will have a ‘dot EDU’ after our name.” Apparently MSM#3 is about to get full accreditation and the ability to use .edu in its website address comes with it.

I will say this for Virginia — eventually it pays attention to the question of accreditation, unlike SEVP of DHS, but only eventually.

The Cost of Getting a Student Visa

While these are three quite different institutions, if all currently unaccredited, they had something else in common: They all offered foreign students a nonimmigrant visa for a very small, up-front payment.

Bear in mind as I discuss these minimal costs that, in contrast, the going price for help with the passage to the United States by a Central American *coyote* is \$5,000, according to my southern-border savvy colleague Jerry Kammer.¹⁴

All would-be foreign students, be they admitted to Stanford or to one of the MSMs, have to pay two federal fees: \$160 to the State Department and \$200 to DHS in connection with the I-20 document, for a total of \$360.

The non-refundable up-front fees for the three MSMS, in addition to the \$360, are as follows:

1. \$40
2. \$200
3. \$100

It is only *after* the alien student arrives in the United States that the first tuition payment is required and other fees start to pile up.

So, for a grand total of \$400, plus airfare, an alien student accepted at MSM#1 secures a visa, gets through the port of entry, and arrives in the United States. Costs would mount swiftly if the alien opts to attend the institution that admitted him, but entry fees at all three are a screaming bargain. Were the *coyotes* organized as a union, they would yell bloody murder at this competition.

While I am not carrying a brief for the fourth and fifth tiers of schools for foreign students, it might be in the public interest if they were to insist on a tuition down-payment before issuing the I-20.

Getting back to the admissions process: My suspicion is that getting the I-20 from one of the MSMs, generally, is pretty easy. These are for-profit entities and every paying student adds to the bottom line. Then, in sequence, there are two other barriers, one significant, and the other less so.

The first of these is the granting of the visa by a consular officer. As we noted in an earlier CIS study,¹⁵ one of every 5.5 applications for a student visa is rejected by a consular officer; very few visa categories are scrutinized as closely (those are for tourists and temporary, unskilled non-farm workers). So that process is, in fact, an obstacle.

The next step is that the alien heading for an MSM, visa in hand, goes through an inspection at the airport. Rejections at this stage are highly unlikely.

In conclusion, one of the easiest, safest, and cheapest ways to get into the country illegally is by getting admitted to one of these marginal schools, coming to the United States on a student visa, and then simply ignoring the institution that made the trip possible. One way to slow this particular form of illegal entrance is to simply cut back on the number of the institutions that are allowed to issue the Form I-20.

Much work along these lines could be done without the need for legislation, but it is doubtful that the administration is interested in such a reform.

End Notes

¹ See David North, [“Foreign Students Can Still Attend Flight Schools Not Authorized by FAA”](#), Center for Immigration Studies blog, January 3, 2013.

² See David North, [“ICE is Too Nice to the Dregs of the F-1 Issuing Schools”](#), Center for Immigration Studies blog, January 10, 2014.

³ See David North, [“Migration Enforcement Agency Discourages Funds for its Own Work”](#), *CIS Background*, January 2013.

⁴ [“Five Individuals Charged in Manhattan Federal Court With Participating in Student Visa and Financial Aid Fraud Scheme”](#), press release, U.S. Attorney for the Southern District of New York, May 29, 2014.

⁵ See the DHS listing [“Study in the States”](#).

⁶ See the DoE listing [“The Database of Accredited Postsecondary Institutions and Programs”](#).

⁷ For an example of an inept, inaccurate, and illiterate website of this kind, see this one formerly on the website of [Herguan University](#). It has since been scrubbed from the institution’s pages.

⁸ See end note 6.

⁹ See end note 5.

¹⁰ See David North, [“Virginia, Not ICE, Closes Suspect University of Northern Virginia”](#), Center for Immigration Studies blog, July 18, 2013.

¹¹ See the University of Northern Virginia [website](#).

¹² See the [SCHEV regulations](#), p. 37.

¹³ For a program description, see this [ICE document](#).

¹⁴ See Jerry Kammer, [“The News from Honduras: Smugglers Cash in by Spreading Word of Amnesty”](#), Center for Immigration Studies blog, June 17, 2014.

¹⁵ See David North, [“Some Visa Categories are More Vulnerable Than Others”](#), *CIS Background*, January 2012.