STAKEHOLDERS' PERCEPTIONS OF THE 2010 ENGLISH LANGUAGE TRAINING PROGRAM ACCREDITATION ACT

by

Timothy O'Connell

A Dissertation Submitted to the Faculty of

GRADUATE INTERDISCIPLINARY PROGRAM IN SECOND LANGUAGE ACQUISITION AND TEACHING

In Partial Fulfillment of the Requirements for the Degree of

DOCTOR OF PHILOSOPHY

In the Graduate College

The University of Arizona

2019

THE UNIVERSITY OF ARIZONA
GRADUATE COLLEGE

As members of the Dissertation Committee, we certify that we have read the dissertation prepared by Timothy O'Connell, titled Stakeholders' Perceptions of the 2010 English Language Training Accreditation Act and recommend that it be accepted as fulfilling the dissertation requirement for the Degree of Doctor of Philosophy.

Suzanne Panferov Reese
Suzanne Panferov Reese — Date: Sep 23, 2019

Nicholas M Ferdinandt
Nicholas Ferdinandt — Date: Sep 23, 2019

Mary E Wildner-Bassett
Mary Wildner-Bassett — Date: Sep 23, 2019

Hayriye Kayi-Aydar
Hayriye Kayi-Aydar — Date: Sep 23, 2019

Final approval and acceptance of this dissertation is contingent upon the candidate's submission of the final copies of the dissertation to the Graduate College.

I hereby certify that I have read this dissertation prepared under my direction and recommend that it be accepted as fulfilling the dissertation requirement.

Suzanne Panferov Reese
Suzanne Panferov Reese — Date: Sep 23, 2019
Dissertation Committee Chair
Second Language Acquisition and Teaching

Table of Contents

Abstract

In response to the growing cacophony of concerns regarding student visa abuse, educational quality control, and national security issues, Congress passed Law 111–306, otherwise known as the English Language Training Program Accreditation Act (ELTPAA). It was signed into law by President Barack Obama on 14 December 2010. According to NAFSA: Association of International Educators (2010), the ELTPAA required that "intensive language training programs be accredited by an accrediting agency recognized by the Department of Education in order to be SEVIS-certified, issue Forms I-20, and enroll F-1 nonimmigrant students".

Regulations are often accompanied by research that studies various aspects of the respective policy and reports on its impacts or effectiveness. Research like this is necessary because without it, every new motion to regulate or deregulate would be full of unpredictable surprises every time — an untenable situation. Keeping with the tradition of research following law, and filling the gap left by Custer (2012) and ICEF Monitor (2016), using semi-structured interviews with ten relevant stakeholders close to the ELTPAA, a qualitative interview approach was used to answer the following research questions:

- What are stakeholders' perspectives on the ELTPAA?
- In what ways were stakeholders impacted by the ELTPAA?
- In what ways did stakeholders impact the ELTPAA?

This study discovered that participants perceived the ELTPAA to be a harbinger of quality assurance, accountability, and conformity. There were also concerns about the English language training industry's future as it relates to entrepreneurs, increased regulation, and digital adaptation or accommodation. The findings from this study suggest that there were two

unintended effects that accompanied the ELTPAA's passing; a legislative drafting error created a catch twenty-two situation in the ELTPAA's wording and newly-established high barriers to entry distort the market. Stakeholders reported being impacted by the ELTAA when Intensive English Program (IEP) standards were raised, bad actors were thwarted, and competitive advantages were provided to IEPs hosted by larger and regionally-accredited universities. A network of stakeholders used a variety of approaches, from grass-roots activism to discussions on Capitol Hill, to brainstorm, draft, promote, lobby, and ultimately pass the bill into a law. Collaboration between stakeholders is well documented.

The information gained in this study has several uses. Primarily, policymakers can use this study to better understand the implications of policy changes and regulation. It can also help to improve internal practices or help stakeholders deal with a possible rush of programs and institutions applying for reaccreditation in the future. This study can guide IEPs seeking accreditation for the first time by serving as a model or example of how to conduct a successful regulatory initiative and providing an increased awareness of the not-so-obvious benefits, and drawbacks, and challenges of operating in a newly-regulated industry. Ultimately, this study reveals what happened behind the scenes of the ELTPAA, its impacts, effects, how it is perceived, and lessons future industry leaders can learn from to further improve the English language training industry.

Chapter One: Introduction to the Study

Introduction

Education policy in the United States of America (USA) has traditionally been a patchwork of centralized, decentralized, proactive, and reactive initiatives. Past points of policy contention and research include, but are not limited to, student class sizes, the role of standardized testing, program funding, student discipline, student achievement standards, appropriate technology use, school lunch menu options, student body demographics, relationships with third-party services and vendors, curriculum adaptation, and security concerns, to name a few. The debates around policy initiatives, such as the examples listed above, ebb and flow with the social zeitgeist. Burns' (2002) paper on the relationship between social change and education noted that:

> During times of rapid social change, such as the second half of the 20th century, the role of education in the service of the nation is emphasized. When things are going well, especially economically, more experimentation with education is supported, and more idealistic goals are pursued. (p. 1)

Burns wrote her paper with global scope and examples in mind, referencing Germany, Greece, Sweden, China, the USA, and the Soviet Union. It highlighted an underlying, intuitive, and ubiquitous theme — an abundance of resources provides the education sector the flexibility to take initiative and respond to social change. The events of September 11th, 2001 were one of the pivotal moments in American history that provided both the impetus for social change, an increase in funds, support with the intention of achieving idealistic educational goals, educational experimentation, and emphasis on the role of education in service to the nation.

It is generally understood that the events of September 11th, 2001 were the catalyst for reexamining national policies related to immigration and security, among other things. Education was one of the many of the sectors of society that were reassessed in the post-September 11th

response. According to Eldridge, Ginsburg, Hempel, Kephart, and Moore's *National Commission on Terrorist Attacks Upon the United States* (2004):

> All but one of the hijackers presented visitor visas that immigration inspectors used to decide whether to admit them as tourists or on business…The one pilot who came in on a student visa never showed up for school, thereby violating the terms of his U.S. visa. (3)

The *9/11 Commission Report* (2004) detailed how the pilot, Hani Hanjour, entered the USA on a student visa with a supposed destination to an English language program in California that he never attended. The *9/11 Commission Report* (2004) also elaborated on how:

> Hani Hanjour, from Ta'if, Saudi Arabia, first came to the United States in 1991 to study at the Center for English as a Second Language at the University of Arizona. He seems to have been a rigorously observant Muslim. According to his older brother, Hani Hanjour went to Afghanistan for the first time in the late 1980s, as a teenager, to participate in the jihad and, because the Soviets had already withdrawn, worked for a relief agency there. (p. 225)

Entering the USA on a student visa, Hani Hanjour's situation brought additional attention to the student visa system and subsequent scrutiny that initiated a series of events that eventually lead to the passing of federal regulations.

The increased awareness and concern about student visa abuse led to systematic developments and crackdowns on fraudulent schools and programs nationwide. One major development was the creation of the Student and Exchange Visor Program (SEVP) office within the Department of Homeland Security (DHS). SEVP was created to "…act as a bridge for government organizations that have an interest in information on nonimmigrants whose primary reason for coming to the United States is to be students" (Student and Exchange Visitor Program, 2019). In addition to the new SEVP office, the SEVIS system was also developed. SEVIS is an online database "with information on international nonimmigrant students and exchange visitors in the United States" (Student and Exchange Visitor Program, 2019). International students coming to the USA to learn English would now have to register with the SEVIS system in order

to obtain to their F1 student visa. Schools IEPS would have to record student arrival and departures to and from the USA as well in the SEVIS system.

In addition to the systematic changes, the scam schools and "visa mills" from California to Pennsylvania were identified and prosecuted. David North (2019), a Fellow at The Center of Immigration studies, explained that all higher education immigration fraud, through the F-1 student visa program, is divided into three parts:

> 1.There are the individual students who drop out of legitimate universities to become illegal aliens on their own;
>
> 2. There are visa mills which are distinctly illegitimate establishments; they recruit would-be illegal aliens, and, in effect, charge them substantial fees for their F-1 visas; or they operate marginal operations more keyed to profits than to education; and
>
> 3. There are more rarely, or more rarely caught, employees of legitimate universities who misuse their positions to facilitate the conversion of legitimate foreign students into illegal aliens.

One well-known example of such abuse was reported by Bartlett, Fischer, and Keller (2011). They detailed the events surrounding Tri-Valley University, where students admitted on F-1 visas were being charged "upward of $3,000 for a chance to work legally in the United States" by the university (p. 2). They also reported that "Many students allegedly worked full-time, low-level retail jobs — in one case, at a 7-Eleven in New Jersey — that were passed off as career training so they could be employed while on student visas" (p. 2).

As this study was being conducted, it can not go unnoted that Mervosh (2019) reported on a 'pay-to-stay' sting operation where "foreign students knowingly enrolled in the fake school to falsely maintain their student visa status and remain in the United States, according to prosecutors". These attempts at defrauding the student visa system are not uncommon; Katersky and Sands (2019) reported on a similar operation in 2019 that involved a fake university, University of Northern New Jersey, that was used to bait and arrest twenty-one fraudulent

brokers or agents attempting to conduct student visa fraud while recruiting students from mostly China and India. All of the aforementioned examples fit snugly in North's (2019) framework, meeting the second of the three bullet points outlined.

In response to the growing cacophony of concerns regarding student visa abuse that were brought to the mainstream consciousness after September 11th, 2001, Congress passed Law 111–306, otherwise known as the English Language Training Program Accreditation Act (ELTPAA). It was signed into law by President Barack Obama on 14 December 2010 (See Appendix A). According to NAFSA: The Association of International Educators (2010) *Accreditation Requirement Becomes Law for Intensive Language Training Programs Who Enroll F-1 Students*, the ELTPAA:

> …amends section 101(a)(15)(F) of the Immigration and Nationality Act to require that intensive language training programs be accredited by an accrediting agency recognized by the Department of Education in order to be SEVIS-certified, issue Forms I-20, and enroll F-1 nonimmigrant students. (p. 1)

According to the Department of Education's (DOE) website, "the goal of accreditation is to ensure that institutions of higher learning meet acceptable levels of quality" (Department of Education, 2019). The importance of the DOE's statement can be identified through a closer look at the word "quality". Quality not only includes that a program's curriculum, content, and instructors meet a certain level of accepted academic rigor, it also includes safeguarding students and potential students from outright bad actors who engage in shams, scams, schemes, or other unlawful or nefarious acts that undermine the spirit and intention of F-1 student visas.

As of this writing in 2019, research on the 2010 ELTPAA is still scant. A study by Cayuso (2015) looked at the relationship between accreditation, compliance, and student learning outcome assessment standards. Custer (2012) and The ICEF Monitor (2016) wrote analyses titled *What is The Impact of the Accreditation Bill in the USA?* and *The Impact of*

Accreditation on Intensive English Programmes, respectively. While all three papers contribute to what is known about the ELTPAA in their own unique way, a gap in the research exists; there is a void of research that accounts for and analyzes the perceptions of stakeholders thoroughly and systematically. Perspectives, according to Surdek (2016) are "…the way individuals see the world. It comes from their personal point of view and is shaped by life experiences, values, their current state of mind, the assumptions they bring into a situation, and a whole lot of other things" (p. 1). When unpacked, this definition of perspective includes a series of threads that could be topics for individual studies themselves. Together, and systematically analyzed along with other stakeholders' perspectives, they provide a rich tapestry that when properly used, can help overcome a plethora of English language training program accreditation and policy-related challenges.

In addition to being the first study, to the best of the researcher's knowledge, that examines the perspectives of stakeholders in relevant and key positions who were involved in activities such as the brainstorming, development, promotion, lobbying, or use of the ELTPAA, this study was also conducted during reaccreditation season. Reaccreditation season is an important time period during which many programs received accreditation at approximately the same time, and considering a large number of newly-accredited programs and a five-year initial CEA accreditation, the first wave of IEPs seeking reaccreditation coincided with when this study was being conducted. This timeline and its convenient overlap with when this study was conducted meant that reaccreditation was fresh in research participants' minds and stakeholders had more experiences to speak on beyond 2012–2016, which is when the aforementioned and relevant literature was published.

Perspectives were gained through semi-structured interviews with ten relevant stakeholders that were, or are, involved or worked with the ELTPAA at one point or another on the ELTPAA's timeline. These perspectives are valuable and important because in addition to contributing to an improved and more holistic understanding of the ELTPAA, this study will help future stakeholders make better informed decisions on whether to support future policy, legislation, or modifications to the status quo. Governments will be able to refer to this research to make better-informed decisions about their own accreditation initiatives. IEPs, governments, and other stakeholders will be better able to anticipate challenges based on analyzed perspectives of stakeholders without having to start from scratch. These are just a few ways that the data mined from relevant interviews can be used to improve industry conditions at both the micro and macro level.

Background

"The concept of accreditation is derived from the Latin word 'accredere', which can mean either to create confidence, or to give credit or authority" (Engebretsen, Heggen, and Eilertsen, 2012, p. 402). Accreditation has become an important and oft-discussed topic in the education field because of the various programs, schools, and institutions that have cropped up over the USA in recent years have caused complaints, legal disputes, and controversy. Some of the kinds of programs that have come under increased scrutinization include home, religious, charter, and private schools. Some for-profit or private businesses that provide educational experiences have been documented to have cheated their students with worthless qualifications, provided low-quality programs, or had ulterior motives beyond education. Mclemee (2014) wrote an exposé that detailed how even a pet dog can receive a PhD. after paying almost $8,000 to the American University of London, a "non-accredited distance-learning institution". An

accredited IEP helps students discern quality and allows students, most of them foreign, to be able to apply for scholarships, whereas enrollment in an unaccredited IEP would preclude that assistance option.

There are a handful of accreditors in the higher education field. For example, the Middle States Commission on Higher Education accredits universities and colleges in and around Pennsylvania, New York, and New Jersey, as well some institutions overseas. The New England Association of Schools and Colleges, Higher Learning Commission, Western Association of Schools and Colleges, and the Northwest Commission on College and Universities perform similar roles in their respective regions and within their scope. The Commission on English language Accreditation (CEA) and Accrediting Council for Continuing Education and Training (ACCET) are slightly different because they are specialized accrediting agencies. Their focus is on content, rather than geographical location. The CEA offers accreditation for IEPs and ACCET offers accreditation for "…short courses, programs offered at the certificate, diploma, and degree levels, as well as courses and programs offered via interactive distance learning" (ACCET Accreditation Process, 2018). As such, IEPs are eligible for ACCET accreditation too.

Working towards accreditation incurs significant costs and expenditures of resources on behalf of the program or institution. Two sources consulted, Custer (2012) and a professional acquaintance of the researcher who is a CEA site reviewer, reported a range of $8,000–$12,000 as the initial cost of CEA accreditation. In addition, the process can take over a year to complete. Despite the costs, accommodations, adjustments, and inconveniences associated with meeting accreditation standards, the three-year window for existing programs to earn accreditation lead to a deluge of accreditation applications to CEA and ACCET because English language training programs that intended to continue enrolling international students on F-1 student visas needed

to stay in compliance with the new law. In *What is the Impact of the Accreditation Bill in the USA*, Teresa O'Donnell, former CEA executive director, told Custer (2012) "We've been very busy since December…for many years we've had about forty university programmes and independent language schools at any given moment seeking accreditation. Now we've got 180 new applicants (p. 1)". "This sudden surge in applicants that the CEA and ACCET received due to the passing of the ELTPAA resulted in the CEA scaling up quickly to meet the demand with an increase in the number of full-time staff and the number and length of information meetings (Custer, 2012, p. 1)". It was around this time that CEA moved into their larger and current location, which was an improvement from their older and smaller office further down North Fairfax Street in Alexandria, Virginia. The increase in applicants also meant increased revenue too. These are some of the lesser-known impacts of the ELTPAA. Clearly, accreditation has benefits and drawbacks. However, as of now, the ELTPAA remains mostly unstudied and there is uncertainty about the extent of those benefits and drawbacks. An analysis on relevant stakeholders' perceptions would provide insight into those.

Purpose of the Study

Regulation is often accompanied by research that studies various aspects of a targeted policy and reports on its effects. An easily-relatable example of this kind of research are studies, such as the one conducted by Shults, Nichols, Dinh-Zarr, Sleet, and Elder (Shiji, 2014), that examined the effectiveness of seatbelt safety laws. Ross, Chmiel, and Ferkol (2012) conducted research titled *The Impact of the Clean Air Act*. In relation to education and language policy, Menken (2008) shared "the human stories of how recent testing policy is affecting schools and the daily lives of teacher and students" (p. 8) as a response to *No Child Left Behind*. Workman (2016) analyzed the impacts of English-only legislation at the American state level. Zavodny

(2000) wrote *The Effects of Official English Laws on Limited-English-Proficient-Workers.* Research on regulations is common, spans across disciplines, and is necessary because without it, every new motion to regulate or deregulate would be full of unpredictable surprises every time — an untenable situation. Broadly speaking, the trend of research supplementing policy demonstrates a continued demand and need to understand the perceptions and impacts of policy decisions.

As such, this study seeks to document and understand the perceptions of relevant stakeholders as it relates to the ELTPAA. The answers, and subsequent analyses, to this study's research questions will be especially useful to stakeholders seeking what Serafin (2014) described as a "a greater understanding of follow-up procedures and an understanding of whether or not the accreditation process supports and serves as an impetus for increased student achievement" (p. 31). Perceptions can also help programs and institutions that are considering accreditation or reaccreditation, for example, make better informed decisions as to whether accreditation or reaccreditation is the right choice for them based on comparing the benefits and drawbacks revealed through analysis. Government, accrediting bodies, and professional organizations all make better and well-reasoned decisions when fully informed too. Immigration officials involved in the 2016 and 2019 student visa sting operations in New Jersey and Michigan can use this report to weigh the possible impacts of additional regulatory measures and enforcement techniques. Future education or language programs that are facing regulation can draw on the parallels in this study too.

To fill the gap left by Cayuso (2015), Custer (2012), and ICEF Monitor (2016), who studied the relationship between accreditation and learning outcomes assessment standards, as

well as the impacts of the ELTPAA, this study analyzed interview responses from ten relevant stakeholders to gather enough information to answer the following research questions:

- What are stakeholders' perspectives on the ELTPAA?
- In what ways were stakeholders impacted by the ELTPAA?
- In what ways did stakeholders impact the ELTPAA?

Justification and Significance of the Study

This study expands on the research conducted by Cayuso (2015), Custer (2012) and ICEF Monitor (2016) but addresses a gap in knowledge that is conspicuous by its absence. Custer (2012) published an analysis named *What Is the Impact of The Accreditation Bill in the USA*? It included brief comments from a former CEA executive director, a former ACCET executive director, a former American Institution of Intensive English Programs president, and an IEP Coordinator for Portland State University for a total of four quoted sources. The analysis included a history and explanation of ELTPAA, stakeholders' comments on the fourfold increase in applications to CEA since the ELTPAA was passed, the work needed to complete both new applications and existing reaccreditation cases, accreditation lifecycle overlap, the arduous process of earning accreditation, self-reflection by IEPs, possible competition reduction, and the costs of accreditation. The ICEF Monitor (2016) published *The Impact of Accreditation on Intensive English Programmes in the US*. Like the analyses from Custer (2012), it included brief comments from the CEA executive director and four IEP Language Program Directors (LPDs), managers, and chief executive officers for a total of six quoted sources. The analysis included a background on the ELTPAA, followed by stakeholder comments on program standardization, value-adding, data collection, application statistics, accreditation costs, challenges, and enrollment & accreditation numbers.

This study uses Custer (2012) and ICEF Monitor's (2016) analysis as proof of concept and de facto pilot studies. The need for a larger and more comprehensive investigation specifically into perceptions and impacts of the ELTPAA by interviewing more stakeholders with a more in-depth analysis that reveal important themes that can be examined for meaning is justified because of the importance and value that relevant perceptions and knowledge about impacts provide. Unlike any previous research related to the ELTPAA, this study provides a feature that allowed participants to speak their mind freely under the guarantee that their identities would be masked. Privacy, security, and confidentiality concerns notwithstanding, masking participant identity allows participants to speak openly, without fear of public scrutiny, retribution, or judgment. Stakeholders who read this study will have a better understanding of their colleagues' ELTPAA experiences and a basis for comparison and discussion. The comparisons allow IEPs to better anticipate important milestones along the path to earning and maintaining accreditation. Not only may certain stakeholders learn that they may not be alone when facing similar challenges, but the general increase in knowledge, understanding, and empathy between colleagues will increase and create a discussion about the best way to work with and within the ELTPAA. Inevitable collaboration will be facilitated that much easier because previously guarded perceptions and problems will become better known as a result of this study. This will support a general understanding between colleagues and stakeholders. This will be particularly valuable for IEPs seeking accreditation for the first time because they will gain an increased awareness of the not-so-obvious benefits, and drawbacks, of operating in a newly-regulated industry. It also helps governmental affairs stakeholders better understand the implications of policy changes, improve internal practices, or better deal with a possible rush of programs and institutions applying for reaccreditation.

Study Design

This study uses a qualitative approach because a cursory glance of comparable literature shows a qualitative approach to be the superior of the two approaches (i.e. qualitative and quantitative) at collecting the kind of data needed from participants to thoroughly understand their experiences, and thus, their perceptions and impacts, and therefore, answer this study's research questions. This study is not meant to measure examination results or find the statistical likelihoods of events occurring. This study used semi-structured interviews to collect responses from research participants. Semi-structured interviews, as the name implies, provides enough structure to give interviews direction, while giving the interview participants flexibility to express themselves beyond the constraints of the interview questions. This study will follow the lead of Becker (2012) — "the inquirer will pose several open-ended questions to participants designed to prompt them to weave together their experiences, perceptions, and perspectives in narrative form" (p. 15).

Definitions

Accrediting Council for Continuing Education and Training (ACCET): "ACCET was founded in 1974 for the purpose of improving continuing education and training and has been officially recognized by the U.S. Department of Education since 1978 as a 'reliable authority' as to the quality of education and training provided by the institutions we accredit" (ACCET, 2018).

Bad Actor: For the purposes of this study, the term bad actor refers to schools, programs, or companies whose intention is to circumvent, scam, cheat, or defraud the F-1 Visa system, students, or the English language training industry, rather than look out for their students' best educational interest. Bad actors often have nefarious intent and are known to operate outside the law to varying degrees.

Commission on English Language Accreditation (CEA): "CEA's mission is to promote excellence in the field of English language teaching and administration, as well as to protect the interests of students, through accreditation of English language programs and institutions worldwide. CEA achieves its mission by advancing widely-held standards to foster continuous program development through a rigorous process of regular self-assessment and peer evaluation" (CEA, 2019).

ELTPAA: English Language Training Program Accreditation Act, signed in December 2010 by President Barack Obama (See Appendix A).

EnglishUSA: EnglishUSA is a professional organization of accredited IEPs that "provide support, standards, and advocacy for IEPs in the USA" (EnglishUSA, 2018). EnglishUSA has over 350 member IEPs, both university-governed and for-profit, in forty-nine American states.

English Language Training Industry: The term "industry" has not been traditionally used to describe the economic activity, stakeholders, networks, business relations, and community that surround the act of teaching English. After careful consideration, this study opted to use the term English language teaching industry because even though the term "industry" is unconventional, it is more apt than other words that may possibly fill the same space and perform the needed function. The word "field" is too exclusive to academics and study, the term "economic sphere" excludes other non-economic elements that are involved in the teaching of English, and the labels "community" or "community of practice" are too broad or opaque. The term "industry" is flexible and inclusive enough to account for the business, economics, teaching, networks, and stakeholders in a way that is consistent with other industries, such as the automobile industry or computer technology industry. The term

English language training industry also includes subindustries, such as tertiary and quaternary industries that provide services (e.g. teaching or nursing) or involve research and development. The term English language training industry includes all the aforementioned aspects that surround the act of teaching English in appropriate proportions that is consistent with other traditionally considered industries.

Intensive English Program (IEP): An intensive English program is administered by an accredited university or college and receives adequate support from its institution. Although no single administrative pattern is required, the IEP should be sufficiently independent to permit the smooth functioning of all its activities (UCIEP, 2018). "Intensive English Programs are the pathway through which many international students enter U.S. higher education" (Redden, 2017, p. 1).

