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Summer 2013

**A STUDY OF THE LANGUAGE &  
CULTURAL CHALLENGES FACING  
BUSINESS AND LEGAL STUDIES FACULTY  
IN THE EVER-EXPANDING GLOBAL  
CLASSROOM**

Glen M Vogel, *Hofstra University*



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# A STUDY OF THE LANGUAGE & CULTURAL CHALLENGES FACING BUSINESS AND LEGAL STUDIES FACULTY IN THE EVER-EXPANDING GLOBAL CLASSROOM

By Prof. Glen M. Vogel<sup>1</sup>

*“If Americans wish to maintain a global presence and global influence, it is time our institutions of higher education think seriously and systematically about what they want to do with their international students.”<sup>2</sup>*

The persistent growth of international student enrollment at colleges and universities around the United States “confirms that U.S. higher education, known for the high quality and diversity of its institutions, continues to remain the academic destination of choice for students from all over the world.”<sup>3</sup> More than 723,000 foreign students studied at institutions of higher education in the United States in 2010/2011, up 4.7% from the previous academic year.<sup>4</sup> Those modest gains, however, are eclipsed by the impressive 21.8% increase in the enrollment of students from China.<sup>5</sup> Not only has the number of foreign students increased, but there is also a growing realization that the advent of a globalized world has forever changed the role and

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<sup>2</sup> S.B. Pfallerth, Clarifying Institutional Policy Toward International Students: A Community College Self-Study Model, Issues of Education at Community Colleges: Essays by Fellows in the Mid-Career Fellowship Program, Princeton University, Princeton, NJ (1997).

<sup>3</sup> Allan Goodman, Joint Survey on International Student Enrollments in the U.S., Retrieved from, <http://opendoors.iienetwork.org/?p=132748> (the Institute for International Education, a non-profit organization, was founded in 1919 to help establish and coordinate educational opportunities in the US for foreign students); See also Mary Beth Marklein, Report, US Sees First Increase in Foreign Students Since 9/11, USA TODAY, Nov. 12, 2007.

<sup>4</sup> *See* Goodman, *supra* note 3. *See also* Appendix, Table I.

<sup>5</sup> *See id.* (contrasting the decrease in international students studying in the United States in 2003 and the subsequent smaller increases in 2004 and 2005 that can be traced back to the tragedy of 9/11 and the subsequent heightened security measures implemented by the Student and Exchange Visitor Information System).

importance of international education.<sup>6</sup> “Higher education is beginning to say that, without the international dimension, you just aren't educated,” says Allan Goodman, president of the Institute of International Education.<sup>7</sup> While enrollment of international students has occasionally fluctuated over the past several decades, one statistic has remained consistent – business remains the leading field of study for foreign students.<sup>8</sup>

The increase in the enrollment of international students is generally considered a positive contributor toward the diversification of American campuses; however, one troubling aspect that is often overlooked is that this increase in the international population also brings with it a significant rise in the number of nonnative English speakers. As such, one question that is now becoming more critical for colleges and universities to answer is: are these international students adequately prepared for the English language and cultural demands they will face when they are competing in the classroom and in the job market with their U.S. born counterparts?<sup>9</sup> The answer to that question can be complicated. To be successful in the classroom, business and legal studies students must become competent in reading, listening, speaking, and note taking in English and must familiarize themselves with American business and legal terms.<sup>10</sup> This can be a daunting task since many of these students have weak English skills at the outset. For teachers of business and legal courses, this concern can be more difficult to address because, while general intensive language and linguistic programs focusing on English for Academic Purposes

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<sup>6</sup> Howard LaFranchi, Foreign Students Trickling Back to US, THE CHRISTIAN SCIENCE MONITOR, Nov. 16, 2006 (quoting Allan Goodman, president of the Institute of International Education).

<sup>7</sup> See Goodman, *supra* note 3.

<sup>8</sup> See Appendix, Table II. Retrieved from <http://www.iie.org/en/Research-and-Publications/Open-Doors/Data> (Institute of International Education Table of Fast Facts for 2010).

<sup>9</sup> Wendy Addison & Fiona Cownie, Overseas Law Students: Language Support and Responsible Recruiting, 19 J.L. & SOC'Y. 467, 480 (1992) (positing that institutions cannot engage in “responsible recruiting” of international students unless they are prepared to provide adequate English language support).

<sup>10</sup> Teresa Brostoff, Ann Sinsheimer & Megan Ford, English for Lawyers: A Preparatory Course for International Lawyers, 7 LEGAL WRITING 137, 139-40 (2001).

(EAP) are available, they are not designed to address the unique needs of students studying business or the law.<sup>11</sup> So what can be done to ensure that these students are learning the concepts and information they will need to succeed?

This article will look at some of the English language and cultural barriers that act as impediments to an international student's ability to succeed in the American classroom. It will also point out some of the unique aspects of the business and legal studies curricula that further exacerbate these impediments and will offer some solutions to enable faculty to be part of the pathway to success for the international students in their courses. In doing so, it will be important to examine some of the challenges that universities face in light of the recent discovery that many of the international students arriving at American universities are not as qualified as their application and test scores appear to indicate. Part I of this article will discuss some of the statistical data and financial incentives associated with the international student population, including a discussion of the remarkable increase in the number of students from China. Part II will discuss some of the specific educational needs of international students that are impacted by the fact that their English skills are often weak and their various cultural backgrounds often act as roadblocks to their successful integration in the classroom. Part III will focus on some of the unique challenges presented by the sudden rise in Chinese students, along with discussing some cultural nuances and ethical issues such as academic honesty and plagiarism. Part IV will offer some solutions and recommendations to enable administrators and faculty to assist their international students in making the transition required to study business and legal studies in an American institution of higher education.

## **I. STATISTICAL DATA AND FINANCIAL INCENTIVES ASSOCIATED WITH THE ENROLLMENT OF INTERNATIONAL STUDENTS**

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<sup>11</sup> Julie M. Spanbauer, Lost in Translation in the Law School Classroom: Assessing Required Coursework in L.L.M. Programs for International Students, 35 INT'L J. LEGAL INFO. 396, 400 (Winter 2007).

Over the past five-years, American universities and colleges have experienced a consistent increase in the number of applications from international students.<sup>12</sup> In fact, the number of international students has grown by an average of 5.1% annually over this period – going from 564,766 students in 2005/2006, to a high of 723,277 in 2010/2011.<sup>13</sup> These students are enrolling in undergraduate, graduate, and doctoral programs all over the country<sup>14</sup>, and they are coming from as far away as Nepal and Vietnam and as close as Canada and Mexico.<sup>15</sup> Over the past several decades, Asian countries have represented the largest population of international students studying at colleges and universities in the United States. For example, in the 90’s it was Japan, in the early 2000’s it was India, and over the last decade it’s been China.<sup>16</sup> During the 2010-11 academic year, international students from Asian countries made up approximately 61% of the total foreign student population studying in the United States.<sup>17</sup>

Peggy Blumenthal, senior counselor to the president of International Education has suggested that during certain periods in our history, international enrollment seems to have been dominated by one or two countries and that even though China and Saudi Arabia are the dominant countries now, in the future countries like Vietnam, Turkey, Indonesia, and Brazil are likely to show sharp increases.<sup>18</sup> In fact, Vietnam was one of only five countries to show double-

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<sup>12</sup> Appendix, Table IV. data collected from the National Center for Education Statistics as reported by the Institute for International Education located at: <http://www.iie.org/Research-and-Publications/Open-Doors/Data/International-Students/Enrollment-Trends/1948-2011>.

<sup>13</sup> Appendix, Table IV.

<sup>14</sup> Rebecca Appel, First-Time Foreign Students in U.S. Increased by 8%, N.Y. TIMES, Nov. 13, 2011 (noting that for six straight years China, the highest exporter of students, has increased the number of students it sends to the U.S. by double-digits); available at: [http://www.nytimes.com/2011/11/14/education/first-time-foreign-students-in-us-increased-by-8.html?\\_r=1](http://www.nytimes.com/2011/11/14/education/first-time-foreign-students-in-us-increased-by-8.html?_r=1).

<sup>15</sup> Appendix, Table III.

<sup>16</sup> Beth McMurtrie, International Enrollments at U.S. Colleges Grow but Still Rely on China, THE CHRONICLE OF HIGHER EDUCATION, Nov. 14, 2011; available at: <http://chronicle.com/article/International-Enrollments-at/129747/>.

<sup>17</sup> See Appendix, Table III.

<sup>18</sup> McMurtrie, *supra* note 16.

digit growth in enrollment from 2009/2010 to 2010/2011 with a 13.5% increase.<sup>19</sup> Even though the number of students from these countries has grown in the last several years, China is the leading country of origin for international students in the United States.<sup>20</sup> In the 2010-11 academic year, Chinese international students topped the charts with 157,558 students, an increase of almost 30,000 students from the previous year.<sup>21</sup> The number of first time enrollers from China is growing at a remarkable rate, increasing 23.3% from 2010 to 2011.<sup>22</sup> In fact, for six years in a row the number of Chinese students coming to study in the U.S. has increased by double-digits.<sup>23</sup> Two related factors contributing to this sharp increase in the enrollment of Chinese students are the U.S. economy slumping over the past five-years<sup>24</sup> and the improvement in the Chinese economy such that more families are able to afford the cost of higher education in the U.S.<sup>25</sup>

According to a recent report from the Chinese Academy of Social Sciences, in the last thirty-years approximately 20 million Chinese citizens have moved to more than 150 countries, and very soon China will become “the world’s largest producer of emigrants.”<sup>26</sup> This sudden wave of Chinese emigration is actually not so sudden. After China experienced economic reforms in the 1980s, the outside world presented Chinese citizens with an opportunity to expand

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<sup>19</sup> Appendix, Table III. The five countries with a double-digit increase in enrollment for 2010/2011 were: Saudi Arabia (43.6%), China (23.3%), Iran (18.9%), Vietnam (13.5%), and Venezuela (10.8%).

<sup>20</sup> See Rebecca Appel, *supra* note 14.

<sup>21</sup> See Appendix, Table III.

<sup>22</sup> Appel, *supra* note 14.

