

WITH STAR R.AGE ON INTERNATIONAL STUDENTS - BANGLADESH
STUDENTS DUPED INTO WORKING

1. Is the Ministry of Higher Education aware that the student visa process is being abused by human traffickers?

- a. The issuance of student visas is done by the Immigration Department or the Jabatan Imigresen of Malaysia (JIM).
- b. MOHE's role in this process is to conduct academic vetting/ screening of international student applications through Education Malaysia Global Services (EMGS), a MOHE agency. EMGS' processes are transparent and accountable, with external audits done from time to time. We understand that RAGE has interviewed and been briefed on this matter by EMGS on this matter.
- c. Under the Department of Higher Education, the Enforcement and Inspectorate Division (Bahagian Penguatkuasaan dan inspektorat or BPI)'s role comes after the visa issuance process. BPI's mandate is to focus on the good management of Private Higher Education Institutions (HEIS) generally, including international student management. BPI's source of powers / authority comes from the Private Higher Education Institutions Act 1996 (aka Act 555).
- d. BPI conducts regular monitoring through (i) site visits, and (ii) reports submitted by institutions that recruit international students, among others. BPI's investigation powers are activated upon the receipt of a complaint. For example, previously we have received complaints with regard to the mismanagement of international students. Our officers will investigate the complaint and prepare a report recommending actions that can be taken pursuant to Act 555
- e. BPI sits on a panel consisting of JIM, EMGS, KDN, and PDRM. BPI can recommend for the revocation of international student enrollment licenses to the panel which will then discuss and decide whether to take the recommended action. Only KDN has the authority to revoke a Private HEIs approval to recruit international students.
- f. We have not received complaints concerning human trafficking. Please provide details to enable us to investigate and take action.

2. There are reports that many college issue student visas indiscriminately, often as a mean for foreign nationals to enter the country for work purpose. MOHE can verify or comment on this?

- a. Colleges can only offer places for study and do not have authority in visa approval processes. As visa issuances are done by JIM, we are unable to comment on this.

3. What action has MOHE taken with regard to international student mismanagement?

- a. In 2015, BPI recommended to the Panel the revocation of the approval for international student recruitment of 4 Private HEIs based on various reasons, including, (i) high rate of absenteeism to class; (ii) lack of controls in students disciplines leading to breaches of regulations; (iii) poor management; (iv) not providing or not monitoring accommodation for international students.
- b. In 2016, there are 12 Private HEIs under investigation and/or those which BPI has recommended that their recruitment approvals be suspended or not be renewed next year unless they are able to rectify breaches of certain regulations (in this regard, BPI gives Private HEIs the opportunity to remedy breaches).
- c. As a matter of policy, MOHE does not reveal the name of the Private HEIs under investigation.

4. Are there safeguards or enforcement measures in place to avoid the student visa process from being abused? How do these measures work? Are they effective?

- a. As mentioned above, the visa issuance process is under JIM and EMGS purview
- b. As mentioned by EMGS, its establishment was one of the steps taken by the Ministry to improve the international students management, including the prevention of issuance abuses. In this regard, EMGS plays a preventative role, namely by performing academic vetting and screening of international students intending to enter Malaysia for study.

5. Since 2012, foreign students from Bangladesh have risen by over 20,000 and now the total is almost a third of foreign students in Malaysian institutes of higher education. Why is there such a significant increase? Are we seeing an increase in demand for education in Bangladesh?

- a. Previously, the reporting of international students numbers was done by the Private HEIs manually. This led to inconsistencies in data, which was cross-checked with JIM's database.
- b. The establishment of EMGS aimed to address the inefficiencies and has been able to achieve that. Between 2014 and 2016, the growth of Bangladeshi students coming to study in Malaysia has been between 8% to 10%, which is consistent with the growth rate of other international students.

For example:

- 2013: 1.328

- 2014: 25.982 (+24.654) / 2015: 29,166 (+3.184) / 2016: 32,389 (+3223)
- c. While Malaysia does not do education promotions in Bangladesh, in a recent visit by the Bangladeshi Minister of Education to MOHE, he had shared that Malaysia is a country they look up to and benchmark against. There is demand in Bangladesh for their students to come here.
 - d. In fact, it isn't just Bangladesh. Other nations and their students also see Malaysia as a preferred education destination. We had recently concluded an MOU on higher education with Algeria, and will be signing one with Saudi Arabia next year. Many foreign governments send their best students here on scholarships, confident that Malaysia is able to provide quality higher education. Malaysia is home to more than 150,000 international students from more than 150 nations.
 - e. The British Council in a 2016 report titled 'The Shape of Global Higher Education' has stated that Malaysia, together with Germany, "have the most balanced portfolio of providing high-level support" for international engagement".
 - f. Malaysia is currently home to 10 branch campuses of top international universities.
 - 5 of the international universities are from the UK largest presence of UK institutions in Asia o 2 are in the world's top 100, including Monash and Nottingham
 - Xiamen University, the first Chinese Public University set up outside of China
 - Aside from the 10, we are also home to the Asian Business School. which was jointly set up by Bank Negara Malaysia (BNM) and the Massachusetts Institute of Technology (MIT) Sloan Management School.
 - This indicates the general level of confidence these international institutions have in Malaysia as an education hub.
 - g. I emphasize this point in order to say that a majority of Private HEIs in Malaysia are good and abide by the regulations. Those infringing the rules are the exception rather than the norm.

6. There are 483 registered private higher education institutions in Malaysia compared to Australia which has a total of 171 registered public and private institutions. This seems like a very high number. Therefore, MOHE can explain why there are so many registered institutions?

- a. We are unable to comment specifically on Australia There are many possible reasons,including that their institutions are able to take more students (capacity).
- b. In this regard, the Malaysian Private HEIs come in varying shapes, sizes and types as well as provide services to varying recipients , We have institutions that are small /boutique (less than 600 students), medium (between 601-2000 students) and big (more than 2000 students).
- c. They cater to students interested in traditional academic pathways and those interested in technical and vocational education and training (TVET), from certificate programs to diplomas right up to doctorates.
- d. Demand for higher education in Malaysia grew exponentially in the 1990s. Recognising this, the Government enabled the establishment of Private Higher Education Institutions (Private HEIs) to complement Public HEIs, the number of institutions is market driven. It is also in line with the country's aspiration in becoming the education hub in the region and throughout the world.
- e. Nevertheless, MOHE regulates the higher education landscape to ensure quantity and quality come hand in hand. On 1st February 2013, the Ministry implemented a moratorium upon the establishment of new Private HEIs. The moratorium was put in place as a control mechanism to maintain quality and avoid over supply in the higher education sector.
- f. When the moratorium was put in place in 2013, there were 522 registered Private HEIs. Currently, as at 31 October 2016, the number of registered Private HEIs is 497 (a reduction in 25 Private HEIs).
- g. Note the number you cited, 483, excludes 13 Private HEIs that are registered as branch campuses. Of this amount, 53 are universities, 33 are college universities, 10 are foreign branch campuses and 401 are colleges or non-universities.
- h. The moratorium is in force until (2017), and the Ministry is also encouraging smaller Private HEIs to merge for quality and sustainability purposes.
- i. Aside from the moratorium, continuous monitoring of Private HEIs and ensuring that regulatory and best practices are adhered to are paramount. Act 555 is implemented and enforced to support the regulations of those qualities.
- j. To ensure the effectiveness of monitoring and regulatory practice efforts are achieved, quality and compliance audits are carried out from time to time.
- k. Besides that, the development and implementation of evaluation and rating system like MyQUEST for private colleges and SETARA for

universities and one university colleges will always drive Private HEIs for excellence in order to be relevant and reputed to attract local and international students. In addition, the ratings are also the point of reference s to inform decision making by public, loan agencies and all interested parties concerned.

7. For students who have been cheated by education agents or Malaysian higher education institutions, what can they seek redress?

- a. If students have been cheated by agents, they must make a police report for further investigations regarding this matter. As it stands, Act 555 does not empower the Ministry to take action against agents as Act 555 focuses on institutions as opposed to individuals.
- b. We are in the process of amending Act 555. However, details will be at the appropriate time
- c. Nevertheless, we believe the Malaysian legal framework is able to assist students to take action against agents. Cheating, for instance, is an offense under the Penal Code.
- d. We would like to make clear that MOHE does not appoint nor endorse agents. Institutions are, however, free to seek the assistance of agents for the purpose of student recruitment promotions.
- e. If however, Private HEIs are unable to deliver on their promises to their students, the Ministry may take action. Students are encouraged to contact the BPI at uakbp_bpi@mohe.gov.

8. Number of foreign national students studying in the higher education institutions with the top 10 highest number of international student visa applications (we have anecdotal evidence says that some of these institutions have up to 2,000 students from a particular nationality enrolled)

- a. As a matter of policy, we do not release data of the number of applications to a specific higher education institution.