

International student compliance: The regulatory dilemma of student and exchange visitor
program (sevp)-certified urban community colleges

by

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B.S., Bowie State University, 1997

MBA, Northwood University, 2014

AN ABSTRACT OF A DISSERTATION

Submitted in partial fulfilment of the requirements for the degree

DOCTOR OF EDUCATION

Department of Community College Leadership

College of Education

KANSAS STATE UNIVERSITY

Manhattan, Kansas

2022

Abstract

The purpose of this multi-case study was threefold: (a) to explore how Principal/Designated School Officials (P/DSOs) at Student and Exchange Visitor (SEVP)-certified urban community colleges make meaning of the international student regulatory environment; b) to provide a conceptual framework for understanding and explaining the practices and interventions for community college administrators to aid in improving immigration practices at community colleges; c) to propose practices and interventions for community college administrators and advisors to address the needs of international students served by the institution.

This study explored how Principal/Designated School Officials (P/DSOs) interpret and make meaning of immigration regulatory environment. Historically, the United States has sought to maximize the talents and contributions of international students, export higher education, and take advantage of international students' presence here as a foreign policy asset. Higher education institutions have emerged as critical partners in advancing national security while serving international student populations and maintaining a balance between governmental reporting responsibilities and institutional (and student-related) responsibilities. United States' immigration laws and policies are constantly undergoing rapid and, in some instances, substantial changes that directly impact international students. These changing policies impact how P/DSOs, particularly in urban community colleges, enact and implement processes and procedures to keep international students in compliance.

A Foucauldian knowledge-power theoretical framework was employed, situating federal regulations, institutional policy, and P/DSOs in a Panopticon of surveillance. Using qualitative methods, data was collected from in-depth interviews, and document analysis of federal

documents pertaining to congressional committee meetings, regulatory documents, and legislative texts), NAFSA documents (opinion pieces, advocacy position statements and recommendations, research), newspaper and journal articles, and documents and materials from the community colleges being researched in the study relating to international student policies and procedures (including institutional websites).

Themes that emerged include advocacy, fear, criminalization, prejudice, surveillance, and docile bodies. The findings document how immigration related regulations are interpreted and implemented.

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Approved by:

Major Professor
Dr. Michael Burke

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Acknowledgements

My name may appear on the byline, but this project owes its existence and completion to many other individuals and influences. On more than one occasion, my attention and commitment to researching, writing, and revising this dissertation were kept afloat by a kind word or thought-provoking conversation. I drew perseverance from the wonderfully supportive and intellectually stimulating environment I have had the privilege of being immersed in for the last 5 years. To Wayne County Community College District, I express my deep gratitude for providing me both funding and professionalization through tuition support. Dr. Curtis L. Ivery, thank you for believing in me, and providing me the opportunity to develop myself. The journey to complete this dissertation has taken a village.

I want to start by thanking Dr. Michael Burke. The teaching, tutoring, and editing he provided has contributed richly to my personal and intellectual development. Such professional growth occurs alongside day-to-day guidance on the human level. For this balance, I give equal thanks to Dr. Terry O'Banion. To him, among other things, I owe my increasingly positive relationship with writing. Many thanks are also due to my dissertation committee members: Dr. Christine McPhail – she has always generously offered her vast repository of knowledge qualitative research, and her comments on earlier drafts of this dissertation were vital to making revisions that both clarified and added depth to study. Dr. Jerry Johnson – his knowledge of Foucault, that the encouragement to produce a whitepaper after my dissertation allowed me to go through the density of Foucault and bring out the salient pieces.

Thank you, Dr. Margaretta Mathis, for your constant support and understanding throughout this educational adventure. Thank you for mentoring me and providing great advice

and encouragement through it all. You create an inclusive and enjoyable environment for all your students including myself.

Many in my personal life are also due much gratitude and appreciation for giving their copious love and support of my advanced studies. I give special thanks to my Motown cohort, Dr. Carolyn Carter, Dr. Charmaine Hines, Dr. Clarence Madison, Dr. Karow Gordon, Dr. Monica Wiggins, Dr. Oneka Samet, Dr. Annette Black, Dr. Yusuf Sabree, Will Sampson, Tanishia McGee, Nahla Baaqi, and Halima Mohiuddin —educators themselves, they stressed for me the intrinsic value of learning and knowing. To the Cuyahoga Community College cohort, I appreciate them adopting me into their cohort and keeping in touch to monitor my progress. I thank my mother, Mojisola Odegbami, for her never-ending supply of understanding—when out of inspiration or stress I disappeared into marathon sessions of writing, her ability to love in the most deeply felt forms carried me when most needed.

I am deeply grateful to my siblings, and in-law for their support, encouragement, and keen interest in my academic achievements. To my “why” – my children, Omojomiloju and Omoyanjuola, the driving force that kept me going when times were hard and kept me diligent when things were going well.

Finally, I really want to thank my husband for his moral support throughout the research work. To all those named here, and to the many who are unnamed but no less acknowledged in my mind, thank you

Dedication

I would like to dedicate this dissertation to Dr. Irving McPhail – Rest in Peace.

Chapter 1– Introduction

According to the 2018 Open Doors Report, as reported by the Institute of International Education (2018), international students accounted for 1,094,792 enrollments, or 5.5%, of the total enrollments at U.S.-based colleges and universities during the 2017-2018 academic year. The majority of these international students entered the country on either academic visas (F-1) or cultural exchange (J-1) student visas. F-1 visa holders are self-sponsored financially, whereas J-1 visa holders are sponsored by their home government or the school itself.

A 2014 study conducted by the Economic Modeling Specialists International (EMSI) for the American Association for Community Colleges, estimated that a total of 146,500 international students attended America's community colleges in 2012 and paid \$1.2 billion in tuition, fees, books, and supplies. Data recently released by the National Association of Foreign Student Advisors (NAFSA) shows that international students contributed \$36.9 billion to the U.S. economy and supported 450,331 jobs. This community college-specific analysis was conducted in response to a renewed emphasis within the higher education community on the importance of international student recruitment to U.S. community colleges.

In addition to these educational expenses, international students spent money to purchase groceries, housing, and transportation, as well as other necessities. The primary sources of funding for international students were personal and family resources (63.6%), stipends from U.S. colleges and universities (21.5%), foreign governments or universities (5.8%), current employers (5.3%), and foreign private sponsors (1.3%) (IIE, 2013).

Funding is always a significant concern for higher education, and institutions usually compete for limited state-allocated funding (Delaney & Doyle, 2014). A nation's economic

health is often a determining factor in the amount of state funding allocated for higher education (Delaney & Doyle, 2011).

One of the most pressing educational policy issues higher education institutions face centers on the cost of tuition or tuition policies (Kim & Ko, 2015). Due to a decrease in tax revenues, states have been forced to cut spending on higher education. As a result, higher education institutions have turned to tuition increases as a reliable source of funding to make up for the lost revenue (Hulsey, 2010).

Considering the decline in public funding and rising operational costs, new strategic funding sources are needed to support today's institutions (Voorhees, 2001). Since international students are required to pay more than the average in-state student, they can become one of these new strategic funding sources. This infusion of revenue could help stem the cutting of academic programs and services amongst higher education institutions. Therefore, it becomes an incentive for a postsecondary institution to have sizeable international student enrollments due to international students generally paying a higher amount of tuition. This financial impact has not gone unnoticed among postsecondary institutions. Schools across the United States have intensified their efforts to recruit and retain international students. Sixty-two percent of institutions have increased efforts to recruit international students (Hegarty, 2014).

Beyond (and entwined with) economics, another critical context to the discussion of international students is immigration. Recent immigration policy regularly portrays immigrants in negative ways (Flores & Schachter, 2018). They are seen primarily as a risk to the country; people who take more than they contribute, do not integrate socially and violate our laws. They are a threat, 'other' to the 'normal' experience of American people, who must be managed and tracked, their value assessed.

Following the attacks in New York on September 11, 2001, by terrorists who entered the United States using F-1 student visas, the Department of Homeland Security (DHS) was established and given stewardship over the F-1 and J-1 visa populations (CFR, 2009). This action led to both significant revisions of immigration policy and to intensified scrutiny of these visa holders, including the creation of the Student and Exchange Visitor Program (SEVP), which oversees the regulatory compliance of all approved academic institutions. This action also led to a much stricter interpretation of the Department of Homeland Security (DHS) Code of Federal Regulations (CFR), which subsequently changed how school officials at the academic institutions interpret and process requests for immigration benefits by students.

According to 8 C.F.R. § 214.2(f) and 8 C.F.R. § 214.3(a)(2), all SEVP-approved schools must appoint Principal/Designated School Officials (P/DSOs) who are tasked with helping F-1 visa holders navigate federal regulations as well as individual college policies that may be inconsistent.

The P/DSO must understand the literal policy and the broader context, translating them into local policy implementations that adhere to legal obligations, institutional priorities, and personal values. Further, the P/DSO champions the academic and socio-cultural contributions students make (in addition to the economic), as well as emphasizing the importance of international engagement in a global world.

The United States is the destination of choice for students who wish to pursue higher education outside their home countries. For more than 50 years, this country has educated successive generations of world leaders, a U.S. foreign policy asset of inestimable value. International students are a crucial component of graduate education in the U.S., and they bring

important educational, economic, and cultural benefits to colleges, universities, and communities across the country (Pelletier, 2017).

The immigration regulatory environment since 2001, which includes federal law, the responsibilities of colleges and universities admitting international students, the monitoring of international students' academic progress and their physical presence, international students' constitutional rights, U.S. economics, and politics are shifting P/DSOs away from student interaction toward a more legalistic, compliance mindset.

Statement of the Problem

The mantra “secure borders and open doors” is espoused in the educational community at the unique intersection of immigration law and the legal responsibility of P/DSOs to the United States Citizenship and Immigration Services (USCIS) for their international students on campus.