<sup>23</sup> *Id.*

<sup>24</sup> Agustino Fontevicchia, U.S. Economy Is Five Years Into Its Own Lost Decade As Recession Appears Unavoidable, FORBES, Oct. 6, 2011, available at: <http://www.forbes.com/sites/afontevicchia/2011/10/06/u-s-economy-is-five-years-into-its-own-lost-decade-as-recession-appears-unavoidable/>; See also Floyd Norris, A Bleak Outlook for Long-Term Growth, N.Y. TIMES, Feb. 3, 2012 at B3 (noting that the American economy has been growing at its slowest rate since the Great Depression).

<sup>25</sup> Marklein, *supra* note 3 (noting that another factor may be a perceived “friendlier attitude” when reviewing Chinese students’ requests for visas).

<sup>26</sup> Yuan Ye, China’s New Emigrants: Coolie to CEO, News China, vol. 027 (Nov. 2010) at 12.

culturally and to increase their chances for financial success.<sup>27</sup> The best place to achieve both was at American universities. Once students starting returning to China and sharing their success stories with relatives, friends, and business colleagues, the interest in studying abroad increased.<sup>28</sup>

#### **A. Financial Benefits of Admitting International Students**

Colleges and universities recruit and accept international students for a variety of reasons including; economics, market value of student research, immigration of professionals to the U.S.<sup>29</sup>, revenue to the community such as taxes and spending for living expenses, reputation enhancement for the university when these students return to their home country, political benefit<sup>30</sup>, and because it is believed that the presence of these students improves the cultural diversity of the institution and enhances the experience of their U.S. colleagues.<sup>31</sup> While the emphasis on diversity and some of the other political and/or reputational bases for admitting international students are laudable, the financial motives for adding international students to the university population cannot be ignored.<sup>32</sup>

One estimate from 2009 concluded that international students paid approximately \$18 billion in tuition and living expenses, which did not include what they injected into the local economies while they lived here.<sup>33</sup> The Institute of International Education estimates that

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<sup>27</sup> *Id.* at 15.

<sup>28</sup> *Id.*

<sup>29</sup> Donald R. Winkler, The Costs and Benefits of Foreign Students in United States Higher Education, JOURNAL OF PUBLIC POLICY, vol. 4, no. 2 (May 1984) at 124, (noting that this is one of the largest benefits – a reverse “brain drain” – but that the true economic impact of this benefit is difficult to quantify).

<sup>30</sup> *Id.* at 121.

<sup>31</sup> Mark E. Wojcik & Diane Penneys Edelman, Overcoming Challenges in the Global Classroom: Teaching Legal Research and Writing to International Law Students and Law Graduates, 3 JOURNAL OF LEGAL WRITING 127 (1997).

<sup>32</sup> Marklein, *supra* note 3.

<sup>33</sup> *Id.*

foreign students now contribute approximately \$21 billion a year to the U.S. economy.<sup>34</sup> Because almost half of all international students pay the entire non-resident fee for their university-related expenses, it is easy to see why international students are attractive candidates for the more financially motivated administrators.<sup>35</sup> At the University of Washington, international students pay three-times as much as in-state students.<sup>36</sup> Moreover, some universities have started charging international students a “surcharge” of between \$1,000 and \$2,500 based solely on the fact that they are international.<sup>37</sup> With lots of states slashing the financial support for colleges and universities, some institutions have even gone so far as to recruit and admit international students to help close their budget deficits.<sup>38</sup> One university director of international education reluctantly admitted that recruitment of international students is often “revenue-driven” because the “domestic market is just not as large as the international market.”<sup>39</sup>

There are no signs that the influx of international students is either going to ebb, or go away entirely. As such, educators should get used to the idea that their classroom will look and sound different than it has in the past. Most academics applaud the diversity<sup>40</sup> and are supportive of their university’s efforts to recruit and admit international students, but few educators are truly

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<sup>34</sup> Tamar Lewin, Taking More Seats on Campus, Foreigners Also Pay the Freight, NY TIMES, Feb. 4, 2012, at A1; available at: <http://www.nytimes.com/2012/02/05/education/international-students-pay-top-dollar-at-us-colleges.html?pagewanted=all>.

<sup>35</sup> Marklein, *supra* note 3.

<sup>36</sup> Lewin, *supra* note 34 (pointing out that accepting more higher-paying international students has afforded the University the opportunity to give more scholarships to its domestic students).

<sup>37</sup> *See id.* Purdue University charged international students \$1,000 in 2012 and plan to charge \$2,000 the following year, while the University of Illinois at Urbana-Champaign charged international engineering students a \$2,500 surcharge.

<sup>38</sup> Tom Bartlett and Karin Fischer, The China Conundrum: American colleges find the Chinese student boon a tricky fit, CHRONICLE OF HIGHER EDUCATION, Nov. 3, 2011 at 13 (noting that Tom Melcher, chairman of Zinch China, a consulting company used by U.S. universities pursuing Chinese applicants, admitted that he was contacted by a university provost who openly admitted he needed to recruit almost 250 Chinese students to help close a budget deficit).

<sup>39</sup> McMurtrie, *supra* note 16.

<sup>40</sup> *Id.* (noting that “bringing American undergraduates in contact with a more international student body” can be important to campuses where diversity has been otherwise hard to achieve).

equipped to handle the many cultural, English language, and educational challenges and issues that travel with these students.

## II. EDUCATIONAL ISSUES THAT ARE SPECIFIC TO INTERNATIONAL STUDENTS

There is no doubt that, international students in undergraduate, graduate, and doctorate programs “enrich the cultural diversity of the campus” while simultaneously creating unique educational opportunities and challenges.<sup>41</sup> Diversity doesn’t just mean domestic versus international; rather, the international population itself is usually somewhat diversified and that means that these students all come with different strengths and weaknesses. One of the most critical areas where international students differ is in their English language capabilities.<sup>42</sup>

An international student’s deficiencies in English are varied based on a number of different factors. These factors include: the student’s home country, the degree of English language education attained in their home country, how long the student has been in the United States, and the student’s goals with regard to whether they plan to stay in the United States or return to their home country after completing their education.<sup>43</sup> In her book on teaching diverse populations in U.S. post-secondary education, Dana Ferris looked at student “educational pathways” to assess how a student’s exposure to the English language has impacted their approach to the classroom and how they responded to different forms of instruction.<sup>44</sup> As Ferris explains it, students’ exposure to English can be broken into four categories: (1) international students educated in their home country, (2) later-arriving resident immigrants with partial

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<sup>41</sup> Wojcik, *supra* note 31 at 127.

<sup>42</sup> R. Ellis, Understanding Second Language Acquisition, (Oxford University Press 1985) at 99 (noting that the ability to learn a second language depends on several factors, including “personality, motivation, learning style, aptitude, and age).

<sup>43</sup> Ann Wintergerst, Meeting the Needs of Diverse L2 Student Populations, 40 IDIOM 13, No. 3 (Fall 2010). Wintergerst divides L2 English language learners into three categories: international students, late-arriving resident students, and early-arriving resident students. *See also* Dana Ferris, Teaching College Writing to Diverse Student Populations (Univ. Mich. Press/ESL 2009).

<sup>44</sup> *See* Ferris, *supra* note 42.

education in the U.S., (3) early arriving resident immigrants with all/most of their education in the U.S., and (4) children of first-generation immigrants born in and entirely educated in the U.S.<sup>45</sup> Depending on which pathway the student experienced that student can be left with gaps in their knowledge of and ability to use English, both in and out of the classroom.<sup>46</sup> The vast majority of the international students enrolling in U.S. colleges and universities fall into the first category; international students educated in their home country.

Most experts in the field of linguistics agree that there exists a “critical period” in a speaker’s life when they must be exposed to a language if they are to become a native speaker.<sup>47</sup> The critical period is identified as the first six years of life.<sup>48</sup> In addition, scholars agree that, if a person’s introduction and study of another language begins during adolescence, then the likelihood that they will be able to sound like a native speaker is almost impossible and that they will more likely always have an accent and suffer from idiosyncratic, pronunciation, and grammar errors.<sup>49</sup> Thus, if the international student sitting in your classroom was not introduced to English before puberty, they will face almost insurmountable hurdles in their efforts to reach English fluency. Moreover, even in situations where students have studied a second language earlier in their schooling, many of them never really learned the language.<sup>50</sup>

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<sup>45</sup> Keynote speech of Dr. Dana Ferris, delivered at The ESL Writing in Higher Education Symposium, held on September 23, 2011. A transcript of Dr. Ferris’ speech can be found at <http://www.smumn.edu/welcome-to-brst-marys/institutes-affiliates/hendrickson-institute-for-ethical-leadership/esl-symposium>.

<sup>46</sup> *Id.* at 8.

<sup>47</sup> David Singleton, The Critical Period Hypothesis: A coat of many colours, *International Review of Applied Linguistics*, vol. 43, 269, 270-71 (2005).

<sup>48</sup> *Id.* at 270-71.

<sup>49</sup> *Id.* at 272-73.

<sup>50</sup> Patricia A. Richard-Amato, Making it Happen: Interaction in the Second Language Classroom, (Longman 1988) at 1 (noting that a second language learner, such as the students discussed in this article, must “grow within the language environment” in order to become proficient in that language).

While international students are generally required to take an exam in English proficiency<sup>51</sup> as part of their entrance into an American university or college, the results of these exams can be very misleading. First, as will be discussed in Part III of this article, the scores reported on these exams are often the result of fraud.<sup>52</sup> This means that the international student's grasp of English is not what it was represented to be in the student's application. Second, even if the scores are valid, they are not an accurate predictor of the student's ability to be successful in the university classroom, particularly if the student majors in business or legal studies.<sup>53</sup> For example, concepts and strategies for reading and using legal precedent that are viewed as "routine and mechanical" for American legal educators are not only unfamiliar, but can be outright foreign to an international student who has no foundation in American law or the common law system.<sup>54</sup> Native English speakers often forget that the language can be "tricky, not just in sound and meaning but in idiomatic forms [that] native English speakers take for granted."<sup>55</sup> For example, expressions such as "don't beat around the bush", "he's a chip of the old block", or "it costs an arm or a leg", would be completely incomprehensible to most international students.

