



**School of  
Public Policy**



**MASTER OF PUBLIC POLICY  
CAPSTONE PROJECT**

**Regulating the Recruitment: Addressing Unethical Practices of  
Education Agents in Canadian Post-Secondary Institutions**

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**School of  
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## Capstone Approval Page

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# Table of contents

<i>Executive Summary</i> .....	5
<b>1. Introduction</b> .....	6
1.1. <i>Overview</i> .....	6
1.2. <i>Statement of Problem</i> .....	6
1.3. <i>Theoretical Framework</i> .....	8
<b>2. Methodology</b> .....	8
2.1. <i>Research Design</i> .....	8
2.2. <i>Research Questions</i> .....	10
2.3. <i>Objectives</i> .....	10
<b>3. Literature Review</b> .....	11
3.1. <i>International Education Market</i> .....	11
<b>Figure 1: Conceptual Model of International Student Market</b> .....	12
3.2. <i>Factors Influence International Students' Choices</i> .....	12
3.3. <i>Education Agents</i> .....	13
3.4. <i>Unethical Agent Practices</i> .....	15
3.5. <i>Vulnerability of International Students</i> .....	16
3.6. <i>Monitoring Framework</i> .....	18
<b>Table 1: Common Monitoring Tools for Education Agents</b> .....	20
<b>Table 2: Best Practices for Regulating Education Agents</b> .....	21
<b>4. Discussion</b> .....	23
<b>5. Limitations</b> .....	25
<b>6. Recommendations</b> .....	26
<b>7. Concluding Thoughts</b> .....	28
<b>Appendix I</b> .....	29
<i>Sec. 91., Immigration and Refugee Protection Act (S.C. 2001, c. 27)</i> .....	29
<b>Appendix II</b> .....	33
<i>Excerpts of the Statement of Principles for the Ethical Recruitment of International Students by Education Agents and Consultants</i> .....	33
<i>(To be known as the London Statement)</i> .....	33
<b>References</b> .....	35

## **Executive Summary**

This capstone examines the critical role and oversight of education agents in recruiting international students to Canadian post-secondary institutions (PSIs). Using the concept of academic capitalism, this study highlights a shift in PSIs' priorities from educational value to financial gain, predominately driven by decreased government funding and expressed in the overreliance on international student tuition to subsidize an underfunded post-secondary system. Consequently, international students are treated as lucrative commodities, making them vulnerable to exploitation by unscrupulous education agents.

Emerging as powerful market facilitators, education agents connect prospective international students with institutions that best align with their academic goals and aspirations. However, a lack of regulation and transparency in these agents' practices has led to significant ethical concerns and the exploitation of international students. This capstone identifies three key factors contributing to unethical practices by education agents: lack of transparency, insufficient regulation and oversight, and inadequate student protection.

To address these issues, the capstone proposes a multifaceted approach with three key recommendations: (1) establishing a national code of conduct for active monitoring, (2) increasing transparency through publicized lists of accredited and rogue agents, and (3) enhancing protection through feedback and reporting mechanisms. These measures aim to safeguard the interests of international students and maintain the integrity of Canada's education system.

# **1. Introduction**

## ***1.1. Overview***

The internationalization of higher education has emerged as a strategic tool for international student recruitment (ISR) and continues to gain momentum over recent years (ICEF Monitor 2023; Tran et al. 2023, 1033). A significant aspect of this trend is the dramatic increase in international student enrollment in Canadian post-secondary education (PSE) (Gou and Chase 2011, 305). Over the last ten years, the number of international students enrolled in Canadian public post-secondary institutions (PSIs) has more than doubled, rising from 142,200 in 2010/2011 to 388,800 in 2019/2020 (Statistics Canada 2024). During this period, their share of total post-secondary student enrollments increased from 7% to 18% (Statistics Canada 2024).

International students are regarded as a vital source of revenue and human capital replenishment, significantly contributing to Canada's economic growth (Global Affairs Canada 2019; ICEF Monitor 2024). In 2022, the combined direct and indirect GDP contributions from all student expenditures amounted to CDN\$30.9 billion (ICEF Monitor 2024). This economic impact surpasses that of many Canadian export categories and supports 361,230 jobs across the country (ICEF Monitor 2024). Recognizing the substantial benefits of the international student market, Canadian PSIs and the federal/ provincial governments work together to enhance international student enrollments (Xu 2020, 2; Global Affairs Canada 2019).

## ***1.2. Statement of Problem***

As the international education sector becomes increasingly competitive, PSIs engage in strategic recruitment of international students while students make strategic decisions to enhance their chances of admission to their preferred institutions or provincial jurisdictions (Global Affairs

Canada 2023; Xu 2020, 3). A key player in the recruitment process is the education agent—education agencies, college admission advisors, counsellors, consultants, or third-party recruiters (Xu 2020, 3). Whether working independently or with organizations, these agents play a significant role in influencing international students' decisions and assisting them throughout the study abroad process (Roy 2017; Xu 2020, 3). However, issues arise when education agents put their own interests over their clients, making the use of education agents controversial (Xu 2020, 3; Tian 2017, 6).