Since 2001, the United States has seen significant political conflict related to competing for immigration reform initiatives, reflecting the fact that the extreme political and ideological division in the country encompasses starkly differing attitudes towards immigrants (Valentino, Brader, & Jardina, 2013). In the past decade, more than 1,000 anti-immigrant bills were introduced in various state legislatures. These bills sought to implement employment eligibility, regulate the distribution of driver's licenses, enhance immigration enforcement, and the proliferation of “English-only” policies (Casas & Cabrera, 2011; National Conference of State Legislatures, 2010).

Chung, Bemak, Ortiz, and Sandoval-Perez (2008) noted concerns of “job competition, economic sustainability, and the improper use of public services” contributed to negative public attitudes (p. 312). Additionally, Somoni and Menendez (2014) as well as Kinefuchi and Cruz (2015) found immigrants were categorized as problematic, other, and illegitimate, further

contributing to polarization and divisions from the dominant culture. These categories created a continuous dialogue between the federal government and educational institutions, as international educators sought to present ways in which international students make academic, socio-cultural, and economic contributions, as well as emphasizing the importance of international engagement in a global world.

P/DSOs often must engage with complex immigration policies relating to international students. They must understand the precise meaning of the policy and its broader, more nuanced context, translating them into institutional policy implementations that adhere to legal obligations, institutional priorities, and personal values.

Purpose of the Study

The purpose of this multi-case study is threefold: (a) to explore how Principal/Designated School Officials (P/DSOs) at Student and Exchange Visitor (SEVP)-certified urban community colleges make meaning of the immigration regulatory environment; b) to provide a conceptual framework for understanding and explaining the practices and interventions for community college administrators to aid in improving immigration practices at community colleges; c) to propose practices and interventions for community college administrators and advisors to address the needs of international students served by the institution.

The study will examine how language influences and shapes institutional policies that may impact the role of P/DSOs. The emphasis will be on the framing immigration policies in the educational context around how P/DSOs experience the transfer of responsibility for international student compliance in urban community colleges. There is an important role for American urban community colleges to play in attracting international students, but most importantly in public diplomacy, that is, how governments, private groups, and individuals

influence the attitudes opinions of other peoples and governments in such a way as to exercise influence over their foreign policy decisions (Definitions of Public Diplomacy, n.d.).

This study is significant because it will analyze immigration policies in the educational context around how P/DSOs experience the transfer of responsibility for international student compliance in urban community colleges. Further, this study examines the intersection of federal immigration laws and higher education as it relates to the role of the P/DSO at the urban community college.

Research Questions

To understand how P/DSOs at SEVP- certified urban community colleges comprehend and construct their roles within the current immigration and international student regulatory environment, the following research questions guide the investigation:

1. How do Principal/Designated School Officials (PDSOs) describe internal and external communication about immigration policies?
2. How do Principal/Designated School Officials (P/DSOs) explain the processes they use to respond to changing immigration policies?
3. How do Principal/Designated School Officials (PDSOs) describe the strategies used to manage student compliance issues related to immigration regulations?
4. How do Principal/Designated School Officials (PDSOs) describe immigration policies and practices at their institution?
5. How do Principal/Designated School Officials (PDSOs) explain the approaches used to facilitate their job responsibilities and the immigration regulations?

Theoretical Foundation for the Research Methodology

The late post-structuralist Michel Foucault (1926-1984) is regarded as one of the foremost French theorists and intellectuals. Foucault's work has been important in highlighting and understanding the connections between power and social life (Gutting, 2005). Foucault's work has been extremely influential in the humanities and social sciences. His work has been, for over forty years, considered fundamental for any theorist of power relations.

Foucault's principal contribution as a philosophical theorist and historian has been to encourage the questioning of the operation and the role of power within the social construction of knowledge, subjectivity, and social norms through an examination of discourse (Hicks, 2004; O'Farrell, 2013; Stokes, 2002; Schrift, 2006). Foucault pioneered the investigation of power through the examination of discourse allowing for texts (interviews, documents, and other sources of the meaning) to be separated from the opinions of specific individuals, seeing these texts as creations of discourse where meanings reveal power and knowledge in operation. The standpoint or opinion of the individual is not seen as the view of the individual as such but as a reflection of the subject's position within the discourse. An understanding of the operation of power, and how knowledge works can be gained from examining this meaning with the subject's position (Foucault, 1983).

Drawing on Foucault's concepts will allow the researcher of this study to explore how P/DSOs make meaning of the immigration regulatory environment; b) to provide a conceptual framework for understanding and explaining the practices and interventions for community college administrators to aid in improving immigration practices at community colleges; c) to propose practices and interventions for community college administrators and advisors to address the needs of international students served by the institution.

Foucault saw social institutions as guided and controlled by rules and procedures through administrative strategies. This perspective will allow the researcher to understand how particular statements are underpinned by discourses that shape participatory practices. For example, discourse such as 'secure borders and open doors' often go unchallenged, as it is conceptualized as discursively necessary. Foucault's ideas allow for a deeper understanding of the mechanisms of power "without rejecting the traditional models of power" (Dreyfus & Rabinow, 1983; Sawicki, 1991). Foucault's interest was to demonstrate why those models have been inadequate in explaining societal changes. They further enable an analysis of how P/DSOs understand and construct their roles or are even shaped by institutional practices of immigration compliance.

Foucault was interested in the workings of power in certain cultural practices that combine knowledge and power such as in specific disciplines and argued that power is based on everyday events and actions with each other (Foucault, 1988). The framework for this study is informed by a Foucauldian perspective and research tools from the fields of organizational studies, discourse studies, education policy, and immigration policy.

Beyond Foucault, many other scholars have adopted, adapted, and extended theories of discourse. As this research engages with issues of power, politics, and resistance, it is worth commenting on the field of Critical Discourse Analysis (CDA). CDA is an approach that links the detailed analysis of the text with societal concerns about class, gender, race, ethnicity, and sexuality as studied in the social sciences (see, e.g. Fairclough, 2013, Wodak & Meyer 2015).

The main goal of CDA is to describe and explain how power is enacted, reproduced, or legitimized by the text and through the speech of dominant groups or institutions (van Dijk, 1993). While discourse analysis may be performed with different procedural variations, there are underlying assumptions that operate within CDA (Powers, 2007). One of the underlying tenets of

CDA is that all representation is mediated by value-systems embedded in language. Pertinent to organizational change and policy development, it assumes that values are discursively determined and produced in the language of the policy. CDA is also concerned with ideology and identifies the explicit and implicit meanings in which power operates through discourse (Allan, Iverson, & Ropers-Huilman, 2010).

In contrast, this research is not overtly political. The focus is on understanding how policy is engaged with and implemented as opposed to fomenting political consciousness. To this extent, CDA's more proactively political focus will not be adopted. Nevertheless, a useful element to draw from Fairclough (2001) is his emphasis on three dimensions of analysis (the 'text', process of interpretation, and external social conditions). This combination of what Burr (2003, p.21) calls the 'micro' and 'macro' levels of discourse analysis is useful as this research aims to explore how individuals speak about and construct their experiences but framed them within the wider discursive context. It is important to be clear that the emphasis here is on how P/DSOs construct their realities. While that may be mediated to an extent by external factors this is not an attempt to make structuralist claims concerning the nature of reality.

While the U.S. immigration policies are influenced by the power and values embedded in the text (Marshall, 1999), this research is not overtly political. The focus rather is to understand how policy is engaged with and implemented rather than employing a linguistic analysis that examines phonological features, morphology, or syntax of texts. This traditional policy analysis attempts to identify and calculate the effects of policies with apolitical, objective, and neutral methods (Marshall, 1999). Policy studies using conventional approaches often ignore the social construction of the problem and uncritically examine the underlying assumptions that are often

taken for granted about solutions embedded within how a problem is represented (Allan, 2003; Iverson, 2007).

Foucault rejects transcending ideas and general statements in his studies of social institutions (Foucault, 1977). Rather, he "enables us to think and act differently through critical histories that exhibit the singularity, contingency, and arbitrary constraint of our forms of subjectivities" (Ashenden & Owen, 1999, p. 107). A Foucauldian perspective allows the researcher to explore the responses of P/DSOs by analyzing the discourses that underpin their responses. Foucault contends that the "object" is to learn that one's thoughts can be freed from one's history (Ashenden & Owen, 1999). In this study, the experiences of P/DSOs give a window into their thoughts about U.S. Immigration policies as it relates to international students and allows the underlying "power nodes" to be identified. In the Foucauldian conception, discourse is seen as a complex network of relationships between individuals, texts, ideas, and institutions, with each node having an impact, to a varying degree, on other nodes, and the dynamics of the discourse as a whole (Rabinow, 1984). It would have been easier to analyze data from SEVP-certified urban community colleges websites since they usually contain institutional policy concerning international students; however, due to institutional compliance, these types of data are likely to only display the United States Code of Federal Regulations (CFR) containing the principal set of rules and regulations issued by the federal government as it relates to students in the country on F visa status (student visa).

An example of what is usually found on such websites is:

“8 CFR 214.2(f)(1)(i)(B)

(B) The student has documentary evidence of financial support in the amount indicated on the SEVIS Form I-20 (or the Form I-20A-B/I-20ID)” [8 CFR 214.2(f)].”

This case study avoids the formal federal declaration and focuses on a broader area that allows for the P/DSOs to resist systems of domination by strategically interpreting, contesting, and reshaping policy. An example of this is the mandated “evidence of financial ability”. Prospective students must show evidence that they or their sponsor have enough funds to cover tuition and living expenses to both the school they intend to attend and the consular at the embassy where they apply for a visa to enter the country to commence their studies. This institutional policy is drawn from several sources, including the U.S. Citizenship and Immigration Services (USCIS) website which includes-- the following from the “Financial Ability” guidance:

“Prospective F-1 or M-1 students must have the financial resources to live and study in the United States. This includes being able to cover the cost of tuition, books, living expenses, and travel. Designated school officials (DSOs) must collect evidence of the student’s financial ability before issuing a Form I-20, ‘Certificate of Eligibility for Nonimmigrant Student Status.’” (USCIS, n.d.).