Stakeholder: "Those groups and individuals that can affect, or are affected by, the accomplishment of organizational purpose" (Freeman, 1984, p. 25)

TESOL International: TESOL International is the largest professional organization for English language teachers in the world, supports their members and like-minded individuals to become "more effective, more knowledgeable, and more skilled in their work" ("Why Join TESOL?", 2019).

UCIEP: "UCIEP is an independent consortium of university and college-administered intensive English programs in the United States. Founded in 1967, UCIEP's purpose is to advance professional standards and quality instruction in intensive English programs at universities and colleges in the United States" (UCIEP, 2018). As of this writing, UCIEP has approximately eighty members.

Chapter Conclusion

This chapter introduced the ELTPAA and the context surrounding the current regulation the English language training industry operates under. Research questions and validation for this study were given. Uses for this study were addressed and this study's intention to use research questions as a guide to understand the perceptions of stakeholders involved with the ELTPAA were justified.

In Chapter Two, readers will be introduced to the brief history that lead to the current situation surrounding accreditation and reaccreditation of English language training programs. The theoretical framework used in this study, the ebb and flow of international student populations and the English language training programs they are enrolled in, the importance and relevance of stakeholders and their perspectives, as well as the role of federal regulatory action will be explored in depth and in a way that will inform on this study's importance and articulate the impacts of the ELTPAA. Academic articles, newsletter articles, websites, and case studies related to regulation, accreditation, and government policies were reviewed and situated to support this study. Chapter Three will discuss and justify the methodological approach used in this research. Chapter Four will discuss and analyze the research findings. Chapter five will revisit this study's research questions and inform on this study's limitations, implications, and a path forward for future researchers.

Chapter Two: Review of the Literature

Introduction

The previous chapter introduced the ELTPAA, as well as this study's purpose, research questions, significance, design, justification, and key terms. This literature review builds upon the discussion that began in Chapter One by further elaborating on important ideas, themes, concepts, gaps in the literature, and the history surrounding accreditation and reaccreditation of English language training programs. In addition, the theoretical framework used in this study, the ebb and flow of international student populations and the IEPs they are enrolled in, the importance and relevance of stakeholders and their perspectives, as well as the role of federal regulatory action and public-private partnerships will be explored to better situate this study.

Theoretical Framework

As of this publishing there are three papers that deal with the ELTPAA directly. Cayuso's (2015) *An Examination of the Relationship Between Accreditation and Learning Outcomes Assessment Standards in English Language Programs* gathered "…data on initial accreditation decisions for schools within the U.S.A....were obtained directly from the Commission on English Language Program Accreditation for the period between April 2012 and December 2014". It explored interactions between accreditation type, length of accreditation being awarded, meeting learning outcomes, and assessments (Cayuso, 2015). All this happened during the first two years of the ELTPAA's enactment. While this study speaks to the length of initial accreditation and accreditation type, as well as meeting standards and student learning outcomes, it does not include an in-depth analysis of perspectives, as well as explore the impacts, of the ELTPAA. If for no other reason, Cayuso's study is relevant because it focuses on specific relationships at a single moment in time that happened during the ELTPAA early years. Its existence and position

as an academic buoy in the shallow ELTPAA ocean of knowledge speaks more to what is unknown about the ELTPAA than what is known.

Custard (2012) and the ICEF Monitor (2016) are the other two reports that add to the body of ELTPAA-related work. However, their lack of depth, limited scope, and dearth of analysis and implications left a much-needed gap in the literature that this study fills. However, both are proof of concept that a qualitative interview approach that utilizes interviews with relevant stakeholders is an effective way to gain data that can help answer questions about impacts and perspectives regarding the ELTPAA. There are other, and more formal, studies that have examined the effects of education regulation soon after the regulation was passed. For example, the 2015 *Every Student Succeeds Act* (ESSA) in the USA was followed up with a qualitative study two years later by United States Government Accountability Office (GAO) (2017). The GAO reported on findings gained from interviews with nine stakeholder groups and closed their report with next steps and a path forward for implementation. Pham (2018) investigated the impact of institutional accreditation on one higher education institution located in Vietnam. This too was done using a qualitative approach. Perspectives and impacts were reported on and analyzed. Like the GAO report, it reported on challenges, implications, and future actions based on the feedback from research participants.

If there is one thing that Custard (2012), ICEF Monitor (2016), the GAO report (2017), and Pham (2018) have in common, it is that all four involve storytelling to varying degrees. This is no coincidence; “One theory in education research holds that humans are storytelling organisms who, individually and socially, lead storied lives. Thus, the study of narrative is the study of the ways humans experience the world” (Connelly and Clandinin, 1990, p. 1). This current study continues the tradition of using stories and answers to interview questions to

understand the perspectives and the impacts of regulation in the education field. This study continues with an examination of what exactly constitutes an English language program and the practicality of pursuing specialized accreditation. The next section of this study also examines the wax and wane of English Language Learner (ELL) populations and the problems associated with bad actors.

Professional Organizations, Students, and Bad Actors

To be able to enroll international students, an IEP must be a part of a larger university or college that was granted regional accreditation, and thus existing under the larger umbrella created by the host university's regional accreditation. If the IEP is not under the regional accreditation umbrella of a host institution, it must seek accreditation from a specialized accreditor. In the English language training field, CEA and ACCET are the two specialized accreditors. They are both recognized by the DOE and receiving accreditation by either of them allows the IEP to enroll students, many of whom are paying cash, on scholarships, or using grants. Should the IEP opt for specialized accreditation, they will work with, and be accountable to SEVP. SEVP is a program administered by Immigration and Customs Enforcement, which is under the management of DHS, which is housed under the Department of Justice, an arm of the US Government that is responsible for enforcing law and maintaining order. To be eligible for SEVP certification, and thus the ability seek initial or continued authorization for attendance by nonimmigrant students, an English language school must have a name, physical address, be a bona fide school, possess the necessary facilities, personnel, and finances to conduct instruction in recognized courses, meet all state requirements, and maintain student records (e.g. attendance and academic transcripts) in such a way that they can be furnished to a DHS representative upon request ("SEVP's Governing Regulations for Students and Schools", 2019). SEVP also requires

"eighteen clock hours of attendance a week if the dominant part of the course of study consists of classroom instruction, or to consist of at least twenty-two clock hours a week if the dominant part of the course of study consists of laboratory work" ("SEVP's Governing Regulations for Students and Schools", 2019).

These SEVP requirements are reflected in the standards of CEA and ACCET, the two specialized accrediting agencies that were granted the power to accredit English language training programs and schools by the DOE.

At a minimum, accreditation-worthy English language training programs will have identical components, such as a location, mission statement, academic calendar, teachers, and a curriculum. Although each English program may have its own unique flair to distinguish itself from competitors, there are basic standards set by SEVP that are reflected by the similarities between ACCET and CEA standards. The side-by-side comparison in Table 1 displays ordered standards from each accrediting body reveals many similarities; this is not a coincidence.

Table 1

A Comparison of CEA and ACCET accreditation standards

CEA	ACCET
Mission	Mission
Curriculum	Curricula
Faculty	Instructional Personnel
Facilities, Equipment, and Supplies	Management
Administrative and Fiscal Capability	Finances
Student Services	Admissions and Student Services
Recruiting	
Length and Structure of Program of Study	Instructional Delivery
Student Achievement	
Student Complaints	
Program Development, Planning, and Review	Evaluation

The standards are rigid enough to provide shape and guidance for programs, while allowing them to manage their affairs in a way that best meets their individual needs. The CEA standards were written with "…various types of English language organizations in mind, including independent stand-alone institutions, proprietary schools, independent English language institutions under contract with colleges and universities, college- and university-based and administered programs, non-profit schools, and international schools that meet CEA's eligibility requirements" (CEA Standards, 2018, p. iii). EducationUSA (2018) suggested that a program's curriculum can be used to discern between English language training programs. Depending on the aims of the program, curricula could have an emphasis on any of the four language domains (i.e. reading, writing, speaking, or listening), various academic purposes, or examination preparation that further distinguish it from its competitors.

Once a program earns accreditation, it is generally recognized by the English language teaching community as a legit and professional outfit and potential, peer, colleague, or possibly competitor. An accredited program is also eligible to join other vetted programs in professional organizations. Professional organizations provide networking, support, and a place for like-minded individuals and organizations to share resources and collaborate.

IEPs typically to join EnglishUSA to gain access to"support, standards, and advocacy for IEPs in the USA" (EnglishUSA, 2018). To gain membership, a program must maintain a presence in the USA, accreditation by CEA/ACCET/a regional accreditation body, a minimum of eighteen contact hours of English instruction per week or twelve semester hours per academic term, a focus on serving adult students, oversight by a responsible administrator, and an established curriculum that allows proficiency differentiation (EnglishUSA, 2018). Similarly, UCIEP advances "…professional standards and quality instruction in IEPs at universities and

colleges in the United States" (UCIEP, 2019). For an IEP to join UCIEP, it must be fully governed and administered by an accredited university or college in the USA which grants the minimum of the bachelor's degree with the majority of total degrees offered by the institution being at the bachelor's level or higher. In addition, "UCIEP membership is not open to IEPs that are managed or controlled either fully or in part by for-profit enterprises, including "joint venture" enterprises with one or more parties being for-profit" (UCIEP Bylaws, 2017, p. 2). It is one thing for an IEP to gain accreditation. It is another for them to take full advantage of the exclusive opportunities, comradery, and resources that an accredited IEP gains access to. IEPs that do not receive accreditation, either through specialized or regional accrediting bodies, are not able to join these two professional organizations.

Meeting accreditation standards and working with professional organizations is predicated on enrolling enough students to stay solvent. Traditionally, this has not been a problem because the demand for English worldwide keeps increasing. However, an increase in demand does not always translate into increased American IEP student enrollment levels.

The International Student Boom and Bust

Despite currency fluctuations, program costs, political climate, student visa restrictions, and scholarship closures, the number of international students in the USA has continued to grow. In October 2006, The American Council on Education released a brief that discussed the future of international students in the USA. In the brief's executive summary, it claimed that "In 2004, there were 2.5 million international students worldwide, a 56% increase from 1999 (when there were 1.68 million international students)" (American Council of Education, 2006, p. 1). Graddol (2006) listed the number of international students in the USA at about 575,000 (about 23% of the

global total), followed by the United Kingdom, Germany, France, Australia, and China in Figure A below.

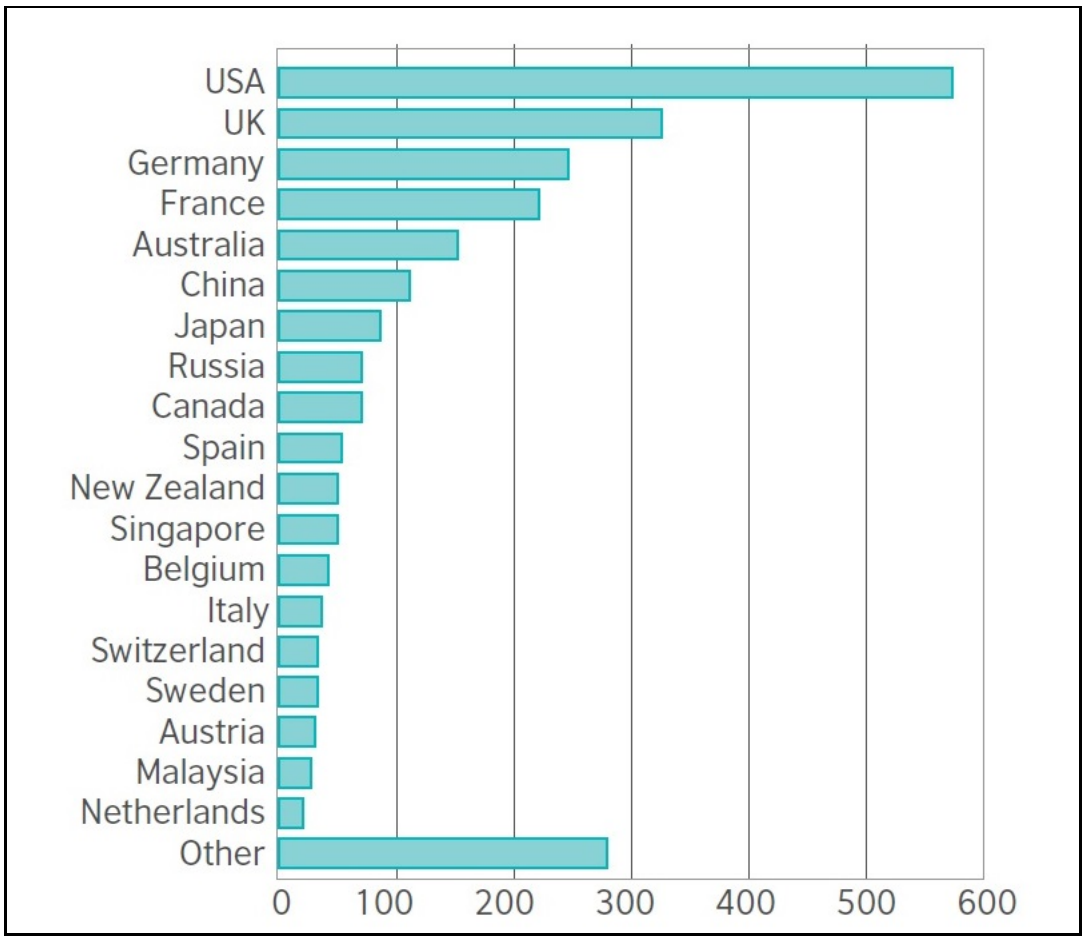


Figure A. Number of International Students (thousands). Adapted from *English Next* (p. 76), by D. Graddol, 2006, London: British Council.

In the following decade since 2006, the number of international students in the USA almost doubled. According to the *2017 Open Doors Report* produced by the Institute of International Education (2017), of the estimated 4,600,000 international students worldwide, 1,078,822 (about twenty-five percent) of them studied in the USA. This number rose steadily from just over 800,000 international students in 2013, slightly over 1,000,000 in 2016, and crept up to 1,078,822 in 2017. Compare that with the United Kingdom at 442,375 international

students from 2016 to 2017 (UK Council for International Student Affairs, 2018) and China at 440,000 international students and almost ten percent of the international student population in 2016 (Center for Strategic and International Studies, 2018). The USA has clearly been the leader in hosting international students for at least a decade.

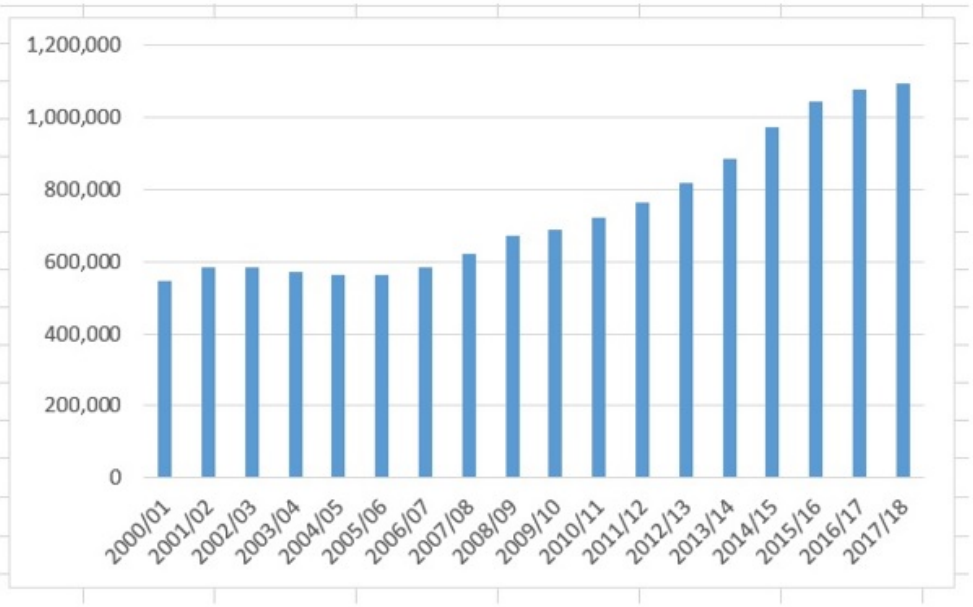
Of the international students in the USA, China supplies the most by far (350,755), followed by India (186,267), South Korea (58,663), and Saudi Arabia (52,611), according to the *2017 Open Doors Report* (Institute for International Education, 2017). The October 2006 brief from the American Council on Education forecasted that "It is projected that there will be 7.2 million international students by 2025" (The American Council on Education, 2006, p. 1). However, the skyrocketing growth did not last forever. Elizabeth Redden (2017) wrote:

> After years of growth, enrollments of international students at American universities started to flatten in fall 2016, and a downward trend in new enrollments appears to be accelerating this academic year, with nearly half of universities surveyed (forty-five percent) reporting a drop in new international students this fall. (p. 1)

The data from Open Doors 2018 supported what Redden (2017) wrote. Table 2, below, uses data from *Open Doors 2018* to show how international student enrollment increased over time.

Table 2

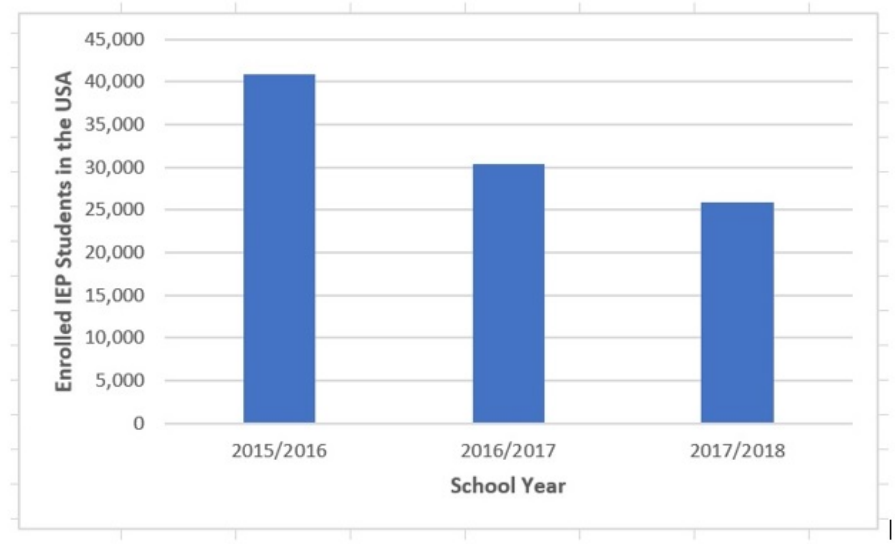
International Student Populations in the USA



However, IEP enrollment, a subsection of international students, tells a different story. Using the same Open Doors 2018 data, Table 3, below, shows the dramatic decrease in IEP students across the USA.

Table 3

Intensive English Program Students in the USA



There is an inverse relationship between international student enrollments and IEP enrollments. The reasons for this are varied and will be elaborated on in the next section of this chapter. The decrease in IEP enrollments has impacts that extend to commercialization and financial scholarships.

The Size and Scope of IEPs

As mentioned previously, according to the *2017 Open Doors Report* produced by the Institute of International Education, of the estimated 4,600,000 international students worldwide, 1,078,822 (about twenty-five percent) of them study in the USA. This number has steadily risen from just over 800,000 international students in 2013, slightly over 1,000,000 in 2016, and grew to 1,078,822 in 2017. Of the international students enrolled in American colleges and universities in the USA (2016–2017), China supplies the most by far, followed by India, South Korea, and Saudi Arabia (Batalova and Zong, 2016). Of the 1,078,822 international students in The USA in 2017, "78,706" (about 7.2%) of them study in IEPs (Open Doors Report. 2017).

Using these numbers as context, Redden (2017) reported a steep decline in IEP enrollments in the US:

> The top three fields of study for international students in the U.S. in 2016–17 were engineering -- students in engineering fields accounted for 21.4% of all international students in the U.S. -- business and management (18.6%) and math and computer science (15.5%). The most notable change according to field of study was the big drop in intensive English enrollments, down 25.9%. (Redden, 2017)

In particular, enrollments of students from China (-58.6%), Japan (-46.5%), Saudi Arabia (-43.9%), South Korea (-30.4%), and Brazil (-28.8%) dropped substantially 2016–2017 (Open Doors Report, 2017). Akins (2016) suggested the dip may have been a result of the global economy, a fluctuating market, politics, disappearing government-funded scholarships, and even global climate change. Akins (2016), Benshoff (2018), and Civinini (2018) emphasized the

impact of exchange rates, currency devaluations, and international students avoiding a strengthening US dollar by seeking education outside the USA. Benshoff (2018) listed the oil crisis of 1974, Iranian terrorism in 1979, the Asian financial crisis of 1997, and events of September 11th, 2001 as catalysis for previous slumps in student enrollment. The decline in IEP enrollments are already having consequences for IEPs and their host universities if applicable. IEPs are important feeders for international students to enroll into American higher education programs. A decline in IEP enrollments means a less diversified income stream for the university or program that international students advance into.

The decline in IEP enrollments are also impacted by policies in some students' countries of origin. According to Redden (2017), "the decline in the number of students from Saudi Arabia was especially notable and is likely to attributable to moves to scale back and retool the Saudi government's foreign scholarship program" (p. 3). The reduction in scholarships can be tied to the decreasing price of oil. Walcutt (2016) noted that "students who want to study outside [Saudi Arabia] …need be enrolled in one of the top fifty academic programs for their field or at one of the top one hundred universities in the world" (p. 2). The significance of this is that a decrease in the once-reliable flow of revenue from Saudi Arabian students means either more revenue must be earned to offset the loss, or budgets are cut to match income. Redden (2017) also mentioned how the suspension of Brazil's *Science Without Borders* program caused a decrease in enrollments as well. Between Saudi Arabia and Brazil, some IEPs reported student enrollments decreasing by as much as half, with the Saudi enrollments taking more of the brunt.

It is interesting to note the overlap of conditions that are leading to a decline in international student enrollments in the USA and the list of conditions that Andrew's (2006) claims can lead to privatization. Depending on one's point of view, the looming threat or

opportunity of privatization is a consideration that can be implemented at the structural level through outright program purchases, or at the classroom level with textbook-publishing companies assuming that responsibility of providing classrooms with textbooks, for example.

Andrews (2006) recognized the influence and perceived threat from privatization and listed other signs of encroaching privatization: a low paid staff, a part time staff, lower financial aid, increased reliance on search firms in lieu of an appropriate faculty-dominated search committee, devaluing faculty work, eliminating non–profitable courses, and a growing emphasis on athletics. Much of what Andrews wrote appears to apply to IEPs as well; lower enrollment numbers mean pay freezes, layoffs, the elimination of non-profitable courses, and an increased reliance on agents to deal with the financial restructuring. In addition, if political and immigration trends are unfavorable to international students, distance education and increasingly-cheap technology back home will become an attractive alternative. There are already education companies on standby ready to provide those kinds of services. All things considered, the future of traditional American IEP enrollment rebound is concerning.

English Language Learners in Flux

The demand for English language education has fluctuated over the years. All indicators suggest that the demand for English language education in the USA is currently weak. However, if history is any indicator, the demand will eventually rebound. In *English Next* (2006), David Graddol wrote that "many difficult-to-anticipate factors will affect exactly when the demand for learning English will peak, but it could be as soon as 2010. At that point, we can expect around two billion people to be learning English" (p. 101). Enrollment did not quite make it to two billion as Graddol expected; there are "1.5 billion English-language learners worldwide" (Beare, 2018, p. 1). It appears that the demand for English language education was not as strong as

Graddol predicted in 2006. That fluctuation in demand is based on a series of political, educational, financial, and social factors. In addition to the growing number of English language students in general, the English language market is physically expanding as well. According to Graddol (1997) "The Hooke model forecasted that the international demand for specialist courses of English as a second language (ESL) will multiply sixfold by 2015 and that most of this will be satisfied by UK, US, and Australian providers" (p. 45). This prediction seems to be accurate; according to Institute of International Education (2015), *Open Doors Report 2015*, "The United States hosts more of the world's 4.5 million globally mobile college and university students than any other country in the world, almost double the number hosted by the United Kingdom, the second leading host country" (p. 1). Institute of International Education (2017), *Open Doors Report 2017* lists 2.8% of international students studying intensive English. Looking forward, The British Council's *The English Effect* (2013) predicted:

> … at least double-digit growth – in some cases up to 40% – in demand for English in Indonesia, Pakistan, Brazil and Mexico, as well as the large African countries, particularly Nigeria, Ethiopia and Sudan. The growth in the demand for English is closely related to one particularly important dimension of globalization: the trend towards increased urbanisation. (p. 8)

This increasing demand for English language skills can not be met by the USA exclusively. Benshoff (2018) elaborated on currency fluctuations and how they made English language programs in English speaking countries, such as Australia or Canada, a more affordable and attractive alternatives than studying in the USA.