Faculty and administrators often observe a student's ability to converse about simple everyday tasks in English with relative ease and/or handle basic social situations and mistakenly believe the student has a deeper understanding of the English language than what they actually

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<sup>51</sup> TOEFL Exam – Test of English as a Foreign Language measures a student's ability to use and understand English at the university level. Located at <http://www.ets.org/toefl/ibt/about/>; See also, Melanie L. Schneider and Naomi K. Fujishima, When Practice Doesn't Make Perfect: The Case of a Graduate ESL Student, *Academic Writing in a Second Language: Essays on Research and Pedagogy* 3 (Diane Belcher & George Braine eds. 1995) (stating that the TOEFL exam is not a good predictor of a student's future academic success).

<sup>52</sup> See *infra* note 107.

<sup>53</sup> While the TOEFL exam tests English language skills relative to studying in an American university, it does not specifically test language skills that are necessary to study business or the law.

<sup>54</sup> Julie M. Spanbauer, *supra* note 11 at 438.

<sup>55</sup> Joe Sharkey, English Skills a Concern as Global Aviation Grows, N.Y. TIMES, May 21, 2012 at B8; available at <http://www.nytimes.com/2012/05/22/business/english-skills-a-concern-as-global-aviation-grows.html>.

possess.<sup>56</sup> This can most often be attributed to a concept called BICS and CALP.<sup>57</sup> In a nutshell, there is a difference between a student's Basic Interpersonal Communication Skills (BICS) and their Cognitive Academic Language Proficiency (CALP).<sup>58</sup> The basic interpersonal skills are surface skills such as listening and speaking and engaging in simple every-day conversations – skills that students acquire relatively quickly just by living and studying in an English language environment.<sup>59</sup> This is in contrast to their cognitive academic language proficiency, or their ability to cope with academic demands in English and the deeper meaning of more complex concepts and terms that are necessary when studying in a second language environment.<sup>60</sup> Professor Jim Cummins, a renowned expert in second language acquisition, asserts that it takes between 5-7 years of immersion in a second language before a person acquires the ability to grasp academic language on par with native speakers.<sup>61</sup>

Research studies since the early 1980s have shown that immigrant students can quickly acquire considerable fluency in the target language when they are exposed to it in the environment and at school but despite this rapid growth in conversational fluency, it generally takes a minimum of about five years (and frequently much longer) for them to catch up to native speakers in academic aspects of the language.<sup>62</sup>

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<sup>56</sup> Julie M. Spanbauer, *supra* note 11 at 400, (noting that educators who have taught nonnative English speakers have noticed that even though the students can demonstrate sufficient competency on exams, they often struggle with cultural nuances and the more complex concepts such as differences in legal systems and approach to legal education); *See also* Jim Cummins, Power and Pedagogy: Bilingual Children in the Crossfire, (Multilingual Matters Limited 2000) at 57.

<sup>57</sup> Adrienne L. Herrell and Michael Jordan, 50 Strategies for Teaching English Language Learners (Merrill/Prentice Hall (3d ed. 2008). Developed by Professor J. Cummins, a world leader in bilingual education and second language acquisition. *See also* Ellis, *supra* note 42 at 111.

<sup>58</sup> *See* Cummins, *supra* note 56 at 58; *See also* Maren Aukerman, A culpable CALP: Rethinking the conversational/academic language proficiency distinction in early literacy instruction, *The Reading Teacher*, vol. 60, no. 7 (2007) at 626 (stating that Cummins, a prominent researcher of second-language acquisition, is responsible for developing the theory for how English as a second language learners appear to be fluent in conversation but can often struggle in an academic setting).

<sup>59</sup> *See* Aukerman, *supra* note 58 at 626.

<sup>60</sup> Cummins, *supra* note 56 at 59 (identifying CALP as expanding a person's basic language skills, those acquired in a social context, into more specific academic related areas).

<sup>61</sup> *Id.* at 58.

<sup>62</sup> *Id.* at 76. (noting that this assertion has received support from three other reputable academics and/or sources, including Douglas Biber, David Corson, and Snow and Hoefnagel-Hohle's longitudinal analysis).

It may not be realistic for an educator to expect an international student, for whom English is a second language, to become fluent in the academic language used in the classroom within the short period of time they are studying in the U.S.

While educators and administrators can often have unrealistic expectations about an international student's English capabilities, the students themselves are also frequently fooled into believing they will be more competent with English because of their years of study in their home country.<sup>63</sup> In a recent study of problems facing international students at U.S. institutions, nonnative English speaking students were asked to rank eleven potential problem areas and to score them as to whether they represented major problems, moderate problems, minor problems, or no problem at all.<sup>64</sup> According to the study, one of the three biggest problem areas identified by the students was difficulty with English.<sup>65</sup> Interestingly, while identifying difficulty with English as one of their biggest problem areas, the students only characterized it as a minor problem.<sup>66</sup> However, the facilitators of the study uncovered an interesting result; that even though students felt their problems with English were only "minor" in nature, difficulty with English was a significant factor in nine of the remaining ten other problem areas.<sup>67</sup> The

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<sup>63</sup> Alina Dizik, Mastering the Finer Points of American Slang, WALL ST. JOURNAL, May 30, 2012 at D3 (noting that the 39-year old co-founder of software learning website who immigrated to the U.S. in 2006, found that his English was woefully insufficient even though he had studied English in school while growing up in his native India); *See also* James T. Areddy, China Struggles with English, WALL ST. JOURNAL, April 14, 2011 (reporting that even though as many as 300 million Chinese students are studying English in school, they are not becoming adequately proficient and that most of those surveyed wouldn't be able to converse effectively in a business setting).

<sup>64</sup> Fred J. Galloway and John R. Jenkins, The Adjustment Problems Faced by International Students in the United States: A Comparison of International Students and Administrative Perceptions at Two Private, Religiously Affiliated Universities, NASPA Journal, vol. 42, no. 2 (Winter 2005) at 178. The eleven problem areas included: admissions and selection, orientation services, academic advising and records, socio-personal, living and dining, health services, religious services, student activities, financial aid, placement services, and English language.

<sup>65</sup> *Id.* at 180. (finding that financial aid and placement services were also in the top three and noting that this was expected since international students do not qualify for federal financial aid and they have a greater difficulty in finding jobs).

<sup>66</sup> *Id.* at 179.

<sup>67</sup> *Id.* at 181-82.

researchers concluded that, “facility with the English language” was the single most powerful determining factor in their study of problems facing international students.<sup>68</sup>

A similar study discovered that only about twenty percent of international doctorate students believe they had problems with their English speaking and writing skills, with the majority of these students originating from East Asia.<sup>69</sup> If students and educators share the same misconceptions about the severity of the language barriers that exist for nonnative English speakers, then how can either side be expected to take the necessary steps to alleviate or remove those barriers? This can be even more troubling because, “assessment of English second language proficiency among adults has become a major focus for businesses operating in the international area, for universities concerned that prospective students have sufficient English proficiency to pursue degree program successfully, and for countries such as ... the United States that continue to attract large numbers of immigrants.”<sup>70</sup>

**A. Issues Specific to International Students  
Studying Business or Legal Studies**

To acquire the needed expertise and be successful in both undergraduate and graduate business and legal courses, students are required to actively listen to lectures, take notes, participate in classroom discussions, as well as have a basic elementary understanding of the American legal system. They must read and analyze long assignments and learn highly technical vocabulary. They must perform orally almost daily in class, but they are also evaluated through their written performance on assignments & examinations. This is a unique challenge even for native English speakers. The difficulty increases exponentially when you are a nonnative

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<sup>68</sup> *Id.* at 185.

<sup>69</sup> Nahid Aslanbeigui and Veronica Montecinos, Foreign Students in U.S. Doctoral Programs, JOURNAL OF ECONOMIC PERSPECTIVES, vol. 12, no. 3 (Summer 1998) at 174. (East Asia is typically identified as China, Korea, Hong Kong, Taiwan, Mongolia, Japan, and Macau).

<sup>70</sup> See Cummins, *supra* note 56 at 114.

English speaker. Some international students feel uncomfortable participating in the classroom as a result of cultural mores.<sup>71</sup> For example, unlike in American classrooms, in China students are taught to sit quietly, listen, and obey their instructors.<sup>72</sup> Consequentially, Chinese students in American classrooms are uncomfortable asking questions or disputing an idea. While a classroom in the United States encourages students to participate, ask questions, and refute a theory, Chinese classrooms remain silent. Chinese students are to accept the curriculum as it is taught, without question. This poses a challenge for both the student and professor.<sup>73</sup>

In addition, most international students have trouble with business and legal vocabulary, reading case law, identifying basic legal or ethical issues and legal principles, and they are often frustrated by the time required to read the assigned materials.<sup>74</sup> When the above is combined with the fact that the majority of faculty are not prepared to recognize or address the unique problems experienced by international students, the end result is that professors get frustrated by what they believe to be unqualified or underprepared students and the international students do not make the conceptual connections and acquire the elementary foundation needed to progress through the more advanced aspects of the business or legal curriculum.

Students of all nationalities who study the law are “cast in the role of legal experts, reading and deciphering statutes, decisions, and constitutional provisions, not newspaper articles about the law.”<sup>75</sup> The one-size fits all approach to teaching international students is a recipe for failure because of the many variables in the needs of international students are exacerbated by the increased difficulty of business and legal concepts. Variables include, “students’ different

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<sup>71</sup> Brostoff, *supra* note 10 at 148 (2001).

<sup>72</sup> A Literature Study of Cross-cultural Adaptation in North America: Chinese Students’ Difficulties and Strategies, at 4; located at: [http://www.isatt.org/ISATT-papers/ISATT-papers/Yu\\_ALiteratureStudyofCrossculturalAdaptationinNorthAmerica.pdf](http://www.isatt.org/ISATT-papers/ISATT-papers/Yu_ALiteratureStudyofCrossculturalAdaptationinNorthAmerica.pdf).