It is important to note that, there is nothing in the CFR that states that SEVP-certified schools must verify the authenticity of financial documents before students apply for a visa, yet this has become part of institutional practice. The analysis of policy text creates an opportunity to illuminate strategies that communicate policy and further influence the participants' experiences of participation. Foucault's thinking on discourse and power will shed light on the proposed problem of study.

Foucauldian Discourse Analysis will be used as an analytical tool, and it is important to state that Foucault did not impose dogma on his philosophy. Therefore, there is no definite, predetermined model of Foucauldian Discourse Analysis, but the fluidity of how it was designed and then applied to the findings will be carefully illustrated with a clear rationale. This research proposal seeks to secure narrative interviews from P/DSOs to trace the meaning-making and subjective processes as expressed through the narratives. This group of participants will be chosen because they are positioned at the nexus of competing systems of power; therefore, the sampling style selected was ‘purposive’ rather than random in that participants had to meet prescribed criteria for selection. Each participant will be asked to choose a pseudonym that will be used in the report of the research, they will be asked for a description of how they would want to portray their institution.

Significance of the Study

While the study is important for exploring pragmatic ways P/DSOs are affected by and make meaning of U.S. immigration policies, community college practitioners can use the findings from this study to explore the social and political contexts of institutional policy, offering a policy analysis of ‘texts’ related to U.S. immigration policies. The findings from the research study can be used by educational administrators to help them understand the role of language in creating the policy and how these policies have developed over time. Furthermore, the findings from the investigation can be used by policy makers to shed light on the contrasting discourses of policies aiming to attract international students and those seeking to restrict immigration. Hopefully, an understanding of how P/DSOs in urban community colleges make meaning of U.S. immigration policies will contribute to the telling of the P/DSO’s stories in a way that can be used to enhance the experiences of international students. These stories will contribute to the process of analyzing how regulations and policies affect the work of P/DSOs in their

interaction with students, with the hope of understanding what is communicated by policies and how the message of policy is sent to all stakeholders.

Assumptions

For this study, it is assumed that:

1. The methodological procedures are appropriate for this study and do not create a bias to the inquiry so that erroneous results will be reported.
2. The respondents will provide honest and accurate perceptions.
3. The timing of the study does not affect the responses of the participants.
4. The use of the multi-case design to frame immigration policies in the educational context around how P/DSOs experience the transfer of responsibility for immigration compliance in urban community colleges will provide information that will be generalizable and applicable to other colleges.

Limitations and Delimitations

The limitations of the study are:

1. This study is limited to an analysis of international student policies and procedures as experienced by P/DSOs at urban community colleges only. Delineating community colleges according to their urban, suburban, or rural Carnegie classification found classification to impact overall institutional internationalization, with rural community colleges experiencing significantly less internationalization than their urban and suburban counterparts. (IIE, Special Reports: Community College Data Resource, 2015)
2. The findings are not meant to be generalized to all urban community colleges. The methodology used in this study lends itself to describing the events under investigation.

The delimitations of the study are:

1. The study is restricted to international student administration in American community colleges and not all higher education; further, it does not include elementary or high school education.
2. The study is restricted to urban community colleges
3. The study does not address international student enrollment fluctuation or international student perspectives.
4. The study is intended to analyze and reflect the experiences and perspectives of P/DSO's only.

Definition of Terms

For the assurance of clear understanding and consistency of meaning, the following key terms of this study were defined as follows:

Discourse: A historically, socially, and institutionally specific structure of statements, terms, categories, and beliefs (Scott, 1988).

Critical Discourse Analysis (CDA): CDA is an approach that links the detailed analysis of the text with societal concerns about class, gender, race, ethnicity, and sexuality as studied in the social sciences (see, e.g. Fairclough, 2013, Wodak & Meyer 2015).

Institutional Immigration Officials

P/DSO Primary Designated School Official - Institutional immigration official responsible for F-1 and F-2 visas. Any institution which enrolls foreign nationals with an F visa status must designate one P/DSO. (ICE, 2018, para. 5).

DSO Designated School Official - Institutional immigration official responsible for F-1 and F-2 visas. The DSO is additional to the P/DSO. Any institution which enrolls foreign nationals with an F visa status may employ a combination of up to ten DSOs. (ICE, 2018, para. 5).

International students will be defined as those who are not United States citizens or permanent residents, possessing an F1 or J1 student visa, and who are enrolled full-time.

Student Exchange Visitor Program (SEVP): SEVP is a part of the National Security Investigations Division and acts 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 (ICE, 2018, para. 2).

Student and Exchange Visitor Information System (SEVIS): SEVIS is a web-based system for maintaining information on international nonimmigrant students and exchange visitors in the United States (ICE, 2018, para. 5).

Visa terms related to international students

F-1 Visa: Nonimmigrant Exchange Student Visas that are issued by the U.S. government.

F-2: A dependent spouse or child of an F-1 student. (U.S. Department of State, 2018).

Regulatory Environment: Federal law, the responsibilities of colleges and universities admitting international students, the monitoring of international students' academic progress and their physical presence, international students' constitutional rights, U.S. economics, and politics.

Compliance: Maintenance of lawful status and compliance with the terms and conditions of nonimmigrant status. (U.S. Citizenship and Immigration Services, 2017).

Public Charge: Refers to an individual who is likely to become “primarily dependent on the government for subsistence, as demonstrated by either the receipt of public cash assistance for income maintenance or institutionalization for long-term care at government expense.” (U.S. Citizenship and Immigration Services, 2017).

Department of Homeland Security (DHS): A cabinet department of the U.S. federal government with responsibilities in national security. (U.S. Department of Homeland Security, 2015).

Organization of the Dissertation

Chapter 2 of this dissertation reviews the literature and describes student mobility in the United States as well as the history of the international student regulatory environment. The chapter then moves on to discuss the government's policies regulating international students to the United States. In this chapter, the theoretical frames that shape this study and informed data analysis are described. Theories of discourse, power, and subjectivity are delineated, followed by theories of policy, policy analysis, and discourse analysis. Chapter 3 provides an overview of the research design, the research questions, and the data collection and analysis method. Here, there is a description of policy discourse analysis, the methodological approach to this study. The analytic findings that emerge from Chapter 3 are presented in Chapter 4. Chapter 5 discusses the ethical considerations, limitations, conclusions, implications for practice, which are organized around the research questions and concludes with recommendations for future research.

Chapter 2 – Literature Review

Whenever one is dealing with a multiplicity of individuals on whom a task or a particular form of behavior must be imposed, the panoptic schema may be used. It is - necessary modifications apart - applicable 'to all establishments whatsoever, in which, within a space not too large to be covered or commanded by buildings, a number of persons are meant to be kept under inspection' (Foucault speaking of Bentham's Panopticon, 1977, p. 205, 206).

In this chapter the researcher unpacks the theoretical framework for this study.

Conversations regarding immigration policies and the flow of international students in higher education provide the context for this chapter. Furthermore, a brief discussion of the international student compliance area is included due to concerns of how P/DSOs make meaning of immigration policies and regulations. Theoretically, the researcher leans heavily on Michel Foucault's early work identifying panoptical applications of society's institutions, with his notion of power-knowledge discursive practice running as a thread to connect the various power and knowledge discourses. The chapter begins with an overview of immigration policies in the United States, which includes some discussion of international student regulatory access, and the challenges facing both international students and P/DSOs.

Overview of Immigration Regulations in the United States

To gain an overall picture of the international student regulatory environment, it is essential to recognize the circumstances that have led to the current U.S. immigration policies.

The United States of America is formed within the principle of communitarianism (Bang, H., Box, R., Hansen, A., & Neufeld, J. 2000) – a social and political philosophy that centers on the community as the basis for individual character development, shared responsibility for social welfare, and the workings of social and political institutions; hence, like any other nation, it has the right to give precedence to its citizens and to impose laws that guard its borders.

The Page Act (1875) confirmed the role of United States federal supervision on immigration through the regulation of immigration and the prohibition of undesirable immigrants. Confirmed by article 1, section 8, clause 4 of the United States Constitution, it gives the legislative branch the power to establish a uniform rule of naturalization (U.S. Constitution, Art. 1, sec. 8, cl. 8). The United States' Congress is tasked with the legislation of bills concerning immigration, while the United States' executive branch of government regulates the admittance and supervision of international students into the country. Related to the Immigration Acts of 1921 and 1924, the United States began the enforcement of annual quotas of foreign-born population admission based on nationality. In 1924, the United States created the Border Patrol to enforce migration, protection of state sovereignty, and safety of the American people from terrorists and their weapons (Gerber, 2011). The Bracero program was enacted from 1941 through 1986 to supply the workforce in the agricultural sector primarily from Mexico. With the aftermath of World War II and the Korean War, there was a significant need for laborers. As a response, the Bracero program allowed for an immigration quota of temporary work visas to fill the United States' agriculture labor shortage (Gonzalez & Loza, 2016.)

However, the limited number of visas did not fulfill the required volume needed for American farming. The lack of visas created a migration of undocumented workers to satisfy the needs of the American agricultural vacancies. The program was eventually shut down in 1965 due to the high inflow of undocumented immigrants. Pressure from civil rights groups and labor unions was also a factor in eliminating the Bracero program. In 1952, Congress enacted the Immigration and Nationality Act of 1952 (INA). The INA preserved the quota system. However, it included further measures for entrance eligibility, particularly in labor procurement and family reunification (Gerber, 2011). In 1965 the Hart-Cellar Immigration bill set a cap of a maximum

of 20,000 undocumented immigrants per country/year. Nonetheless, the new provisions had an unintended consequence of doubling immigration between 1965 and 1970 and again between 1970 and 1990 because parents, spouses, and minor children of US citizens were exempted from numerical limitation (Carroll, 2008).