Because a handful of what Kachru (1985) labeled inner-circle English-speaking countries (e.g. Ireland, New Zealand, Canada, etc.) can not accommodate the billions of English language students alone, some countries have taken the initiative and are using creative solutions to meet the growing demand. For example, Taiwan is set to make English a second official language in

2019 (Creery, 2018, p. 1). Granting English the status of an official language would probably set the context for the allocation of more resources to support English language education at the earliest ages in schools nationwide. Within a generation, most English language needs at both the program and student ends could all be taken care of in-house. A similar path was chosen by governments in Kachru's (1985) outer-circle countries; The Philippines, Jamaica, Nigeria, South Africa, Hong Kong, and India followed similar paths. Nationals of outer-circle countries are rarer in American IEPs than students from countries in Kachru's' expanding circle (e.g. China, Saudi Arabia, Thailand, South Korea, Mexico) because many of outer-circle countries' English language needs can be dealt with in-country. A cursory review of any English language teacher job board will reveal significant overlap between countries in Kachru's expanding circle and job posting locations. Recruiting qualified English language teachers to live and work in expanding-circle countries is another method used to match the rising demand for English language instruction.

Another way the change in market demand is being dealt with are by universities opening branches, or partnering with local universities, in foreign countries that have strong-enough English demand. Guo (2018) listed Saint Louis University Madrid as offering bachelor's degrees in both English and Spanish, with a requirement that all English majors must spend a semester in Saint Louis. Guo (2018) also included Temple University Japan on her list, which offers comprehensive programs in English. The demand is also being met abroad by services provided by both American and United Kingdom governments. The American government's English for All program and The United Kingdom's British Council promote cultural, linguistic, and educational events. The USA and United Kingdom support these initiatives with the intention of promoting "mutual understanding between the United States and other countries through English

language programming and cultural exchange" (English Language Fellows, 2019) and "cultural relations and educational opportunities" ("The English Effect", 2013, p. 1) respectively. Each governments' online resource database supports English language instructors by introducing new students or instructors to English language resources.

These aforementioned efforts to match supply with demand does not even touch on the number of learners going online to learn English through a variety of innovative services set up by private companies. As the reach of the Internet continues to grow, so do the number of English language learners seeking an affordable and convenient way of learning English digitally. These are a few of the ways demand for English are being met globally.

Bad Actors

The term bad actors is used in this study to refer to schools, programs, or companies whose intention is to circumvent, scam, cheat, or defraud the F-1 Visa system, students, or the English language training industry, rather than look out for their students' best educational interest. Bad actors often have nefarious intent and are known to operate outside the law to varying degrees.

The response to September 11th, 2001 led to the identification of bad actor schools and programs that, until the spotlight was shone on them, operated largely unnoticed. The increased scrutiny revealed several cases of student visa abuse in the years following September 11th, 2001. In particular, Tri-Valley University (Bartlett, Fischer, and Keller, 2011), Herguan University (ICE Newsroom, 2016), and Morris Brown College (The United States of America v. Leroy Evans, 2006) gained mainstream attention. Regarding English language training programs, CMG Computer Center in Pennsylvania was closed after it was found not to have met its weekly requirement for in-class instruction (*The United States of America v. Ashurov Z.*, 2013).

According to the U.S. Attorney's Office, "The students involved in the scheme were enrolled as English as a Second Language student" (Federal Bureau of Investigation, 2012). University of Northern New Jersey, a fake school that was part of a DHS operation to lure potential frauds and further combat visa abuse, advertised an English language program as well (University of Northern New Jersey, 2016). There are also anecdotes of underground English language schools that would open briefly, often with low standards and ill intent, and disappear just as quickly as they opened without a trace. In part, it was this tier of bad actor English language training programs, such as fly-by-night programs or CMG Computer Center, that the ELTPAA was designed to remedy.

Stakeholders

Freeman (1984) defined stakeholders as "those groups and individuals that can affect, or are affected by, the accomplishment of organizational purpose" (p. 25). Stakeholders have been targeted in similar studies for interviews — both the 2017 GAO report and Pham (2018) interviewed relevant stakeholders for their respective studies for this same reason. To continue this tradition, this study analyzes interviews from ten stakeholders who impacted, or were impacted by, the ELTPAA to better understand their perceptions. Stakeholders, or their respective organization, were involved with the promotion, creation, passing, execution, implementation, or maintenance of the ELPTAA at one point or another. Although each stakeholder had a unique role to play, they are all connected through their accountability to the ELTPAA, in a similar way that the stakeholders from the 2017 GAO report were connected to the ESSA or Pham's (2018) study that reported on perspectives from university managers. The analyzed experiences in this study inform readers on the impacts between stakeholders and the ELTPAA, as well as the subsequent perspectives that were influenced by the interactions.

Stakeholders and the significance of perspective. Surdek (2016) described perspectives as "…the way individuals see the world. It comes from their personal point of view and is shaped by life experiences, values, their current state of mind, assumptions that they bring into a situation, and a whole lot of other things" (p. 1). Depending on the source and relevance, these perspectives can be data rich, and thus useful for answering research questions. An increase in the number of stakeholders consulted contribute to a wider understanding of a particular issue, which can better help answer research questions. Beyond Pham (2018) and the 2017 GAO report, stakeholder perceptions have been studied in a diverse array of fields and disciplines for similar aims.

Perspectives are used in a variety of research, such as investigating stakeholders and voice (Calton and Kurland, 1996), implementing health-care-related accreditation programs (Hinchcliff, Greenfield, Westbrook, Pawsey, Mumford, and Braithwaite, 2013), labeling cafeteria menus (Vanderlee, Vine, Fenton, and Hammond, 2016), challenges facing female Saudi students (Winters, 2016), or educational restructuring in Nordic countries (Carlgren and Klette, 2008). However, using stakeholders in research requires responsible use. Winkle (2011), drawing from Patton's 2002 *Qualitative Research and Evaluation Methods*, wrote that every qualitative investigation needs limits and to achieve a "maximum variation" (p. 61) of perspectives. Maximum variation is when additional research participants no longer add anything significant to the study that the previous research participants already accounted for.

Maximizing the value of a perspective depends on how, and to what end, the perspectives are researched and analyzed. This study's qualitative interview approach was similar to the one that Ali (2017) used to gather perspectives from teachers in regard to their attrition rates. When Ali conducted interviews with thirteen school teachers and analyzed the collected data, the

interview responses from the research participants revealed common themes. These themes would be used to identify why teachers left their teaching positions and help administrators target areas for improvement with the intention of retaining teachers who might otherwise leave. Ali (2017) used semi-structured interviews, which was conducive to her narrative inquiry approach. The "rich data from teachers about their experiences in the classroom and their perception of teaching attrition" (Ali, 2017, p. 11) revealed that love of teaching, making a difference, and feeling rewarded sustained teachers. Yet, instructors' demands, and expectations were stressing factors for teachers. In contrast to Ali's (2017) study, this current study used a semi-structured interview approach to gather information; the free-flowing and conversational nature of narrative inquiries was not appropriate to gather the kind of information that this study's research questions require. Ali (2017) showed how voice can be broadcasted, authenticity developed, depth reached, and diversity can be explored. If collected, analyzed, and used correctly, all of these are valuable and transferable to research with similar approaches, such as this current study.

The research on stakeholders suggests that their perceptions are valuable and they are appropriate sources of data for the kinds of research questions asked in this study. Research on academic accreditation uses stakeholders in a similar way. The designs of similarly-oriented research, and that research used stakeholders, inform this study's design and purpose.

Academic Accreditation and Research

It is common for research to follow regulatory action with the intention of understanding impacts and perceptions of stakeholders regarding the respective regulatory action. This trend seems to extend beyond research conducted in the USA. This current study continues this line of inquiry. Ellington and Williams (2017) interviewed "eighteen accounting academics from a cross

section of UK universities" to understand their perceptions on the effect of accreditation on UK accounting degrees (p. 501). Ibrahim, Abdel-Razig, and Nair (2015) issued a brief survey in the United Kingdom that "… aimed to explore medical student perceptions of potential benefits or implications of international accreditation on their training" (p. 122). In Turkey, Sağır, Göksoy, and Ercan (2014) investigated the "view of school administrators regarding the implementation of educational inspection by independent accreditation organizations" (p. 1).

In the USA, Young's (1983) *Understanding Accreditation: Contemporary Perspectives on Issues and Practices in Evaluating Educational Quality* is an essential compendium of research and articles related to academic accreditation. However, a lot has changed since the 1980s. More recently, and similar to the assortment of academic variety seen abroad, such as Ellington and Williams (2017) or Ibrahim, Abdel-Razig, and Nair (2015), Saunders (2008) researched *Perspectives on Accreditation and Information Literacy as Reflected in the Literature of Library and Information Science* and Ressler and Lenox (2017) examined perspectives on accreditation of structural engineering programs in the USA.

Another commonality among accreditation-related research is a noted uptick in applications once a deadline has been established. This has been documented by Custer (2012) before:

> Teresa O'Donnell, CEA executive director, tells *The PIE News*. "Many years we've had about 40 university programmes and independent language schools at any given moment seeking accreditation. Now we've got 180 new applicants." Similarly, ACCET is dealing with about 50–60 new applications, up from the 10–12 of previous years. Although ACCET accredits institutions other than just English language programmes, it says the majority of the new applicants are IEPs. (p. 2)

The findings are also in-line with other industries that set new standards. McIntire (2014) wrote about how new nationwide requirements for law students to gain practical courtroom experience

will lead to a surge in applications to law school clinics. These are just a small sampling of many similarly-oriented investigations that reported on how stakeholders perceived accreditation and its impacts in their respective fields.

The costs of accreditation. Seeking accreditation costs IEPs time, money, and resources. Custer (2012) noted that "both ACCET and CEA have similar accreditation processes which last eighteen to twenty-four months and cost around $8,000 initially followed by an annual sustaining fee based on the programme's number of student weeks" (p. 1). This information was corroborated with a current CEA site reviewer, who explained that institutions seeking accreditation host site reviewer teams of three, provide their food and lodging, and pay an accreditation fee. This one-time initial investment can cost between $10,000–$12,000. Subscription-like member fees are then assessed based on enrollment. These costs can deter smaller programs who may not be able to afford it. The CEA website outlines the steps to earning accreditation. After operating for two years, one must apply, attend a workshop, complete a self-study plan and report, host a site visit, and wait for a thirteen-member board to grant accreditation (ACCET, 2018).

The alternative to receiving accreditation is not receiving accreditation. There are costs incurred by this possibility as well. Without accreditation, a school or program can not join UCIEP or EnglishUSA and access support, resources, or network. Without accreditation, an IEP may not be seen as prestigious by peers, colleagues, and students alike. In addition, a non-accredited program or institution has to compete in the same market space as accredited, well-resourced, networked, and reputable peers. Operating at that elite level without accreditation will be a handicap, although not impossible, in most situations because the unaccredited IEP will be

competing in a market awash in accredited IEPs. The unaccredited IEP will have to make up for the lack of accreditation in other ways to entice students to enroll in their program.

And perhaps most importantly, an unaccredited IEP will simply not be able to stay in business because without being able to recruit international students because most IEPs will not be able to generate enough revenue to meet their financial obligations. International student enrollment is the lifeblood of most IEPs. Whether an IEP seeks accreditation, it incurs costs either way; either an IEP spends the time, money, and resources on the front end to seek accreditation, or they continue without it and compete at a disadvantage if they can compete at all.

Public-Private Partnerships (PPP)

Taylor (2003) defined PPPs as a contract that a government makes with a private service provider to acquire a specified service of a defined quantity and quality at an agreed price for a specified period. Similarly, Linder and Rosenau (2000) defined PPPs as the partnership or collaboration and division of labor between the public and private sectors across policy spheres as well as on particular projects. PPPs are found all over the world, including places such as India (Shiji, 2014), Tanzania (Mgaiwa and Poncian, 2016), Australia (Rodan, 2016), and the USA (Clewett, 2002). The services provided may include campus housing (Dickeson, 2007), library management (Martin, 2000), or cafeteria services (Winkle, 2011), just to name a few.

There are many reasons why an IEP may want to work with a PPP. Klahr (2014) wrote a detailed analysis that included the benefits and drawbacks of pathway provider partnerships in higher education. Among some of the benefits Klahr listed were easy and immediate access to networks of agents and students, increased speed and efficiency of program, enhanced visibility

and marketing, and possible access to motivated students. Klahr included less control over content, curriculum, and other classroom affairs as drawbacks.

Patrinos, Barrera-Osorio, and Guaqueta (2009) added that PPPs can create competition in the education market, their contracts can be more flexible than most public sector arrangements, they can achieve an increased level of risk taking, and they can be chosen in an open-bidding process. However, this may lead to increased privatization of education, increased socioeconomic segregation, or poorer students being left behind in a deteriorating public sector. Choudaha (2017) listed "cost-effectiveness, speed, added expertise, technological advantage, improved quality, customer service, access to capital, and market competitiveness" as advantages for using PPPs. Choudaha's (2017) drawbacks included "conflicting culture, competing missions, and uncertain financial benefits" (p. 10). Gupta, Herath, and Mikouiza (2005) mentioned economies of scale, expertise, and innovation as benefits. The assortment of benefits and drawbacks is indicative of the variety and uniqueness of PPPs. The number of universities and IEPs that contract services out have grown in the last generation, with each school's unique needs and circumstances seeking an equally custom solution. That results in a wide range of benefits and drawbacks, depending on what the PPP analyzed was designed to do.

Commercial interests have used Andrews's (2006) signs of encroaching privatization on an institution (i.e. a low paid staff, a part time staff, lower financial aid, increased reliance on search firms in lieu of an appropriate faculty-dominated search committee, devaluing faculty work, eliminating non–profitable courses, and a growing emphasis on athletics) as justification to use services such as international student recruitment (Redden, 2018) and pathway programs (ICEF Monitor, 2016). ICEF Monitor (2016) claimed "as of January 2016 the total number of pathways listed on the portal has grown to 1,443, an increase of nearly 17% over the past year

alone" and "nearly half of all foundation programmes are delivered by just five corporate providers: Cambridge Education Group, INTO University Partnerships, Kaplan International Colleges, Navitas, and Study Group (p. 2)". After extensive surveys and interviews, Choudaha (2017) discovered that two-thirds of surveyed universities and colleges are not currently collaborating with a third-party pathway partnership, forty-four percent are not considering collaborating, and the kind of institution most likely to use a third party partnership is a large, public university. The main reasons given for using partnerships were networking, student diversity, and expertise, according to surveys and interviews discussed by Choudaha (2017). Reasons given for not using a third-party partnership are loss of academic standards, cost, and that the currently run program respective to each institute suffices. Networking was shown to be an important part of the collaboration that occurred as a result of the ELTPAA, IEPs are inherently diverse, and the English language training field is becoming increasingly specialized as evidenced by the existence of specialized accreditation. PPPs do, and will, play a significant role in the English language training market.

Although institutions have been contracting or privatizing operations for "decades" (Choudaha, 2017, p. 9), "private participation in education has increased dramatically over the last two decades across the world" (Patrinos, Barrera-Osorio, and Guaqueta, 2009, p. 2). The services and operations that have traditionally been contracted or privatized were functions that are not central to the core of the school. Martin (2000) claimed, "In the business world, functions that were not central to the organization's perceived core business are those most likely to be outsourced, while core competencies or functions that are essential to the company are kept in-house. Gupta, Herath, and Mikouiza (2005) defined it simply as "outsourcing allows for an institution to concentrate on its core competencies" (p. 398). PPPs are important to this study

because they are increasingly being used as an avenue for private money to enter the English language education market.

Balancing Regulation

Nijsen, Hudson, Kees van Paridon, Mueller, and Thurik (2009), while discussing the delicate balance between overregulation, regulation, and deregulation, argued that:

> One of the basic conditions for such a policy is the availability of clear concepts and unquestionable information about compliance effects. The question is which perspective do we need to create transparency about business effects of regulation? Do we need the classic business perspective, or could a public policy perspective be more useful to take away or avoid unnecessary compliance costs? The business perspective appears to be important as a starting point but to improve the quality of regulation we need to change this perspective into a public policy one…They [regulations] are especially burdensome for the small businesses. (p. vii)

This quotation is important because it establishes the premise that whatever regulations are placed on an industry, the effects of compliance and concepts about the regulation should be transparent. This implies that they should be available too. This will help businesses, and potential businesses, better understand the effects that regulations may have on their businesses when they enter the market. For example, if a new IEP opens for business, the IEP should be well-informed about what regulatory standards need to be met and how they can be met. The requirement for specialized accreditation and the associated costs should not come as a surprise to the business; that information should be unquestionable, according to Nijsen, Hudson, Kees

van Paridon, Mueller, and Thurik (2009). The justification for the regulation, as well as the costs to meet the required standard, should be clear as well because businesses have a right to know where, how, why, and what their money is being spent on to meet regulatory standards. It is unreasonable for an IEP to fund an opaque accreditation process.

Considering whether a business perspective or public policy perspective should be used to take away or avoid unnecessary compliance costs, business generally seek less regulation. The less regulation a business has, the more freedom a business has to operate how it sees fit in order to generate as much profit as possible. The public perspective generally seeks enough regulation to keep the business from excessively polluting, creating a monopoly, selling dangerous products, or committing other unethical or illegal acts, while still allowing them to operate as a business. No matter the industry, a balance or compromise between business interests and the public interests is an ongoing discussion.

The world of English language education may not appear on the general public's radar often, if at all. However, the less-regulated market before 2010 was partly responsible for the presence of international terrorists in the USA, as well as creating conditions for unregulated schools or programs to take advantage of international students. The externalities of the less-regulated market placed the English language education industry on the American general public's radar. This forced the regulatory balance to shift more in favor of the public's interest. In exchange, IEPs had to meet a higher standard and undergo increased scrutiny from DHS.

Chapter Conclusion

This chapter began by elucidating this study's theoretical framework and why using a qualitative interview approach is the best approach to collect the kind of data needed to answer this study's research questions. Once the theoretical framework was established, details about the

history and growth of IEPs and their fluctuating enrollments were clarified with support from the Open Doors Reports. The importance of stakeholder perspectives was established as the best way source of data that can help to answer this study's research questions. There was also an overview of relevant accreditation-related research and policies, as well as PPPs. The next chapter details the rationale for using a qualitative interview approach, justifies the research design, introduces the participants, explains how data were collected and analyzed, and closes with a discussion about issues surrounding legitimacy and confidentiality.

Chapter Three: Research Method and Design

Introduction

Chapter Two, the literature review, introduced readers to a brief history that led to the current situation surrounding the accreditation and reaccreditation of IEPs. To reiterate, this study was conducted to understand the perspectives of relevant stakeholders regarding the ELTPAA, how they were impacted by the ELTPAA, and how they impacted the ELTPAA. Whether stakeholders are members of professional organizations (i.e. TESOL International, University and College Intensive English Programs [UCIEP], EnglishUSA), affiliated with accreditation organizations (i.e. CEA or ACCET), or worked with IEPs, each individual in their respective role had unique and valuable perspective on, and were affected by, various aspects of the ELTPAA. These perspectives can hold immense value and the method used to capture those perspectives — qualitative interviews — have been documented to have been used successfully as a method to capture the most relevant and poignant data possible to best answer the research questions that were outlined in the first chapter of this study.

This chapter details the rationale for using a qualitative interview approach, introduces the participants, elaborates on how data were collected, and details how the data were analyzed. This chapter closes with a few words on the researcher's positionality and a chapter summary.

Methods

Qualitative interview study. This study uses data collected from semi-structured interviews to gather the information necessary to answer this study's research questions. Inspired by Winkle (2011), this study was designed to include a diversity of perspectives with the intention of creating varied dataset. Research participants are or were administrators in IEPs, professional organizations, accrediting bodies, or sometimes various combinations thereof. The

participant variety helps to answer the research questions because the research participants have different perspectives based on their diverse experiences. If all stakeholders were from the same background, then this study would have excluded many perspectives that are important to answering this study's research questions. Stakeholders interact or interacted with the ELTPAA at one point or another in time, and in different capacities, throughout the ELTPAA's lifecycle. Participants were either selected because of their affiliation with professional organizations (e.g. TESOL International, EnglishUSA, UCIEP), accrediting bodies (e.g. CEA and ACCET), and representatives from IEPs. They were first identified through the researcher's professional network; the researcher asked relevant university professors for leads, names, and contact information of individuals who fit the profile of somebody who could be participant in this study.

The participants in this study have a wide range of experiences, such as working as professional organization presidents, executives, directors, coordinators, representatives, liaisons, commissioners, site accreditors, administrators, staff, teachers, or managers. In many instances, participants wore multiple hats, sometimes simultaneously, throughout their career. For example, a language program director currently directing an IEP when he or she was interviewed for this study was a former ACCET administrator. While participants' perspectives may have been influenced by their prior affiliations, the fact that a variety of relevant administrators were in key leadership positions are accounted for lend this study validity and reliability. Even though individuals who work or have worked in relevant positions in DHS, DOE, and SEVP were contacted, they were either unable to participate or did not respond to invitations.

Interviews. Using interviews to gather information for research has been shown to be an effective method for hundreds of years. There are different kinds of interviews. Some interviews are more controlled and adhere to a strict question-and-answer format with little or no room for

deviation or improvisation. Other interviews are more open ended and allow the research participant to express themselves beyond the constrains of the planned interview questions. There are other parameters to consider that vary case-by-case, such as time limit, anonymity, and allowing research participants to view the interview questions in advanced. This study used semi-structured interviews to gather information from research participants. Semi-structured interviews were selected over other kinds of interviews because this study's semi-structured interview questions provide an appropriate balance of improvisation, elaboration, freedom of expression, and adherence to the research questions. Open interviews, for example, leave too much opportunity for the research participants to get off task and possibly give unfulfilling answers to the interview questions. Thus, open interviews were not be the best approach to getting the best answers for this study's research questions.

Semi-structured interviews. Semi-structured interviews have been used in similarly-oriented research to gather information regarding stakeholder perspectives. McIntosh and Morse (2015) described how semi-structured interviews use a detailed interview guide or schedule to solicit information from research participants. The structure of a semi-structured interview provides both the interviewer and interviewee to elaborate and follow up on given answers to questions. Because each interviewee may respond differently than other participants, discussion threads that follow interviewee responses may differ accordingly. McIntosh and Morse (2015) elaborated on how interviewee responses, rather than the questions, distinguish semi-structured interviews from other interviews, such as guided interviews.

Semi-structured interviews are flexible enough that they can be altered to answer different kinds of research questions. Winkle (2011) used semi-structured interview to gather information from research participants for a narrative inquiry study. Sağır, Göksoy, and Ercan

(2014) used five open-ended questions to gather information from educational inspectors, administrators, academics, and evaluation experts. This study used open-ended questions as well, although there were more questions this study than in Sağır, Göksoy, and Ercan's (2014) study. Winters (2016) used a series of three semi-structured interviews. The series of semi-structured interviews helped to build rapport with participants. Winter's (2016) research questions were more intimate than this study's research questions. Increasing rapport is a good way to build trust and gather more information than if the interviewer was a stranger to the interviewee. Ali (2017) used semi-structured interviews gather teacher's perspectives on teacher attrition. This study uses semi-structured interviews in a similar way as the aforementioned studies in an effort to answer this study's research questions.