Since the COVID-19 pandemic, there has been a significant increase in the number of articles focusing on the international student experience in Canada, bringing public attention to the issue of international student exploitation committed by unregulated education agents. In 2023, a high-profile case involving approximately 700 international students from India received extensive coverage after it was revealed that their college admission letters had been forged by an unregulated education agent in India (Canada 2023a). More recently, an international student from Nigeria faced deportation when her university acceptance letter, which had been the basis for her legal entry to Canada in 2016, was also found to be fake and forged by an unscrupulous education agent (Luck 2024). Although these cases are just a few examples, the intensified scrutiny of international students' roles and experiences in Canadian society has underscored the critical issue of unregulated education agents and their involvement in exploitation in international student recruitment (Global Affairs Canada 2023). Likewise, the increased reliance on education agents for international student recruitment has significantly exacerbated predatory and unethical recruitment practices targeting prospective international students (Global Affairs Canada 2019; 2023; James 2022, 511).

On January 24, 2024, Immigration, Refugees, and Citizenship Minister Marc Miller announced that the Government of Canada would implement an intake cap on international student permit applications as a measure to address the growing concerns over the increasing incidents of exploitation and abuse of international students by “bad actors” within the higher education sector (Immigration, Refugees, and Citizenship 2024a). The exploitation of international students by unregulated education agents thus poses a direct risk to student welfare and the reputation of Canada’s higher education sector.

### ***1.3. Theoretical Framework***

To thoroughly examine the impact of unethical agent practices on international student recruitment, this capstone project leverages the concept of academic capitalism. Slaughter and Leslie (2001, 154) defined ‘academic capitalism’ as the way “public research universities were responding to neoliberal tendencies to treat higher education policy as a subset of economic policy.” In other words, academic capitalism describes the transition of the post-secondary education sector from traditional academic values towards market-driven activities (Shanahan 2008, 132).

## **2. Methodology**

### ***2.1. Research Design***

Existing literature on education agent management is scarce, with existing research and government-commissioned reports primarily focusing on the monitoring capabilities of education providers and the application of control techniques within regulatory frameworks (Nikula and Kivistö 2020, 213). Given the fragmented nature of research in this area, this literature review systematically examines web content, documentation, and relevant literature on monitoring

education agents in ISR at the national level using Google Scholar and the University of Calgary Library search engine and database.

Snyder (2019, 333) described literature review as a qualitative research method involving a systematic approach to collecting and synthesizing previous research. This method facilitates knowledge development by creating guidelines for policy and practice, providing evidence of effects, and offering new ideas and directions for a particular field (Snyder 2019, 339). Thus, the goal of this capstone's review is to identify key themes, gaps in the current understanding, and recommendations for improving practices related to education agent management in ISR in Canada (Snyder 2019, 336).

The search strategy for the literature review conducted here involved utilizing key terms related to "education agents," "international student recruitment," "international student exploitation," "unethical recruitment practices," and "monitoring frameworks" across various online sources. References from retrieved documents were extensively scanned to uncover additional relevant sources (Nikula and Kivistö 2020, 216). Specific terms such as "regulation of education agents," "ethical practices in student recruitment," "agent misconduct," "recruitment fraud," and "higher education sector oversight" were also included to refine the search and target best practice guidelines.

To ensure the relevance and applicability of the capstone, search parameters were narrowed to focus on Canada and other countries with robust international education sectors, including Australia, and the United Kingdom. Literature published more than two decades ago was excluded to ensure the inclusion of the most current and relevant practices (Nikula and Kivistö 2020, 216). This approach aimed to gather various documents, including master and doctoral dissertations, government-commissioned reports, existing control practices by post-secondary institutions, and

examples of monitoring techniques from these case countries. The scope of this review does not intend to be exhaustive of all practices or a comprehensive list of every available document on the topic. Instead, it focuses on a representative selection of sources that provide valuable insights into the management and regulation of education agents and their impact on international student recruitment. Once the documents were collected, they were systematically reviewed and analyzed.

## ***2.2. Research Questions***

In light of the research gap regarding the exploitation of international students and the role of education agents in the Canadian context, this capstone is guided by the following research questions:

1. What are the key factors that influence the prevalence and role of education agents in the recruitment of international students to Canadian post-secondary institutions?
2. How do the principles of academic capitalism and the absence of a regulatory framework impact the ethical practices of education agents and the experiences of international students in Canada?

## ***2.3. Objectives***

The primary objective of this capstone project is to comprehensively examine the role and impact of education agents in the recruitment of international students to Canadian post-secondary institutions. Specifically, this study aims to review and analyze the key factors that influence the prevalence and engagement of education agents, including the motivations of both institutions and students. Additionally, the project seeks to investigate how the principles of academic capitalism and the absence of a robust regulatory framework affect the ethical practices of education agents, highlighting how market-driven motives contribute to unethical behaviours and exploitation in the international student recruitment process. Finally, the project aims to synthesize these findings to

propose strategies for enhancing the monitoring and regulation of education agents at a national level.