Although immigration doubled, and constraints widened (Gerber, 2011), the INA did not prevent the influx of undocumented immigrants in search of work. The demand for work far exceeded the number of visas, causing thousands of nonimmigrants to overstay their visa terms, and others to unlawfully cross over to the United States through its long, porous border. As a reaction to the shortcomings of the INA, during the Reagan administration, Congress passed a significant piece of legislation: the Immigration Reform and Control Act of 1986 (IRCA).

The IRCA granted amnesty to undocumented immigrants who were in the United States before 1982. The amnesty was attached to the provision that employers hire documented workers in the future. It also added extra border control and heftier penalties for employers who hired undocumented workers. Having said that, the IRCA did not meet its goals, and in many ways created adverse effects such as higher compliance costs and wages paid, as well as making it more difficult and costly to attract farmworkers. Since the enforcement of illegal employment was limited, many businesses disregarded the complexities of the paperwork for employment and hired workers without state supervision. Regrettably, it created an illicit marketplace for counterfeit documents, as well as “under-the-table” wage compensation and tax evasion. The amnesty of illegals along with the family-based preferred approach also created another unintended consequence, which was the influx of many more immigrants than initially projected (U.S. Department of Homeland Security, U.S. Citizen and Immigration Services, 2015).

Considering the unfavorable outcomes of preceding legislation, after 1986, Congress passed three strategic pieces of legislation as an attempt to remediate previous legislative mistakes. The first legislation introduced was the Immigration Act of 1990. As a result of the act, Congress increased further demands on immigration cases predicated on family reunification. The U.S. intensified border patrol, employer sanctions, and added visa preference for skilled workers from developed countries. Also, the act increased the annual immigration ceiling. The second legislation introduced was the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (IIRIRA). The outcome was higher restrictions for public services to immigrants, which included curbed social security benefits for non-citizens, the raising of subsidy for border surveillance, and the easing of illegal alien deportation. Lastly, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 was a supplement to the IIRIRA (U.S. Department of Homeland Security, U.S. Citizen and Immigration Services, 2015). Again, it added further constraints, which included the denial of public assistance to legal immigrants for five years until the procurement of U.S. citizenship, and extra provisions for the reporting of known illegal immigrants (Carroll, 2008).

At present, although immigration has been a hotly debated subject in the public sphere, it has seen little to no movement within Congress. Nevertheless, the 114th Congress proceeded on a few immigration-related measures that were set to expire, such as the E-verify employment verification, restriction of foreign national with ties to specific countries from traveling to the United States, visa security, and interior enforcement. Further, Congress took considerable time in the oversight of a few executive immigration actions taken by the Obama administration such as the Deferred Action for Childhood Arrivals (DACA) and the Deferred Action for Parents of Americans (DAPA) (Bouman & Deffenbaugh, 2009).

As for the 115th Congress and the new Trump administration, there are a few points of examination. The areas in consideration involve the abuse of the visa program, undercutting of American workers, screening and exclusion of refugees, construction of a wall along the southern border with Mexico, and higher funding for removal and repatriation of individuals without legal immigration status. These areas of consideration will require congressional authorization for the appropriation of funds and implied consent by Congress for future actions of the executive.

Now that a concise past to present development of U.S. immigration policies have been introduced, the literature review turns to the international student regulatory access into the United States.

International Student Regulatory Access

International student regulatory access dates back to 1917 and the highly restrictive quotas that immigration officials used to deter international students' entry at Ellis Island. At that time, the United States' law classified international students as immigrants subject to highly restrictive quotas. By 1921 the Institute of International Education took the position that these students were temporary visitors and succeeded in having them classified as foreign students. This status led to the creation of the nonimmigrant "student visa" (Goodman, 2004). The United States did not emerge as a major center of foreign study for international students until after World War II when American higher education expanded rapidly and drastically improved its quality (Altbach, Kelly, & Lulat, 1985). In the wake of September 11, 2001, then-Attorney General John Ashcroft announced, "We don't currently have a system that efficiently verifies if a student is studying at an institution" (U.S. Department of Justice, 2002, p. 1).

At present, the flow of immigrants into the United States for permanent or temporary residence is controlled by the Immigration and Nationality Act of 1965 (INA). The Act allows for an unlimited number of nonimmigrants to enter the United States temporarily with F-1 (student) and J-1 (exchange visitor) visa status for specific purposes. The Act is administered and enforced within the United States by the Department of Homeland Security (DHS), an agency of the Department of Justice. It is administered outside the country by the Department of State through its consular posts around the world (Smith & Althen, 1989). The INA was one of the first laws to expand the application of exclusion and deportation, and it was one of the first to create a national system for immigrants to be used by enforcement and security agencies (Famam, 2005).

United States' immigration laws and regulations provide for a definite distinction between immigrants and nonimmigrants. Applicants for F-1 and J-1 visas must demonstrate that (1) they reside in a foreign country that they have no intention of abandoning and that (2) they are coming to the United States temporarily for a specific purpose of carrying out an activity described in the law (Smith & Althen, 1989). According to NAFSA (2003), one area that needs to be addressed is removing excessive government-imposed barriers including the "intending immigrant" test outlined in 214 (b) of the Immigration and Nationality Act with a standard that focuses on whether or not an applicant is a legitimate student. One reason that the F-1 and J-1 visa categories will receive closer scrutiny is the sheer volume. The DHS and Department of State have additional eyes and ears to monitor and report on these visa categories due to the regulatory relationship between the federal government and colleges and universities which enroll students and exchange visitors.

Twenty-five years ago, the American Council on Education's Vice-President Stephen K. Bailey bemoaned the rising increase in federal regulations impacting international students at colleges. He noted higher education institutions were being strangled, unintentionally, by a web of complex and ever-expanding federal regulations (Hartle, 2000). One can only imagine how Bailey would react to the new and more stringent regulations prompted by the attacks on the United States on September 11, 2001.

To enroll international students, a school must first be granted access by DHS. Access will be granted based on DHS review and verification of the bona fides of the school. Schools that have issued F-1 and J-1 documentation for decades are now subject to a full-scale review, including an on-site visit before May 2004, under the Enhanced Security and Visa Reform Act of 2002 (Public Law 107- 173) (U.S. Department of Justice, 2002). A school's approval to accept nonimmigrant students may be withdrawn for the failure of school officials to comply with recordkeeping and reporting requirements. This failure in compliance is based on willful issuance by a school of a false statement, and any conduct on the part of the school official that does not align with regulations. Principal/Designated School Officials (P/DSOs) are charged with considerable responsibility for maintaining their schools' approval to enroll nonimmigrant students. The relationship that exists is one between DHS as a government agency and the community college as an educational institution. The P/DSO is the individual designated by the school and the DHS to manage the educational part of the relationship. Colleges and universities are required by DHS to follow specific record-keeping and reporting requirements. A school wishing to enroll nonimmigrant students under the provisions of Section 100(a)(15)(F) of the INA must apply for approval to admit students.

The DHS maintains the immigration and government side of the immigration relationship. Created on November 25, 2002, the DHS moved the country's immigration functions into two bureaus of the new department: the Bureau of Immigration and Customs Enforcement (ICE) and the Bureau of Customs and Border Patrols (BCBP). BCBP houses and adjudicates the U.S. immigration system while ICE controls border security enforcement and the administration of the Student and Exchange Visitor Information System (SEVIS) (NAFSA, 2002).

SEVIS is a database connecting all institutions of higher education which enroll international students to the Department of Homeland Security, and it is part of the Student and Exchange Visitor Program (SEVP) within the Patriot Act legislation passed during the aftermath of September 11, 2001. This database houses prospective students' demographic, academic, and financial information from the time they apply to a United States' academic institution when they apply for a visa. Students are tracked throughout the visa acquisition process and during the tenure of their study in the United States. This database serves as an instrument used to monitor compliance of both international students and the institutions that hosts them.

Since the September 11, 2001, terrorist attacks, the scrutiny of international students has become a major focus of America's national security. The creation of the Department of Homeland Security (DHS), followed by the implementation of the Student and Exchange Visitor Information System (SEVIS), brought numerous changes in access to institutions of higher education and challenges to those who provide assistance and support for visiting students and scholars – the Principal/Designated School Officials.

Principal/Designated School Officials

According to regulations governing international student programs, all SEVP-approved schools must appoint P/DSOs who are tasked with helping direct F-1 and J-1 visa holders, in navigating federal regulations as well as individual institutional policies.

P/DSOs are vital to the overall welfare of international students at institutions of American higher education. P/DSOs provide information, programing, and services to students and scholars who come to study or work in the United States. P/DSOs work not only with the diverse group of individuals called "foreign" or "international students," but also with American students, faculty, and staff, with citizens of the local community, with officials of U.S. and foreign government agencies, and with a variety of agencies that sponsor foreign students and scholars both within and outside the U.S. (International student advising, 2011). These roles and the definition of P/DSOs have not changed much since the early 1970s:

P/DSO is a person officially designated or appointed...for advising foreign students and for coordinating special series offered foreign students. The diverse backgrounds of students demand that P/DSOs be responsible for a myriad of functions ranging from student arrival services and orientation to the academic norms, to ensuring that international students are familiar with the pertinent institutional and governmental policies in colleges and universities. Advisors help acclimate international students to the new culture in the new land. Language difficulties of international students, housing, culture shock, and familiarity with teaching methods are some urgent issues that the foreign student advisors must mitigate at colleges and universities (Austell, 2013; Bu, 2003; Curtin, Stewart, Ostrove, & Joan 2013; Davis, 2011).