<sup>73</sup> *See id.*

<sup>74</sup> *See* Wojcik, *supra* note 31 at 131-32; *See also* Brostoff, *supra* note 10 at 139-40.

<sup>75</sup> Debra Lee, Making the Leap from General to Legal English, ESSENTIAL TEACHER, vol. 1, at 1.3 (June 2004).

countries of origin, the students' previous experiences in other cultures, the students' experiences in the academic culture of institutions in other nations, the students' prior training in law and exposure to the English language, and other factors individual to each student.”<sup>76</sup>

International students who may have legal experience in their home country can struggle with the most basic and foundational element of the American legal system – the common law system.<sup>77</sup> In fact, for international students from civil law countries, “the assumptions about the law” that they bring to the American classroom “are often at odds with and counter productive” to learning the way the law works in the United States.<sup>78</sup> “Early anthropologic theorists defined law as built on a concept of culture as integrated, stable, consensual, bounded, and distinctive . . . [and] defined as the common values, institutions, and regular social interactions shared by a group of people.”<sup>79</sup> For American professors of legal studies, the effect is called “cultural encapsulation”; that is, the professor tends to see the world of the law through their own personal/cultural experience and often assumes those in the classroom have a common understanding of the same.<sup>80</sup> International students lack the same cultural knowledge base and often fail to grasp even the most basic of principles. For example, passing references to the Bill of Rights or the First Amendment – topics professors assume their students understand – have no meaning whatsoever to a student from China. By recognizing this disconnect, a US professor can narrow the international student’s knowledge gap by simply adding an American cultural or historical context in conjunction with the legal principles they are discussing.<sup>81</sup>

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<sup>76</sup> See Wojcik, *supra* note 31 at 130.

<sup>77</sup> Spanbauer, *supra* note 11 at 402.

<sup>78</sup> Spanbauer, *supra* note 11 at 424.

<sup>79</sup> Teresa Kissane Brostoff, Using Culture in the Classroom: Enhancing Learning for International Law Students, 15 MICH. ST. J. INT’L L. 557, 560 (2007); *citing* Sally Engle Merry, Law, Culture, and Cultural Appropriation, 10 YALE J.L. & HUMAN. 575, 576 (1998).

<sup>80</sup> Brostoff, *supra* note 79 at 564.

<sup>81</sup> *Id.* at 571.

International students are not only charged with learning new legal terms in English, “they must also learn about various legal documents and the legal system”; including the concept of separation of powers and the branches of the American government, along with nuances of the federal and state court systems.<sup>82</sup> Understanding that an international student’s perspective on, and understanding of, the law is influenced to a great degree by the culture in which they were raised will go a long way toward a legal educator’s ability to help these students recognize the similarities and shared concepts between their home country’s legal system and the U.S. legal system.<sup>83</sup> Last, the study of American law is a “linguistic activity” that requires the ability to engage in rhetoric.<sup>84</sup> Each language has its own rhetorical conventions that are unique to its culture and some research has revealed that the rhetorical conventions of a student’s first language can create roadblocks to their ability to acquire the conventions of English.<sup>85</sup>

### **III. ISSUES SPECIFIC TO THE EVER INCREASING POPULATION OF CHINESE STUDENTS**

Since one out of every five international student in the U.S. is from China<sup>86</sup>, and in light of China’s five consecutive years of double-digit increase in the number of students sent to study in the U.S.<sup>87</sup>, it is important that the unique challenges that arise with hosting Chinese students be addressed separately. One of the reasons so many Chinese students have been applying to US colleges and universities is because of the *gaokao*.<sup>88</sup> China’s national college entrance exam, better known as the *gaokao*, is a 9 hour test taken by every young adult who wishes to attend

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<sup>82</sup> Wojcik, *supra* note 31 at 135.

<sup>83</sup> Brostoff, *supra* note 10 at 558-61.

<sup>84</sup> *See generally*, Leigh Hunt Greenshaw, “To Say What the Law Is”: Learning the Practice of Legal Rhetoric, 29 Val. U.L. Rev. 861 (Spring 1995).

<sup>85</sup> Spanbauer, *supra* note 11 at 413.

<sup>86</sup> *See* Appendix, Table III.

<sup>87</sup> *See* Appel, *supra* note 14.

<sup>88</sup> Christina Larson, One Big Test: Does China’s nerve-racking *gaokao*, college-entrance exam really identify the country’s best and brightest, or is it even sillier and more unfair than the SAT?, FOREIGN POLICY, June 10, 2011; available at: [http://www.foreignpolicy.com/articles/2011/06/10/the\\_big\\_test](http://www.foreignpolicy.com/articles/2011/06/10/the_big_test).

college in Mainland China.<sup>89</sup> In 2011, 9.57 million Chinese students took the *gaokao* with the hope of winning one of only 6.57 million university slots.<sup>90</sup> That leaves 3 million students without a higher education destination in their homeland. In China, a student's academic placement and subsequent performance determines his entire future.<sup>91</sup> Thus, a good score on the *gaokao* can earn a student entry into a prestigious university, while a low score can prevent a Chinese student from ever attending college and force them into a low-income job.<sup>92</sup> Higher education and the opportunities it can provide is "the only way left for poorer youth to climb the social hierarchy."<sup>93</sup> Needless to say, the *gaokao* is the most influential exam a Chinese student will take and can determine their entire life's potential.<sup>94</sup>

Because of the importance of the *gaokao* and the limited slots available at Chinese universities, cheating has become rampant and students have recently begun using technology in order to succeed on the exam.<sup>95</sup> The cheating has become so widespread that the Chinese Ministry of Education has resorted to using closed-circuit television cameras and security patrols in the testing centers.<sup>96</sup> Assisting with exam cheating has become its own industry in China with gangs selling transmitters that can be embedded in a test-taker's ear, very small wireless microphones and high-definition cameras that look like buttons that are used to communicate with helpers outside the test center, and earplugs that are almost invisible to the naked eye.<sup>97</sup>

The devices are so advanced that they are undetectable using metal detectors and their users have

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<sup>89</sup> *Id.*

<sup>90</sup> Marklein, *supra* note 3.

<sup>91</sup> Connie Chen, [The Gao Kao Gamble](http://www.uschina.usc.edu/article@usct?the_gao_kao_gamble_17411.aspx), US-CHINA TODAY, Sept. 23, 2011; available at: [http://www.uschina.usc.edu/article@usct?the\\_gao\\_kao\\_gamble\\_17411.aspx](http://www.uschina.usc.edu/article@usct?the_gao_kao_gamble_17411.aspx).

<sup>92</sup> Larson, *supra* note 88.

<sup>93</sup> Stephen Wong, [China's exam cheats go high-tech](http://www.atimes.com/atimes/China/KG11Ad01.html), ASIA TIMES, July 11, 2009; available at: <http://www.atimes.com/atimes/China/KG11Ad01.html>.

<sup>94</sup> Nimshi Perera, [Cracking Down on Schoolhouse Cheats](#), GLOBAL CHINA, June 23, 2011.

<sup>95</sup> Stephen Wong, *supra* note 93.

<sup>96</sup> *Id.*

<sup>97</sup> *Id.* (stating that test takers are able to send questions out to the gang members who then provide answers within minutes to the test-takers).

been able to circumvent wireless shields set-up by the testing centers.<sup>98</sup> It has been reported that parents have been willing to pay several thousand dollars for these devices to give their child an advantage and government officials and teachers have been caught accepting bribes to supply exam information.<sup>99</sup> Not surprisingly, dishonesty goes beyond the actual test. Parents have been caught lying about their child's ethnicity in order to take advantage of the preferential admissions treatment and lower scores that are afforded to ethnic minorities.<sup>100</sup>

In order to avoid the pressures and limited opportunity associated with the *gaokao*, many Chinese students have been choosing to apply to American schools and study for the SAT's and ACT's instead.<sup>101</sup> By avoiding the *gaokao* and applying to universities in the United States, Chinese students have a better chance for a brighter future. Many Chinese students who decide to apply to an American university use an agency in China to guide them through the enrollment process.<sup>102</sup> Although a reliable and exact number does not yet exist, it is estimated that 80% of Chinese applicants rely on agencies, most of which do not meet the National Association for College Admission Counseling's (hereinafter "NACAC") ethical standards.<sup>103</sup> For agency advice, many students will pay up to \$10,000 US dollars and agents may also receive a bonus for getting a client into a more prestigious school, along with collecting a percentage of their financial aid package.<sup>104</sup> Considering the economic incentives that are at stake, agents are strongly motivated to get their client accepted into a university and have not been afraid to

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<sup>98</sup> *Id.*

<sup>99</sup> *Id.* (noting that these government officials included the vice magistrate for education, the vice county magistrate, and several police officers).

<sup>100</sup> *Id.*

<sup>101</sup> Larson, *supra* note 88.

<sup>102</sup> Bartlett & Fischer, *supra* note 38.

<sup>103</sup> *See id.*; citing Tom Melcher, White Paper, Busted: The top 5 ways that Chinese students cheat on their undergraduate applications to American schools (and what schools can do about it), (May 2010) at 4. Zinch China is one of the largest consulting companies that advises colleges and universities China and assists with recruiting Chinese students).

<sup>104</sup> *See* Melcher, *supra* note 103 at 4.

engage in various unethical tactics.<sup>105</sup> When Chinese students are taught by their parents, teachers, and governmental officials to cheat in order to succeed on the *gaokao* and their admissions endeavors in their homeland, it is not surprising that the dishonesty would spill over to their efforts to get accepted into an American college or university.

It is approximated that 90% of Chinese undergraduate applicants to US universities submit forged recommendation letters; 70% have their essays written by someone else; 50% use falsified high school transcripts; 30% lie on their financial aid applications; and 10% report achievements and awards that they never earned.<sup>106</sup> When asked, many of the students who have engaged in these deceitful practices lack any remorse or even acknowledge their actions were unethical.<sup>107</sup> Since most Chinese applicants' English is poor, agents will give a client one of several previously written essays that have been slightly altered from the preceding user. These essays can be purchased for less than \$1,000. The same applies for letters of recommendation.<sup>108</sup> Agents also work closely with the applicant's high school administrators to falsify transcripts and if the school refuses to re-issue an altered transcript, many agents will simply use Photoshop to doctor what is necessary.<sup>109</sup>

Any international student who wishes to pursue an education in an English speaking country must take the Test of English as a Foreign Language (hereinafter "TOEFL").<sup>110</sup> The

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<sup>105</sup> *See id.* at 4-7.