### **3. Literature Review**

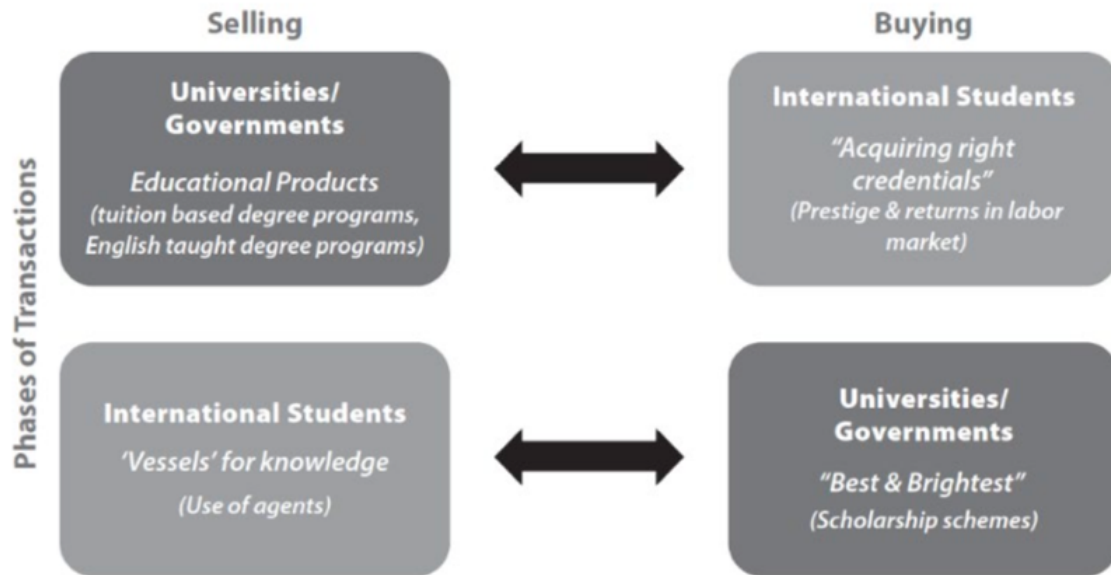
#### ***3.1. International Education Market***

Although the marketization of post-secondary education (PSE) is not a new development, it is argued that this trend accelerated following the economic crisis of 2008, when the post-secondary education sector endured reduced government support (Choudaha 2017, 827). In the Canadian context, Shanahan (2008, 133) found that changes in post-secondary education funding policies with labour market ties, the emergence of new commercialization initiatives, the pursuit of external funding, and the aggressive recruitment of fee-paying international students are strong indicators of how academic capitalism has manifested within the post-secondary education sector.

In pursuing profit-producing activities, the internationalization of higher education, under the guise of commercialization, becomes a lucrative venture for PSIs to expand their resources, predominantly through the commodification of knowledge (Shanahan 2008, 134; Weber et al. 2023, 2). As a result, many PSIs compete to enroll as many students as possible, particularly international students to increase their revenue, offsetting the decline in governmental financial support (Weber et al. 2023, 3). These factors combined further fundamentally reshaped the student-PSI roles in this capitalist-influenced international education market.

In this conceptualization of the international education context, PSIs and students subsequently assumed the role of buyers/consumers and sellers (Xu 2020, 22). It is important to note that these roles are interchangeable as the relationship between students and PSIs evolves (Figure 1):

**Figure 1: Conceptual Model of International Student Market**



Source: Xu (2020, 22)

### ***3.2. Factors Influence International Students' Choices***

Under the academic capitalism framework, competition between PSIs is seen as desirable as it presumably drives up the quality of education provided to attract more students (Shanahan 2008, 134; Weber et al. 2023, 3). As competition between PSIs intensifies, several 'pull' factors influence international students' decisions in selecting a host country. Mazzarol and Soutar (2002, 83) identified the overall level of knowledge and awareness of the host country in the student's home country, including the destination's reputation for quality and the recognition of its qualifications, as significant factors in the decision-making process. The Canadian Bureau for International Education's 2021 Annual International Student Survey, with a sample size of 41,000

students, found that 70% of respondents indicated reputation is a deciding factor for whether to pursue PSE in Canada (Canadian Bureau for International Education 2021, 10).

Another critical factor is the level of referrals or personal recommendations the study destination receives from parents, relatives, friends, and other “gatekeepers” before making the final decision (Mazzarol and Soutar 2002, 83). According to the Canadian Bureau for International Education survey, students ranked the three most-valued resources in helping them choose their institution as institutional websites, personal recommendations, and institution ranking websites or publications (Canadian Bureau for International Education 2021, 4). Government websites from the home country and Canada were not valued as informational resources (Canadian Bureau for International Education 2021, 4). Notably, information from recruitment agents was not identified as a top resource (Canadian Bureau for International Education 2021, 4).

### ***3.3. Education Agents***

Though not always included in the conceptualization of the international student market, education agents hold a powerful position that can sometimes override the best interests of the other two parties (Xu 2020, 24). As market facilitators, education agents connect the supply (PSIs) with the demand (international students) (Xu & Miller 2021, 19). Similar to how international students strategically consider factors when pursuing Canadian PSE, education agents also vary their behaviour based on whose benefit they prioritize and the regulations they operate within (Xu 2020, 24).