P/DSOs are administrative leaders in what are often called the "Offices of International Programs" at universities. To better understand and address the needs and issues of international

students related to housing, immigration, admission, meal plans, or traveling in and out of the country, advisors are required to have cross-cultural knowledge. P/DSOs who have culture-specific knowledge, intercultural sensitivity, and communication skills create an easy, friendly, and productive work environment (Davis, 2011).

The role of the P/DSO as defined by the university or college is not uniform in the U.S. (Davis, 2011). For instance, depending on the number of international students on campus, P/DSOs are expected to handle various tasks and responsibilities, such as immigration documentation (I-20s and visa update), orientation, housing, and course advising. In a qualitative study, students were asked to define the roles of P/DSOs on their campuses (Clark, 2002). From the student perspectives, Clark's study (2002) summarized the roles of the P/DSO as "a facilitator for international student activities; an advisor on immigration issues; an advocate for various personal needs; an academic advisor; and as a staff member" (p.87). Student participants in the study shared the view that they like to have their P/DSO involved in the student-run social and cultural programs. Students also expressed their interests in receiving help from advisors and staff in the international programs when new students come from their home countries each semester (Clark, 2002). However, the majority of student participants viewed the role of the P/DSO as counseling students on immigration issues, including visa renewal, traveling, I-20s, and on-campus employment regulations (Clark, 2002). Students also viewed the role of the P/DSO as assisting students in their personal needs and problems no matter if they are on- or off-campus students (Clark, 2002).

Sparaco (2012) has mentioned that international students do not receive enough support from their P/DSO and staff members of international offices at the hour of need. For instance, mostly off-campus international students are deprived of immediate help from the Office of

International Programs when they are sick, face threats, or are in an emergency. Institutionally, P/DSOs may not be obligated to serve off-campus international students.

The role of P/DSOs is no longer limited to advising students and assisting them in adjustment and academic problems. The consequences of the unexpected events (such the 1993 truck-bombing on the World Trade Center in New York, and the 9/11 attack in 2001) shifted the roles of P/DSOs into new directions. Consequently, the role of advisors has shifted from student advocate to government enforcer (Rosser et al., 2007; Sparaco, 2013). Today, the role of the P/DSO is no longer limited to cultural adjustment and immigration rules, but the P/DSO has become responsible for an ever-increasing set of bureaucratic regulations of the United States Citizenship and Immigration Services (USCIS), regulations of other federal and state entities such as the U.S. Department of State, Internal Revenue Service, Social Security Administration, and the various registries of motor vehicles. (Davis, 2011, p. 12).

Challenges faced by Principal/Designated School Officials (P/DSOs)

It is the responsibility of the P\DSO's to perform thoroughly and professionally the specific duties assigned to them by the laws and regulations (NASFA Advisor's Manual, 2006). It is not the responsibility of the P/DSOs to make reports to government agencies that go beyond the reporting requirements specified for each nonimmigrant class. Badger and Yale-Loehr (2002) described this role as a challenge for university administrators seeking to “offer guidance and immigration regulations to international students while at the same time maintaining the ‘quasi-enforcement’ required by the federal regulations and the helping role that is basic to the relationship between educators and international students” (p. 14).

Other studies show that P/DSOs perceived an overload in their professions because of new immigration changes and an increasing number of crimes related to international students

(Boyd, 2008; Bratichko, 2009, Davis, 2011). Bratichko's study (2009) found that the implementation of SEVIS "shifted International Student Offices (ISO) functions away from personal interactions with international students and attention to their cultural adjustment, and toward data monitoring and government reporting" (p. 98). An increased overall workload and increased levels of stress and anxiety were among negative social impacts of SEVIS.

Although the higher education institutions perceive international students as a potential financial resource, the administration often undervalue the roles of P/DSOs on campus. Sparaco (2012) found in her study that "The professionals in the study spoke at length about their frustrations at feeling disenfranchised, overworked, underpaid, and even invisible in a profession that has historically lacked shape and continuity within U.S. higher education" (p. 76). In many colleges, the office of international students is isolated from the larger institutional mission (Sparaco, 2012) excluding other student services such as counselling, international education or study abroad.

In addition to technical and administrative issues, research has indicated low job satisfaction of the P/DSOs in the United States (Frazier, 2004; Sparaco, 2012). Many P/DSOs leave their jobs because of shifting roles, technical changes, resistance to change, lack of policy level authority, and no roles in decision making (Rosser et. al, 2007). Davis (2011) found that 75.7 percent of 300 advisors reported "their duties went beyond foreign student advising" (p. 84). Other responsibilities of those full-time P/DSOs were related to student affairs, admissions, recruitment, study abroad, English as a second language teaching, or administration (Davis, 2011).

The DHS's responsibility for SEVIS has shifted from a bureau focused on providing immigration benefits to a bureau responsible for immigration enforcement. According to Harty

(2005) “Immediately after September 11, the State Department reacted to create the most formidable shield it could against external security threats and nowhere was the department more vigilant than about visas” (p. 25).

To be approved for admitting international students, schools must file an I-17 form (Application of School Approval) and each school must prove that it (a) is a legitimate educational institution, (b) provides instruction suitable to the needs of international students, and (c) can and will act responsibly following immigration regulations in admitting international students and maintaining records and submitting reports to DHS (Smith & Althen, 1989). Johnson (2001) stated that, “by nature, laws and regulations are ambiguous and leave room for interpretation. Immigration laws are notably complicated and contain statutory/regulatory language that is often ambiguous and unclear. International student advisers are counseled to use their discretion to interpret areas of practice that might be deemed gray areas of the law” (pg. 11).

Politicians seeking to accomplish a myriad of objectives write immigration law. DHS depends on the National Association of Foreign Student Advisers (NAFSA), a non-profit professional organization for professionals in all areas of international education. There is also a responsibility to disseminate information and report back to the agency any problems that are being experienced in the regulated community.

To enter the United States in a student or exchange visitor category, students and scholars must apply for and establish to the satisfaction of the visa consular in their home country that they have the qualifications to become an exchange student. The qualities include the scholastic preparation necessary to begin a course of study, sufficient English language skills, and adequate financial resources from an identified source. Students must be accepted for a full course of

study or research by SEVP-certified educational institution and have ties to a residence in a foreign country which they have no intention of abandoning (U.S. Department of State, 2018). A visa does not guarantee entry into the United States; DHS has the authority to deny F-1 and J-1 visa holders at the port of entry. Also, DHS determines the period for which the student is authorized to remain in the United States.

Careful review of the policies and procedures governing international students is crucial. As shown above, the government needs a tracking system to follow international students from their initial visa application interview in their home country, to their arrival in the United States, and as they proceed through their academic endeavors at American colleges and universities. Suddenly, P/DSOs became an integral part of the DHS data collection infrastructure. Advisors went from relative obscurity to being point person in college efforts to keep their doors open for talent around the world. P/DSOs have played an important role in positioning international education as essential to our national security and have become a key resource to policymakers seeking to remedy requirements that unnecessarily or inadvertently limit the flow of students and scholars.

The Internationalization of U.S. Higher Education

Jibeen and Khan (2015) notes that internationalization also facilitates the desired characteristics of students who will eventually enter a global economy. Among these traits are open-mindedness, second language competence, adaptability, respect, and tolerance for others, along with a sense of responsibility that involves civil engagement. Raby (2007) explains that the purpose of international education is to “accelerate knowledge about and encourage cross-cultural communication to enhance culture, ethnic, class and gender relationships among divergent groups” (p. 6). One key aspect of internationalization in education is “international

students and resources” for them (Green, 2007). That includes the number of international students on campus, how students were recruited and campus services to support them.

The diversity inherent in a global approach to education brings to campus many benefits that are important for both academic and post-graduate success. Diverse higher education helps students to become multicultural citizens and leaders in a multicultural democracy. Hurtado et al. (1999) argued that a climate that supports diversity could help students better understand racial perspectives and foster important learning outcomes: “In many ways, racial/ethnic diversity is linked with institutional goals for learning and teaching” (p. 7). Chang (2000) reports a similar finding: campus diversity gives students significant positive experiences, which can be important for discussing sensitive issues, like racial inequality.

International Students at Community Colleges

International students first began attending community colleges during the 1960s and, by the 1980s, these colleges had begun to actively recruit international students (Bevis & Lucas, 2007). Anayah and Kuk (2015) noted that the number of international students at community colleges apidly increased from 2004 to 2011, rising from almost 82,000 to 90,000. From 2012 to 2013, researchers found that the number of international students studying at community colleges increased by 7%, with nearly 30% of students from China, 12% from India, and 9% from South Korea (Martirosyan et al., 2015). Anayah and Kuk (2015) explain that “international students look to American community colleges as a steppingstone to achieving an education that might otherwise be beyond their reach” (p. 1099). Reasons cited for the enrollment growth by college administrators include a call for greater diversity, a need for additional financial resources, and a push to globalize education (Anayah and Kuk, 2015).

Diversity. Many studies focus on the need for diversity on college campuses, and, for community colleges especially, as it not only introduces multicultural perspectives in the classroom but also helps with recruitment. One of the most important goals of higher education is to prepare students to work with individuals from diverse cultures (Zhao et al., 2016; Mori, 2000). “Diversity on college campus is not a gratuitous or idealistic goal; it is essential in order for college students to learn how to live and work effectively with others who differ from themselves” (Zhao et al., 2016, p. 209). International students choose to attend community college because these colleges have highly diverse student bodies (Slantcheva-Durst & Knaggs, 2017; Anayah & Kuk, 2015; Bohman, 2009). Anayah and Kuk (2015), who examined how California community colleges have encouraged international students to enroll, report that a significant reason for international students enrolling was campus diversity. International students are also important for creating diversity on campus (NAFSA: Association of International Educators, 2018; Slantcheva-Durst & Knaggs, 2017; Lee & Rice, 2007; Zhao et al., 2005).