<sup>106</sup> Ian Wilhelm, Falsified Applications Are Common Among Chinese Students Seeking to Go Abroad *Consultant Says*, CHRONICLE OF HIGHER EDUCATION, June 14, 2010, located at: <http://chronicle.com/article/Falsification-Is-Common-Among/65946/>.

<sup>107</sup> Bartlett & Fischer, *supra* note 38 at ED24. Students have admitted to having agency personnel write their essays and feel that doing so was excusable because of their poor English skills and lack of familiarity with the American admissions process.

<sup>108</sup> *See* Melcher, *supra* note 103 at 6.

<sup>109</sup> *See id.* at 8.

<sup>110</sup> ETS Homepage; located at: <http://www.ets.org/toefl/ibt/about/>; *See also*, Bartlett & Fischer, *supra* note 38 at ED24.

TOEFL measures a student's ability to listen, read, and write English at university level.<sup>111</sup> Alongside fabricated transcripts and fake letters of recommendations, numerous schools have recently discovered that many international students have reported false TOEFL scores on their applications.<sup>112</sup> In the fall of 2011, several of the Chinese students attending class at Kansas State University did not match their security photos that were taken when they sat for the TOEFL exam.<sup>113</sup> Assistant Director of Admissions at Iowa State University, Patricia J. Parker has frequently seen TOEFL scores jump 30 to 40 points (out of a possible 120) after only a few months, despite little to no improvement in the students ability to speak English.<sup>114</sup> Discoveries such as these are becoming more and more ubiquitous amongst international students, shocking universities around the United States.<sup>115</sup>

Even if a student's academic credentials appear impressive and their score on the TOEFL is legitimate, these are not very good indicators of a student's ability to use English in an academic environment.<sup>116</sup> For example, international students tend to score lower on the verbal section of admissions exams than their American born counterparts.<sup>117</sup> The results of the TOEFL exam provide very little insight into the student's oral and writing skills as they relate to a business or legal curriculum.<sup>118</sup> One report issued in early 2011 characterized China's students

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<sup>111</sup> See Bartlett & Fischer, *supra* note 38.

<sup>112</sup> See *id.*

<sup>113</sup> *Id.*

<sup>114</sup> *Id.*

<sup>115</sup> Dickenson State University in North Dakota reported that many Chinese students signed up for classes despite having grades that were too low to qualify for certain classes and found that 21 out of 27 Chinese students lacked the requisite English language proficiency for the program. North Dakota school lacks controls, Rapid City Journal, Feb 10, 2012, located at: [http://rapidcityjournal.com/news/north-dakota-school-lacks-controls/article\\_fe762288-543a-11e1-b8e2-0019bb2963f4.html](http://rapidcityjournal.com/news/north-dakota-school-lacks-controls/article_fe762288-543a-11e1-b8e2-0019bb2963f4.html); At Kansas State, several Chinese students arrived on campus for the fall 2012 semester did not match their photos from when they took the TOEFL exam. See Bartlett & Fischer, *supra* note 38.

<sup>116</sup> Wojcik, *supra* note 31 at 127.

<sup>117</sup> Stuart M. Takeuchi, Verbal Skills and the Asian American Student, JOURNAL OF NON-WHITE CONCERNS IN PERSONNEL AND GUIDANCE, vol. 3, issue 4, 161 (Oct. 1975).

<sup>118</sup> See Spanbauer, *supra* note 11 (noting that international students' struggles with understanding American legal concepts are only exacerbated by the U.S. style of legal writing because it is "reader-centered"); See also Wojcik, *supra* note 31.

as having “low proficiency” in their English speaking skills<sup>119</sup> and another survey ranked China as 29 among 44 nations that speak English, and that many of the English-speaking Chinese “wouldn’t be able to keep up with a business meeting conducted in English.”<sup>120</sup> The circumstance of the Chinese student in a U.S. classroom is usually even more extreme because of the distinctly unique aspects of their native language;<sup>121</sup> Mandarin is a logographic system using pictures and it has no resemblance to the English alphabet.<sup>122</sup> Mandarin does not contain any articles of speech (a, an, and, then) and uses the same character for all personal pronouns. Chinese students also typically have difficulty with pronouns, articles, gerunds and infinitives and past participles because verbs do not change in Chinese.<sup>123</sup> As a result, when translating Chinese to English, students commonly interchange the correct word for something completely wrong.<sup>124</sup>

Even if a Chinese student does not engage in fraudulent conduct in order to get accepted at an American university, there are serious issues that can arise for these students once they arrive on campus. Many Chinese students experience maladaptive perfectionism, a vulnerability factor that leads to lying, cheating, and plagiarism. Maladaptive perfectionism is defined as, “the failure to meet one’s standards for performance.”<sup>125</sup> Research suggests that maladaptive perfectionism is particularly common amongst Chinese students because of the cultural emphasis

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<sup>119</sup> Brittany Hite, In Battle to Save Chinese, It’s Test vs. Test, WALL ST. JOURNAL, Sept. 29, 2011; located at <http://blogs.wsj.com/chinarealtime/2011/09/29/in-battle-to-save-chinese-its-test-vs-test/>.

<sup>120</sup> Areddy, *supra* note 63.

<sup>121</sup> Foreign Teachers Guide to Living and Working in China; available at: <http://middlekingdomlife.com/guide/>.

<sup>122</sup> *See generally*, Hsiang-Ting A. Wu, Roles of pictures and native languages in lexical processing for elementary American learners, Proceedings of the 21<sup>st</sup> North American Conference on Chinese Linguistics (NACCL-21), volume 1, pp. 178-195 (2009).

<sup>123</sup> Lewin, *supra* note 34.

<sup>124</sup> Foreign Teachers Guide to Living and Working in China: Difficulties Faced By Chinese EFL Students, <http://middlekingdomlife.com/guide/teaching-english-chinese-students.htm>

<sup>125</sup> Heppner, P.P., Ku, T.Y., Liao, Y.H., Mallen, M.J., Wei, M. & Wu, T.F., Acculturative Stress, Perfectionism, Years in the United States, and Depression Among Chinese International Students, JOURNAL OF COUNSELING PSYCHOLOGY, vol. 54, no. 4, 385, 386 (2007); located at: <http://sharepdf.net/read/21728/acculturative-stress-perfectionism-years-in-the-united-states>.

on academic performance, the costs of attending an American school, and the pressure from overbearing parents.<sup>126</sup> Students with maladaptive perfectionism fear that they may fail to meet the academic expectations they place on themselves, making them more likely to be dishonest on their applications and eventually in the classroom.<sup>127</sup>

Due to China's one-child policy, many in today's generation of Chinese college students have the additional burden of knowing that they are their parents' sole opportunity to achieve a life their parents did not have.<sup>128</sup> Chinese mothers and fathers consider their role as parents is to prepare their children for the future, at whatever the cost.<sup>129</sup> These parents grew up with Chairman Deng Xiao Ping's ideology of economic and industrial expansion. Many who became wealthy during this time succeeded using unethical methods, almost always with impunity.<sup>130</sup> The ethical values cultivated from that time period were then passed down to the current generation. After witnessing the extreme cheating measures their parents took to help them with the *gaokao* or to get them accepted into an American university, Chinese students feel they owe it to their parents to perform well in school. As a result, many Chinese students regard "honesty" and "fairness" much differently whether in life, the workplace, or in an academic surrounding.<sup>131</sup> Some of these views can be traced back to the cultural difference and conflicts between collectivism and individualism.<sup>132</sup> "Collectivistic cultures [such as China] worship group goals,

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<sup>126</sup> Heppner, *supra* note 125 at 386.

<sup>127</sup> *See id.*

<sup>128</sup> Bartlett & Fischer, *supra* note 38.

<sup>129</sup> *See id.*

<sup>130</sup> *See* Melcher, *supra* note 103 at 3.

<sup>131</sup> *See id.* at 4.

<sup>132</sup> Wei Sun and Guo-Ming Chen, [Dimensions of difficulties mainland Chinese students encounter in the United States](http://www.eric.ed.gov/ERICDocs/data/ericdocs2/content_storage_01/0000000b/80/26/a7/7d.pdf), at 9, Paper presented at the 1997 international conference in cross-cultural communication. Retrieved March 23, 2006, from [http://www.eric.ed.gov/ERICDocs/data/ericdocs2/content\\_storage\\_01/0000000b/80/26/a7/7d.pdf](http://www.eric.ed.gov/ERICDocs/data/ericdocs2/content_storage_01/0000000b/80/26/a7/7d.pdf).

which are the primary consideration of every in-group member.”<sup>133</sup> Thus, for Chinese students, the “group interests dominate” and members of the group will assist one another instead of looking out for self.<sup>134</sup> This is in stark contrast to the individualistic culture of the US, which focuses on individual goals and as a result the classroom can often be a competitive environment.<sup>135</sup>

There are other significant differences in a Chinese student’s approach to learning. In modern Chinese classrooms, students learn from memorizing textbooks, handouts, and lecture notes, before reciting the information back to the teacher.<sup>136</sup> This educational technique, which encourages memorizing and reiterating the exact works of others, may have resulted in a concept called “learned plagiarism.” The concept of “learned plagiarism” originates from the cultural belief that using the work of another is a sign of respect to the author.<sup>137</sup> Once in an American classroom, Chinese students often do not understand that the way they learned in their home country is no longer an accepted practice here in the United States.

Even if these differences in learning styles is discussed with Chinese students, the structural differences between the Chinese and English languages can create a large obstacle between student and professor, making communication nearly impossible and severely hindering a student’s ability to understand the differences. Chinese students find it near impossible to ask questions, read textbooks, and write essays in English; or if capable, they do so at a very slow

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<sup>133</sup> A Literature Study of Cross-cultural Adaptation in North America: Chinese Students’ Difficulties and Strategies, at 10; available at: [http://www.isatt.org/ISATT-papers/ISATT\\_papers/YuALiteratureStudyofCrossculturalAdaptationinNorthAmerica.pdf](http://www.isatt.org/ISATT-papers/ISATT_papers/YuALiteratureStudyofCrossculturalAdaptationinNorthAmerica.pdf).