Description/focus of the interview questions. The interview questions were designed to gather stakeholders' responses and analyze them to better understand stakeholders' perspectives and the relationships between the stakeholders and the ELTPAA. The interview questions (See Appendix D) were intentionally worded in such a way that participants were both directly and indirectly asked about their perspectives. The question "What is your perspective on the ELTPAA" can help to answer the questions about stakeholder perspectives. However, stakeholders did not always explicitly declare their perspectives. Other research questions, and the subsequent discussions that followed interviewee responses, also informed on stakeholder perspectives whether the interviewee intended them to or not. For example, one participant told a metaphorical story in response to a question that focused on ELTPAA impacts. Reading between the lines and inferring meaning from the metaphor, and later cross-referencing it with other interview responses, the researcher was able to better understand a stakeholders' perspective based on multiple data points, rather than using specific answers to specific research questions as

the sole data point. Asking the same question in multiple ways was intentionally done to gather more information than what was given as an answer to one research question. For example, the questions “In what ways were you impacted by the ELTPAA” and “In what ways was your organization impacted by the ELTPAA” are slightly different and sometimes led to better elaborated or redundant answers. Other times, the second question allowed the interviewee to elaborate on the first answer or go on a tangent that answered different research questions. Each question and follow up discussion gave the interviewee more opportunities to speak and voice their opinions. One research participant who worked for an accrediting agency responded to the first question by discussing the increase in site visits. The second question allowed the interviewee to elaborate more on the strain the site visit increase put on resources. Using similar and seemingly redundant questions can lead to more information than asking one time. One IEP director from the American south declared his frustration and said, “I feel like these questions are asking the same thing in multiple ways”. He was not wrong; that was an intentional strategy to chip away at the interviewee with multiple questions, from multiple angles, to gather as much information possible. Although the frustrated IEP director answered this study’s interview questions curtly, he did answer them in a way that helped answer the research questions in ways that were not apparent to him or her at the time.

Participants. This study collected data from ten ELTPAA stakeholders. Using convenience sampling, research participants were identified through professional contacts. Each potential participant was contacted via the researcher’s professional e-mail with an initial letter of interest and explanation of how their contributions would enhance this study (See Appendix B). There were twenty-two invitational e-mails sent out with ten responses from stakeholders who were able to participate in the study. Even though this study contacted individuals who

worked or have worked in relevant positions in the DOE, DHS, and SEVP, they declined to participate in this study or did not respond to invitations. All participants currently reside in the USA and were not concentrated in any particular geographic area at the time this study was conducted. All participants are paid employees of their respective organization.

There were six males and four females interviewed. For the purposes of this study, research participants are identified by their sector. There were two high-ranking participants who were working for EnglishUSA and TESOL International. Both of those organizations are professional organizations, so those two research participants will be labeled Professional Organization Research Participant (PORP) #1 and PORP #2. PORP #1 worked for EnglishUSA, was in his or her position for about five years, was a former IEP director, and was former faculty in an IEP in one of the USA's northern states. PORP #2 worked for TESOL International for over twenty years. Both PORPs had relevant master's degrees.

There were two participants who worked for accrediting bodies ACCET and CEA. Both held a high-ranking position in their respective accrediting body. This study will label them ABRP #1 and ABRP #2. ABRP #1 held his or her position with the accrediting body for about five years, was the president of post-secondary institutions, and worked for an east coast American state's government in an education-related office. ABRP #2 held his or her position for about five years as well. He or she was the owner and director of an IEP, as well as an IEP director for two IEPs in two different American states. Both ABRPs held relevant doctoral degrees.

There were six research participants who worked for IEPs. Henceforth, they will be known as IEPRPs. IEPRP #1 worked as an associate director for about five years in an IEP in the American southwest. IEPRP #1 has a master's degree in higher education. IEPRP #2 has been an

IEP director in a southern American state for about thirty years. IEPRP #2 has a doctoral degree in higher education administration. IEPRP #3 is an IEP director in an American east coast state. IEPRP #3 holds a master's degree in TESOL and was an IEP director for just less than five years. IEPRP #4 has been an IEP director in a midwestern state for about five years. IEPRP #4 has worked in the Midwest for about the last decade. Previous to this, IEPRP #4 spent time in the middle east as an IEP director. IEPRP #5 was an assistant dean for about five years. IEPRP #5 spent 2007–2012 as an IEP director before IEPRP #5 was promoted. Finally, IEPRP #6 has been an IEP director for over thirty years on the American east coast. IEPRP #6 is recognized as a de facto industry leader because of his experience, connections, and longevity, and doctoral qualifications in the English language education industry.

When deciding the number of interviewees appropriate for this study, this study consulted previously conducted studies as a guide. Winkle (2011) desired no more than fifteen participants for his study so he could achieve maximum variation. Winters (2016) had a "goal for the sample size [of] 8 to 12 …" (p. 65). Ali (2017) interviewed thirteen schoolteachers and Becker (2012) interviewed four home educators. Seidman (2013) recommended two criteria for determining sample size. First, he urged researchers to consider recruiting enough participants to capture ranges of experience. This justifies the targeting of stakeholders from the three general stakeholder groups — IEPs, professional organizations, and accrediting bodies. Seidman (2013) then discussed saturation of information and contended that it is "a point in a study at which the interviewer begins to hear the same information reported" (p. 58) and nothing new is being added to what has already been collected. After ten interviews, enough data have been collected that one could identify enough trends to answer this study's research questions.

Considerations were made in the spirit of respecting stakeholder confidentiality and privacy while still respecting the integrity of the data collected. Because of the potentially sensitive nature of the information gained through interviews, there were real and perceived potential risks with exposing one's true perspective. The considerations were made because anything less than the participant answering the interview questions with what he or she believed to be true challenges the validity of this study.

Kaiser (2009) faced a similar problem in her qualitative study; "deductive disclosure, also known as internal confidentiality, occurs when traits of individuals or groups make them identifiable in research reports" (p. 2). For example, if this study reported on data gained from interviews conducted with an anonymous CEA Executive Director, since there were only two CEA Executive Directors ever, one could guess who said what by selecting randomly and still achieve 50% accuracy. In addition, if one selected anonymity and the other does not, the anonymous source is exposed inadvertently. To rectify the situation, this study masks the identities of all stakeholders.

This study initially planned to use a dominant approach and change non-essential information, such as age, name, gender, occupation, position, etc. to mask participant identity. However, a dominant approach's inherent flaws related to confidentiality burden the researcher with the responsibility of masking identifying information in such a way that meets both stakeholder and this study's needs. Considering the anonymizing of qualitative data, there is a lack of standardization.

To compensate for the dominant approach's drawbacks, Kaiser (2009) recommended using a two-step approach for assuring confidentiality. The first step is to "improve dialogue with respondents about data use and confidentiality" (p. 12). A substantial and ongoing

conversation about the data, what happens to the data, and moves to mask identity should take place. This study followed Kaiser's (2009) guidance. Kaiser (2009) also recommended that the interviewer should make the interviewee aware of the possibility of follow-up discussions and possible implications of potential exposure. An ongoing discussion minimized surprises and helped maintain a healthy researcher-participant relationship. Although participants were made aware of this possibility, follow-up discussions were not needed because the information gathered through the ten interviews was enough to answer this study's research questions. In addition, all interview participants were briefed on the aforementioned confidentiality issues. Consent forms were signed in accordance with Internal Review Board (IRB) protocol and communication lines remain open, should further research or clarification be needed. All participants are of aware of the possible risk of exposure, even though precautions were made to prevent this from happening.

The second step to ensure confidentiality was to modify consent forms by providing different privacy options. Although this study's consent form (See Appendix C) included the option to deanonymize participant answers to interview questions, the privacy rights of all participants are a priority for this study. That priority supersedes any marginal benefit that may be gained from exposing participant identities. As mentioned earlier in this chapter and later in Chapter Five, one participant's willingness to identify oneself may jeopardize the anonymity of another and considering the number of participants and the limited number of stakeholders available in the first place, this study opted to err on the side of caution and mask all participant identities. Although this study uses Kaiser's (2009) alternative approach, there are still aspects from the dominant approach that were useful.

Data collection. Participants were provided with a list of the interview questions (See Appendix D) days, or in some instances weeks, prior to the interviews to give them ample time to reflect before the interview was conducted. The interview questions were developed by consulting Winkle (2011) and Winters (2016) to get a sense of what questions might be appropriate to ask. All of the questions used in this study were intentionally open ended; yes/no questions were deliberately omitted to allow interviewees to elaborate on answers and express themselves. Through a process of writing research questions and consulting with the researcher's academic advisors, the list of interview questions was divided into the introduction, a section on participant perspectives, two sections on ELTPAA impacts, and a closing section. The questions in the introduction section were designed to build rapport with the research participant and gather basic background information. The three following sections of interview questions were aligned with this study's research questions. The final section was designed to close the study and solicit participants' thoughts on the future and how this study might be useful in the future. The questions helped keep both the interviewer and the interviewee on task if the conversation strayed from content that would help to answer the research questions. Sometimes the participant digressed from the thread or emphasized some questions more than others. The participants were asked what their perceptions of the ELTPAA were and what impacts, if any, did they have on the ELTPAA. They were also asked what impacts the ELTPAA had on them, their professional position, or occupation.

With participant consent and per approved IRB procedure, interviews were recorded through the Zoom software or the Call Recorder Pro smart telephone application operating on an Android operating system on a Samsung Note 8 smart telephone. Data files were .mp3 format and stored on the researcher's personal, and password protected, computer. Backup copies were

stored in a password protected locker. Interviews generally lasted between thirty and forty-five minutes in duration. Recordings were transcribed by a professional service and were manually entered into a Microsoft Excel database and Nvivo for organization and analysis. Nvivo software was used to code the interview transcripts.

Data analysis.

Organizing and transcribing. Once an interview was completed, the .mp3 file was e-mailed to a transcription service that was recommended by a colleague of the researcher. Opting to use a transcription service was done in the interest of saving time. The returned transcriptions were low quality because upon receiving the transcriptions, the researcher had to manually and painstakingly edit each one so the transcription matched the interview dialogue. For example, "CEA" was transcribed as "sea eh aye" and some interview dialogue was labeled "inaudible" when the sample was clearly audible. The returned transcriptions also did not include the requested time stamps, emphasis, or speaker identification that the researcher specifically ordered. When the researcher's manual revisions were complete, the researcher was able to reread the revised transcriptions and make annotations. The annotations were the beginning of the coding process.

Coding. The initial annotations became full-fledged codes. On a separate sheet of A4 paper, the researcher began to write down commonalities between interview responses. For example, all ten participants discussed their current employment. That became the first code because it was the easiest to identify. As the researcher continued to dig through the transcripts, other commonalties became apparent. Research participants discussed bad actors, the Catch Twenty-Two, collaboration, complications, current positions, successful efforts, the future, graduate degrees, doctoral degrees, undergraduate degrees, human resources, impacts,

perspectives, politics, previous positions, quality assurance, raising the bar, uses for this study, and the industry zeitgeist. In all, there were twenty-one codes. Codes were grouped by frequency of response. For example, every participant discussed their current position. That code "occupation" was more prominent, useful, and distributed among the research participants than lesser discussed codes, such as "the future".

After the coding was done manually, the transcripts were loaded into Nvivo software. The Nvivo software allowed the researcher to identify additional words and phrases that matched the manually created codes. The additional Nvivo step was taken to increase organization, cross-reference code validity, and improve upon the notes that were written on the A4 paper. Additional words and phrases that were not detected on the A4 paper, but were still relevant to the codes, were highlighted and entered into the Nvivo database. The process of starting with handwritten notes on the transcriptions to identify commonalities and precursors to codes, identifying and codes manually on A4 paper based off of the notes, and then using professional coding software to add and cross reference the manual codes allowed for codes to develop logical, valid, and reliable codes that can be used to identify important information that can help to answer this study's research questions.

The double coding was conducted manually first because the researcher prefers to work manually; working manually allows the researcher to be closer to the data and code more efficiently. That close proximity allows the researcher to better read the data and better apply the appropriate codes to the data. Manually coding also allows the researcher the flexibility to make notations on the data. Another reason the researcher opted to code manually first is because the researcher has experience coding manually. The experience allows him to work more efficiently and accurately. This study marks the first occasion that the researcher has used the Nvivo

software. Because of the researcher's unfamiliarity with the Nvivo software, the researcher wanted to use the Nvivo software to validate the manual coding. The researcher's additional use of the Nvivo software validated the codes and added to what was revealed through manual inspection. The double layer of coding resulted in data that was well-read and coded, having gone through both manual and Nivo's scrutiny while still preserving the integrity of the data.

Recursive Analysis

This study collected qualitative information in the form of interviews. The interviews were inductively coded and analyzed to find patterns and trends to provide understanding about how stakeholders impacted, were impacted by, and perceived the ELTPAA. Inductively coding means that individual words or phrases were identified in the interviews and codes were built from the individual instances, from the ground up. The alternative would be deductive coding. This is when a code might be predetermined and evidence would be identified to fit the preconceived code. Induction was the preferred approach because it allows the codes to be more organic and rooted in the data, rather than impose meaning.

When analyzing the interview data, this study consulted Labov's (1967) chapter *The Transformation of Experience in Narrative*. Labov described a narrative's skeleton as consisting "of a series of temporally ordered clause which we may call narrative clauses" (Labov and Waletzky, 1967, p. 219), as well as other components of a narrative, such as the free clause and referential functions (i.e. abstract, orientation, complicating action, evaluating meaning, resolution, and coda). While this provides structure, it can take the data out of context that do not fit into "check-list categories", and thus becomes "less useful when used as a set of pre-coded analytic slots into which we should try to place an actual story's contents" (Edwards, 1997, p. 231). He added that "these kinds of structural categories can "impose rather than reveal"

(Edwards, 1997, p. 231). A similar problem occurs when coding with pre-set codes; Smagorinsky (2008) wrote that "borrowed coding systems can be highly problematic because they were developed by someone else for, in all likelihood, other purposes and certainly for other data" (p. 406) and "independent coding created the system as a fixed entity, which denies its potential for negotiation as researchers work through data together" (p. 402). Based on what Smagorinsky (2008) wrote, it is clear that borrowed or pre-set codes are an inferior coding choice for this study when compared to organic codes or codes rooted in the data.

Smagorinsky (2008), claimed that "more unique codes come in relation to more specific tool use, such as the economical design of a horse ranch to allow for direct movement around the premises" (p. 400). Although this study does not directly use a phenomenological approach, qualitative interview approaches overlap with phenomenological approaches in many ways. A phenomenological approach addresses the nuances of everyday experience and is better suited than a quantitative study to describe experiences, impacts, and perspectives on a particular issue (Schumacher, 2010). It is not a far leap to apply the same logic to a qualitative interview method, given their similarities. Thus, a qualitative approach that analyzes data with an inductive approach is a "manifestation of theory" (Smgorinsky, 2008, p. 399). Therefore, using inductive coding rather than a pre-made template is justified.

Researcher's Positionality

During the researcher's stint teaching in The People's Republic of China (2010–2011), he personally met, and was inspired by, several entrepreneurs, both Chinese and foreign alike, who were eking out a living teaching English in what was a very loosely-regulated market at the time. It was very different than the sterilized, efficient, regulated, and professional educational environment he had grown up with, and later studied, in university. In the effort to learn more

about the business side of teaching English, he consulted works such as Eaton (2015), who discussed how to structure an independent English language training consultancy. Timpa and Pizor's (2001) *Hotel English* provides learning activities for teaching housekeepers, public area assistants, and kitchen workers English language learning activities. One of the fundamentals of entrepreneurialism is to identify underserved markets. Timpa was able to identify the Las Vegas strip as an undeserved market for English language education and was able to land contracts with several famous hotels by teaching English to some of their staff members. *Hotel English* provides activities that can be used, or modified, to teach niche markets. The researcher continued to seek out people affiliated with esoteric, niche, or underserved markets, such as English for Burmese fishermen or Iraqi police officers, in a better effort to learn how their models worked and why. The researcher even went as far as to read what he could about the model used by Aristotle to tutor Alexander the Great. The researcher finds the consultant or the tutor model interesting because of the opportunity and freedom it allows.

Upon returning to the USA, the researcher wanted to learn more about the domestic English language market and the applicable rules and regulations that apply to businesses. This study is a continuation and extension of the researcher's interest in the business side of the English language training industry. The results of this study better inform like-minded individuals about the regulatory constraints that businesses must abide by to stay on the right side of the law and perform at an acceptable level of quality. The researcher's positionality is also influenced by the researcher's professional occupations; the researcher specializes in teaching English in challenging and remote outposts such as The Kingdom of Lesotho, The People's Republic of China, The Republic of the Union of Myanmar, and Arizona for over a decade. Student ages spanned the gamut and are evenly distributed, from young children to adult

learners. The unfamiliar regulatory nature of the United States' English language training industry piqued the researcher's interest. Learning more about United States' English language training industry and comparing it to other country's regulatory structure motivated the researcher to better understand the systems and identify growth and opportunity in the market.

Chapter Conclusion

This chapter detailed the rationale for using a qualitative interview study approach, justified the research design, introduced the participants, explained how data was collected and analyzed, discussed issues surrounding legitimacy and confidentiality, and closes with a summary. Chapter Four, Research Findings, discusses the trends that were discovered after the participants interviews were inductively coded. These trends are used to help answer this study's research questions.

Chapter Four: Research Findings

Introduction

This chapter details the findings and implications from interviews conducted with ten relevant ELTPAA stakeholders. An analysis revealed that participants discussed common themes in their responses to interview questions. Each theme helps us answer this study's research questions. Following a general discussion regarding research findings, an analysis of the findings will be conducted. Table 4 is an organized table that details this study's findings.

Table 4

Perceptions and Impacts of the ELTPAA

Perceptions of the ELTPAA	Impacts of the ELTPAA	Impacts on the ELTPAA
Unanimous Perceptions of Quality Assurance	The Carrot and the Stick: Raising the Bar and Eliminating Bad Actors	The Political Process was Utilized
The Catch Twenty-Two was a Legislative Drafting Error	The Surge in Applications and Associated Administrative Tasks	Stakeholders Collaborated With Each Other
Conformity is Imposed	The Regional Accreditation Umbrella Provides Competitive Advantages	
Entrepreneurship is Stifled		
Looking Towards the Future		

Research Question One: What Are Stakeholders' Perceptions of the ELTPAA?

Results. Surdek (2016) defined perspectives as "…the way individuals see the world. It comes from their personal point of view and is shaped by life experiences, values, their current state of mind, assumptions that they bring into a situation, and a whole lot of other things" (p. 1). For the purposes of this study, this definition means research participants see the English language training industry uniquely, based on their individual professional experiences, values, assumptions, and roles in the English language training industry. Their unique experiences, values, assumptions, and state of mind gained from their time in the English language training industry qualifies the research participant to have a perspective on the English language training industry. The quotations from the interviews justify the claim that participants perceived the ELTPAA as bringing an overall improvement of quality to the English language training industry; almost all of the participants in this study perceived that the ELTPAA increased the

overall quality of the industry. When the discussion threads about quality and accountability are combined into one larger theme of Unanimous Perceptions of Quality Assurance, all participants are accounted for. Five participants noticed a legislative drafting error in the ELTPAA which has become known as the Catch Twenty-Two. Two participants also perceived that the ELTPAA imposed conformity on the English language training industry and that entrepreneurship was stifled. Finally, two participants perceived the English language training industry's future as becoming increasingly regulated, along with concerns about the English language training industry's ability to adapt to the digital era.

Unanimous perceptions of quality assurance. Nine out of ten participants specifically mentioned the ELTPAA as being a harbinger of quality assurance. Participants responded to interview questions and discussed quality in the following answers:

- ABRP #1: "In general, the IEP community felt that having IEPs accredited gave a degree of **quality assurance**…I'm supportive of the act and, obviously any kind of quality assurance, making sure that any kind of post-secondary program meets certain standards".
- PORP #2: "It [ELTPAA] helped really push the idea the concept more of like **raising the quality** around IEPs further and that's not a reflection to say that there wasn't any high quality to begin with".
- ABRP #2: "The [ELTPAA] was originally proposed as a quality assurance measure and as part of a national international education plan that had a lot of positive effects…on a personal basis, have a strong commitment to seeing effective **quality assurance** for our field".
- IEPRP #5: "My perspective is that it was important for **quality assurance** of IEPs".
- IEPRP #4: "I think there are probably quite a few schools out there that really didn't have the resources to really offer quality programs, you know, and then that gives everybody a bad name or it gives a country a bad name, so **I think it's [the ELTPAA] a good thing**".
- PORP #1: "The best thing, I think, is the **raising the standards and the quality**…. I think it helps raise visibility, you know, the status of some of our university-based IEPs too".

- IEPRP #3: “I think that it is important that we…**increase our quality** and I think that in requiring the accreditation, it does encourage it, it does foster it, and I think it's also good”.
- IEPRP #6: “Bottom line, it has done a great deal to **raise the quality** of IEPs and we can really feel good that if the student comes into the country that, by and large, they're going to have a good experience wherever they go”.
- IEPRP #2: “[ELTPAA] is having its intended effect”.

All of the above quotations explicitly mention quality, with the exception of the quotation from IEPRP #2, who infers it. MacDonald (2003) defined accreditation as, “Accreditation gives some reasonable assurance of the content and quality of the education opportunities offered by an accredited program” (p. 3). Using MacDonald’s definition and a simple syllogism, one can deduce the participant’s emphasis on quality. IEPRP #1 did not mention quality, but did emphasize the important role of accountability, which is a component of quality assurance. IEPRP #1 and IEPRP #4 said:

- IEPRP #1: “I do think it's in the best interest of the students for institutes and programs like ours to have to follow some set of criteria and have some **accountability to an outside body** and to really ensure that we're doing what we think we're doing, and the students are getting their money's worth”.
- IEPRP #4: “The best things about it [ELTPAA] is, I think, **it makes people accountable** for their programs and the quality of their programs so that if you know that you're going to an accredited program. From a student's point of view, and their family or a government sponsoring agency, whoever's paying the bills… it keeps the field and the players accountable and that's a good thing for students”.

Analysis. The Unanimous Perceptions of Quality Assurance theme, supported by the accountability discussed by IEPRP #1 and IEPRP #4, is the most notable theme in this study that, when combined, cover the perspectives of all ten research participants. This is not atypical of similarly-oriented studies. Ibrahim, Abdel Razig, and Nair (2015) explored the perceptions of medical students regarding international accreditation in a developing medical education system and came to similar conclusions. They concluded that “…trainees have an overwhelmingly

positive perception of international accreditation, with an emphasis on the quality of the training provided" (p. 1). One reason for the unanimous decision may be that the interview participants were all beneficiaries of the ELTPAA; every participant in this study, at one point or another, either promoted, supported, helped design, or operated under the ELTPAA successfully.

This finding, the Unanimous Perceptions of Quality Assurance theme, is very important for educational policy because it suggests that the English language training industry's stakeholders are respected, persuasive, well-intended, and effective enough so that even Congress was able to give bipartisan support to the ELTPAA.

The catch twenty-two was a legislative drafting error. Half of the participants in this study commented on what appears to be a mistake that was written into the ELTPAA. This mistake is known as the Catch Twenty-Two. The Catch Twenty-Two is a situation where an IEP has to be in operation for two years before it can receive accreditation. It is difficult, if not impossible, for an IEP to operate without international students in the first place because IEPs rely on international students for revenue. Therefore, new IEPs that are not under the protection of the host institutions regional accreditation have difficulty operating because they can not enroll international students without accreditation that they will have to wait for a couple of years to qualify for. The Catch Twenty-Two was noted by five participants:

- PORP #1: "**In order to run an IEP and accept students from overseas you have to be accredited. In order to be accredited, you have to be up and running**…Most IEPs can only function by enrolling international students in the first place. IEPs, especially in rural areas, are at a severe disadvantage when compared to their urban counterparts because operating for two years without international students or non-native English speakers is not feasible, especially in today's market".
- IEPRP #6: "Not so much for our program because, you know, I helped write the bill and get it through, and so I knew what was coming and we knew what was in the standards, **the Catch Twenty-Two**, for the general industry".

- ABRP #2: The worst thing is, you know, a lot of folks in the field call it **the Catch Twenty-Two**, it's added a layer of regulation that makes it difficult for new sites to start. The site

has to be in operation, before a site can become accredited, for one to two years depending on the accreditor, the site can't, of course, have international students until they're accredited and how do you operate in certain geographical areas without international students for one to two years sufficiently, so it's just become very difficult for private schools to get started".

- IEPRP #4: "An unintended consequence of this could be that, you know, if you're in a kind of a remote area or…you know, how do you maintain the faculty staff and administration to run a reasonable program? You can run the program but you have to charge enough to pay for it, and you have students who want your program but you spend all of your money maintaining a quality program and maintaining accreditation, it is a kind of an expensive proposition. We've had a bigger issue with the pathway program business and getting those on our I-17 with our universities than we did before the ELTPAA".