Education agents employ diverse business models (Roy 2017). They might be contracted and commissioned by specific institutions or operate independently without university affiliation (Roy 2017). Some agents run local boutique operations, while others are part of national or international chains (Roy 2017). Additionally, some agents subcontract with “super agents,” who

have contractual agreements with individual institutions and hire local operators to recruit on their behalf (Roy 2017). With aggregators acting as middlemen, agents and institutions no longer have a direct contractual relationship (Global Affairs Canada 2023). As a result, agents now charge prospective students “advising” fees—a practice previously discouraged by most institutions (Global Affairs Canada 2023).

For PSIs, education agents are employed for three primary reasons. First, agents provide an efficient, cost-effective way for institutions to recruit students when they lack the time, resources, or expertise to do so themselves (Coffey and Perry 2013, 23). Agents’ local presence and knowledge make it feasible for them to reach students in specific markets that are otherwise inaccessible (Coffey and Perry 2013, 23). Second, institutions believe that not using agents would put them at a competitive disadvantage compared to other top destination countries like the United States, where students often pay the agents themselves instead of the institutions and still yield students (Coffey and Perry 2013, 23). This competitive pressure extends to peer Canadian institutions, as colleges and universities vie for attention from both students and agents. Third, institutions use agents in response to student preferences (Coffey and Perry 2013, 23). Students and their families often feel more comfortable working with local agents who have a good understanding of the application process, speak their language, and provide culturally appropriate guidance (Coffey and Perry 2013, 23). Beyond their direct market impact, education agents also serve as cultural mediators, playing a crucial role in bridging the gap between admission requirements and applicants by helping students present their competencies in a foreign context (Xu & Miller 2021, 19).

### ***3.4. Unethical Agent Practices***

Nikula and Kivistö (2020, 215) found that “unethical” agent practices constitute a breach of interest, meaning agents engage in unethical conduct when their interests precede their clients. Under the context of academic capitalism, these unethical practices are amplified as education agents prioritize profit over student welfare, often leading to significant ethical violations (Slaughter and Leslie 1997, 17).

While vastly underreported, research has documented instances of unethical agent practices and categorized them based on the level and degree of interest breach committed by education agents (Nikula and Kivistö 2020, 214; Xu and Miller 2021, 19). Examples of unethical practices targeting international students include mis/disinformation, financial and documentation fraud, double-dipping without consent, limited transparency, and other unprofessional behaviors such as unfriendliness, pushiness, delays, and limited confidentiality of information. Likewise, in June 2017, the Standing Committee on Citizenship and Immigration (CIMM) published a report titled *Starting Again: Improving Government Oversight of Immigration Consultants* (hereinafter, the 2017 CIMM Report) in response to growing concerns within the consultant industry (Canada 2027, 3; Public Works and Government Services Canada 2022). The 2017 CIMM’s study highlighted numerous instances of misconduct by both authorized and unauthorized consultants, including fraud, forging signatures, exorbitant fees, misleading clients with false promises, and failure to provide services (Canada 2017, 14; Public Works and Government Services Canada 2022).

One of the most common issues found is documentation forgery, including school and visa applications (Xu 2020, 42; Yu 2016, 13). Yu (2016, 5) cited a 2010 Zinch China report which stated that “90% of all Chinese students’ recommendation letters, 70% of application essays, and

50% of transcripts were composed by their study abroad agents,” highlighting the extent of fraudulent misrepresentation committed by education agents.

The prevalence of double-dipping, where agents receive commissions from both the student and the educational institution without the knowledge of either party, exacerbates the problem (Marom 2023, 130). Roy's (2017) study with 5,880 participants found that 23% used agent services, with 70% reporting the use of independent agents while only 16% reported using institution-sponsored agents. Among those who used institution-sponsored agents, two-thirds paid the agents for their services, illustrating the double-dipping problem as the agents were paid by the PSIs (Roy 2017). Roy's (2017) research further highlighted the disparity of concerns over the employment of independent agents versus institution-sponsored ones. Overall, students who engaged with independent agents were more concerned with quality control due to untimely feedback, unclear fee structures, and misrepresented information. In contrast, those who used sponsored agents worried more about conflicts of interest, such as “unrealistic expectations about on-campus jobs and/or scholarship opportunities” (Roy 2017). The lack of transparency regarding commissions further raises concerns, as it is unclear whether agents always disclose these commissions to their student clients (Roy 2017). This issue can lead to profit-seeking behaviours that prioritize agents' financial gain over students' welfare, ultimately damaging the reputation of PSIs (Coffey and Perry 2013, 3).

### ***3.5. Vulnerability of International Students***

Although limited, there is a growing body of literature that explores the vulnerability and experiences of international students within the interactions among students, agents, and post-secondary institutions (PSIs) (Robison 2007, 50; Ploner 2015, 426; Deauchar 2022, 506; El Masri and Khan 2022, 22). International students are uniquely vulnerable due to several factors. Their

lack of familiarity with the host country's education system, legal regulations, and cultural norms makes them susceptible to exploitation (Xu 2020, 45). Unethical education agents exploit these vulnerabilities, often taking advantage of students' trust and desperation to secure a place in a foreign institution (Xu 2020, 46).