<sup>134</sup> Kim Hughes Wilhelm, Hofstede’s intercultural dimensions and the decision-making process: Americans and Malaysians in a cooperative university setting, at 12; Paper presented at the meeting of the Teachers of English to Speakers of Other Languages (29th, Long Beach, CA, March 28-April 1, 1995) and at an International Conference on "Intercultural Communication: The Last Twenty-Five Years and the Next" (Rochester, New York, July 13-15, 1995).

<sup>135</sup> *Supra* note 133 at 10.

<sup>136</sup> Curtis, G.J., Maxwell, A., & Vardanega L., Does culture influence understanding and perceived seriousness of plagiarism?, INTERNATIONAL JOURNAL FOR EDUCATIONAL INTEGRITY, vol. 4, no. 2, p. 26 (2008); located at: <http://www.ojs.unisa.edu.au/index.php/IJEI/article/viewFile/412/292>.

<sup>137</sup> *Id.* at 26.

pace. It may take one student several hours to translate one chapter of a textbook, write a short essay, or finish a timed exam.

Alongside maladaptive perfectionism, international Chinese students often also experience acculturative stress. Acculturative stress can be defined as “a stress reaction in response to life events that are rooted in the experience of acculturation, the psychological difficulties in adapting to a new culture, or psychosocial stressors resulting from unfamiliarity with new customs and social norms.”<sup>138</sup> Studies have consistently shown that Chinese international students experience more acculturative stress than students from European nations because there are more cultural differences between eastern and western countries.<sup>139</sup> For Chinese students studying in the United States, their acculturative stress comes from enormous academic pressures, language challenges, food and cultural differences, lack of support, and feelings of discrimination.<sup>140</sup> While it is typical amongst students studying in a new country to experience alienation, confusion, stress, anxiety, depression, and many other emotions when adapting to a new environment, Chinese international students’ pressures weigh more heavily.<sup>141</sup> Chinese students can become overwhelmed and doubt their abilities, leading to depression. Coupled with their fear of failure and their anxiety of becoming acclimated to an entirely new culture, Chinese international students will often cheat, lie, and plagiarize in order to succeed.

Cheating, or academic dishonesty, comes in many forms: “copying a few sentences without proper citation, working on individual assignments with others, having someone check over a paper before turning it in, and getting questions or answers on a test from someone who

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<sup>138</sup> Heppner, *supra* note 125 at 386.

<sup>139</sup> *See id.* at 385.

<sup>140</sup> *See id.* at 386.

<sup>141</sup> A Literature Study of Cross-cultural Adaptation in North America: Chinese Students’ Difficulties and Strategies, at 7; available at: [http://www.isatt.org/ISATT-papers/ISATT\\_papers/YuALiteratureStudyofCrossculturalAdaptationinNorthAmerica.pdf](http://www.isatt.org/ISATT-papers/ISATT_papers/YuALiteratureStudyofCrossculturalAdaptationinNorthAmerica.pdf).

had already taken it”, are just a few examples.<sup>142</sup> While these methods of cheating can be effective, they pale in comparison to the Internet and other technological tools now available to students.<sup>143</sup> Having the means and methods of cheating is not usually enough – there also needs to be a motivating factor. There are numerous reasons why a student might cheat. Among these are: the student’s chances of getting caught, the severity of the penalty, their innate character, being male, not understanding the concept of plagiarism, to save time, temptation and opportunity, peer pressure, and their belief that cheating has no impact on their peers.<sup>144</sup> For international students, particularly those from China, add the motivating factors of acculturative stress and maladaptive perfectionism.

The problems associated with the high rate of academic dishonesty on the part of international students are becoming so commonplace that they can no longer be ignored. Two years ago a small college in New Jersey closed its China MBA program because of evidence of “rampant cheating.”<sup>145</sup> All 400 students in the program were believed to have committed plagiarism.<sup>146</sup> It appears that plagiarism is the most common form of academic dishonesty for international students, which is not surprising since most international students, particularly those from China, have never had to write a paper or to acknowledge their sources using

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<sup>142</sup> See *id.* citing L.A. Kidwell, K. Wozniak & J.P. Laurel, Student reports and faculty perceptions of academic dishonesty, TEACHING BUSINESS ETHICS, 7, 205-214.

<sup>143</sup> Perera, *supra* note 94 (noting that students now use “cell phones, wireless earpieces as small as a pea, and fake identification cards.”); See also, Jacqueline Burke, Ralph S. Polimeni, and Nathan S. Slavin, Academic Dishonesty: A Crisis on Campus: Forging Ethical Professionals Begins in the Classroom, CPA JOURNAL, at 58 (May 2007).

<sup>144</sup> Jacqueline K. Eastman, Rajesh Iyer, and Timothy H. reisenwitz, The Impact of Unethical Reasoning On Different Types of Academic Dishonesty: An Exploratory Study, JOURNAL OF COLLEGE TEACHING & LEARNING, vol. 5, no. 12, (Dec. 2008) at 8; See also, Rajesh Iyer, Jacqueline K. Eastman, Academic Dishonesty: Are Business Students Different From Other College Students, JOURNAL OF EDUCATION FOR BUSINESS, (Nov./Dec. 2006) at 102-03 (stating that business students appear to cheat more often than other college majors).

<sup>145</sup> Geoff Gloeckler, MBA Program Withdraws from China Due to “Widespread Plagiarism.” Other Issues, July 26, 2010; located at: [http://www.businessweek.com/bschools/blogs/mba\\_admissions/archives/2010/07/mba\\_program\\_withdraws\\_from\\_china\\_due\\_to\\_widespread\\_plagiarism\\_other\\_issues.html](http://www.businessweek.com/bschools/blogs/mba_admissions/archives/2010/07/mba_program_withdraws_from_china_due_to_widespread_plagiarism_other_issues.html).

<sup>146</sup> *Id.*

traditional forms of referencing.<sup>147</sup> The degree to which cheating, in any form, exists is a mystery. One recent study found that one in fifty-three international students had been prosecuted for academic dishonesty, compared with one in 1,122 domestic students.<sup>148</sup> Since most survey interviewees are unlikely to be “honest” about their dishonesty, it is nearly impossible to record accurate statistics for the number of foreign students cheating.<sup>149</sup> Consequently, the statistics reported by consulting companies and academic studies cannot be entirely relied on. Moreover, naïve faculty often rely solely on an student’s reported test scores and home country transcripts and make the natural assumption that they are going to be teaching a group of very academically qualified students who do not have a reason to be dishonest.<sup>150</sup> Sadly, this is not always the case.

#### **IV. SUGGESTIONS FOR HOW MAKE THE EXPERIENCE OF ADMITTING INTERNATIONAL STUDENTS MORE SUCCESSFUL**

Since the upward trend in the enrollment of international students at American universities and colleges shows no signs of waning, the question of how to address the unique language and educational challenges faced by these students can no longer be ignored. Recruiters, administrators, and educators are going to have to adjust and develop new methods, strategies, or techniques to help improve the admissions process and thereafter create new programs or tools to help these students integrate more quickly so they can adapt to the cultural differences and unique classroom environment they will face. There are, of course, many ways that an administrator, faculty member, department, or university can address these challenges.

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<sup>147</sup> Jon Marcus, Foreign student rule-breaking: culture clash or survival skills?, CHRONICLE OF HIGHER EDUCATION, Oct. 6, 2011.

<sup>148</sup> *Id.*

<sup>149</sup> Melcher, *supra* note 103 at 1.

<sup>150</sup> Aslanbeigui, *supra* note 69 at 173 (noting that the results of their study suggested that foreign students appear well credentialed and often enter U.S. doctoral programs with more academic and work experience than their U.S. counterparts).

## A. Changes to Recruitment & Admission Practices

Before initiating the process of recruiting international students, it may be wise to develop a strategy or specifically identify the goals the university is hoping to achieve with their international recruiting efforts. For example, Vanderbilt University has elected to focus on diversifying their international population rather than just seeking to admit a specific quantity of students.<sup>151</sup> Vanderbilt's administration worries that if they have too many students on their campus from one country – for example China or South Korea – then the American students equate the term international with Asian.<sup>152</sup> If the university's main reason for admitting international students is financially motivated, then just recruiting students from China will likely meet with success. Universities employing this strategy should be forewarned; simply admitting a few hundred international students from one country like China may generate a lucrative revenue stream, however, it is also going to result in many of the significant problems discussed earlier in this article. Conversely, if the university's goals are to diversify the student population and to recruit qualified students that will be successful in the classroom and in the job market, then significantly more time, energy, and money will need to be invested in order to complete the work necessary to achieve those goals. When developing a strategy for international recruitment, experts suggest that good countries to target are the ones that have a good relationship with the U.S., have a middle class that can afford higher education, and their

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<sup>151</sup> McMurtrie, *supra* note 16. The vice provost of Vanderbilt acknowledged that this quality over quantity approach requires that they spread resources around to various countries and that such an approach may not be financially or logistically feasible for many universities.

<sup>152</sup> *Id.* One student at another university (University of Washington) researched the number of Chinese students that would be attending the university because she was concerned that if too many Chinese students came it would be like she was studying in China instead of gaining the international experience she had hoped and paid for. *See* Lewin, *supra* note 34.

own educational system is unable to accommodate the number of applicants.<sup>153</sup> This will obviously require some investigation and myriad of resources.

Once a well thought-out and comprehensive international student recruitment plan or goal is in place, the next step is addressing the actual screening and/or admissions processes necessary to effectuate the plan and achieve the goal. There are steps that can be taken to better screen international students to ensure that the person who arrives on campus is the same person, both physically and academically, who applied many months prior. Tom Melcher, Chairman of Zinch China, suggests that universities that are serious about recruiting in one particular country hire a local consultant to assist with screening admissions candidates.<sup>154</sup> Since the consultant would be native to the culture and language they may be able to spot issues or problems that a university administrator would miss. Moreover, since this person would work for the university and not the student, there would be less incentive for them to assist with or participate in many of the frauds discussed earlier.