- PORP #2: "I remember hearing from some TESOL members that were actually the process of setting up a new IEP and it was my understanding it was going to be a proprietary program, not one affiliated with the university, and because of the timing they were kind of caught in a bind because in order to receive accreditation they needed to have a certain number of years of data to draw upon. However they were just in the process of setting things up, they didn't quite have, that **they needed to be an operation for additional amount of time before they could actually start that process but they were actually going to miss that window to be accredited for the law and if they didn't receive their accreditation and then being able to issue the I-20, they wouldn't actually be able to serve the international students they hoped to serve.** So there, I think, is just one example. I can't speak to how widespread it was, if that was other organizations' experiences. Maybe it may have been the one because of the window, depending upon where organizations were at. They either felt a pressure to go through an accreditation process quite quickly if they hadn't already been accredited, or things were already in place and they sort of continued on their path. But it did create this sort of timeline of events and depending on where IEPs were at in their own process, it may have may accelerated some things".

Analysis. The samples from the interviews above distinctly mention the Catch Twenty-Two as an issue for new IEPs, IEPs in rural areas, or IEPs otherwise not under the regional accreditation umbrella of an accredited hosting university. These findings are supported by Custer (2012) and ICEF Monitor (2016); both analyses discussed, as former ACCET Associate Executive Director Charlie Matterson so succinctly said, when referring to the Catch Twenty-Two, "The law has put up big obstacles for new schools to get started" (Custer, 2012, p. 2). When this study directly asked a stakeholder, who was very involved in the ELTPAA creation

process, if the Catch Twenty-Two was intentional or perhaps inserted with nefarious intent, the professional organization administrator seemed a bit taken aback by the audacity of such a question. Based on the feedback received from research participants, the Catch Twenty-Two was unintentional.

It's also important to consider that three out of four professional development or accrediting bodies discussed the Catch Twenty-Two in their interview question responses. For whatever it is worth, a greater proportion of professional organization- or accreditation-oriented administration discussed the Catch Twenty-Two than IEP administrators. This is probably because the Catch Twenty-Two issue is not on the radar of IEP administrators; they are operating conventional IEPs under the regional accreditation of famous universities across the USA, with names such as University of [insert a US state]. However, the three participants who worked with professional organizations or accrediting bodies are positioned at the cross roads between stakeholders and have more exposure to a variety of programs, cases, circumstances, and applicants than a participant who is primarily concerned with their own IEP ecosystem.

In terms of educational policy, the findings suggest that mistakes can be made even when stakeholders have the best of intentions. Even though the most important finding of this study (i.e. Unanimous Perceptions of Quality Assurance) suggested that stakeholders viewed the ELTPAA as doing what it is supposed to do, there can be unintended side effects when the wording of the law is not carefully considered before being passed by Congress. These kinds of mistakes are what is called a legislative drafting error. The degree of the error can range from an oversight on minor punctuation to mistakes that affect the intent or meaning of the law. This mistake qualifies somewhere on the spectrum of being a legislative drafting error. This finding demonstrates what can happen when educational policy ultimately relies in the in the hands of

nonexperts, despite the intentions and groundwork of the experts who did most of the work to make meaningful change.

For the English language training industry, the legislative drafting error means that new IEPs will have difficulty entering the market because of the high barrier to entry. This also increases the value of existing IEPs because supply is now somewhat limited. Should IEP enrollment dramatically increase, the competition for the somewhat limited number of classroom seats will increase. In a traditional market, this would result in higher prices for the limited goods (i.e. classroom seats). In the English language training industry, one might expect the qualifications of students to be the deciding factor for admission, rather than money they are able to pay. Either way, the high barrier to entry will continue to limit the number of new IEPs that enter the market.

Conformity is imposed. Two participants briefly discussed how the ELTPAA brought conformity to the English language training industry.

- IEPRP #5: “I don't think that **it [the conformity]** outweighs the positive impact”.
- IEPRP #6: “I guess that it's expensive and that it does lead to a certain degree of **conformity** at the expense of creativity”.

Analysis. IEPRP #6 said, when asked about the largest drawback of the ELTPAA, responded, “I guess that it's expensive and that it does lead to a certain degree of conformity”. This conformity can be in the structure of the program; CEA and ACCET standards are clearly outlined. The conformity can also be what is expected of them in the professional community; there are hundreds of programs and individuals from those programs represented in professional organizations. Conformity also applies to growth; there are concerns from participants the future of the industry will be more regulated and forced to adapt, probably as a reactively rather than

proactively, to a digital transformation. Knowing this, new IEPs can integrate easier into their next context.

The charge that accreditation restricts programs or pushes conformity is not exclusive to the English language training industry either. Northwestern University's journalism program recently rejected seeking accreditation. Richard Vedder, a Northwestern alumnus who now teaches at Ohio University, said, "an expensive barrier to entry, that does little to improve quality but impedes innovation, restricts competition and raises costs" (Elkin, 2017, p. 2). Charges, and investigations of, conformity assessment and evaluation by accrediting bodies, such as in both the medical (Mok, 2017) and environmental field (Dos Santos, De Oliveria, and Costa, 2013), are common lines of research inquiry as well.

Conformity affects the English language training industry because the mandatory standards are reportedly expensive to implement and there is no guaranteed return on investment. In addition, creative, innovative, or ground-breaking programs that differ from the conventional classroom learning experience may never be able to enter the market because they may not meet the federal standards. This could impact the growth of the field because programs may not be able to try new things and distinguish themselves from competitors without the pressure from the IEP's respective accrediting body to conform.

Entrepreneurship is stifled. Two participants discussed how the ELTPAA affected entrepreneurs.:

- IEPRP #5: "it is always a criticism of federal regulations that they might **dampen the ability of entrepreneurs** to start things up".
- IEPRP #6: "I remember when, and this shows you how old I am, I remember when, as a kid, we didn't have seatbelts in our cars. I think it was 1964 that seatbelts became mandated in U.S cars. Not even talking about the shoulder belts but just seatbelts and I, you know, everyone thought they would be, the end of the automobile industry. All these costs and expenses and people would be afraid to buy cars for years. The auto industry didn't even

> want padded dashboards because they didn't want to suggest to the buying public that cars were in any possible way unsafe, which is why Tucker got put out of business; He was putting all these safety items in a 1948 Tucker you know, headlights that turned as you went around corners, seatbelts, I mean, so we went from 1948 to 1964 to mandate seatbelts and cars because the industry was so afraid of communicating to the public that cars were dangerous".

Analysis. One would expect the two respondents, considering their backgrounds, to speak on the effects of the ELTPAA on entrepreneurship. IEPRP #5, has worked as a president of a professional organization too. IEPRP #6 has been involved with IEPs for decades. Therefore, he or she has, at least compared to his or her peers, has seen more than anybody else, and thus can speak to different aspects of the industry that he or she has seen over the years.

IEPRP #5 spoke about the common criticism that federal regulations impede entrepreneurs, even if that is not the intention. It is illustrated by the automobile metaphor that IEPRP #6 discussed described — installing quality safety belts incurs costs that the smaller competitors can not afford up front. The ELTPAA creates additional costs that free standing and independent IEPs that are not hosted by university must account for to operate.

This automobile and seatbelt analogy also applies to both the Carrot and Stick theme as well. The bar for IEP quality and standards were raised, similar to how an automobile's quality and standards were raised when new safety features were introduced. 'Bad actor' automobile manufacturers that cut corners or legit companies could not otherwise comply with the new safety regulations were not allowed to operate on public roads, which inevitably pushed the bad actors and smaller companies out of the American automobile industry. It is worth remembering that thirty American manufacturers produced motor vehicles in 1899 and over 450 companies entered the business in the following decade (History.com Editors, 2010). Today, after layers and decades of regulation, there are far fewer American manufacturers. Part of the reason for the

decline in American automobile manufacturers is related to government regulation. It is unclear how many English language training programs were eliminated by the ELTPAA because records of their existence are difficult to come by. In some instances, their existences are only anecdotal. In other instances, they may have never even been properly registered in the first place. For this reason, at least until more is known about how many English language training programs were driven out of business by the ELTPAA, this theme is considered a perspective, rather than an impact.

Future lawmakers may want to make accommodations for entrepreneurs. The ELTPAA created a wide moat that disadvantages startups because of the Catch Twenty-Two. Yet, contemporary market pressures and circumstances are weakening the established programs, leaving them vulnerable to private money. Dixon, Gates, Kapur, Seabury, and Talley (2007) elaborated on how regulatory tiering can be a solution to such a problem. Regulatory tiering would allow different IEPs to meet regulation standards in different ways, depending on their circumstances. Dixon, Gates, Kapur, Seabury, and Talley (2007) wrote:

> Such special consideration takes many forms, including opportunities to voice specific concerns or raise issues about proposed regulations before they go into effect or alterations in the regulatory environment that small firms face (e.g., exemptions from regulation, modified compliance procedures, reduced penalties for violation of regulation, special programs to assist small firms in complying with regulation. (p. 67)

Regulatory tiering would even out the playing field, allowing startups to have more of a market share. However, this would have to be used in conjunction with a financial boost. This boost might come in the form of increased tuitions, higher student enrollments, or grants from the hosting university or a government, for example. Financially-weakened IEPs, and other educational institutions, are targeted by private interests irrespective of the ELTPAA. Leaving them weakened would position the industry to lose market share to small entrepreneurs and large

corporations alike. On a long enough timeline, the industry could be dominated by private companies if traditional IEPs lose the remaining market share.

In most industries there is competition between stakeholders for business. Businesses may often keep trade secrets or proprietary materials with an eye for increasing sales and dominating as much of the market as possible at the expense of their competition. The English language training industry does not operate this way; at no point in the study did participants discuss competition between IEPs or professional organizations, save for two mentions of competitive disadvantages that rural IEPs operate under as a result of the ELTPAA that were accounted for under The Catch Twenty-Two was a Legislative Drafting Error theme. Professionals often join professional organizations with the intention of sharing their knowledge and strengthening the industry by supporting each other, rather than seeking ways to outcompete one another.

Looking towards the future. Two IEP administrators referred to their perceptions of the English language training industry's future. Because they have not happened, they are considered perspectives, rather than impacts. Both quotations refer to different aspects of the English language training industry's future — its regulations and its adaptation to the digital era.

- IEPRP #1: "It's just going to be **increasingly more regulatory** and there's going to be more restrictions on international students, and specifically ESL students".

This participant anticipates more regulation as time goes on, not less. IEPRP #3 commented on accommodating digital natives and the continuing digital revolution in education:

- IEPRP #3: "Higher education, in general, but also IEPs and language programs in general, there's a big moment of disruption and a big moment of transformation, a big moment of with… everything from the fact that like young learners were becoming the higher education students or digital natives, so how, online, when the [ELTPAA] and when all these different things were coming up was kind of a foreign thing and it was still somewhat negatively viewed. But looking forward, **if you look at like all different kinds of**

> **industries…taxis had a digital transformation with Uber. Television to Netflix, and not everyone is going to become Rosetta Stone, but people are on their digital devices** and so it is just an example of how the industry or the field is going to have to adapt in certain ways."

This participant anticipates the English language training industry to evolve into a more digital and internet-based state, similar to how the entertainment industry or the taxi industry evolved to accommodate new technologies.

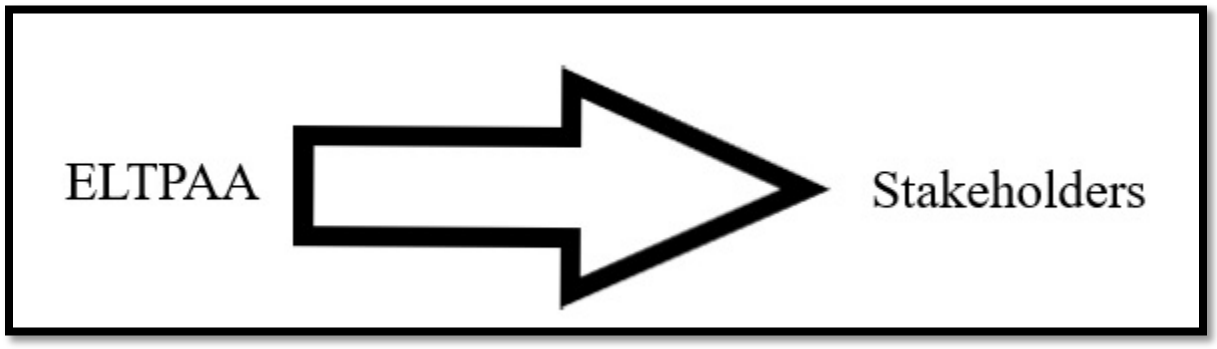
Analysis. The concerns about future regulations were not echoed by any other participants in this study. One reason for this may be that six of the participants were IEP administration and are not directly concerned with the future of the industry; their concerns are generally limited to their business in their respective IEPs. Knowing this, IEPRP #1 was positioned perfectly to gather intelligence to create an informed perception based on discussions with stakeholders vertically (e.g. government, internally, and members) and horizontally (e.g. other professional organizations). IEPRP #1's administrative responsibilities give his or her predictions gravity because he or she works closely with DHS, thus giving him or her an exclusive access to operations behind the scenes that other research participants may not have had.

IEPRP #3 was younger and seemingly more tech-savvy based on his or her answers, age, work experience, and comfortably using technological jargon. Other responses from IEPRP #3 contained references to combining the English language training industry with technology and new media. Both IEPRP #1 and IEPRP #3's response concerning the future of the English language training industry are informed by their respective experience with working with regulation and technology.

Research Question Two: In what ways were stakeholders impacted by the ELTPAA?

Results. For the purposes of this study, the word impact is both a noun and a verb. Impact not only means to strike or to have an effect, but it also refers to the results of that strike of effect. When the ELTPAA was passed, it affected the English language training industry. These effects are considered impacts. This is not to be confused with the definition of perception used for Research Question One, which was referring to the way research participants see the ELTPAA based on their life experiences, values, current state of mind, and assumptions. Impacts are more about what happened, rather than research participants' perception of the ELTPAA.

The most notable theme that helps to answer this question was the Carrot and Stick theme, which was a logical consequent of the ELTPAA. Seven research participants noted either how the ELTPAA 'raised the bar' of quality or eliminated bad actors. Beyond those two related threads, that were merged into a larger theme, there were other impacts felt as well. Five participants elaborated on the surge in accreditation-related activity (e.g. increased paperwork, applications, site visits, etc.) that followed when the ELTPAA was enacted, as well as noted the importance and newfound prominence of the regional accreditation umbrella. The graphic below displays the direction of the ELTPAA's impacts pertaining to Research Question Two.



The carrot and the stick: raising the bar and eliminating bad actors. Seven participants responded with answers to interview questions that described how either the bar of quality was

raised or bad actors were eliminated. The responses were organized under this theme. When all of the interview responses were analyzed for their similarities, there were seven total. Seven research responses, organized into one theme by the researcher, was the second-most noted theme in this study. Variations on the term "raising the bar" included raising the profile, visibility, professionalism, standards, boats, and quality. This supports, and sometimes overlaps, with the positive perceptions of quality assurance discussed under Research Question One because there is a slight difference between perception and actual impact. Without a doubt, the repeated usage of this phrase was worth noting as an impact of the ELTPAA. Half of the responses came from participants working in IEPS and the other half came from professional or accreditation body administrators. References to "raising the bar/boat/standards/etc." were used several times:

- PORP #1: "The best thing, I think, is the raising the standards and the quality…it **raised the bar** in this country. I think for English language programs, it requires quality…. I think it helps raise visibility, you know the status of some of our university-based IEPs too".
- PORP #2: "It [ELTPAA] helped really push the idea, the concept, more of **like raising the quality** around IEPs further and that's not a reflection to say that there wasn't any high quality to begin with".
- ABRP #1: "In some cases, it is that the institutions **raised their bar** in order to be accredited and then didn't follow through as completely once they were accredited and now we're coming back to visit them a second time and in some cases they're not of the quality that we had expected. That would be an unexpected result".
- IEPRP #3: "I think that it is important that we **raise all boats** and we be, as a whole country, increase our quality and I think that in requiring the accreditation it does encourage it, it does foster it".
- IEPRP #4: "I think [our IEP] is a leader program in the field and we wanted to set an example for others and we felt that it was important to have programmatic accreditation because it **raised our profile** in the eyes of other academic units on our campus which it certainly did…I think it's a good thing because without some sort of oversight of programs, even though it may have faults, I think it raises the professionalism of the field and that's good for everybody".
- IEPRP #6: "We were one of the earlier programs to be accredited and it was more of a strategic decision, as we were, you know, we were assuming, and I think approved, that

sponsors would, in the future, only want to send their students to fully accredited programs, because we saw all along that accreditation of raises the bar, standards, so that the general public would see IEPs as legitimate educational institutions, but also to provide great reassurance to students that when they came over to study, they would have a high quality program they'd have safe and sound facilities, they would have all the support services in place because that was another reason for it. Bottom line, it has done a great deal to **raise the quality** of IEPs and we can really feel good that if the student comes into the country that by and large they're going to have a good experience wherever they go."

These samples support the case that there was a 'raising' trend that occurred once the ELTPAA was enacted. This 'raising' contrasted with another notable trend, the idiomatic stick, which had to do with the elimination of bad actors. There were four variations on phrases involving bad actors and how the ELTPAA impacted them:

- IEPRP #4: "What we were, I think, in the field pleased to see was that the requirement for accreditation would overall be something that would improve the field as a whole because it would get bad players out of the field those who were those programs that were either trying to act as visa mills or programs that didn't have sufficient resources to offer a quality level of a program which would be required in order to meet some sort of an accreditation process whether it was programmatic or for an institutional umbrella…**Prior to this [ELTPAA], it was possible for bad actors to get onto the stage very easily**".

- IEPRP #1: "I think it's [ELTPAA] a way to **crack down on some of these schools that are just really taking advantage of international students** to bring them into the US and to just basically make money off of them without anything in return, so I think it's an important step, like most immigration regulations, and guides everything that we have to follow".

- IEPRP #3 "I think one of the reasons people wanted things professionalized was either for preventing the government from closing things, like being suspicious about what students were coming for, or talking to the university about getting more resources, or to **squeeze out bad actors in the field**".

- PORP #1 "**It ultimately got rid of the some of the bad actors**, like despite some of the negative media, you know, like some of the Center of Immigration studies or something like that, you know, that these rogue programs still exist."

These quotations were given by three IEP administrators and one administrator from a professional organization. They all discuss pushing the bad actors out of the industry. References to the carrot and the stick, as well as eliminating bad actors, (i.e. The Carrot and the Stick:

Raising the Bar and Eliminating Bad Actors) was the second most prominent in this study and the most prominent as it relates to Research Question Two.

Analysis. Out of all of the possible input received from participants throughout this study, these responses were probably the most intuitive; seven out of ten participants discussed either the raising the bar or cracking down on bad actors. Raising the bar and eliminating bad actors were the purpose of the ELTPAA to begin with. The phrase 'raise the _____' in regard to accreditation or standards is not exclusive to the English language training industry. It has also applied to accreditation for law schools (Kreighbaum, 2019), youth programs (Leave No Trace, 2012), online education programs (Norris, 2018), and public health departments (Gaydos, 2018), for example, in similar contexts. Based on this literature, and the phrase 'raising the _____' is par for the course when discussing accreditation impacts.

Similarly, thwarting bad actors and accreditation are mentioned in the same breath by Miller (2014) when he discussed federal financial aid, Friedman (2019) when she wrote about changes to the *Higher Education Act*, the Security and Exchange Commission (2017) when elaborating on accredited investors. Like 'raising the bar', preventing bad actors from taking the stage are the sticks that accompany the carrots and apply beyond the ELTPAA.

This finding supports the Unanimous Perceptions of Quality Assurance finding that was used to answer Research Question One. The Unanimous Perceptions of Quality Assurance finding shows that there was a perception that ELTPAA brought quality assurance to the ELTPAA industry. The Carrot and the Stick: Raising the Bar and Eliminating Bad Actors shows that the stakeholders were impacted by it. There is a slight difference. Like the Unanimous Perceptions of Quality Assurance finding, education policy and the English language training industry can use it as an example of an effective initiative to regulate the industry. This finding

adds that a properly worded law can have more than one focus; it is one thing to raise the quality of an English language training program, it is another to eliminate the bad actors. The finding that participants perceived that the ELTPAA did two things means that stakeholders are capable of multitasking and other stakeholders in similar situations in other industries may be receptive of similar regulatory initiatives on their respective industries as well.

The surge in applications and associated administrative tasks. There was a deadline written into the ELTPAA that required programs to gain accreditation during a two-year window or risk losing the ability to enroll international students. This created a sudden increase in workload for most stakeholders; many IEPs had to complete self-studies and allocate funds to pay for accreditation on short notice. Professional organizations, such as TESOL International, UCIEP, or EnglishUSA had to provide additional support for their members, and accrediting bodies had to review and accredit a large number of IEPs in a short amount of time. Answers from four participant interviews support the claim, and underscore the importance of, the surge. The first quotation is an example of how a professional organization supported their members during the surge:

- PORP #1: "So, the organization was impacted in that, so **we came up with a chart that shows, that showed all the regional bodies**, who the contacts were at that time, (talking about 2011/2012) and then you know what to ask for so, you know, to request that your program that you get a letter".

  The remaining three responses discussed the surge itself:

- ABRP #2: "One of the issues was that we had to identify, and it wasn't just anticipated staffers, it was that **we had to then find peer reviewers and prepare the sites and so we had, I think, we had good success with bringing along the hundreds of people that had some relationship to all of the work that had to be done when [our organization] had to triple in size**, so if that makes sense, it's a ripple effect that goes out and the field at layering everyone. We disclosed this. Everyone saw what was happening in the field, affected sites, and we publicly asked for their support and engagement and we worked with them in terms of operations and getting the timelines done…the [our organization] received a very high volume of applications from schools

that had to become accredited in order to continue or secure permission from SEVP to issue immigration documents".

- IEPRP #3: "In fact, **the real huge surge came after it was already kind of in motion**, and so I don't know if the people who were leading it really knew how big the programs were going to get soon and how big of an influx in the whole United States. Schools, everyone, was starting an IEP. The other existing programs were switching from a very general kind of English to a more EAP or more specific purpose, and I think that it the timing was perfect that it gave structure to like a really chaotic or unprecedented boom and so I think that the people who were doing it knew things were getting bigger and they knew things were needing some structure and some standard, but they didn't really know how badly it was going to need it soon. And so I think that the timing right before the huge boom was great and even with it, even with some guiding principles that everyone was agreeing to, it was still difficult to manage. Such a huge explosion, but it did a good job of adding some structure and some guidance to how to approach things with best practices".

- IEPRP #5: "I know that CEA was impacted because there was **a giant flurry of people trying to get programs accreditation**… so in terms of the impact on us it just meant that they were trying to handle a huge amount, like a historic amount, of accreditation projects at the same time which could have delayed our decision but in fact they decided to get us through faster so we actually got our decision faster because they weren't just rushing to get as many through as they could as quickly as possible".

Analysis. Between the two quotations given by IEP administrators and two quotations given by professional or accrediting bodies, four samples from the interview document a surge in applications, and subsequent workload, for accrediting bodies when the ELTPAA was passed. These findings are congruent with Custer's (2012) analysis that was first mentioned in Chapter Two:

> Teresa O'Donnell, CEA executive director, tells *The PIE News*. "Many years we've had about 40 university programmes and independent language schools at any given moment seeking accreditation. Now we've got 180 new applicants." Similarly, ACCET is dealing with about 50-60 new applications, up from the 10-12 of previous years. Although ACCET accredits institutions other than just English language programmes, it says the majority of the new applicants are IEPs. (p. 2)

The findings are also in-line with McIntire's (2014) article about how new nationwide requirements for law students to gain practical courtroom experience will lead to a surge in

applications to law school clinics. Based on the literature and findings, perspectives from different groups confirm that newly-introduced deadlines lead to a surge in applications.

This finding means that stakeholders who are involved in crafting new educational policy are capable of creating a compromise that involves two or more issues that pleases multiple parties. The ELTPAA was passed with bipartisan support, but that will not always be the case with all educational policy going forward. This supports the finding that stakeholders and lawmakers can multitask by accomplishing multiple tasks with one one-page legislative act. The English language training industry benefits from the verification that the two intentions of the law — to raise quality and eliminate bad actors — was accomplished. The industry's current regulatory settings are good enough for business to carry on in a way that satisfies stakeholders. It is good enough because perceptions of the ELTPAA are overwhelmingly positive and there have not been serious initiatives to amend the ELTPAA or further regulate the English language training industry. We now know for certain that the problems of the pre-2010 era (i.e. questionable program quality and bad actors) were largely remedied by the ELTPAA.