Robison (2007, 61) revealed that students were vulnerable due to their limited control over the application process when dealing with agents. Many international students and their families trust agents to navigate the complex application processes, including visa applications and admissions procedures. This trust can lead to situations where unscrupulous agents provide missing or false information to students (Robison 2007, 61). Robison (2007, 62) found that the unbalanced power dynamics between students and agents allow agents to exert authority over international students, rendering them "powerless" in the student-agent relationship and making them vulnerable to exploitation and unethical practices. The 2017 CIMM Report also identified immigrants with "precarious" immigration status, such as international students, are particularly vulnerable to exploitation (Canada 2017, 14). Language barriers and limited knowledge of the immigration system further increased their reliance on consultants, thus elevating their risk of being exploited (Public Works and Government Services Canada 2022).

Liu's (2024, 311) study further highlighted that international students who began their Canadian post-secondary education as minors often face significant exploitation and potential mistreatment from recruitment agencies. The combination of trust in agents, lack of familiarity with the host country's systems, and the potential for exploitation creates a precarious situation for international students in their dynamic relationship with education agents.

### ***3.6. Monitoring Framework***

The administration of the International Student Program is a shared responsibility between Immigration, Refugees and Citizenship Canada (IRCC) and the provincial/territorial governments (Public Works and Government Services Canada 2024). The IRCC is specifically responsible for setting policies regarding the entry of international students, establishing the conditions that study permit holders must meet while in Canada, and deciding whether a study permit should be issued to an applicant (Public Works and Government Services Canada 2024). Given its role in assessing international students' eligibility, the IRCC provides frameworks to protect prospective international students from unethical recruitment practices pre-landing.

Section 91 of the *Immigration and Refugee Protection Act* (2001) (see Appendix I) provides protections against charging service fees. Specifically, this section permits only accredited immigration representatives to charge fees for representing or providing advice on Canada's immigration process, making it illegal for any education agent without this accreditation to offer direct immigration advice to prospective international students (Global Affairs Canada 2023).

Despite growing concerns regarding unethical education practices, there is currently no federal regulatory framework for education agents (Global Affairs Canada 2023). There is neither an accreditation system nor formal endorsement for any education agents, and no legislation, policy, or guidelines dictate how institutions can work with them (Global Affairs Canada 2023).

Following the 2017 CIMM Report's recommendation on the establishment of a government office to regulate consultants, in 2019, the Government of Canada announced a new governance regime, including the creation of a strengthened self-regulatory body for consultants, the College of Immigration and Citizenship Consultants (CICC) (Public Works and Government Services Canada 2022). In that same year, the *College of Immigration and Citizenship Consultants Act*

(College Act) was passed as part of the Budget Implementation Act (Public Works and Government Services Canada 2022). The CICC became the official regulator for immigration and citizenship consultants, operating independently from the Government but under the oversight of the IRCC (Public Works and Government Services Canada 2022).

As part of this oversight, the Code of Professional Conduct for College of Immigration and Citizenship Consultants Licensees is prescribed by the Minister of Immigration, Refugees and Citizenship according to subsection 43(1) of the College Act and is enforced by the College (Public Works and Government Services Canada 2022). Section 44 of the College Act mandates that licensees must adhere to the prescribed standards of professional conduct and competence (Public Works and Government Services Canada 2022). However, due to a lack of effective national regulation, many education agents continue to slip through the cracks and operate without proper oversight (Standing Committee on Citizenship and Immigration 2022, 30).

In June 2023, a joint task force between IRCC and the Canada Border Services Agency called the “Fraud Task Force,” was established to review these cases and identify “those who took advantage of genuine students and take action against them” (Immigration, Refugees, and Citizenship 2024b). Earlier this year, the task force identified an undisclosed number of cases involving unauthorized consultants providing their clients with fraudulent letters of acceptance from various Designated Learning Institutions in Canada to support study permit applications (Immigration, Refugees, and Citizenship 2015).

While there are no official guidelines, the IRCC issued ‘best practices’ suggestions for PSIs when working with education agents. This recommendation includes encouraging PSIs not to offer financial rewards to education agents for submitting study permit applications as a countermeasure to the rising number of fake documents (Immigration, Refugees, and Citizenship 2015). Likewise,

prevention efforts by the IRCC are primarily focused on enhancing the verification process of acceptance letters (Immigration, Refugees, and Citizenship 2015).

Recent research highlights the importance of monitoring education agents' behaviours to ensure they act in the best interest of the institutions and students (Nikula and Kivistö 2020, 221). In their study, Nikula and Kivistö (2020, 220) identified some common monitoring tools include (Table 1):

**Table 1: Common Monitoring Tools for Education Agents**

Monitoring Tools	Descriptions
Student Data Analysis	Tracking application numbers, conversion rates, visa refusal rates, and academic performance of agent-recruited students.
Field Audits	Conducting site visits to assess agents' operations, knowledge of institutional offerings, and compliance with institutional standards.
Regular Contact	Maintaining frequent communication with agents to ensure they are updated with current institutional information and to assess their engagement and knowledge.
Customer Feedback	Collecting feedback from students through surveys, interviews, and focus groups to

	identify issues with agents' services and conduct.
Marketing Audits	Reviewing agent-produced marketing materials to ensure accurate representation of the institution and compliance with legal requirements.