Conducting face-to-face interviews with students to confirm their grasp of English is another approach. While on initial review this might appear to present prohibitive economic hurdles, with the advent of Skype and other web resources these interviews can now be conducted without either party having to get on an airplane. Not only would a candidate's English skills be verifiable during this interview, but the student can be engaged in a conversation about how prepared they are for some of the cultural challenges they might face when they arrive on campus. Last, because prospective students and some admissions agencies have been known to "doctor" student's transcripts to make them more attractive, admissions personnel should consider accepting transcripts and other academic records only if they are sent

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<sup>153</sup> *Id.*

<sup>154</sup> Tom Melcher, *supra* note 103 at 11. (Recommending that universities interested in recruiting students from Mainland China hire a local person, not as a recruiter, but to screen applicants looking for inconsistencies).

from the institution itself. By cutting the student and/or agent out of the process, one less opportunity for fraud will exist. These suggestions are not perfect and it is likely that some applicants will still slip through the cracks; however, it is a step in the right direction.

### **B. Assisting International Students Once They Arrive on Campus**

Educating international students about, and assisting them with, the cultural adjustment they will face once they get to the American university or college is a wholly separate issue. One researcher who looked at the difficulties faced by international students has concluded that, “the students who were the most successful in their college courses were those who were persistent, skilled at, and actively engaged in constructing and using . . . ‘maps’ of the school’s social and academic geographies to guide them in fulfilling academic requirements and needs.”<sup>155</sup> These ‘maps’ as the researcher called them, fall into two categories: academic and social.<sup>156</sup> While this researcher addressed these categories individually, there is actually a large overlap. As demonstrated earlier in this article, not all international students are good at recognizing that they need help with either English<sup>157</sup>, a specific subject, or both, and actually coming forward and asking for help is usually not the norm within many cultures.<sup>158</sup> Creating a structured mentoring system where each international student is paired with an American student – sort of, the buddy system – is one way to assist an international student on both fronts. The mentor would likely be an academically successful student with the same major who can meet with the international student on a regular basis to discuss a wide range of subjects related to navigating the social atmosphere at a university as well as providing assistance with academic

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<sup>155</sup> James Whiting, *Key Behaviors of Successful College ELLs*, 40 IDIOM 4 (Vol. 3 Fall 2010).

<sup>156</sup> *Id.* at 4.

<sup>157</sup> See Aslanbeigui, *supra* note 69 at 174.

<sup>158</sup> A Literature Study of Cross-cultural Adaptation in North America: Chinese Students’ Difficulties and Strategies, at 4; located at: [http://www.isatt.org/ISATT-papers/ISATT-papers/Yu\\_ALiteratureStudyofCross-culturalAdaptationinNorthAmerica.pdf](http://www.isatt.org/ISATT-papers/ISATT-papers/Yu_ALiteratureStudyofCross-culturalAdaptationinNorthAmerica.pdf)

issues. There are many academic honors organizations that require students to participate in service to their department or university as a condition of membership and these students often make good mentors. Unless forced, most international students, particularly the Chinese students, will migrate to one another and not make the effort necessary to integrate with their American counterparts.<sup>159</sup> Using the buddy system, while not perfect, creates an environment that fosters integration and “breaks the ice” for the initial introduction.

Educators may want to consider making some instructional modifications to address the reality that learning a completely new subject in an unfamiliar language can be quite challenging.<sup>160</sup> “Reading about unfamiliar content in a language that is also unfamiliar places an increased cognitive load on learners.”<sup>161</sup> While it might be tempting to use resources in the international student’s primary language to help clarify more difficult concepts, educators must be wary of the difficult balance that using these tools presents. One obvious and serious pitfall is that the student ends up using these tools as a crutch, and then fails to advance his/her English skills or may even tune out the English instruction altogether.<sup>162</sup>

While there are some basic resources available to teach international students elementary concepts of American law, sadly, there is very little in the market that address the more critical skills of legal analysis, research techniques, and the special characteristics of legal writing.<sup>163</sup>

Even those rare resources that are appropriate for teaching law or business to English language

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<sup>159</sup> Bartlett and Fischer, *supra* note 38.

<sup>160</sup> Claude Goldenberg, Teaching English Language Learners: What the Research Does – and Does Not – Say, AMERICAN EDUCATOR (Summer 2008) at 18.

<sup>161</sup> Goldenberg, at 18.

<sup>162</sup> *Id.* at 19.

<sup>163</sup> See Wojcik and Edelman, *supra* note 31 at 128; See also C.N. Candlin, V.K. Bhatia, and C.H. Jensen, Developing legal writing materials for English language learners: problems and perspectives, ENGLISH FOR SPECIFIC PURPOSES 21 (2002) 299 at 302. The authors identified six legal writing and/or analysis books that fit into the category of being appropriate for second language users. These books included; Introduction to Legal English (Chroma & Coats, 1996); American Legal English: Using Language in Legal Contexts (Lee, Hall, & Hurley, 1999); English for Law (Riley, 1991); English Law and Language (Russell & Locke, 1992); English for Law Students (Van der Walt & Nienaber, 1997); and Introduction to Legal English: An Introduction to Legal Terminology, Reasoning, and Writing in Plain English (Wojcik, 1998).

learners often suffer from two glaring deficiencies; first, they fail to integrate the language with the specific legal concepts and second, they are usually written for individuals from select countries and lack usefulness for all international students.<sup>164</sup> Legal analysis and legal writing can be challenging for all students, both domestic and international, especially since the projects associated with their instruction are usually quite large with a significant grade impact.

Developing smaller assignments worth fewer points lowers the risk for the international student and increases the opportunity to build these skills in manageable segments.

Without readily available resources, educators are going to have to come up with solutions on their own. One option is to offer some instructional components or resources in advance of the actual class wherein those specific topics will be discussed. Providing international students with key concepts or a vocabulary list prior to class allows them to familiarize themselves with the information either in their native language or in English. Then, once these concepts or terms are discussed in class, the international student can focus on gaining a deeper understanding of the information instead of wasting valuable class time on merely translating the concept or trying to grasp the English. Recording small segments of lectures on key or difficult to understand topics and then posting them for students to preview before, or revisit after, class is another tool for increasing an international student's opportunities to learn difficult concepts. If recording is not a feasible option, there are a variety of web resources<sup>165</sup> such as podcasts, webcasts, videos<sup>166</sup>, blogs, and textbook websites that a student can be referred to as support for English and/or course content. There are also a few good English slang and

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<sup>164</sup> C.N. Candlin, V.K. Bhatia, and C.H. Jensen, *supra* note 163 at 302.

<sup>165</sup> There are free websites such as English Baby that offer a variety of exercises and tools to improve conversational English and knowledge of cultural references. See <http://www.englishbaby.com/>.

<sup>166</sup> Jessica Beinecke has created and hosts numerous videos that have been uploaded to YouTube wherein she teaches American idioms by using Mandarin Chinese. They are under the name OMG! Meiyu and they can be found at: <http://www.youtube.com/user/OMGmeiyu>.

idiom books including, *Speak Business English Like an American* by Amy Gillett<sup>167</sup> and *Teenage as a Second Language: A Parent's Guide to Becoming Bilingual* by Jennifer Powell-Lunder<sup>168</sup>, that can help international students feel more comfortable with using less formal but more commonly used English terms and expressions. One good resource for faculty to use when developing strategies to assist the English language learners in the classroom is the book *50 Strategies for Teaching English Language Learners* by Adrienne L. Herrell and Michael Jordan.<sup>169</sup> Several of the more applicable topics from the book include: tools for building vocabulary and concepts to support understanding; supporting student use of language in academic settings; using objects to connect concepts; and what to do when students can't read the textbook.<sup>170</sup>

Along with providing “content” in advance, educators have to be mindful of their use of language unrelated to content that is often equally as frustrating for international students. Use of clichés, idioms, slang, American cultural references, jokes, US history references, and politics often leave international students baffled.<sup>171</sup> Suggesting to a student that they “are not in Kansas anymore”<sup>172</sup> would be a cultural reference that is likely to be completely missed by an international student. If you are aware that you often make these cultural references then a good resource to recommend to an international student is *The New Dictionary of Cultural Literacy*.<sup>173</sup>

This book contains approximately six-thousand entries that identify and define “the names,

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<sup>167</sup> Amy Gillett, *Speak Business English Like an American* (Language Success Press 2011).

<sup>168</sup> Jennifer Powell-Lunder, *Teenage as a Second Language: A Parent's Guide to Becoming Bilingual* (Adams Media 2012).

<sup>169</sup> Herrell & Jordan, *supra* note 57.

<sup>170</sup> *Id.* at vii-ix (offering fifty different strategies and approaches to assisting nonnative English speakers to be successful in the 21<sup>st</sup> century classroom). The book is written primarily for teachers in primary or secondary schools; however, the strategies offered can easily be adapted for students in post-secondary educational settings.

<sup>171</sup> Alina Dizik, *supra* note 63 at D3 (noting that getting “comfortable with slang is essential for building relationships and communicating” in business and that being unaware of idioms and slang expressions makes nonnative speakers feel even more like an outsider).

<sup>172</sup> *THE WIZARD OF OZ* (Metro-Goldwyn-Mayer 1939).

<sup>173</sup> E.D. Hirsch, Joseph F. Kett, James Trefil, *The New Dictionary of Cultural Literacy: What Every American Needs to Know*, (Houghton-Mifflin, Harcourt 2003).

phrases, events, and other items that are familiar to most literate Americans: the information we call cultural literacy.”<sup>174</sup> This book will enable international students to quickly look-up cultural references so they can acquire a better understanding why the reference was used by an educator or fellow student. If collecting more books is not a palpable solution, then there are some easy and free ways to increase a student’s cultural awareness. Some professionals who have immigrated to the United States have watched popular shows such as *Family Guy* to improve their English skills and to become more familiar with cultural nuances.<sup>175</sup>

There are some basic tools that every educator can make use of that not only benefit international students but also enhance the learning opportunities of all students in the classroom.<sup>176</sup> Using technology, pictures, graphics, and charts to support the lecture (visuals are less constrained by language differences); arranging for specific opportunities for international students to meet one-on-one with the instructor (their specific needs can be addressed without wasting class time); speaking slower or making other modifications to the instructor’s delivery of information during class (international students generally need additional time to process the language being used); and notifying students in advance that they will be participating orally in class on a certain topic or case (avoiding the cultural differences on class participation and helps alleviate some of the embarrassment of speaking aloud in English in class) are all simple instructional modifications that can be adopted fairly easily.