Financial Benefits. Research indicates that revenue from tuition and fees generated by international students is also a significant recruiting factor (Slantcheva-Durst & Knaggs, 2017; NAFSA: Association of International Educators, 2018; Zhao et al., 2005). The Institute of International Education (2003) noted that the majority of international students pay full tuition, and according to Lee and Rice (2007), they add about \$12 billion annually to the U.S. economy. More recently, NAFSA: Association of International Education reported that from 2014 to 2015 international students added \$30.5 billion and 373,381 jobs to the U.S. economy (2015). Additionally, Anayah and Kuk (2015) reported that “international students help the local economy’s labor needs because they offer a range of different skill(s)” (p. 1100). Citing Evelyn

(2005), they noted the full-time status of many international students as beneficial for community colleges and add that many of these students also receive money from their family (Anayah & Kuk, 2015): “International students generate a high level of income for community colleges, and in most states, the colleges are able to keep this revenue” (p. 1100). Community colleges receive \$2 billion of the \$13 billion that international students spend on tuition and living expenses each year (Anayah & Kuk, 2015), noting as examples the \$3.8 million received by Los Angeles Community College each year from its 950 international students and the \$3.75 million that Bunker Hill Community College in Boston receives from its 500 international students. This money helps community colleges to fill critical funding gaps, noting that the majority of community college students attend part-time and are employed, which, along with an employed spouse or partner, decreases aid eligibility (Goldrick-Rab, 2010).

Global Curriculum. According to Green (2007), community colleges must focus on globalizing learning both inside and outside of class. Community college faculty must be both knowledgeable and have the desire to internationalize the curriculum. Moreover, faculty who are immigrants or have spent time outside of the U.S. can be engaged in internationalization because of their personal experiences. Faculty also can be motivated to internationalize when they focus on global issues (Green, 2007). At the same time, international students play an important role in globalizing campuses (Slantcheva-Durst & Knaggs, 2017; Green, 2007). Green (2007), noting that more than 50% of first-year students attend community colleges, argues that this means globalization should start with these colleges. These students might only have an opportunity to learn about different countries and cultures during their time at community college and “for those students who do transfer to four-year institutions, the two-year institution may still furnish the majority of students’ global learning” (Green, 2007, p. 16).

Gateway to America. Community colleges have evolved from their original design as preparatory schools for four-year institutions to a gateway to American culture and life for immigrants. Immigrants are attracted to community colleges not only for personal goals but also for opportunities to learn about American civic life and culture in a welcoming environment (Conway & Dawson, 2016; Wisell & Champanier, 2010; and Teranishi et al., 2011). “They provide access to the education, skills training, and English language proficiency that is crucial for immigrants to successfully integrate into and contribute to their communities and the country” (Wisell & Champanier, 2010, p. 1). Community colleges appeal to international students because community colleges have flexible programs and are considered less stressful (Bohman, 2009; Anayah & Kuk, 2015; Slantcheva-Durst & Knaggs, 2017). Wisell and Champanier (2010) noted, however, that many community colleges are unprepared for the rising number of immigrants who want their services. One exception, they report, is Westchester Community College in New York, where in 2010 administrators oversaw the construction of a 70,000-square-foot center for immigrants and international students (Wisell & Champanier, 2010). The center was designed to promote intercultural understanding while encouraging immigrants’ and international students’ success. “By providing education that meets immigrants’ needs, community colleges can have a tremendous impact for decades to come” (Wisell & Champanier, 2010, p. 3). Teranishi et al. (2011) also noted numerous examples of immigrants using community college services in their 2011 study, such as Triton College in Illinois offering workshops for citizenship and parenting, cultural events, math and language classes, and academic counseling in a “culturally friendly atmosphere” (p. 159). Workforce development is another key aspect of community college outreach, especially to immigrants (Wisell & Champanier, 2010; Conway & Dawson, 2016).

English Education. Research studies noted that learning English is an important goal for both immigrant and international college students (Blumenthal, 2002; Curry, 2004; Teranishi et al., 2011; Anayah & Kuk, 2015; Slantcheva-Durst & Knaggs, 2017). Teranishi et al. (2011) explain that many international students, even high school graduates, must overcome lower English language skills and familiarize themselves with U.S. educational norms. Anayah and Kuk (2015), who interviewed 29 international students at California community colleges, found that improving English skills was one of the reasons students chose to study in the U.S. SlantchevaDurst and Knaggs (2017) noted similar motivations among students that they interviewed, with one student reporting: “I studied English at home for many years, but English here is so different, I am learning it again” (p. 86). Community colleges play a significant role by providing ESL programs, with refugees and immigrants making up the majority of students in these classes. While some begin at community college and plan to transfer to a four-year institution, others leave school for work once they improve their English (Teranishi et al., 2011). Wisell and Champanier (2010) reported that many immigrants and their children attend community college to learn English and complete skills training in order to more fully assimilate into U.S. society. Curry (2004) describes English language courses as desirable preparation for later academic programs. “Depending on a community college's organizational structure, English courses may be offered in adult or continuing education divisions, in vocational programs, or in academic departments” (Curry, 2004, p. 54). According to Teranishi et al. (2011), community colleges can offer learning that occurs outside the classroom with specialized occupational or academic curricula. They also noted that noncredit ESL students can transition into academic courses if recruitment and counseling is strong (Teranishi et al., 2011).

Affordability. The cost of college today is a significant challenge for many students, especially those from lower-income families. Douglas-Gabriel (2016) noted that from 1999--2000 to 2012—2013, the cost of tuition rose about 50%. Many students “struggle on a daily basis to come up with funds to pay for tuition, or even over-priced books” (Buttari et al., 2019, p. 1). As a result, four-year institutions are increasingly for middle- and upper-class people because only they can afford the higher cost of tuition. An abundance of research has found that the low tuition at community college plays an important role in luring international students (Curry, 2004; Lee & Rice, 2007; Bohman, 2009; Teranishi et al., 2011; King 2012; Anayah & Kuk, 2015; Jennings, 2017; and Slantcheva-Durst & Knaggs, 2017). Research by Jennings (2017) indicates that some international students who want to earn a four-year degree begin at community college to save money before transferring. On the other hand, the low tuition at community colleges is considered by some international students as a sign of poor quality.

Transfer Opportunities. Beyond the low cost, many students also consider the possibility of eventually transferring to a four-year university when enrolling in community college (Bohman, 2009; Anayah & Kuk, 2015; Slantcheva-Durst & Knaggs, 2017). In their 2015 study of 29 Japanese, Chinese and South Korean students at a community college, Anayah and Kuk (2015) found that many chose to attend community college because their grades were too low to enroll at a four-year university in their home country, and they could not gain admission to an American university without a respectable SAT score. These students chose community colleges with an eye toward eventual transfer (Anayah & Kuk, 2015). Jennings (2017) reports that, in fact, many community colleges have established agreements with four-year universities to facilitate student transfer. For example, community colleges in Washington State have agreements with more than 24 institutions to which students can transfer (Jennings, 2017).

Slantcheva-Durst and Knaggs (2017) and Jennings (2017) similarly report that many international students at community colleges enroll in order to eventually transfer.

Support for International Students. Many studies report that advisers play a significant role in supporting international students at community college (Bahr, 2008; Packard & Jeffers, 2013; and Zhang, 2016). In his study of students at more than 100 community colleges in California, Bahr found that advisors helped to raise the chances of student success in math courses and improved the possibility of transferring to a four-year university (2008). Notably, both Packard and Jeffers (2013) and Zhang (2016) found that many international students at community colleges lacked key academic information, such as information about their career options and transferable credits, which are is needed to succeed at these schools or eventually transfer.

Research indicates that one area of relative success in supporting international students is academic advising and advising on issues of awareness of and integration into community college culture and U.S. culture (Mamiseishvili, 2012; Zhang, 2015; Zhang, 2016). According to Mamiseishvili (2012), academic advisors are key to the persistence of international students from the first to the second year, and they have a positive effect on both social and academic systems. Mamiseishvili's study included 240 international students who had recently enrolled in U.S. schools, half at community colleges, and the other half at four-year universities. "Frequent meetings with academic advisors and interactions with faculty were associated with higher likelihood of persistence for international students" (Mamiseishvili, 2012, p. 24). During the first year of enrollment, however, approximately 40% of these students never met with their advisors. Zhang (2015) conducted two important and complementary studies that help to illustrate the advising process of international students at community college. Zhang explored how academic advisers interacted with international students at a community college in Texas by interviewing

20 advisors about topics such as cultural awareness and differences. Zhang categorized the results in four ways: challenges, awareness, attitudes, and strategies. He found that, although advisers said they welcomed students from diverse cultural backgrounds and have learned how to address communication challenges, they would benefit from more guidance on both intercultural communication and cross-cultural understanding. A year later, Zhang (2016) reviewed the academic advising experiences of 11 international students at a community college in North Texas. The study found that international students received academic and personal advice from their advisors. For example, one student reported: “the academic advisor was very nice and very patient with me. My English wasn’t good back then...I could tell she tried hard to explain to me what I need to do, what class I should choose, and ... you know, other information like how to get around on campus” (Zhang, 2016. p. 160). However, like Zhang’s earlier study, these students also acknowledged that at times, advisors lacked preparation and were not knowledgeable about their cultures, with “many participants (recalling) scenarios where they felt confused, frustrated or even offended with the advising process” (Zhang, 2016). These comments indicate that further research is needed on the advisor-international student relationship.

Identifying the International Student

International student migration occurs when students leave their country of citizenship and relocate to another for academic study. Migrating to a different country for academic study is not new; in fact, students and scholars have been engaging in this process for over 2000 years. Some writers have traced the beginning of international academic migration to sixth century B.C. and institutions in the Eastern world (Altbach, Kelly, & Lulat, 1985).