Source: Nikula and Kivistö (2020, 220)

On an international scale, many countries have developed robust regulatory frameworks to manage the conduct of education agents and ensure ethical practices in student recruitment. Here is a summary of best practices adopted by Australia, New Zealand, the United Kingdom, and Ireland (Table 2):

**Table 2: Best Practices for Regulating Education Agents**

Countries	Levels of Regulation	Key Policies and Practices
Australia	High	<ul style="list-style-type: none"> <li>- National Code of Practice for Providers of Education and Training to Overseas Students (2018).</li> <li>- Agent Code of Ethics (2016).</li> <li>- Publication of education agent performance data.</li> <li>- Formal agreements and registration of education agents.</li> </ul>

		<ul style="list-style-type: none"> <li>- Compliance with all 13 standards of the National Code for eligibility to enroll international students.</li> <li>- Department of Education publishes data on agent performance.</li> </ul>
New Zealand	High	<ul style="list-style-type: none"> <li>- Education (Pastoral Care of Tertiary and International Learners) Code of Practice (2021). The New Zealand Qualifications Authority administers the code with authority to investigate and sanction breaches.</li> <li>- Requirement to manage and monitor education agents.</li> <li>- Terminate relationships based on agent misconduct.</li> <li>- Public data on registered education agent performance.</li> <li>- Uses the London Statement (see Appendix I) as a legal obligation for agents.</li> </ul>
United Kingdom	Light	<ul style="list-style-type: none"> <li>- Non-binding National Code of Ethical Practice for UK Education Agents (2021).</li> <li>- Good Practice Guides for agent and institution conduct.</li> <li>- Individual institutions determine their own policies.</li> </ul>

		<ul style="list-style-type: none"> <li>- Prohibition of unaccredited individuals from charging for immigration advice.</li> <li>- Office of the Immigration Services Commissioner (OISC) oversight.</li> <li>- Developed an agent quality framework with a unified system for agent training, assessment, and tracking.</li> </ul>
Ireland	Moderate	<ul style="list-style-type: none"> <li>- Irish Education Agency Course (IEAC) through ICEF Academy</li> <li>- Supported by Education Ireland, Irish Universities Association, Marketing English in Ireland, and Technological Higher Education Association Ireland.</li> <li>- Course ensures agents have accurate information on the Irish education system and study options. Graduates receive a qualification badge, certificate, and inclusion in the Qualified Education Agents (QEA) network.</li> </ul>

Source: Global Affairs Canada (2023)

**4. Discussion**

The marketization of PSE under the framework of academic capitalism has profoundly transformed the operations of PSIs, particularly in their recruitment of international students.

Driven by financial pressures from decreased government funding, PSIs have increasingly sought alternative revenue streams. As a result, international students, who typically pay higher tuition fees than domestic students, have become crucial targets for recruitment efforts. This shift fundamentally alters the relationship between students and PSIs, prioritizing financial gain over educational value. Consequently, international students are not merely viewed as learners but as vital economic resources whose tuition fees significantly exceed those of domestic students, making them an attractive demographic for financially strapped institutions (Weber, van Mol, and Wolbers 2023, 3).

As PSIs compete to enroll as many international students as possible, the focus often shifts from providing high-quality education to maximizing revenue. While this competition can enhance the perceived quality of education, as institutions strive to attract more students (Weber, van Mol, and Wolbers 2023, 3), it also introduces numerous ethical concerns, particularly regarding the under-discussed practices used to recruit these students.

According to the findings, three notable factors contribute to unethical behavior by education agents: lack of transparency, insufficient regulation, and inadequate protection for international students (Nikula and Kivistö 2020, 220; Public Works and Government Services Canada 2022; Xu 2020, 46). These factors lead to a shift in the dynamics of the students–agents–PSIs relationship, placing students in a disadvantageous position that severely impacts their ability to negotiate and effectively reduces their bargaining power (Xu 2020, 24). When combined, these factors significantly increase the vulnerability of international students to exploitation and unethical practices by education agents. This situation creates a vicious cycle where the actions of a few unethical agents tarnish the image of Canadian education, potentially deterring prospective students from considering Canada as a study destination.

With education agents as indispensable intermediaries in this market-driven recruitment landscape, unethical recruitment practices represent a deviation of behaviours that prioritize personal interest over the interests of students and PSIs, underscoring the need for effective solutions (Nikula and Kivistö 2020, 215).

## ***5. Limitations***

This capstone was primarily based on a literature review and did not involve empirical data collection. Consequently, the findings and recommendations are limited to the scope of existing research and reports. Due to the limited amount of literature available on this topic, some of the sources do not reflect the rapidly changing landscape of international education and the dynamic nature of education agents' practices, which may render some findings less applicable over time. Additionally, the study relies on secondary sources, which may have biases and limitations. The absence of direct input from international students, education agents, and PSIs means that some perspectives may be underrepresented. Furthermore, the study's focus on Canada may not fully capture the global context of education agents' practices, and the findings may not be entirely generalizable to other countries. Missing data on the number of active education agents further limits the understanding of the scope and impact of the education agents on Canada's economy.