The regional accreditation umbrella provides competitive advantages. Another impact that was discussed was how the regional accreditation umbrella put non-university based IEPs at a competitive disadvantage. Five stakeholders acknowledged the regional accreditation umbrella; four are IEP administrators and one works for EnglishUSA but had IEP administration experience previously. It is interesting to consider that six current IEP administrators were interviewed, but only four discussed the regional accreditation umbrella. The research participants said:

- IEPRP #1"I would say that **my daily work wasn't really affected** because we were already CEA accredited and we also fall under a HLC through the university, but in processing the I-17, that required more work in submitting any kind of an update because then I had to demonstrate the accreditation, pull the documents. But getting the university-wide

accreditation can be challenge in ensuring that I had all the proper documentation to show accreditation".

- IEPRP #2: "**My work directly here was not impacted**. We were part of an accredited university. We were able to issue I-20s by virtue of our regional accreditation already and we already had CEA accreditation as well".

- IEPRP #4: "The passage of this law, which required accreditation in order to issue immigration documents **had no impact on us** because we were already accredited. And the program that I am at now, the University of [redacted], it really didn't have or didn't seem to have an impact although I felt that it did for other reasons. We did not have CEA accreditation at that time when I came here, but we do have it [now]. The place where I see it could have an impact would be on self-funded freestanding independent propriety programs that did not have a host institution and they would be strongly affected because they would be required to have accreditation".

- IEPRP #5: "[ELTPAA] was considered a success on the part of the association, that we passed the legislation but we had to be aware of the somewhat bit of a backlash, let's say among membership that were proprietary members who felt it was unfair that the [ELTPAA] insisted upon accreditation for those proprietary members but not for university members, so the university member meaning a member that was college or university governed had regional accreditation they didn't have to seek CEA or ACCET accreditation where as a private company would absolutely have to seek ACCET or CEA accreditation and so some people in the membership were vocal about their opposition to the bill…We are under regional accreditation…**but we are accredited which means that the [ELTPAA] would not apply directly to us**".

- PORP #1: "We used to do Program Self Appraisals, [our organization] used to require a pretty hefty performance self-appraisal and when the law got passed, if you were ACCET or CEA accredited, you could submit a short form. Then we realized that is not fair because at the end of the day, **other programs that fell under the regional accreditation are just as qualified**…we got rid of the PSA, we are not an accrediting body, so it turned [our organization] into what it was always meant to be, which was a membership support organization".

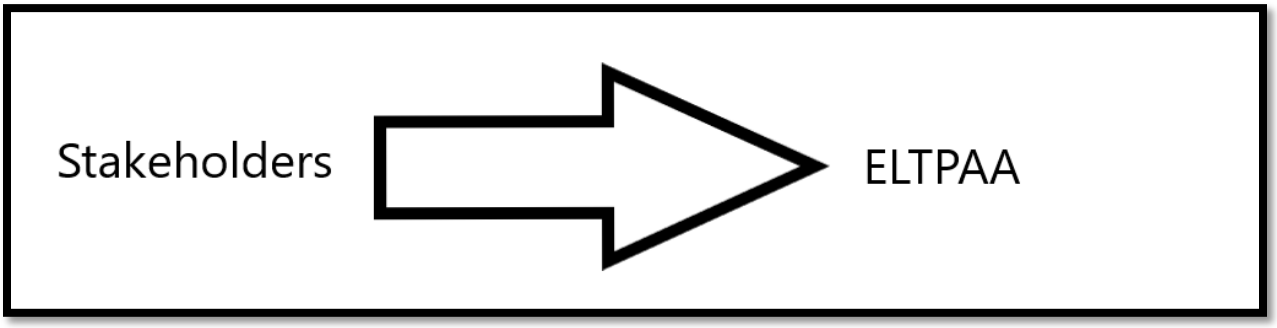
Analysis. The responses from IEPRP #1, IEPRP #2, IEPRP #4, and IEPRP #5 suggest that university-based IEPs were given competitive advantages that self-funded and freestanding independent propriety programs that did not have a host institution did not have. Even though IEPRP #4 and IEPRP #5 did discuss the competitive disadvantages that a self-funded and freestanding independent propriety programs that did not have a host institution would operate with, their institutions were protected by the regional accreditation umbrella. PORP #1 discussed

the difference in paperwork that IEPs would have to complete depending on their accreditation. This appears to have been remedied, but the finding still supports the idea that self-funded and freestanding independent propriety programs that did not have a host institution were burdened not only by the process and cost of obtaining specialized accreditation, but, at least temporarily, by EnglishUSA's self-appraisal short form.

Whether The Regional Accreditation Umbrella Provides Competitive Advantages is worth remedying or not is up to the stakeholders and policy makers, but future stakeholders or privately-operated IEPs need to know that the market is currently tilted in the favor if IEPs that are hosted by a university with regional accreditation. There is now a documented barrier to entry — the cost that an independent IEP will be responsible for when seeking accreditation. This study's findings verify that University-based IEPs are able to avoid this cost.

Research Question Three: In what ways did stakeholders impact the ELTPAA?

Results. Impacts between stakeholders and the ELTPAA go both ways. For the purposes of this study, the definition of impacts referred to in Research Question Two is applied to Research Question Three. The only difference is that Research Question Three asks in what ways the stakeholders impacted the ELTPAA, which is the inverse of Research Question Two. There were two trends discovered throughout the series of interviews that helped to answer Research Question Three. The importance of proactivity in the political process can not be overstated. Six research participants discussed their role, or lack thereof, in bringing the ELTPAA from an idea through completion. The use of the political process, from the grass roots level up to Capitol Hill, was reported as an impact on the ELTPAA. Stakeholders also reported that they collaborated to talk, negotiate, follow up, and trouble shoot with each other. The graphic below displays the direction of the impacts pertaining to Research Question Three.



The political process was utilized. Notwithstanding the inherent sluggishness, frustration, and confusion that is customary with any bureaucracy, it was apparent that proactive involvement in the political process was crucial to the ELTPAA's design and passing. Six of this study's participants mentioned politics or the importance of proactive involvement in the political process in the following excerpts from the interviews:

- IEPRP #3: "The beginning of the [ELTPAA] very much came from stakeholders in the IEPs and in UCIEP and EnglishUSA in recognizing that we needed to be a part of and mold

what kind of regulation or standards are set for us and also demonstrating that we welcome it, we welcome these best practices and standards. That's what we're trying to do as well, and **we played a big part in setting what the language was and what the metrics were**".

- PORP #1: "I think back then we considered it to be a huge success. It had a lobbyist and we realized with them that it obviously played a big role. In fact, we felt like the bodies DHS, DOS, we felt like they were listening to us, you know we had **we had the lobbyists**, but we also had their ear, you know".

- IEPRP #5: "In maybe 2008, **I attended an advocacy event** via [my organization] Washington DC and then we were encouraged to visit our senators and our members of Congress and speak about the [ELTPAA]. I can't remember whether or not **I went to the Senators' offices** or not, probably I did, but I can remember going to my own member of Congress who was Sam Farr at the time, and his legislative director and his education staffer talked about the bill. The director did communicate to me that she thought it would have trouble passing, basically due to time frame and I think it had happened in previous sessions of Congress, that it didn't pass because it just couldn't get through the system through the legislative session, but in fact they did end up signing onto the bill and it did end up passing that year. As a constituent it made me feel very empowered that I was able to advocate for something that I thought was important to my own member of Congress and then he would listen to me and support my efforts and that we were able to pass legislation in Congress was a pretty big win for [my organization]".

- IEPRP #6: "I was involved gosh, almost [several] years in, and helping this, you know, so our IEP was very involved in writing letters and talking to constituents on campus and some of **my colleagues here would help with the visitations in Washington D.C.**, [considering our location], it meant a lot of trips [to] Capitol Hill, DHS, and SEVP, so when I think organization, I think both of our IEP and of UCIEP and EnglishUSA, which were the two real leading organizations that shepherded this thing…It also brought us together as a these professional organizations taught us how to be advocates and both in Washington DC and on our respective campuses and I think that was that was a good thing".

- PORP #2: "So, I think that [our organization] **and the other groups generating the grassroots activity** to get passage of that bill was really essential and one of the very interesting things that the two co-sponsors of the bill, it is a bipartisan bill in the house representatives, it was Barney Frank from Massachusetts and I'm not going to remember but it was a congressman from Texas, who pretty much and I'm going to paraphrase Barney Frank, he remembers saying like he and his colleague co-sponsor, pretty much don't see eye to eye on anything, but this was something that they could agree on and I think it was because of the grassroots activity and the leadership from the different organizations upon stirring this to get them these members of Congress to say "Hey! you know I'm hearing from IEPs in my district and IEPS in the state and they understand the impact and why this is needed. Anything starting from there and that's getting more grassroots activity to encourage passage of this bill, so when it was passed it was quite an achievement, that I think that's really like the key thing in terms of what [our organization] was able to do".

- ABRP #2: "[Our organization] is prohibited from lobbying. We are a 5013C organization. We are fully independent from the memberships and advocacy organizations in the field, so they take care of impacting or lobbying for or affecting the [ELTPAA] itself.…**There was a time when Capitol Hill staffers called [our organization] to say ask how long it takes to get sites accredited** and takes a couple years from start to finish at least, once a site is eligible and, so, to the extent that that information found its way to those who wrote the law, I suppose there was some input from the accreditors regarding the timeline and at least a two-year window within it. In retrospect, of course, that should not have been hardwired into the law".

Whether it was brainstorming, working with lobbyists, meeting with politicians, paying a visit to Capitol Hill, or giving input to Capitol Hill staffers, the impact of involvement in the political system can not be overstated enough. ABRP #2 discussed their involvement, or lack thereof, in the political process. Even a statement of non-involvement is a statement that says something about their position. IEPRP #6 discussed trip to Capitol Hill to meet with DHS and SEVP, while PORP #2 discussed meeting with politicians. Still, PORP #1 discussed lobbying efforts.

Analysis. Stakeholders that impacted the ELTPAA represented almost all positions represented in this study. It should not come as a surprise that three leaders of professional organizations had more political involvement than IEP administrators. The IEP administrators who did impact the ELTPAA were well-established veterans with enough clout to make change. Leaders from EnglishUSA and TESOL International, by the very nature of their positions, are representing the will of their members. Thus, their views carry considerably more weight than a typical IEP administrator. It makes sense for the organization leaders to lead the charge. The professional organization leaders, along with former leaders, were represented more heavily in these results and created the disproportionate amount of the impact on the ELTPAA.

Professional organizations lobbying and promoting in the interests of their industry is not new; every year for the past few, The Hill has published *Top Ten Lobbying Victories of [year]*.

As an example, Wilson (2016) exposed a bill that speeds up drug and device regulatory approval that was lobbied for by over 400 separate interests. The Toxic Substances Control Act had more than 230 companies lobbying, with "winners" such as the National Retail Federation and the Alliance of Automobile Auto Manufacturers. The list goes on and is updated annually. The ELTPAA was not listed in 2010, 2011, or 2012 lists of lobbying victories. With annual lists of lobbying victories and thousands of groups, parties, interests, and individuals advocating for their interest, the behavior of stakeholders that resulted in the ELTPAA being passed was not only typical for organizations in similar positions, it was apparently necessary.

The finding that stakeholders impacted the ELTPAA from the grass roots level all the way up to Capitol Hill has implications for education policy because not only does it demonstrate that change can come from within the industry, but it also shows that the American government is receptive to it. In addition to the earlier findings that showed how the English language training industry created an effective template that can be used by educational policymakers, as well as others, the English language training industry is impacted by the finding that industry changes can start from within because the finding identifies industry leaders and stakeholders by their position in the industry. Each position has their strengths and weaknesses in regard to how they can influence the English language training industry. For example, ABRP #2 elaborated on how the position that ABRP #2 occupies is prohibited from lobbying. Therefore, the integrity of the accrediting body is maintained, and other stakeholders are able to fill the void that the accrediting body would have occupied otherwise. This is not the same as a pecking order, rather, it is a way that each stakeholder's position's utility can be maximized to help similar initiatives grow from an idea all the way to a bipartisan law.

Stakeholders collaborated with each other. There are three statements that were made by two stakeholders who discussed increased collaboration as a result of the ELTPAA. One stakeholder worked for a professional organization and elaborated on how that organization worked alongside two other professional organizations. The other stakeholder was an IEP administrator who troubleshoots with a professional organization.

- IEPRP #3: "So there were a lot of really smart people who were also very pragmatic and so the application of the [ELTPAA] and also how the different ways it manifest itself in the field has been pragmatic from the beginning, but **it's also been collaborative**, like, there's different groups who've had to talk with each other and negotiate with each other and troubleshoot and everything, so there's always problems and there's always obstacles, but the successes that have happened is because it wasn't the [ELTPAA] and the implementation and the follow-ups haven't been without the understanding that, um, it's a work in progress and that people have to adjust to how things are really going; it wasn't made like in a bubble".

- PORP #2: "…we were approached by some colleague organizations, specifically UCIEP and EnglishUSA. They had been working on this particular issue, this legislative initiative, and were in support of it. TESOL similarly took a position in support of it, so we worked collaboratively to help support his passage, and then subsequent to its passage **we continue to work collaboratively with UCIEP and EnglishUSA** on understanding the implications of its implementation, sending out information as we can to our membership to make them aware of what's happening and connecting people to resources they could learn more. …We have enjoyed a collaborative relationship with them [CEA] for many years, just in terms of information sharing." This newfound sense of collaboration that was stimulated by the ELTPAA was well-received by stakeholders".

Analysis: Even though only two participants mentioned collaborating, that does not mean that other stakeholders did not collaborate. As their quotations imply, it takes more than one party to collaborate, so the collaborators must have collaborated with somebody else. Also, PORP #2 is positioned near the top of TESOL International and was able to collaborate horizontally with UCIEP and EnglishUSA, as well as vertically, with government above and constituent IEP administration below.

Education policy is affected by this finding because this finding implies that policymaking does not have to be a partisan or even contentious process. The English language training industry is affected by this finding because not only do we know that education policy can be a collaborative process, but we now know what specific stakeholder roles can accomplish. For example, change does not have to be instigated by TESOL International or EnglishUSA necessarily. IEP directors who did not hold positions in either professional organization met with politicians, DHS, and accrediting bodies and influenced the creation of the ELTPAA. This finding not only tells us that stakeholders work together, but who, how, and why they worked together. Knowing that there is collaboration helps to contribute to the composite sketch of what is currently known about how stakeholders relate to each other and work together.

Analysis Conclusions

Interviews with ELTPAA stakeholders allowed them to discuss their perceptions of, as well as impacts from or on, the ELTPAA. Some closely-related themes were combined with other closely-related themes, to create more robust, informative, and applicable themes such as Unanimous Perceptions of Quality Assurance or The Carrot and the Stick: Raising the Bar and Eliminating Bad Actors. The perception-oriented trends that are most applicable to Research Question One, — Unanimous Perceptions of Quality Assurance and The Catch Twenty-Two was a Legislative Drafting Error — were in the top-three most common responses in this study.

Qualitatively, this means that the findings in this study suggest that the ELTPAA did what it was supposed to do. The findings also suggest that educational policy has an effective model with a use that can be used within or beyond the English language training industry. In addition, effective and influential stakeholders with an established track record of success have been identified.

The findings in this study also suggest that there were two unintended consequences; the effects on entrepreneurs and the surge in applications are now identified challenges. Now that they are identified and documented, they can be remedied if they have not been already. The finding that suggested that stakeholders collaborated when they worked on aspects related to the ELTPAA suggest that there is an amicable working relationship between stakeholders. This is contrast to a cantankerous or competitive relationship that may be found in other traditional industries.

Entrepreneurs and independent business serve an important role in the English language training industry. The ELTPAA has implications for them too; two participants, as well as Custard (2012) and ICEF Monitor (2016) discussed the different requirements for independent institutions versus those that are under the regional accreditation umbrella of a larger hosting university. As discussed throughout this study, the general effects of regulation on entrepreneurs and private businesses are well documented. Considering the high barrier to entry that entrepreneurs must overcome to become accredited, as well as the shifting market that Graddol (1997, 2006) predicted and the context that the 2017 and 2018 Open Doors Reports reported on, entrepreneurs are operating at a disadvantage when compared to their more established competitors and it is noticed by industry insiders. The implications of this study are that entrepreneurs, rather than continue to operate with a handicap, will begin entering the market by partnering with, or outright purchasing, established programs instead of creating new programs from scratch. The established trend of public and private institutions working together is expected not only to continue, but increase.

As ICEF Monitor (2016) claimed earlier in this study, “as of January 2016 the total number of pathways listed on the portal has grown to 1,443, an increase of nearly 17% over the

past year alone". This may be the beginning of a much larger trend too; Redden (2018) discussed how the American market is not near saturation yet, nor is it even trending in that direction; "the proportion of international students in U.S. higher education sits at just 5%, whereas, by comparison, it's 15% percent in Canada, 21% in the United Kingdom and 24% in Australia" (p. 8). There is still plenty of room for expansion and inroads have already begun, and once self-contained programs are being chipped away at by private interests, and if they are weak enough, could be positioned for a total takeover. A combination of poor market conditions and somewhat protected semi-core of market players could be the recipe for a private takeover if market conditions do not improve. As such, an increase in PPP and IEP collaboration should be expected.

Collaboration between stakeholders was an impact on the English language training industry after the ELTPAA was passed. The passing of the ELTPAA was a metaphorical poke to a beehive; professional organizations worked vertically with government and IEPs. They also worked horizontally with each other. IEPs became engaged and buzzing amongst each other and their respective organizations all at once. It was this stimulus, combined with a collaborative, rather than a competitive, disposition that makes the Stakeholders Collaborated With Each Other theme unique, considering how most traditional industries operate.

Chapter Conclusion

This chapter began by sharing interview responses that were organized into themes and applied to the most relevant interview question in an attempt to best answer them. After a general discussion about research results, an analysis of each discovered theme was articulated, and regulatory implications were discussed. The next and final chapter concerns study implications, limitations and recommendations for this study.

Chapter Five: Implications, Recommendations, and Future Research

Introduction

Chapter Five begins by exploring the limitations of this study, such as generalizability and issues surrounding the participant pool. Following the limitations, the implications of this study's findings that were discussed in Chapter Four will be discussed for second language education, as well as education policy. Finally, this study will conclude with recommendations and directions for future research are discussed.

Limitations

One limitation of this study is generalizability. Generalizability is a statistical term and comes up in quantitative research often. Because this study is qualitative, generalizability is not the proper way to use the outcomes of this study. Instead, the term "transferability" might be more appropriate. Morgan (2018) wrote:

> I try to reserve the term generalization for statistical sampling. Instead, I like to think of qualitative results in terms of transferability, a concept which originated with Lincoln and Guba, 1985, *Naturalistic Inquiry.* The basic idea is to consider the range of setting where your results might have relevance, i.e., transferability. Frankly, I think that approach is also more relevant for most quantitative research, since it is quite rare to have a random sample that would generalize to any meaningful population. (p. 1)

Each interviewed stakeholder was asked about their experiences and perceptions. Thus, they can only speak for themselves and to their respective positions or occupations. The findings in Chapter Four are good examples of findings that Morgan's (2018) transferability may apply to. Leung (2015) noted that:

> Most qualitative research studies, if not all, are meant to study a specific issue or phenomenon in a certain population or ethnic group, of a focused locality in a particular context, hence generalizability of qualitative research findings is usually not an expected attribute. (p. 326)

Both Leung (2015) and Morgan (2018) support the idea that the findings in this study are not the kind that can be generalized, rather, they can be transferred.

Another limitation of this study were the participants in the participant pool. The participants in this study were not affiliated with private businesses, corporations, organizations, or schools that were closed down directly or indirectly as a result of the ELTPAA. Stakeholders from those backgrounds could have told another side of the story. However, there is no such directory or database of businesses that went out of business or companies that were quasi-legal to begin with. They are difficult to locate. In addition, zero of the participants in this study were members of Congress, SEVP, DHS, or the DOE. Potential participants with experience in some of these roles were contacted, but they either did not respond to the invitation or they declined the invitation. It would be beneficial to include perspectives from the government employees or representatives, such as DHS or SEVP, to help create a more holistic dataset of stakeholder perspectives.

This study also masks participant identities for privacy's sake. While this feature allows participants to speak freely and openly without the concern of being identified, the mask also required that some identifying information was slightly changed or outright redacted. The benefit of this is that participants remain anonymous. One drawback of this is that the reader has slightly less information than what was originally gathered, such as the name of the participant or specific occupation. Masking information did not affect the outcome of this study. However, it still must be noted that the information presented was slightly modified in some instances to protect participant privacy.

Finally, another limitation is the ability of the researcher to analyze data properly. The researcher used Nvivo and put forth his best effort, but humans, from time to time, tend to make

mistakes. That's not to say or imply that any mistakes were made. Rather, like any analysis, the tools and the researchers have their natural limits, biases, and blind spots, especially when qualitative data is being considered.

Study Implications

This study contributes to the scant amount of scholarship on the ELTPAA and language program accreditation. Research specifically on the ELTPAA is only related to just a handful of research or analyses, such as Custard (2012) or ICEF Monitor (2016). Beside those two, there is research like Cayuso (2015), which researched CEA accreditation standards, which is tangibly related, but not quite a study on the ELTPAA.

Another implication of this study comes from the finding that three research participants that were IEP administrators highlighted the importance and benefits of this study and its possible role in making an otherwise esoteric issue accessible to the mainstream or less commonly considered audiences. All three study participants discussed the importance of storytelling with responses such as:

- IEPRP #1: "I think this kind of study is important to educate because I think that future or current leaders of IEPs don't always have the regulatory background that maybe they should, even if they might be really strong academically".

- IEPRP #3: "It is something that may be of interest to more non-traditional kind of media or information outlets, which could speak to different things, or even more general audiences. The evolution of this field and the groups that self-imposed these practices and had a real role in shaping that. It's a real interesting story if it was told in more general media outlets. It would be interesting for people in this field to see it, because I think more people would see it, and for other different groups that could benefit from it. For example, when I conduct my research the strategic planning of the business of IEPs, I look at restaurants and hospitals and a lot of different service / volatile / influenced by academia or influence international, you know, all these different kinds of fields, you learn from them and so I think that this story kind of could transcend just the people in the field. It's a very interesting general story".

- IEPRP #4: "I think that the ability of a study like this to pull together all of those loose threads into one place and show the complexity of that tapestry of all of these pieces how

> they all impact each other, you know. You say well, but what if, you know, an election shouldn't have any impact on an accrediting function? Well, it is going to have an impact because enrollments are going to fall, programs are going to close. When programs close, accrediting bodies don't accredit as many programs. If they don't, they don't have the income. How do they maintain themselves? If the accrediting body can't maintain itself, I mean I think it will, but it's going to be impacted as well, so this study is showing all of the interconnected complexity of all of these different issues".

Even though this finding did not answer any of this study's research questions, it is interesting to consider how half of the IEP administrators that were interviewed for this study mentioned the importance of getting the ELTPAA story, as niche as it is, and how it should be made more accessible, and the benefits of that accessibility. A better publicized ELTPAA story exposes the interconnectivity of stakeholders and how they synergize. This affects educational policy because other similarly-oriented proposals may use the ELTPAA's story as a template of a successful initiative to apply it to their own project. The interconnectivity and networking can transfer to general educational policy and serve as an example of how to enact similar or new policies effectively. The perception that the story has value can also transfer beyond educational policy to other fields as well.

The perception that the story has value affects the English language training industry because a more publicized story informs other stakeholders who the influential metaphorical cogs in the wheel are and how they are related, as well as serve as a template or example that future regulation can refer back to or model. Even if the story is perceived to be valuable, for whatever reason, if it is not publicized properly then the maximum benefits of it can not be realized. Therefore, for educational policy and the English language training industry to benefit from the perception that the ELTPAA story has value, the story needs to be publicized so other stakeholders and potential stakeholders can have access to it.

To the best of this researcher's knowledge, zero participants reported negative perceptions of the ELTPAA. If anybody would know the impacts, both common and uncommon, of the ELTPAA, from multiple angles, it would be these participants. That is not to say that the ELTPAA did not have its flaws; the Catch Twenty-Two was perceived to be a mistake and the increase in applicants caught an understaffed CEA off guard. All things considered, the ELTPAA was perceived to be an overall positive thing for the industry. The fact that zero research participants reported negative perceptions of the ELTPAA is a testament to the value that the ELTPAA brings to the industry.