The term international student conveys what Kettle (2017) refers to as the deficit model, which defines international students in terms of what they lack. There are power imbalances within immigration and higher education settings. Kettle maintains that educators must also consider the production practices that enable international students to engage in meaningful and rewarding academic and social experiences when studying abroad. For example, Glass, Gesing, Hales, & Cong (2017) indicated that participation in campus cultural organizations is correlated with the development of social networks that include students not only from one's cultural background but also for a diverse range of cultures and nationalities. This led the authors to suggest that campus organizations play an important role in fostering intercultural friendships that enhance international students' social capital and sense of belonging on campus.

In 2017, there were over 5.3 million international students, up from 2 million in 2000 (UNESCO, 2019). More than half of these were enrolled in educational programs in six countries: The United States of America, the United Kingdom, Australia, France, Germany and the Russian Federation. Prominent sending countries of international students include China, India, Germany, Republic of Korea, Nigeria, France, Saudi Arabia and several Central Asian countries (UNESCO, 2019).

Drawing from Foucault, international students are created in the 'texts' of policy, ignoring the impact that the policy process has on how they are defined. For example, where new immigration regulations are introduced by law, institutions must make decisions about how to implement a local policy that enact these obligations (Bowe et al. 1992). In doing so, they must make judgments about meaning and intention, then translate them into their unique context. That context will include a complexity of competing attitudes, pressures, perspectives, and opinions, each of which may impact on precisely what local policy is implemented (Trowler 2003). An

example of this the USCIS Coronavirus (COVID-19) Special Relief for F-1 Students Experiencing Severe Financial Hardship. The USCIS provided relief for international students who are experiencing severe economic hardship because of unforeseen circumstances beyond their control (such as those impacted by the COVID 19 pandemic) advising that they may request employment authorization to work off-campus (if they meet certain regulatory requirements). The student's Form I-20 must include the employment page completed by the institution's P/DSO, certifying eligibility for off-campus employment due to severe economic hardship caused by unforeseen circumstances beyond the student's control. This leaves institutions to make judgments about the intention of this policy and translate them into the institutional context. Once these decisions have been made, the same variables will then impact on how policy is enacted.

Drawing from Foucault, when policy 'talks' of international students it also creates them. In the words that are used, the associations made, the unspoken implications, as well as the literal consequences, a set of understandings - truths - are formed and built upon which contribute to a broader discourse. An example of this is the process for international students to obtain a student visa. After applying to their college of choice, international students must submit a statement of financial resources or an affidavit of financial support, suggesting that these students should be subject to audit; they are "likely to become a public charge" – a clause in the immigration policy that has survived historical and legal changes to become the most used ground of ineligibility (or, restriction clause) to deny an American visa (Edwards 2001, 4).

From a political standpoint, educating the future leaders of foreign countries helps spread U.S. political values and influence, creating goodwill towards the U.S. throughout the world (NAFSA, 2003). This is especially true for developing countries; the opportunity for their

students to study abroad can strengthen the home country's development due to the specialized training these students receive (Lee, 2007). The many occupational programs offered in community colleges are especially suited to provide specialized training so vitally needed in developing countries.

Academically, international education promotes relationship building and knowledge exchange between people in the United States and around the world. The experience gathered during a cultural exchange lasts a lifetime. According to Evan M. Ryan, former Secretary of State for Educational and Cultural Affairs, schools should welcome international students to their campuses because these students enrich classrooms, campuses, and communities in ways that endure long after students return to their home countries (IIE, 2013).

International Student Compliance in Higher Education

In the recent decades of American society, the accountability of higher education has become a buzzword in public policy (Zumeta & Kinne, 2011), while the specific meaning of the term varies according to the whims of society at any given time (Zumeta, 2011). The goals and measurements need to be communicated to all stakeholders (Zumeta & Kinne, 2011). Despite challenges with clarifying the term and its implications, Zumeta (2011) proposed this generic definition for the term: "Accountability is to be responsible for one's actions to someone or multiple parties as a result of legal, political (in the best, constitutive sense), financial, personal, or simply morally based ties" (p. 133).

If accountability is to be understood as being responsible for one's actions, regulation is how governments attempt to ensure that the higher education sector is held accountable. The SEVP and specifically SEVIS were not created in a vacuum. Federal regulations and institutional policies are usually changed or developed in response to "shifting demographic, social,

economic, and political trends" (Heck, 2004, p. 4). SEVIS provides an example of a compulsory policy, where compliance is required. Failure to do so is a violation of federal law and, for institutions, can result in loss of the ability to enroll international students.

International Student Compliance Areas

The recent introduction of immigration regulations, policies, and compliance standards by the U.S. government has undoubtedly created a high level of uncertainty and concern amongst international students studying in the United States. With a potential impact on overall international education exchanges and student mobility, institutions are having to reiterate their commitment, dedication and support towards international engagement and mutual understanding on their respective campuses (Choudaha, 2016).

According to Choudaha and Hu (2016), international students often interact with institutional silos. Despite the recognized needs and intent to serve international students, a vast majority of the institutions struggle and must do more to allocate adequate resources and expertise needed to work with this diverse population.

Although the structure and organizational set up of these offices might differ from institution to institution, they all have one goal in common: to support international students in their academic, social and cultural transition during their studies (Pérez-Encinas & Ammigan, 2016). However, all too often staff in these offices are forced to devote the majority of their time to administering U.S. government regulations and maintaining compliance with visa requirements.

International students are in the F-1 nonimmigrant categories and are admitted for the duration of status (D/S). This means students can stay in the country if they are maintaining status. To remain in compliance, international students must enter the United States no more

than 30 days before their program of study begins. Once admitted into the country, they must be enrolled in a full-time course of study at a SEVP-certified school and pass all classes that count toward degree completion. Further, these students must notify P/DSO within 10 days of any address, phone number, and or e-mail change.

According to 8 CFR 214.2(f), the following are compliance areas related to international students' F-1 status maintenance: (1) Program Extension – students must complete their course of study before the completion date noted in item 5 on their I-20 or request a program extension before the current program expires; (2) Changing Schools – students must register and attend the school specified on their student visa, if students decide to change schools, they must contact their current P/DSO for the process; (3) Change of Level – students must update their I-20 if they complete their program and plan to continue at their current school; (4) Change of Major – students must notify P/DSO and request a new I-20 if they change their major; (5) Change of Funding – students must report any substantial change in funding source to the P/DSO and request a new I-20; (6) Name Change – students must report any change to their legal name and the name must match the name on their passport

In addition to the above regulations, students also have the following compliance areas as related to their program of study; (7) Full-time Registration Requirements and Exceptions – students must enroll and complete at least 12 credits every semester and only one online class may count towards the minimum credit amount each semester; (8) Unauthorized Reduced Course Load – students must not register for fewer than the required number of credits or withdraw from a course without first receiving permission from P/DSO; (9) Employment – students may work on-campus up to 20 hours per week while school is in session, and more than 20 hours per week during a vacation semester and/or between semesters, provided they continue

as a student the following semester. Off-campus employment must be authorized in advance and accordance with paragraph (f)(9)(ii) (B) or (C) of the of 8 CFR 214.2(f) regulation after having been in F-1 status for one full academic year provided that they are in good academic standing as determined by the DSO; (10) Change of Address – students must report any change of address to the DHS within 10 days, further, U.S. addresses must be a physical address and not P.O. Box; and (11) Graduation or Completion of Program – students have a 60-day grace period after the completion of their program to either depart the country, apply for a new program within the same institution, transfer to another institution or apply for the Optional Practical Training (OPT), a pathway for international students to begin their professional career in the United States. Originally a one-year training program, students with a degree in Science, Technology, Engineering, or Mathematics (STEM) are now eligible for an additional two year OPT extension while on their student visa.

Introduction to Foucault

Foucault, a 20th French philosopher, studied human behaviors, social interactions, and cultural dynamics to analyze the concepts of power, subject, and knowledge. As a poststructuralist theorist, Foucault deviated from widely accepted notions of power as a commodity and developed an apparatus of power that was purely relational in the constitution. Although he never defined or accepted a universal theory of power, his contributions to social sciences and the advancement of knowledge is monumental.

Foucault's early work was in psychiatric asylums, clinical hospitals, and medical care facilities. He later studied prisons, housing institutions, schools, factories, and psychotherapeutic practices. The catalyst for his research was human sciences and how professionals or government entities interacted with those they oversaw. Marshall (1990) notes the implications of Foucault's work for educational research, as it offers "a new framework - not for studying the past, but for assessing the present" (pp. 22,

23). This research employs Foucault's power-knowledge theory for the current immigration regulatory environment and how P/DSOs, as the subjects, make meaning of it. Foucault (1979) refers to "discursive practice" as a way of addressing or deconstructing hegemonic structures. The discursive practice is applied in this study to identify power-knowledge discourses related to federal regulatory practices, institutional policy practices, surveillance, control, education, identity, and agency.

Power can mean force or control, but it can also be capacity or capability. Foucault (1990) defines power as fluctuating and not firmly or permanently placed in one context. He states, "Power is not something that is acquired, seized, or shared, something that one holds on to or allows to slip away; power is exercised from innumerable points, in the interplay of non-egalitarian and mobile relations" (p. 94). Power is applied in personal, institutional, and political contexts. Politically, power is frequently thought of in terms of authority related to a sovereign or nation-state. Personal power includes influence, notions of potential, and entitlement. Institutional power includes a combination of authority, influence, potential, and entitlement. Applications of power can be negative or positive, used for dominance or empowerment of others. Power, as identified in this study, exists in all of these forms and within all of the subjects of this study, including the immigration officials, P/DSOs, college administrators, and international students. Gore (1998) reminds us that Foucault does not take issue with power, in and of itself, as power can be the source of great productivity (p. 248). Foucault is more concerned with society knowing its sense of power and how it uses power (Gore, 1998, p. 249).