The solution that requires the most significant investment is to require that international students complete an English-language intensive course or courses *prior to* matriculating into the

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<sup>174</sup> *Id.* at x.

<sup>175</sup> Alina Dizik, *supra* note 63 at D3.

<sup>176</sup> Theron P. Snell, First-Generation Students, Social Class, and Literacy, AAUP Publication, (July-August 2008) at 31. According to the National Assessment of Adult Literacy and student ACT scores, “nearly half of students entering college fail to meet the intermediate or proficient reading level necessary to have a better-than-average statistical chance of being successful in their college courses.” *Id.* at 31.

courses associated with the area they intend to study. A recent study of problems facing international students concluded that, “administrators interested in minimizing international student problems would be advised to be attentive to the English language skills of their international students, either through a more rigorous admissions process [as suggested above] or through the development of academic support programs targeted specifically at language deficient students.”<sup>177</sup> Most scholars recognize that while it is important to use a new language – here, English – in content courses and in real conversations and discussions, it is also important that English be taught directly.<sup>178</sup> The University of Nebraska has taken a two-prong approach to helping international students become more proficient in English. One prong is to offer a one-credit English language course specifically designed to improve the English language skills of Chinese students.<sup>179</sup> The second prong is to create “undergraduate partnerships” with institutions in China by having students spend the first two-years taking classes in English, in China, led by Nebraska faculty, and then completing the final two years at the University of Nebraska campus.<sup>180</sup> The second approach is more costly, requires significant time to create, comes with numerous complexities, and requires buy-in from faculty who would be willing to spend time teaching abroad.

Last, there is the problem of academic dishonesty. There are lots of articles and resources available offering solutions for preventing academic dishonesty. First, remember that educating students is a faculty member’s primary responsibility – not combating cheaters. Of course identifying and reprimanding cheaters is part of the job, but it shouldn’t be the most

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<sup>177</sup> Galloway and Jenkins, *supra*, note 64 at 185.

<sup>178</sup> Goldenberg, *supra* note 160 at 13.

<sup>179</sup> Marklein, *supra* note 3.

<sup>180</sup> *Id.*

important part.<sup>181</sup> Suggestions such as stating your policy on academic dishonesty in the syllabus and offering examples of penalties for offenders seems reasonable, unless you are an international student who not only doesn't understand some of the terminology used, but also has a completely different understanding of things like plagiarism. A better approach would be to have an open and frank discussion about the subject – not just a five-minute lecture at the start of class. This can be done in a separate seminar or as part of orientation at the start of the semester where international students can be educated on the subject, shown specific examples of various forms of academic dishonesty, and the specific cultural differences can be discussed. Offering the international students a chance to learn the vocabulary associated with academic dishonesty and to see practical examples of the same in a setting specifically designed for the topic will likely have a greater chance at being successful than: (1) expecting a student to glean an understanding about the subject based on a paragraph or two on a syllabus, or (2) expecting a student to understand the various rules against academic honesty after a brief sermon on the subject from the professor during the first few minutes of the first day of class. Remember, “showing” an international student what you expect from them can often be more effective than “telling” them what you expect.

Whatever solution or combination of solutions educators or administrators decide to employ will be based on myriad of factors including; institutional staffing, available resources, composition and quantity of international students, courses of study, the capability of educators, and of course financial resources. Despite these factors, one thing is true regardless of the institution, doing nothing is no longer an option.

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<sup>181</sup> Rob Jenkins, [Toward a Rational Response to Plagiarism](#), CHRONICLE OF HIGHER EDUCATION, Aug. 14, 2011 (noting that combating plagiarism and other forms of cheating has made the professorate crazy and that one can decide “either you can be a teacher or you can be the plagiarism police.”).

## V. CONCLUSION

To allow international students to navigate through our colleges and universities without paying attention to their different educational needs is depriving them of the full and robust educational experience we claim our students receive. It also lessens the benefits of diversifying the student population to the detriment of both the domestic and international students. If the United States intends to maintain or continue to grow its global presence and influence in higher education, then colleges and universities need to be more aggressive in developing structured and detailed solutions for how to address the problems that international students face. The approach needs to be two-pronged. The first prong is to establish a clear plan for international student recruitment, which will go a long way in addressing the quandary associated with ensuring that the students' admissions dossiers are not fraudulent and that the university is attracting the right candidates. The second prong is to establish the requisite programs, course materials, course modifications, and English language support necessary to assist international students with the difficult educational and cultural challenges they will face once they arrive in the United States. Most, if not all of these measures will require an investment in time and resources, and will require faculty support. It will not be easy, but then again, "nothing in the world is worth having or worth doing unless it means effort, pain, difficulty...."<sup>182</sup>

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<sup>182</sup> Theodore Roosevelt, Address before the Iowa State Teachers' Association, Des Moines, Iowa, Nov. 1910.

**APPENDIX<sup>183</sup>**

**TABLE I: Number of new international students enrolling in US institutions of higher education**

<u>Year</u>	<u>Total</u>	<u>% Change</u>
2005-2006	142,923	8.3
2006-2007	157,178	10.0
2007-2008	173,121	10.1
2008-2009	200,460	15.8
2009-2010	202,970	1.3
2010-2011	214,490	5.7

**TABLE II: Top fields of study by international students**

<u>Field of Study</u>	<u>2009/10</u>	<u>2010/11</u>	<u>% of Total</u>	<u>% Change</u>
Business & Mgmt	145,514	155,769	21.5	7.1
Engineering	127,441	135,592	18.7	6.4
Physical & Life Sciences	61,285	63,471	8.8	3.5
Math & Computers	60,780	64,588	8.9	6.2
Social Sciences	59,865	63,347	8.8	5.6
Fine & Applied Arts	35,802	37,237	5.1	4.0
Health Professions	32,111	32,526	4.5	1.3
Intensive English	26,075	32,306	4.5	24.0
Education	18,299	16,933	2.3	-7.5
Humanities	17,985	16,263	2.2	-9.6
Agriculture	10,317	9,888	1.4	-3.9
Other Fields of Study	76,743	76,459	10.5	-1.7
Undeclared	18,707	19,898	2.8	6.4

<sup>183</sup> Tables I, II, III, and IV contain data from the Institute of International Education located at <http://www.iie.org/en>.

**TABLE III: Top Places of Origin for Students Studying in U.S. Institutions of Higher Education**

<u>Rank</u>	<u>Place of Origin</u>	<u>2009/10</u>	<u>2010/11</u>	<u>% of Total</u>	<u>% Change</u>
	World Total	690,923	723,277	100.0	4.7
1	China	127,638	157,558	21.8	23.3
2	India	104,897	103,895	14.4	-1.0
3	South Korea	72,153	73,351	10.1	1.7
4	Canada	28,145	27,546	3.8	-2.1
5	Taiwan	26,685	24,818	3.4	-7.0
6	Saudi Arabia	15,810	22,704	3.1	43.6
7	Japan	24,842	21,290	2.9	-14.3
8	Vietnam	13,112	14,888	2.1	13.5
9	Mexico	13,256	13,713	1.9	2.0
10	Turkey	12,397	12,184	1.7	-1.7
11	Nepal	11,233	10,301	1.4	-8.3
12	Germany	9,548	9,458	1.3	-0.9
13	United Kingdom	8,861	8,947	1.2	1.0
14	Brazil	8,786	8,777	1.2	-0.1
15	Thailand	8,531	8,236	1.1	-3.5
16	Hong Kong	8,034	8,136	1.1	1.3
17	France	7,716	8,098	1.1	5.0
18	Nigeria	6,568	7,148	1.0	8.8
19	Indonesia	6,943	6,942	1.0	0.0
20	Malaysia	6,190	6,735	0.9	8.8
21	Columbia	6,920	6,456	0.9	-6.7
22	Iran	4,731	5,626	0.8	18.9
23	Venezuela	4,958	5,491	0.8	10.8
24	Pakistan	5,222	5,045	0.7	-3.4
25	Russia	4,827	4,692	0.6	-2.8

**TABLE IV: International Student Enrollment Trends**

<u>Year</u>	<u>Students</u>	<u>% Change</u>
1971-1972	140,126	-3.2
1972-1973	146,097	4.3
1973-1974	151,066	3.4
1974-1975	154,580	2.3
1975-1976	179,344	16.0
1976-1977	203,068	13.2
1977-1978	235,509	16.0
1978-1979	263,938	12.1
1979-1980	286,343	8.5
1980-1981	311,882	8.9
1981-1982	326,299	4.6
1982-1983	336,985	3.3
1983-1984	338,894	0.6
1984-1985	342,113	0.9
1985-1986	343,777	0.5
1986-1987	349,609	1.7
1987-1988	356,187	1.9
1988-1989	366,354	2.9
1989-1990	386,851	5.6
1990-1991	407,529	5.3
1991-1992	419,585	3.0
1992-1993	438,618	4.5
1993-1994	449,749	2.5
1994-1995	452,635	0.6
1995-1996	453,787	0.3
1996-1997	457,984	0.9
1997-1998	481,280	5.1
1998-1999	490,933	2.0
1999-2000	514,723	4.8
2000-2001	547,867	6.4
2001-2002	582,996	6.4
2002-2003	586,323	0.6
2003-2004	572,509	-2.4
2004-2005	565,039	-1.3
2005-2006	564,766	-0.05
2006-2007	582,984	3.2
2007-2008	623,805	7.0
2008-2009	671,616	7.7
2009-2010	690,923	2.9
2010-2011	723,277	4.7