Second language education. Apart from Young's (1983) *Understanding Accreditation: Contemporary Perspectives on Issues and Practices in Evaluating Educational Quality*, research on the impacts and perspectives of educational accreditation has been both piecemeal and few and far between. For specific niches like IEPs, it can be non-existent. As such, this study also has implications for the English language training industry.

First, this study helps stakeholders from government or policy camps better understand the implications of policy changes, improve internal practices, or better deal with a possible rush of IEPs applying for reaccreditation. Lessons can be learned, and experience gained from the now-defunct EnglishUSA's self-report short forms, as well as the surge in applications that lead to a rapid expansion of CEA and the case-specific concerns that were common throughout the first accreditation cycle.

IEP administration, professional organizations, and policymakers benefit from this study because this study shows how a combination of grass-roots activism, lobbyists, organization, and collaboration can result in a successful law that is perceived to be a harbinger of quality and accountability to the English language training industry. The processes described in the

participant interviews, when taken as a whole, serve as an effective guide or template that can be transferred to other organizations' initiatives because of the possible parallels. Morgan's (2012) transferability would be apt for this task because grass-roots activism, lobbyists, organization, and collaboration can be used by other industry leaders to achieve similar objectives with a somewhat predictable outcome. This could apply to other language programs both in the USA and internationally, given adjustments. For example, Creery (2018) claimed that Taiwan is going to make English an official language in 2019. Perhaps in the future, the Taiwanese government will institute its own version of the ELTPAA to regulate their English language industry. Aside from the local context and particularities, the use of proactive and organized collaboration, along with political involvement, worked in the American English language training industry, so perhaps it will work for other markets too. This study also informs them on the likely outcome of such an effort. Future policy efforts by IEP administration, professional organizations, and policymakers can not only learn how to turn the initial brainstorm into a bill and then a law, but they can now set certain expectations, based on the outcomes of this study, for their own policy endeavors.

In addition to contributing to the dearth of scholarship surrounding the ELTPAA, there is also a noticeable scarcity of research on IEP administrators. Like the parents who homeschool their children in Becker's (2012) research, IEP administrators are a "seldom-heard group". This research, like Becker's (2012), furthers "our understandings of their views and practices regarding a critical period". Eight participants in this study have IEP administration experience and most of them had something to say about the ELTPAA story, allowing the reader to better understand the psychology, temperament, attitude, disposition, networks, responsibilities, and motivations of the agents in the field who create and promote policy at the highest levels. Future

researchers' stakeholders who work with similar participants or colleagues will have a better understanding of the nature of IEP administrators and, when properly organized, what they are capable of. That research would also help expound on what we currently know about the range and responsibilities that IEP administrators are accountable for too. Dvorak (1986) and Harris-Schenz (1993) both discussed the often-misunderstood role of a language administrator; there are often uncertain expectations about a LPD's research requirements, role in the department, business acumen, teaching load, service, and a myriad of other responsibilities that an LPD may or may not be responsible for, depending on whom one asks or where one works. The contributions that this study makes toward scholarship and identifying what happened behind the scenes in the story of the ELTPAA builds on what we know about education policy and how it can be executed effectively.

There is a prevalent perception that the ELTPAA brought quality assurance and accountability to the English language training industry by "raising the bar" and thwarting bad actors. While earning specialized accreditation is not mandatory to enroll international students if an IEP is covered by the hosting university's regional accreditation, the logical leap can be made that an IEP that does have specialized accreditation is a quality IEP or is at least perceived to be a quality IEP. All of the IEP administrators who were participants in this study worked with programs that were accredited by a specialized accreditor. There are over three hundred CEA-accredited IEPs and, excluding the IEPs outside the USA, about half of the three hundred CEA-accredited IEPs can benefit from their host university's regional accreditation umbrella. The perception of quality is important, considering the semi-limited IEPs are that protected by the high barriers to entry. Given the semi-limited number of IEPs, it is important for each IEP to maintain a positive reputation to remain attractive to students and employees. This study expects

that IEPs will continue to seek specialized accreditation for this reason. English enrollments are dwindling and IEPs need every competitive advantage they can get to stay not only ahead of the competition, but to stay solvent.

There was also a perception that the story of the ELTPAA should be made more widespread and accessible to multiple audiences. The possibility exists that other organizations, professional fields that are deliberating accreditation, or regulatory bodies may look at the story of the ELTPAA and imitate the approach that was used for a similar policy piece.

This study also has the potential to impact IEPs considering accreditation. In addition to the increased awareness of the not-so-obvious benefits such as the ability to sidestep specialized accreditation by using the regional accreditation umbrella, and drawbacks such as endless costs and upkeep required once accreditation has been sought or earned, new IEPs gain a general feel for the standardization that is expected of them.

When asked, research participants responded with several recommendations on how the ELTPAA could be improved. Three out of ten specifically mentioned that although working with SEVP was ultimately successful, the relationship was described as “cumbersome” twice, as well as “complicated” and “confusing”. The lack of guidance and two-year deadline to receive accreditation were cited as the main reasons for this objection. In the future, SEVP may want to further consult with professional organizations to better organize or promote forthcoming laws or regulations. With the amount of communication-related technology and networking opportunities available, it is unfortunate that “confusing” and “cumbersome” were even mentioned in the first place, considering the power relationships and accountabilities involved. There is a certain amount of inefficiency expected with any governmental action, but the fact that it was specifically noted by about half of the participants is cause for concern. The ELTPAA was a

catalyst for strengthening communication lines and networks; future actions and relationships will be that much better facilitated than they were when the ELTPAA was in the idea phase a decade before this study was conducted. SEVP should be mindful of these concerns and lines of communication.

The education industry. This study began with a discussion about how American education has traditionally been a patchwork of centralized, decentralized, proactive, and reactive initiatives that occurred under whatever social zeitgeist was happening at the time. The ELTPAA is an additional patch on the quilt of American education policies. There are other newer patches as well that are being added all the time, and with increasing frequency, in the last few years in such niche areas such as library and information science (Saunders, 2008) or structural engineering programs (Ressler and Lenox, 2017). This study strengthens the education policy quilt in its own small way by reporting on what happens when such a niche education field is professionalized and legitimized.

The general trend of scrutiny and regulation on niche educational areas is not guaranteed to continue forever though. A wave of regulation and legitimacy that started in the post-World War Two era took occasional dips, such as the deregulation of school lunch programs (Education Week, 1981) or weakening the rules that govern distance learning or online education programs (Looney, 2019). Even though this study is just one study in a sea of similar studies for a variety of niches, this study does inform on what is perceived to ultimately be a successful initiative by industry stakeholders. Considering what passed for education one hundred, fifty, and twenty-five years ago, at a macro level, the education industry, as a whole, is becoming professionalized and specialized as time progresses. This study, along with others like it, are individual drops of water in a current of reports on the successes of regulatory efforts. Other fields may follow suit and

strengthen the current into another wave; on a long enough timeline, education has become more regulated, not less, for better or worse. This study, in its own small way, contributes to building that wave.

Recommendations

IEPs that are deliberating if accreditation is the right choice will find that this study will aid them in their decision. As outlined in this study's literature review, IEP enrollments in the USA have been decreasing for the last few years. Fewer students means less revenue for IEPs. In addition, about half of the participants in this study mentioned costs as a drawback of accreditation. Knowing this, this study ultimately recommends that IEPs earn specialized accreditation because competing without specialized accreditation might mean that the IEP may be perceived as having less quality than their accredited competitors. This information is based on the unanimous feedback from this study's participants who associated the ELTPAA with Quality Assurance. The inverse may also be true — if accreditation is synonymous with quality, then a lack of accreditation could be synonymous with lack of quality. It is this study's recommendation that, all things considered, earning accreditation is not just great for perceptions, it is an actually effective way to improve program quality. There is a reason why most IEPs opt for specialized accreditation, even if they don't need it to operate. That reason is quality assurance.

Beyond the USA, and as discussed in Chapter Two, the number of English language learners worldwide sits at about one and a half billion learners. To meet that demand, more English language learning schools and programs, both in-person and on line, have come into existence. The most important benefit of accreditation is the guarantee of a certain quality standard. Even though each country has their own unique set of circumstances regarding bad

actors, quality control, international students, etc. having a third-party stamp of quality from an American accrediting body will set a program apart from its growing list of competitors. It is worth considering that out of 335 CEA accredited sites, only twenty-three are outside the USA. Being one of the twenty-three non-American accredited IEPs lends a competitive advantage and distinguishes the IEPs from its competitors by its American standards.

Future Research

Despite the variety of stakeholders consulted in this research, this study was not able to include currently-employed government workers with DHS, DOE, or SEVP. Although this study reached out, there was either no response or this study's invitation was declined. Their perspectives would have would have added a rich layer of detail, better situated the answers to the interview questions, and contributed to a more robust analysis. There was study conducted by the CIT Group (2018) compared the perceptions of American federal government workers and midmarket business employees on federal regulations in general. The study examined a variety of regulations, including information technology, telecommunications, infrastructure, labor/workforce, energy, minimum wage, healthcare, manufacturing, transportation, unemployment insurance, the environment, immigration, finances, and taxation. The CIT study went on to conclude "overall, the data indicates that federal employees perceive regulations to have more positive net impact on business than midmarket employees". Conspicuous by its absence, education was not on the CIT Group's list of explored regulations. It would have been interesting to see if relevant federal employees' perspectives were in line with other federal employees too.

In addition, future researchers may want to include students' perspectives and achievements from both accredited and unaccredited institutions to understand how

accreditation, or lack thereof, impacted them. Student voices have been considered in other similar accreditation-oriented research before. Their addition, like the previously mentioned federal employees, could contribute even more to what we know about stakeholder perspectives.

It would also be informative to have the perspectives of administration or employees of unregulated schools or IEPs that were weeded out when the ELTPAA took effect. Those perspectives would be drawn from two pools. One pool would be legitimate programs that simply went out of business because they could not or would not keep up with the costs and obligations of accreditation. The other pool would consist of bad actor schools or programs that were driven out of business once regulations were passed. Neither are going to be found in a directory, which makes their identification that much more difficult.

Similarly, it would also be interesting, useful, and informative to compare the needs, requirements, and experiences of independent institutions that had to seek specialized accreditation to IEPs that are under the regional accreditation umbrella of a larger hosting university. The themes that were used to organize the answers to this study's research questions, such as the impacts on entrepreneurs, the effects of the Catch Twenty-Two, or interactions with other stakeholders, could be juxtaposed to better understand the experiences of the different kinds of programs that are accountable under the ELTPAA. This could be accomplished by using a similar approach that this study used — surveys and other qualitative methods of gathering information, such as interviews, will be useful tools to gather information from the independent institutions. of the aforementioned perspectives are valuable because they tell the other side of the ELTPAA story that this study's participants could not tell.

A study into whether earning specialized accreditation leads to better language learning by students should be conducted. Ultimately, most education research, such as this study, is done

with the intention of increasing student performance. Now that the ELTPAA has run its first cycle, an inquiry into whether students' English language ability has improved will help readers understand a different aspect of the ELTPAA's influence and whether it meets students' needs.

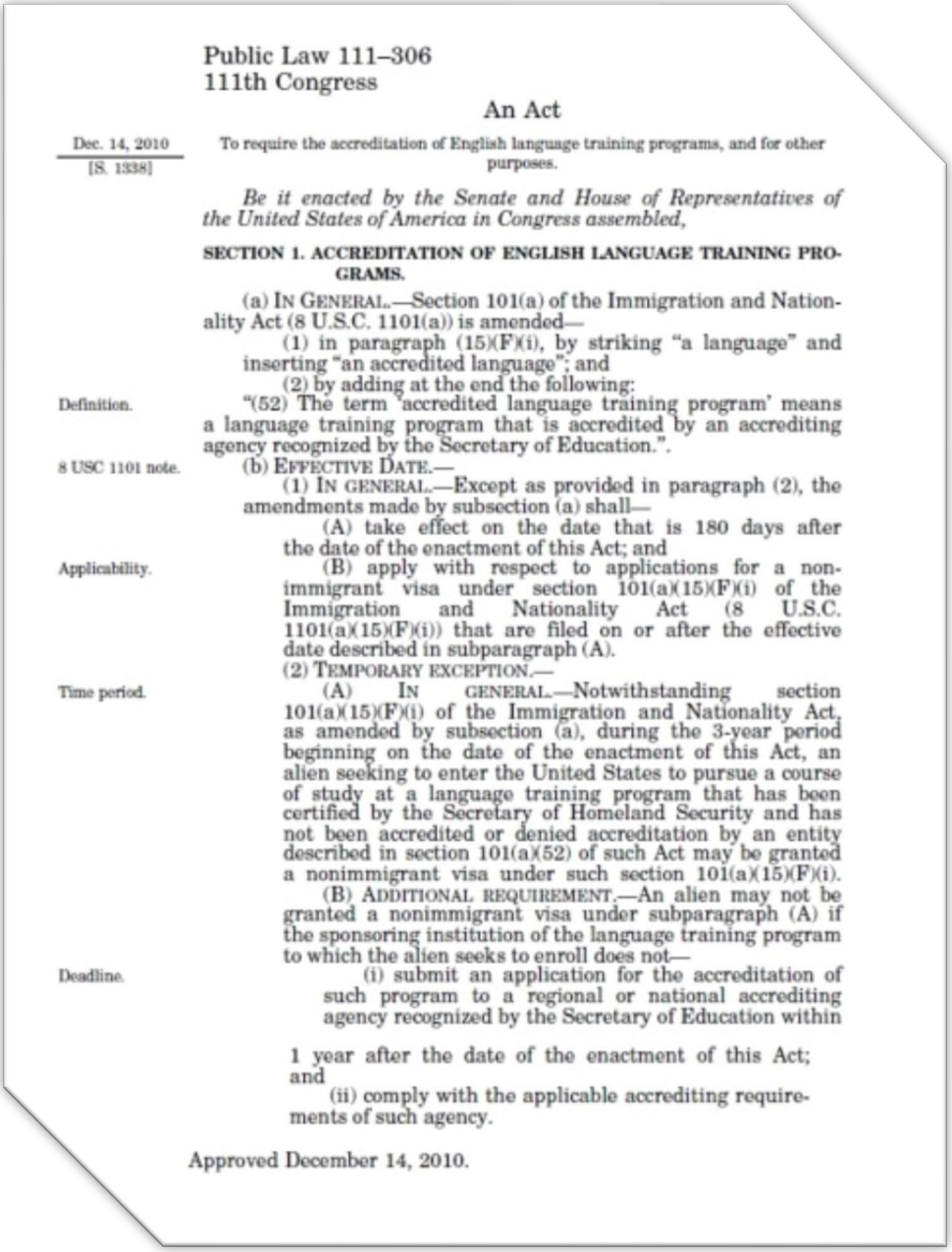
Ultimately, further research into this topic will yield information that can be used by a variety of stakeholders, such as policymakers, professional organizations, or IEP administrators. Through all of this, it is important not to forget whom this is all is intended for; creating, or at least attempting to create, an environment that benefits ELLs is what this is all about in the end. Entrepreneurs, IEP administrators, and professional organization members may hem and haw about paperwork surges or an upcoming digital revolution, but ultimately if the students are not benefitting, this is all for naught. This study, in its own small way, sheds light on the ELTPAA and discusses improvements that contribute to creating optimal learning conditions for ELLs.

Chapter Conclusion

Chapter Five began by exploring the limitations of this study. Morgan (2018) used the term "transferability" to describe a way in which this study's findings may apply to similar situations. Following the limitations, the implications of the findings that were discussed in detail. This study concluded with the recommendation that when all things considered, the positive perception of the ELTPAA outweighs the potential drawbacks. Thus, specialized accreditation can add considerable value to an IEP beyond the ability to enroll international students.

Appendices

Appendix A: The 2010 English Language Training Program Accreditation Act



Public Law 111–306
111th Congress

An Act

Dec. 14, 2010
[S. 1338]

To require the accreditation of English language training programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ACCREDITATION OF ENGLISH LANGUAGE TRAINING PROGRAMS.

(a) IN GENERAL.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(F)(i), by striking "a language" and inserting "an accredited language"; and

(2) by adding at the end the following:

Definition.

"(52) The term 'accredited language training program' means a language training program that is accredited by an accrediting agency recognized by the Secretary of Education.".

8 USC 1101 note.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) shall—

(A) take effect on the date that is 180 days after the date of the enactment of this Act; and

Applicability.

(B) apply with respect to applications for a nonimmigrant visa under section 101(a)(15)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i)) that are filed on or after the effective date described in subparagraph (A).

(2) TEMPORARY EXCEPTION.—

Time period.

(A) IN GENERAL.—Notwithstanding section 101(a)(15)(F)(i) of the Immigration and Nationality Act, as amended by subsection (a), during the 3-year period beginning on the date of the enactment of this Act, an alien seeking to enter the United States to pursue a course of study at a language training program that has been certified by the Secretary of Homeland Security and has not been accredited or denied accreditation by an entity described in section 101(a)(52) of such Act may be granted a nonimmigrant visa under such section 101(a)(15)(F)(i).

(B) ADDITIONAL REQUIREMENT.—An alien may not be granted a nonimmigrant visa under subparagraph (A) if the sponsoring institution of the language training program to which the alien seeks to enroll does not—

Deadline.

(i) submit an application for the accreditation of such program to a regional or national accrediting agency recognized by the Secretary of Education within 1 year after the date of the enactment of this Act; and

(ii) comply with the applicable accrediting requirements of such agency.

Approved December 14, 2010.

Appendix B: Recruitment Letter

This recruitment letter was sent via e-mail to each participant.

Dear [participant's name]

I am a PhD. student in the Second Language Acquisition and Teaching program at the University of Arizona. For my dissertation, I am writing about the impacts that the 2010 English Language Training Program Accreditation Act (ELTPAA) had on relevant stakeholders, such as yourself. You were recommended to me by [redacted], a member of my dissertation committee. Perhaps you might find my study relevant or interesting.

When you have availability, I would like to interview you for my study. Interviews will last about one hour in duration. Because of the potentially sensitive information discussed in the interview, I will take precaution to mask your identity by obscuring your name, position, and other information in such a way that both your privacy and the integrity of the information gained from the interview will be maintained. Your organization will benefit by becoming privy to the relationships between stakeholders and the ELTPAA, as well as their perceptions of it. A thorough understanding of the ELTPAA's impacts will facilitate better working relations between different stakeholder organizations. Depending on the outcome of the data gained from this study, this study may even impact macro issues, such as educational policy change or administration.

If you are interested, please let me know and we can further discuss the project, your possible role in it, confidentiality issues, and potential benefits for you, your respective organization, and society. Your response is greatly appreciated.

An Institutional Review Board responsible for human subjects research at The University of Arizona reviewed this research project and found it to be acceptable, according to applicable state and federal regulations and University policies designed to protect the rights and welfare of participants in research.

Thank you for taking the time out to read this,

Timothy O'Connell
toconne4@email.arizona.edu

Appendix C: Consent Form

This consent form was sent, signed, and returned by each participant, per IRB protocol.

ARIZONA

Consent Version: 21 June 2018
Page 1 of 4

University of Arizona
Consent to Participate in Research

Study Title: A Phenomenological Study of Stakeholders' Experiences with the English Language Training Program Accreditation Act

Principal Investigator: Timothy O'Connell

Summary of the research

This is a consent form for participation in a research project. Your participation in this research study is voluntary. It contains important information about this study and what to expect if you decide to participate. Please consider the information carefully. Feel free to ask questions before making your decision whether or not to participate.

You are being asked to participate in a study that investigates the impacts of the 2010 English Language Training Program Accreditation Act (ELTPAA) on stakeholders, stakeholders' impacts on the ELTPAA, and stakeholders' perspectives on the ELTPAA. Stakeholders from professional organizations, accrediting bodies, and governmental affairs positions will be interviewed to learn more about the on the aforementioned impacts between the stakeholder and the ELTPAA. Interviews will take place at your convenience and last no more than one hour in duration. There is some risk of fatigue and identity exposure. There will be a benefit for your participation; upon completion and request, you may receive one digital copy of my study at no cost. The results of this study will help you understand the relationship and perceptions of other anonymous stakeholders in similar positions and facilitate future inevitable collaboration between stakeholders, as well as help language programs decide if accreditation is the right choice for them.

Why is this study being done?

This study is being conducted to understand the effects of an enacted law (i.e. 2010 ELTPAA). Similar research has been conducted regarding other legislation and the effects or impacts that a targeted law has on stakeholders. The passing of the ELTPAA had affected the industry in some way; this study will investigate specifically how. It is in everybody's best interest if we understand the impacts of the laws we pass.

What will happen if I take part in this study?

Both Timothy O'Connell (investigator) and the participant will agree to meet at a mutually acceptable time and place (or online if necessary) and engage in an interview that will not exceed one hour in duration. The interview will take place in one sitting and be audio recorded. Audio recording will begin and end to sync with the beginning and end of our interview. Before the interview begins and after it ends, there will be a short, informal, and unrecorded briefing and debriefing session. I will use that time for introductions, obtaining required signatures if

HSPP Use Only: Consent Form
Fed non-medical v1an 2018

applicable, and an explaining the interview procedure. The interview data will be masked, stored in a secure place, and used in conjunction with results from interviews like stakeholders like yourself to look for trends and patterns in responses. Masked data is data that is obscured or changed in such a way that the participants' identifying information is unavailable to the reader. It is commonly used in research to maintain anonymity, promote privacy, and maintain the integrity of the data collected.

After the interview has concluded, you may be contacted again in two stances. The first instance is that, upon reviewing the data, there will be the need for further clarification. Perhaps an answer to a question is unclear, muffled, or conflicts with another answer given during the interview. I want to offer you, the participant, an opportunity to clarify anything that is unclear or may have been overlooked during our interview. The second instance is before final submission. I want to confirm with all participants that the research reflects the participant and their answers in a way that is acceptable to them.

How long will I be in the study?
Interview duration will not exceed one hour.

How many people will take part in this study?
Sixteen people will be selected to participate.

Can I stop being in the study

You do not need to participate in this study. If you decide to take part in the study, you may leave the study at any time. No matter what decision you make, there will be no penalty to you and you will not lose any of your usual benefits. Your decision will not affect your future relationship with The University of Arizona. If you are a student or employee at the University of Arizona, your decision will not affect your grades or employment status.

What risks or benefits can I expect from being in the study?
Possible risks or discomforts include natural fatigue during the interview process. There is also a mitigated chance that ones' identity may be exposed. Precautions will be discussed throughout this interview to ensure anonymity. In the unlikely chance that your identify is revealed or inferred through the data gathered and published, the reader will may be able to connect the dots between the participant and his or her perceptions on the content discussed during the interview. Depending on your professional role and position, this revelation may have undesired professional blowback or consequences. Precautions will be taken to maintain your anonymity.

Benefits include contributing to a body of knowledge that will facilitate better working relations between stakeholder groups. It may also lead to positive procedural, legal, or educational changes based on participant feedback.

Will I be paid for participating in the study or experience any costs?
There will be no compensation for participation in this study. Participants will be offered a free digital version of the finished study upon its conclusion.

Will my study-related information be kept confidential?
Investigator Timothy O'Connell will be the only person with access to the data. The data will be stored on an encrypted external USB flash drive. When the USB is not being used, the USB drive will be stored in a secure locker. Data will also be backed up on Timothy's UABox Drive, under his password protected account, should the encrypted USB flash drive become lost. Interviews will be transcribed within a month of concluding and original data will be destroyed after the university-required six-year time limit has expired.

Participant names will be masked with code names. Life details, such as your name, professional position, and workplace will be altered to maintain the integrity of the data as well as anonymity. Nobody will have access to the data except for Timothy O'Connell (The investigator) and the chair of his dissertation committee. However, there may be circumstances where this information must be released or shared as required by law. The University of Arizona Institutional Review Board; other federal, state, or international regulatory agencies; or the sponsor of the study, if any, may review the research records for monitoring purposes.

Will my study-related information be used for future research?
No. Information collected about you will not be used or shared for future research studies. The study-related information will be destroyed as soon as possible (six years standard) after the investigation is complete.

Who can answer my questions about the study?
For questions, concerns, or complaints about the study you may contact my advisor, Suzanne Panferov at panferov@email.arizona.edu. You may also contact me at toconne4@email.arizona.edu.