Future research should consider incorporating primary data collection to provide a more comprehensive understanding of the issues and validate this study's findings. Likewise, the future of the area of study on this topic can also include the role of PSIs and provincial government in monitoring education agents, the impact of unethical practices on international students and PSIs, as well as the global context of education agents' practices and compare regulatory frameworks and their effectiveness across different countries. Finally, investigating the economic impact of

education agents on Canada's economy and the broader implications for the international education sector would be a significant area of study that can expand the scope of the research.

## ***6. Recommendations***

This capstone underscores the importance of a multifaceted approach in addressing the challenges and ethical concerns surrounding the recruitment practices of education agents. Following the literature review, this capstone has identified three key principles - Active Monitoring, Increased Transparency, and Enhanced Protection - as crucial in this context. Thus, this capstone proposed three regulatory policy recommendations as follows:

### **Recommendation 1: Active Monitoring through the Establishment of a National Code of Conduct**

The establishment of a national regulatory framework is a pressing need in effectively monitoring education agents. This is not a novel solution; many countries have successfully implemented similar approaches to regulate education agent conduct (Global Affairs Canada 2023). On a provincial level, Manitoba stands out as the only province that has codified an education agent code of conduct within its existing International Education Act (IEA) of 2016, accompanied by a Ministerial Code of Practice and Conduct Regulation (Global Affairs Canada 2023). These regulations apply to educational institutions, staff recruiters, and contracted agents alike.

While the College of Immigration and Citizenship Consultants (CICC) currently functions as a regulatory body at the federal level, it operates independently of federal oversight (Public Works and Government Services Canada 2022). The establishment of a national regulatory framework would ensure consistent standards across Canada, filling the current regulatory gap.

**Recommendation 2: Increase Transparency through Publicized Lists of Accredited Education Agents and Disclosure of Rogue Agents on IRCC’s website(s).**

This recommendation focuses on strengthening monitoring and accountability mechanisms by publicly sharing data on the performance of education agents. By making this information publicly accessible, this measure can enable prospect students and their families to make informed decisions based on reliable information.

By increasing transparency and making information about accredited and rogue agents readily available, students and their families can better navigate the recruitment process, reducing the risk of exploitation and ensuring a more ethical and trustworthy system. Publicizing the lists of accredited education agents and disclosing rogue agents’ information will foster a more transparent and accountable recruitment environment, ultimately protecting international students’ interests and maintaining the education system’s integrity.

**Recommendation 3: Enhance International Student Protection by Establish Feedback and Reporting Mechanisms**

Implementing robust feedback and reporting mechanisms is essential to better protect international students from unethical recruitment practices and exploitation. By establishing anonymous reporting channels, this measure can encourage students to share their experiences without fear of retaliation. This feedback should be regularly reviewed by regulatory bodies, with aggregated data made publicly available to highlight common issues and identify problematic agents or institutions. Thus, implementing these mechanisms will ensure that the recruitment process becomes more transparent and accountable, ultimately enhancing the protection and

welfare of international students. Furthermore, this collective effort will ensure that students have a voice in the process and that their concerns are addressed promptly and effectively.

## ***7. Concluding Thoughts***

As Canadian post-secondary institutions increasingly rely on international students as a significant source of revenue, the potential for exploitation grows. While challenges abound, they also present opportunities for meaningful change. However, these efforts can only be impactful if they are approached and implemented proactively and intentionally. The expiration of the International Education Strategy this year presents a crucial opportunity to develop a strategy that prioritizes the protection and welfare of international students. By addressing these issues with deliberate action through implementing the recommendations, Canada can continue to attract international students while upholding the ethical standards that define its reputation in global education.

While not highlighted in this study, future works should explore the education-immigration nexus, examining how the intersection of these two systems influences the experiences and outcomes of international students in Canada. Understanding this relationship will be vital for developing policies that bring in international students and support their long-term success and integration into Canadian society.

## Appendix I

### Sec. 91., Immigration and Refugee Protection Act (S.C. 2001, c. 27)

#### Representation or advice for consideration

**91 (1)** Subject to this section, no person shall knowingly, directly or indirectly, represent or advise a person for consideration — or offer to do so — in connection with the submission of an expression of interest under subsection 10.1(3) or a proceeding or application under this Act.

**(2)** A person does not contravene subsection (1) if they are

- **(a)** a lawyer who is a member in good standing of a law society of a province or a notary who is a member in good standing of the Chambre des notaires du Québec;
- **(b)** any other member in good standing of a law society of a province or the Chambre des notaires du Québec, including a paralegal; or
- **(c)** a member in good standing of the *College*, as defined in section 2 of the *College of Immigration and Citizenship Consultants Act*.