For questions about your rights as a participant in this study or to discuss other study-related concerns or complaints with someone who is not part of the research team, you may contact the Human Subjects Protection Program at 520-626-6721 or online at http://rgw.arizona.edu/compliance/human-subjects-protection-program.

Post-interview confidentiality form

Study Title: A Phenomenological Study of Stakeholders' Experiences with the English Language Training Program Accreditation Act

Principal Investigator: Timothy O'Connell

It is my and responsibility to use the information that you have shared responsibly. Now that you have completed the interview, I would like to give you the opportunity to provide us with additional feedback on how you prefer to have your data handled. This form may be distributed to you digitally or in paper form for you to sign digitally or with ink. Please check one of the following statements:

___ You may share the information just as I provided it. No details need to be changed and you may use my real name when using my data in publications or presentations. It is not in the participant's best interest to volunteer one's identity, as there are no additional benefits for this and considerable consequences if one's identity is linked with their documented perspective.

___ I do not wish to be identified and all measures should be taken to make the data as anonymous as possible. Please obscure my name and change details that might make me identifiable to others.

Respondent's signature_____ Date_____

Investigator's signature_____ Date _____

Signing the consent form

I have read (or someone has read to me) this form, and I am aware that I am being asked to participate in a research study. I have had the opportunity to ask questions and have had them answered to my satisfaction. I voluntarily agree to participate in this study.

I am not giving up any legal rights by signing this form. I will be given a copy of this form.

Printed name of subject	Signature of subject	Date

HSPP Use Only: Consent Form
Fed non-medical v.jan 2018

Appendix D: Data Collection Tool

These interview questions were used to gather data from study participants.

Interview Questions

- **Introduction**
  - What is your name?
  - What is your current position?
  - How long have you been in your position?
  - Please describe your position duties.
  - Please describe your current role and how it interacts with intensive English programs (IEPs).
  - What relevant positions have you previously held?
  - What duties did you have in those positions?
  - In what field is your degree? What is your academic background?

- **In what ways were stakeholders impacted by the ELTPAA?**
  - In what ways was your work impacted by the ELTPAA?
  - In what ways was your respective organization (e.g. professional, accreditation, or governmental affairs) impacted by the ELTPAA?
  - What impacts were unexpected?
  - What impacts were successfully anticipated?
  - What impacts do you think have yet to occur?

- **Did stakeholders impact the ELTPAA? If so, in what ways?**
  - In what ways did you impact the ELTPAA?
  - In what ways did your organization impact the ELTPAA?
  - Did you or your respective organization impact the ELTPAA in any unexpected ways?
  - Why do you think your efforts were successful/unsuccessful?

- **How did this experience with the ELTPAA inform or shape stakeholder perspectives?**
  - What is your perspective on the ELTPAA?
  - In what ways could the ELTPAA be improved?
  - What is the best thing about the ELTPAA?
  - What is the worst thing about the ELTPAA?

- **Closing**
  - Is there anything else important to the ELTPAA or this study that I have not asked you that you think I should consider? If so, what?
  - What advice do you have for this study regarding how it can impact future educational policy?

References

ACCET. (2018). ACCET accreditation eligibility. Retrieved from https://accet.org/accreditation/accreditation-eligibility

---. (2018). Accreditation process. Retrieved from http://cea-accredit.org/accreditation/process

---. (2018). Benefits of accreditation. Retrieved from https://accet.org/accreditation/accreditation-benefit

Akins, P. (2016). Intensive english programs are in trouble again. Retrieved from https://acei-global.blog/2016/07/29/intensive-english-programs-ieps-are-in-trouble-again/

Ali, F. (2017). In Wolfe P., Boone S. and Walters K. (Eds.), *A qualitative narrative inquiry on teacher attrition* ProQuest Dissertations Publishing.

American Council on Education. (2006). The future of international students: Students in the united states. Retrieved from http://www.acenet.edu/news-room/Documents/IssueBrief-2006-Students-on-the-Move-The-Future-of-International-Students-in-the-United-States.pdf

Andrews, J. G. (2006). *How we can resist corporatization*. Washington: American Association of University Professors.

Bartlett, T., Fischer, K. & Keller, J. (2011). Little-known colleges exploit visa loopholes to make millions off foreign students. Retrieved from https://www.chronicle.com/article/Little-Known-Colleges-Make/126822

Batalova, J. and Zong, J. (2016). *International Students in the United States*. [online] Migrationpolicy.org. Available at: https://www.migrationpolicy.org/article/international-students-united-states-1 [Accessed 13 Sep. 2019].

Beare, K. (2018). How many people learn english? Retrieved from https://www.thoughtco.com/how-many-people-learn-english-globally-1210367

Becker, K. (2012). In Powell P., Beck A., Brown K., Prior J., Ross V. and Stone S. (Eds.), *Home schooling and emergent literacy: A narrative inquiry* ProQuest Dissertations Publishing.

Benshoff, L. (2018). With international student enrollment declining in the US, intensive english programs feel the pinch. Retrieved from https://www.marketplace.org/2018/05/16/education/international-student-enrollment-declining-us-intensive-english-programs-feel

Burns, R. (2002). Education and social change: A proactive or reactive role? *International Review of Education, 48*(1), 21–45. doi:10.1023/A:1015654311613

Calton, J. M., & Kurland, N. B. (1996). A theory of stakeholder enabling: Giving voice to an emerging postmodern praxis of organizational discourse. *Postmodern Management and Organization Theory. Thousand Oaks, CA: Sage*, 154–180.

Carlgren, I., & Klette, K. (2008). Reconstructions of nordic teachers: Reform policies and teachers' work during the 1990s. *Scandinavian Journal of Educational Research, 52*(2), 117–133. doi:10.1080/00313830801915754

Cayuso, J. R. (2015). *An examination of the relationship between accreditation and learning outcomes assessment standards in english language programs* CEA.

CEA mission. (2019). Retrieved from https://cea-accredit.org/about-cea/mission-and-values

CEA standards. (2018). Retrieved from http://cea-accredit.org/about-cea/standards

Center for Strategic and International Studies. (2018). Is china both a source and hub for international students? Retrieved from https://chinapower.csis.org/china-international-students/

Choudaha, R. (2017). *Landscape of third-party partnerships in the USA. NA*FSA.

CIT. (2018). Public vs. private perceptions of regulatory impact. Retrieved from https://www.washingtonpost.com/sf/brand-connect/wp/enterprise/public-vs-private-perceptions-of-regulatory-impact/?noredirect=on

Civinini, C. (2018). English uk celebrates 14% rise in elt students in 2017. Retrieved from https://thepienews.com/news/english-uk-celebrates-14-rise/

Clewett, L. (2002). Building trust and consensus: A public/private partnership creates a new leadership model for higher education. *State Government News, 45*(10), 11

Commission on Terrorist Attacks upon the United States. (2004). *The 9/11 commission report: Final report of the national commission on terrorist attacks upon the united states* (Official government edition. ed.) Washington, District of Columbia: US Independent Agencies and Commissions.

Connelly, F. M., & Clandinin, D. J. (1990). Stories of experience and narrative inquiry. *Educational Researcher, 19*(5), 2–14. doi:10.3102/0013189X019005002

Creery, J. (2018). Taiwan to make english an official language next year, says official. Retrieved from https://www.hongkongfp.com/2018/08/31/taiwan-make-english-official-language-next-year-says-official/

Custer, S. (2012). What is the impact of the accreditation bill in the USA? Retrieved from https://thepienews.com/analysis/what-is-the-impact-of-the-accreditation-bill-in-the-usa/

Department of Education. (2019). Role of the accrediting agency in postsecondary accreditation. Retrieved from https://ope.ed.gov/dapip/#/home

Dickeson, R. C., & Figuli, D. J. (2007). Slouching toward privatization. *Trusteeship, 15*(6), 13-17.

Dos Santos, M. E., de Oliveira, Sonia Valle, Walter Borges, & Costa, A. L. (2013). The influence of the environmental demand on the accreditation of conformity evaluation organisms/Influencia da demanda ambiental na acreditacao de organismos de avaliacao da conformidade. *Ra'e Ga,* (28), 5.

Dvorak, T. (1986). The ivory ghetto: The place of the language program coordinator in a research institution. *Hispania, 69* (1), 217–222. doi:10.2307/341194.

Dixon, L., Gates, S., Kapur, K., Seabury, S., & Talley, E. (2007). The impact of regulation and litigation on small businesses and entrepreneurship: An overview. *In the Name of Entrepreneurship,* 17–68.

Eaton, S. E. (2015). In University of Calgary, University of Calgary (Eds.), *Your career as a successful independent TESL professional* Education. doi:10.11575/PRISM/31655

Education Week. (1981). Education deregulation. Retrieved from https://www.edweek.org/ew/articles/1981/09/07/01010008.h01.html

EducationUSA. (2018). What are english language programs? Retrieved from https://educationusa.state.gov/your-5-steps-us-study/research-your-options/english-language/what-are-english-language-programs

Edwards, Derek. "Structure and Function in the Analysis of Everyday Narratives." *Journal of Narrative and Life History* 7.1 (1997): 139-46. Print.

Eldridge, T. R., & National Commission on Terrorist Attacks upon The United States. (2004). *9/11 and terrorist travel staff report of the national commission on terrorist attacks upon the united states*. Washington, D.C.: Washington, D.C.: National Commission on Terrorist Attacks upon the United States.

Elkin, L. (2017). Medill just says no to accreditation. Retrieved from https://www.palisadeshudson.com/2017/05/medill-just-says-no-to-accreditation/

Ellington, P., & Williams, A. (2017). Accounting academics' perceptions of the effect of accreditation on UK accounting degrees. *Accounting Education, 26*(5–6), 501. doi:10.1080/09639284.2017.1361845

Engebretsen, E., Heggen, K., & Eilertsen, H. A. (2012). Accreditation and power: A discourse analysis of a new regime of governance in higher education. *Scandinavian Journal of Educational Research, 56*(4), 401–417. doi:10.1080/00313831.2011.599419

English Language Fellows. (2019). English language programs. Retrieved from https://elprograms.org/50th-anniversary

EnglishUSA. (2018). Membership requirements. Retrieved from https://www.englishusa.org/page/MembershipRequirement

---. (2018). Our Mission. Retrieved from https://www.englishusa.org/page/OurMission

---. (2019). Why join englishusa. Retrieved from https://www.englishusa.org/general/custom.asp?page=BecomeAMember

Federal Bureau of Investigation. (2012). School official admits visa fraud. Retrieved from https://archives.fbi.gov/archives/philadelphia/press-releases/2012/school-official-admits-visa-fraud

Freeman, R. E. (1984). *Strategic management: A stakeholder approach*. Boston: Pitman.

Friedman, S. (2019). House committee seeks changes to accreditation procedures. Retrieved from https://campustechnology.com/articles/2019/04/03/house-committee-seeks-changes-to-accreditation-procedures.aspx?m=1

Gaydos, M. (2018). Raising the bar: Advancing health equity through higher accreditation standards. Retrieved from https://medium.com/@HumanImpact_HIP/raising-the-bar-advancing-health-equity-through-higher-accreditation-standards-e8676ff00aa0

Graddol, D. (1997). *The future of english? A guide to forecasting the popularity of the english language in the 21st century.* British Council. London.

Graddol, D. (2006). *English next.* British Council. London.

Guo, Q. (2018). Top US colleges with overseas branches. Retrieved from https://www.forbes.com/sites/quanzhiguo/2018/08/21/top-u-s-colleges-with-branches-overseas/#625066ec5cb4

Gupta, A., Kanthi Herath, S., & Mikouiza, N. C. (2005). Outsourcing in higher education: An empirical examination. *International Journal of Educational Management, 19*(5), 396-412. doi:10.1108/09513540510607734

Harris-Schenz, B. (1993). Between a rock and a hard place: The position of the language program coordinator. *ADFL Bulletin, 24*(2), 45–50.

Hinchcliff, R., Greenfield, D., Westbrook, J. I., Pawsey, M., Mumford, V., & Braithwaite, J. (2013). Stakeholder perspectives on implementing accreditation programs: A qualitative study of enabling factors. *BMC Health Services Research, 13*(1), 437. doi:10.1186/1472-6963-13-437

History.com Editors. (2010, April 26). Automobile History. Retrieved August 19, 2019, from https://www.history.com/topics/inventions/automobiles

Ibrahim, H., Abdel-Razig, S., & Nair, S. C. (2015). Medical students' perceptions of international accreditation. *International Journal of Medical Education, 6*, 121.

ICE Newsroom. (2016). Ex-ceo of bay area university pleads guilty to role in student visa fraud scheme. Retrieved from https://www.ice.gov/news/releases/ex-ceo-bay-area-university-pleads-guilty-role-student-visa-fraud-scheme

---. (2008) SEVP's governing regulations for students and schools. Retrieved from https://www.ice.gov/sevis/schools/reg

---. (2018). Student and exchange visitor program. Retrieved from https://www.ice.gov/sevis

ICEF Monitor. (2016). The growing importance of pathway programmes. Retrieved from http://monitor.icef.com/2016/01/the-growing-importance-of-pathway-programmes/

---. (2016). The impact of accreditation on intensive english programmes in the US. Retrieved from http://monitor.icef.com/2016/01/the-impact-of-accreditation-on-intensive-english-programmes-in-the-us/

Institute of International Education. (2015). Open doors 2015 report. Retrieved from https://www.iie.org/en/Why-IIE/Announcements/2015/11/2015-11-16-Open-Doors-Data

---. (2017) Open doors 2017 report.

---. (2018) Open doors 2018 report. Retrieved from https://www.iie.org/en/Research-and-Insights/Open-Doors/Data

Kachru, B. B. (1985). *Standards, codification and sociolinguistic realism: The english language in the outer circle*

Kaiser, K. (2009). Protecting respondent confidentiality in qualitative research. *Qualitative Health Research, 19*(11), 1632–1641. doi:10.1177/1049732309350879

Katersky, A., & Sands, G. (2019). Scammers got more than 1,000 visas in fake school sting, authorities say. Retrieved from https://abcnews.go.com/US/21-people-arrested-alleged-student-visa-fraud-scheme/story?id=38162216

Klahr, S. C. (2015). *Pathway provider partnerships in higher education: What institutions should consider*. Washington: NAFSA: The Association of International Educators.

Kreighbaum, A. (2019). ABA renews proposal to raise bar-passage standards. Retrieved from https://www.insidehighered.com/quicktakes/2019/01/18/aba-renews-proposal-raise-bar-passage-standards

Labov, W., & Waletzky, J. (1967). *Essays on the verbal and visual arts*. Seattle: Distributed by the University of Washington Press.

Leave no trace. (2012). Youth program accreditation raising the bar for leave no trace education. Retrieved from https://lnt.org/blog/youth-program-accreditation-raising-bar-leave-no-trace-education

Leung, L. (2015). Validity, reliability, and generalizability in qualitative research. *Journal of Family Medicine and Primary Care, 4*(3), 324–327. doi:10.4103/2249-4863.161306

Linder, S. H., & Rosenau, P. V. (2000). Mapping the terrain of the public-private policy partnership. *Public-Private Policy Partnerships*

Looney, A. (2019). Accountability in higher education after deregulation. Retrieved from https://www.brookings.edu/blog/up-front/2019/02/12/accountability-in-higher-education-after-deregulation/

Macdonald, C. (2003). NRPA/AALR accreditation: Issues with an imperfect process. *The SPRE Professor: Issues & Innovations,* 3–5.

Martin, R. S., & American Library Association. (2000). *The impact of outsourcing and privatization on library services and management: A study for the american library association*. Denton, TX: Texas Woman's University, School of Library and Information Studies.

Mgaiwa, S., & Poncian, J. (2016). Public-private partnership in higher education provision in tanzania: Implications for access to and quality of education. *Bandun: Journal of the Global South, 3*(6)

Mclemee, S. (2014). The economics of fake degrees. Retrieved from https://slate.com/human-interest/2014/07/a-study-shows-the-market-for-fake-degrees-churned-out-by-dubious-diploma-mills.html

Mcintire, M. (2014). With new national requirement, law school clinics expect surge in applications. Retrieved from https://www.gwhatchet.com/2014/08/25/with-new-national-requirement-law-school-clinics-expect-surge-in-applications/

Mcintosh, M., & Morse, J. (2015). Situating and Constructing Diversity in Semi-Structured Interviews. *Global Qualitative Nursing Research, 2*, 2333393615597674.

Menken, K. (2008). In ProQuest (Firm) (Ed.), *English learners left behind standardized testing as language policy*. Clevedon; Buffalo: Clevedon; Buffalo: Multilingual Matters Ltd.

Mervosh, S. (2019). ICE ran a fake university in michigan to catch immigration fraud. Retrieved from https://www.nytimes.com/2019/01/31/us/farmington-university-arrests-ice.html

Miller, B. (2014). Improving accreditation part 1: What's wrong with the system? Retrieved from https://www.newamerica.org/education-policy/edcentral/improving-accreditation-i/

Mok, D. (2017). ISO 15189:2012 implementation checklists for conformity assessment by accreditation bodies: A comparative analysis. (FELLOWSHIP TREATISE) (report). *New Zealand Journal of Medical Laboratory Science, 71*(3), 84.

Morgan, D. (2018). Generalization of results in qualitative research. Retrieved from https://www.researchgate.net/post/generalization_of_results_in_qualitative_research

NAFSA: Association of International Educators. (2010). Accreditation requirement becomes law for intensive language programs who enroll F-1 students. Retrieved from https://www.nafsa.org/findresources/Default.aspx?id=23563

Nijsen, A., Hudson, J., Müller, C., Paridon, K., & Thurik, R. (2009). *Business regulation and public policy the costs and benefits of compliance* New York, NY: Springer New York.

Norris, Ashley. "Is it time for accreditors to raise the bar in online education standards?" 2018. Web. <https://er.educause.edu/blogs/sponsored/2018/7/is-it-time-for-accreditors-to-raise-the-bar-in-online-education-standards>.

North, David. (2019). Student visa fraud. *Center for Immigration Studies. Retrieved from* https://cis.org/Immigration-Topic/Student-Visa-Fraud

Patrinos, H., Barrera-Osorio, F., & Guaqueta, J. (2009). The Role and Impact of Public-Private Partnerships in Education. World Bank.

Pham, H. T. (2018). Impacts of higher education quality accreditation: A case study in vietnam. *Quality in Higher Education, 24*(2), 168-185. doi:10.1080/13538322.2018.1491787

Redden, E. (2016). A sting and a sham college. Retrieved from https://www.insidehighered.com/news/2016/05/24/sting-operation-involving-sham-college-led-21-arrests

Redden, E. (2017). An end to years of growth for new international enrollments. *Inside Higher Education,* Retrieved from https://www.insidehighered.com/quicktakes/2017/05/31/enrollments-intensive-english-programs-fall

Redden, E. (2018). Commissions and incentives. Retrieved from https://www.insidehighered.com/news/2018/06/20/corporate-pathway-providers-shake-international-student-landscape-and-ante

Redden, E. (2019). Saudi enrollment declines. Retrieved from https://www.insidehighered.com/news/2016/07/18/saudi-student-numbers-fall-many-campuses

Ressler, S. J., & Lenox, T. A. (2017). *Structural engineering education and accreditation: Perspectives, developmental paradigms, and recommendations*

Rodan, P. (2016). Public-private partnership in higher education: Central queensland university meets campus management services. *Australian Universities' Review, the, 58*(1), 5-12.

Ross, K., Chmiel, J. F., & Ferkol, T. (2012). The impact of the clean air act. *The Journal of Pediatrics, 161*(5), 781–786. doi:10.1016/j.jpeds.2012.06.064

Sağır, M., Göksoy, S., & Ercan, O. (2014). Views of school administrators regarding accreditation implementations in educational inspection. *Procedia - Social and Behavioral Sciences, 116*, 1604–1609. doi:10.1016/j.sbspro.2014.01.442

Saunders, L. (2008). Perspectives on accreditation and information literacy as reflected in the literature of library and information science. *Journal of Academic Librarianship, 34*(4), 305–313. doi:10.1016/j.acalib.2008.05.003

Schumacher, L. A. (2010). *The caregiver's journey: A phenomenological study of the lived experience of leisure for caregivers in the sandwich generation who care for a parent with dementia*

Security and Exchange Commission. (2019). Frequently asked questions about exempt offerings. Retrieved from https://www.sec.gov/smallbusiness/exemptofferings/faq

Serafin, M. J. (2014). *Accreditation follow-up: A grounded theory qualitative study of WASC-accredited private schools in southern california*

Seidman, I. (2013). *Interviewing as qualitative research: A guide for researchers in education and the social sciences* (4th ed.). New York: Teachers College Press.

SEVP's governing regulations for students and schools. (2019). Retrieved July 18, 2019, from https://www.ice.gov/sevis/schools/reg

SEVP Student and Exchange Visitor Program. (2019). Retrieved August 11, 2019, from https://www.ice.gov/sevis

Shiji, O. (2014). Public–Private partnership and indian higher education. *Higher Education for the Future, 1*(2), 139-153. doi:10.1177/2347631114539885 Shults, R. A., Nichols, J. L., Dinh-Zarr, T., Sleet, D. A., & Elder, R. W. (2004). Effectiveness of primary enforcement safety belt laws and enhanced enforcement of safety belt laws: A summary of the guide to community preventive services systematic reviews. *Journal of Safety Research, 35*(2), 189–196. doi:10.1016/j.jsr.2004.03.002

Smagorinsky, P. (2008). The method section as conceptual epicenter in constructing social science research reports. *Written Communication, 25*(3), 389–411. doi:10.1177/0741088308317815

Surdek, S. (2016). Perspectives is a key leadership skill. Retrieved from https://www.forbes.com/sites/forbescoachescouncil/2016/11/17/why-understanding-other-perspectives-is-a-key-leadership-skill/#4b8f634c6d20

Taylor, R.J. (2003). Contracting for health services. In A. Harding & A. Preker (Eds), *Private participation in health services handbook* (pp. 195–204). Washington, D.C.: World Bank.

The english effect. (2013). London: British Council. Retrieved from https://www.britishcouncil.org/sites/default/files/english-effect-report-v2.pdf

Timpa, R., & Pizor, L. (2001). *Hotel english*. McHenry, Illinois: Delta Publishing Company.

UCIEP. (2017). *UCIEP bylaws*

UCIEP. (2018). Retrieved from https://www.uciep.org/

UK Council for International Student Affairs. (2018). International student number by UK national 2016–2017. Retrieved from https://www.ukcisa.org.uk/Research--Policy/Statistics/International-student-statistics-UK-higher-education

United States Government Accountability Office. (2017). *Every student succeeds act: Early observations on state changes to accountability systems* Washington, D.C.: United States Government Accountability Office.

United states of america v. ashurov zavkibeg, (United States Court of Appeals 2013).

United states of america v. leroy evans, (United States Court of Appeals 2006).

University of northern new jersey. (2016). Retrieved from http://web.archive.org/web/20160327093120/http://unnj.edu/

Vanderlee, L., Vine, M. M., Fenton, N. E., & Hammond, D. (2016). Stakeholder perspectives on implementing menu labeling in a cafeteria setting. *American Journal of Health Behavior, 40*(3), 371.

Walcutt, L. (2016). The scholarship struggle saudi arabian students are facing. Retrieved from https://www.forbes.com/sites/leifwalcutt/2016/09/28/the-scholarship-struggle-saudi-arabian-students-are-facing/#511a92fc1cd9

Wilson, M. (2016). Top 10 lobbying victories of 2016. Retrieved from https://thehill.com/business-a-lobbying/310282-top-10-lobbying-victories-of-2016

Winkle, C. A. (2011). *A narrative inquiry into corporate unknowns: Faculty experiences concerning privatized-partnership matriculation pathway programs*

Winters, D. M. (2016). *Success and the other[ed] woman: Examining the persistence of female students from saudi arabia*

Workman, R. (2016). The history and impact of the english-only movement in the united states: Is there hope for language tolerance?

Why Join TESOL?. (2019). Retrieved from https://www.tesol.org/about-tesol/membership/membership-benefits

Young, K. E. (1983). *Understanding accreditation: Contemporary perspectives on issues and practices in evaluating educational quality.* ERIC.

Zavodny, M. (2000). The effects of official english laws on Limited-English-Proficient workers. *Journal of Labor Economics, 18*(3), 427–452. doi:10.1086/209965