**(3)** A student-at-law does not contravene subsection (1) by offering or providing representation or advice to a person if the student-at-law is acting under the supervision of a person mentioned in paragraph (2)(a) who is representing or advising the person — or offering to do so — in connection with the submission of an expression of interest under subsection 10.1(3) or a proceeding or application under this Act.

(4) An entity, including a person acting on its behalf, that offers or provides services to assist persons in connection with the submission of an expression of interest under subsection 10.1(3) or an application under this Act, including for a permanent or temporary resident visa, travel documents or a work or study permit, does not contravene subsection (1) if it is acting in accordance with an agreement or arrangement between that entity and Her Majesty in right of Canada that authorizes it to provide those services.

(5) [Repealed, 2019, c. 29, s. 296]

- (5.1) [Repealed, 2019, c. 29, s. 296]

(6) [Repealed, 2019, c. 29, s. 296]

(7) [Repealed, 2019, c. 29, s. 296]

(7.1) For greater certainty, the *Québec Immigration Act*, CQLR, c. I-0.2.1, applies to, among other persons, every person who, in Quebec, represents or advises a person for consideration — or offers to do so — in connection with a proceeding or application under this Act and is a member of the *College*, as defined in section 2 of the [\*College of Immigration and Citizenship Consultants Act\*](#).

(8) [Repealed, 2019, c. 29, s. 296]

(9) Every person who contravenes subsection (1) commits an offence and is liable

- **(a)** on conviction on indictment, to a fine of not more than \$200,000 or to imprisonment for a term of not more than two years, or to both; or
- **(b)** on summary conviction, to a fine of not more than \$40,000 or to imprisonment for a term of not more than six months, or to both.

**(10)** For greater certainty, in this section, *proceeding* does not include a proceeding before a superior court.

- 2001, c. 27, s. 91
- 2011, c. 8, s. 1
- 2013, c. 40, s. 292
- [2019, c. 29, s. 296](#)

[Previous Version](#)

**91.1 (1)** The regulations may

- **(a)** establish a system of administrative penalties and consequences — including of administrative monetary penalties — applicable to the violations designated in regulations made under paragraph (b) and set the amounts of those administrative monetary penalties;
- **(b)** designate as a violation the contravention — including a contravention committed outside Canada — of any specified provision of this Act or of the regulations by any person who, directly or indirectly, represents or advises a person for consideration — or offers to do so — in connection with the

submission of an expression of interest under subsection 10.1(3) or a proceeding or application under this Act;

- (c) prohibit acts in relation to the activity of representing or advising — or offering to do so — described in paragraph (b); and
- (d) provide for the power to inspect — including the power to require documents to be provided by individuals and entities for inspection — for the purpose of verifying compliance with the provisions specified in regulations made under paragraph (b).

(2) Any regulation made under paragraph (1)(a) must provide that a person who is the subject of a notice of violation has the right to request, from a person appointed under subsection (3), a review of the notice or of the penalty imposed.

(3) The Governor in Council may, by order, appoint one or more Canadian citizens or permanent residents to conduct reviews in respect of notices of violation issued, or penalties imposed, under a regulation made under paragraph (1)(a) and to perform any other function conferred on them by a regulation made under that paragraph.

(4) A person appointed by order under subsection (3) holds office during good behaviour for a term that the Governor in Council may specify, by order, but may be removed for cause by the Governor in Council at any time.

*Source:* Immigration and Refugee Protection Act (2001)

## Appendix II

### Excerpts of the Statement of Principles for the Ethical Recruitment of International Students by Education Agents and Consultants

(To be known as the London Statement)

19 March 2012

#### 1. Introduction [...]

##### *1.3 Purpose*

This high-level Statement of Principles promotes best practice among the education agents and consultant professions that support international students. The Statement of Principles is a unifying set of understandings for the recruitment of, and related services provided to, students in international education which serve to promote best practice among education agents and consultants. The Statement will be reflected in each country's approach to international education.  
[...]

#### 2. Ethical Framework

The Statement of Principles is based on an underlying ethical framework of:

Integrity - being straightforward and honest in all professional and business dealings;

- Objectivity - not allowing professional judgment to be compromised by bias or conflict of interest;
- Professional competence and due care - maintaining professional knowledge and professional service, and acting diligently;
- Transparency - declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student;

- Confidentiality - respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without proper authority;
- Professional behaviour – acting in accordance with relevant laws and regulations and dealing with clients competently, diligently and fairly; and
- Professionalism and purpose - acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is the means by which the profession can earn the trust and confidence of stakeholder groups (individual clients, the public, business and government).

### **3.Principles**

- Principle 1 - Agents and consultants practice responsible business ethics.
- Principle 2 - Agents and consultants provide current, accurate and honest information in an ethical manner.
- Principle 3 - Agents and consultants develop transparent business relationships with students and providers through the use of written agreements.
- Principle 4 - Agents and consultants protect the interests of minors.
- Principle 5 - Agents and consultants provide current and up-to-date information that enables international students to make informed choices when selecting which agent or consultant to employ.
- Principle 6 - Agents and consultants act professionally.
- Principle 7 - Agents and consultants work with destination countries and providers to raise ethical standards and best practice.

*Source:* Association of Australian Education Representatives in India (n.d.)

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