Ball (1990) addresses Foucault's power-knowledge as "two sides of a single process" (p. 5), the process of establishing a relationship of time and space. This relationship involves considering "new notions of time...and reconstructing events to take account of subjugated and neglected knowledge" (p. 23). Weems (2004) agrees with both Gore and Ball regarding power-knowledge. Weems states, "Power-knowledge refers to the idea that all power references a particular domain of knowledge and that all

knowledge entails configurations of power... power-knowledge is Foucault's insistence on the productive elements of power" (p. 228). This research utilizes discourses of power-knowledge mentioned previously in addressing the domains of immigration regulations, institutional policy, and P/DSOs. Each discourse of power or knowledge exists in various forms according to different contexts, but they operate following each other. There is a relationship in the link of each knowledge-power discourse; the types of knowledge inform the expression of power and vice versa. This research identifies power-knowledge discourses concerning the United States immigration policies, SEVP-certified urban community colleges, and P/DSOs.

While power-knowledge is the common thread providing the theoretical framework for this study, the Panopticon gives the framework a physical structure - or at least an image in which the study is to be placed.

The panopticon consists of a large courtyard, with a tower in the center surrounded by a series of buildings divided into levels and cells. In each cell, there are two windows: one brings in light and the other faces the tower, where large observatory windows allow for the surveillance of the cells. The cells become "small theatres", in which each actor is alone, perfectly individualized and constantly visible. (Foucault, 1995, p. 200).

In this structure, power is not centered on an individual, who would exercise it in an absolute manner over another. This machine exercises power over everyone, including those who would exercise power and those who are subjected to power (Foucault, 2000). While for Bentham, the panopticon was intended to be utilitarian and non-judgmental (Rabinow, 2010), for Foucault, it represented an instrument of invisible power by surveillance.

The discourse of surveillance is key to interpretive work for other discourses and is easily understood in light of a panoptical view. This research applies the metaphorical structure of the Panopticon to immigration policies, which might be viewed as permeating from the center tower: the eye of power. In recording how information is passed within the administrative structure, Foucault states, "This surveillance is based on a system of permanent registration: reports from the syndics (in this case P/DSOs) to the intendants (in this case, the community college administration), from the intendants to the magistrates or mayor (in this case, the Department of Homeland Security)" (Foucault, 1977, p. 196).

In applying the Panopticon, concentric circles of immigration policies become the eye of power in which federal immigration officials and P/DSOs reside. An additional circle situates faculty, departmental and disciplinary administrations within the Panopticon. Finally, there is a peripheral circle, which is where international students can be found and observed. The outer ring is representative of the potential marginalization of international students who are kept at the periphery; kept in view but not fully engaged.

Building on Bentham's (1843) work, Foucault (1977) asserted that all hierarchical structures are essentially Panopticons: prisons, hospitals, supervisions of workers and schools; tools of institutional discipline, and control. Ball (1990) refers to the Panopticon as a means of management in modern education (p. 153). Foucault's "technology of power" (p. 156), says Ball, establishes a set "of procedures that casts others, subordinates, as objects of that discourse and the recipients of those procedures, whether they wish to be or not" (p. 157). Hoskins (1990) refers to the Panopticon as "the 'all-seeing eye' of surveillance which is also a judgment, which does not even have to be looking to make one feel watched" (p. 31).

The notion of disciplinary power is critical to using surveillance in a Foucauldian sense. Disciplinary power restrains externally by invisibly observing the subject, while imparting self-control and regulation which comes, presumably, from the awareness of being watched. Weems (1998) identifies Foucault's "notion of 'panopticism' - a new technology of the exercise of power that works like an apparatus of self-regulated surveillance" (p. 228). In other words, those who are under invisible surveillance monitor themselves, reducing the need for control.

Ball (1990) states, "Our concern here is the role of education, and its inter-relationship with politics, economics, and history in the formation and constitution of human beings as subjects" (p. 2). The primary concern is the role of P/DSOs and the interrelationships with immigration policies.

Critique of Foucault

Modernists have critiqued Foucault and post-structuralists on several accounts. First, post-structuralists are viewed as "cherry-picking" the rich data sets that they study to develop superficial concepts, which do not integrate with their assumptions. An example given of this type is Foucault's concept of 'panopticon' or 'disciplinary society'. This critique asserts that these are aspects of a general epistemology, which should be viewed as a whole (Scheurich & McKenzie, 2005). Another critique of post-structuralism is the relativism inherent in post-structuralism undermines emancipatory struggles (Lather, 1993). A third critique is that in Foucault's studies of prisons, the clinic and sexuality, and the truth regimes of social life are viewed as oppressive. Yet, no proposal of meaningful reform, resistance, opposition, or emancipation is considered (Grosz, 1994; Hartsock, 1998).

In response, one might arguably state that by negating the dominance of power over knowledge, postmodernism unravels the threads of their historical relations. In so doing, it also unravels the illusion of dominance as comprehensive or total. These critiques of Foucault and post-structuralism also fail to recognize that terms like "emancipation" or "resistance" are humanistic. Due to his anti-subject centered,

anti-humanistic epistemology, Foucault is not inclined to offer such alternatives (Scheurich & McKenzie, 2005). But critics do agree that one cannot make sense of post-structuralism without knowledge of the relevant intellectual currents which have preceded it (Norris, 1989).

Post-structuralism has also been criticized for its overwhelming focus on power. Since the stated aim of post-structuralism is to provoke the development of many vocabularies that are not subordinated to each other, it has been argued that the monopolizing effect of the sociological category of power contradicts this stated aim (Romer, 2011). Habermas, a major critic of Foucault and post-structuralist, has argued that undermining enlightenment concepts undermines the democratic principles developed through the enlightenment project. From this perspective, he views post-structuralism as inherently conservative (Bernstein, 2008). Post-structuralists have retorted that Habermas' defense of Kantian transcendentalism aligns him with the Enlightenment tradition of the monologic, oppressive reason (Norris, 1989). That is to say, Habermas has sought a means of reinstating the belief in transcendental arguments, truth claims, and critique of consensual values at a time when the enlightenment project has been shown as a historical dead-end.

Marshall (1990) notes that Foucault cannot be "classified neatly into recognizable categories" (p. 11). This concept is encouraging in applying a unique interpretation of Foucault's work to help explain the research in this study. Foucault's work has been widely applied in studies, even though it is perceived as being complex and considered somewhat problematic (Baker & Heyning, 2004, p. 3; Marshall, 1990, p. 14), in that Foucault seems at times to contradict himself, uses methodologies which are not consistently acknowledged and makes historical applications void of explanation (Megill 1979). Yet, Marshall (1990), who quotes Waltzer (1986), notes Foucault's work is "right enough to be disturbing" in terms of "what he says on the philosophy of the subject and the form in which power has come to be exercised in modern states" (p. 14). Foucault's theory of power-knowledge discourses matches the sense of understanding of

immigration policies as it relates to SEVP-certified urban community colleges in this study. This study deals with the various discourses of power-knowledge within selected SEVP-certified urban community colleges and the political domains concerning P/DSOs and federal regulations about international students.

Foucauldian Research in Education

Foucauldian theories to educational research have emerged in the past twenty-five years, largely since the English translation of *Discipline and Punish: The Birth of the Prison* in 1977. To date, three edited works have contributed substantially to the body of literature regarding Foucault and education-related conversations: *Foucault and Education: Disciplines and Knowledge*, (1990), *Foucault's Challenge: Discourse, Knowledge, and Power in Education*, (1999), and *Dangerous Coagulations? The Uses of Foucault in the Study of Education* (2004).

Further, a 5-year review of dissertations in the ProQuest Dissertation and Thesis database shows that scholars have previously used a Foucauldian approach to examine relations of power in pedagogical practices (Susser, 2016), the school-to-prison pipeline (Perry, 2017), and the analysis of K-12 instructional technology discourse (Clemens, 2016). His work has further been used for implementations of the common core writing standards (Romeo, 2016), portrayals of the unauthorized immigrant (Moore, 2018), and neoliberal construction of immigration as a crisis (Pujol, 2015). This researcher leans heavily on the comprehensive work of these volumes in addition to Michel Foucault's work.

Overview of Alternative Qualitative Research Methodologies

In qualitative research, there are multiple interpretations of these methods largely determined by the subject matter and the theoretical position of the researcher. What follows is, by necessity, a broad generalization of other qualitative methodologies, the type of research

outcomes they produce, and why the researcher for this study chose FDA as a methodological approach.

Ethnography

Ethnography (originally developed in anthropological and sociological research) aims to understand what is taking place in a specific group or social context, and how this may relate to broader social contexts. For the most part, ethnographers investigate the complex relationships between individuals and communities by directly observing linguistic and cultural practices. To understand cultural phenomena, the researcher should be embedded among their subjects for a reasonable length of time to gain a full understanding of what is occurring. From this position the researcher can listen, observe, ask questions, participate, and incorporate this experience with their notes and interviews to gain a personal view of the cultural phenomenon. As such, the personal view of the researcher is incorporated into the findings (Gold, 1997; Madison, 2011). For example, Brown and Holloway (2008) conducted an ethnographic study of 150 international postgraduate students at an English university, to understand what they term the ‘insider perspective’ of the student adjustment experience. Ethnography offered the authors the opportunity to interview and observe the students over a long period. It also allowed the researcher to be embedded in the experience, participating in interviews throughout the year, and witnessing students not only in the classroom but in other social settings. The study aimed to follow the students across the whole year, and as the researchers note, they wanted to see the intense emotional experiences the students would have adjusting to the new environment. The study revealed insights into the journey international students take and developed a model to help illuminate the psychological and sociocultural adjustment stages of international students’ experience. Like Brown and Holloway (2008) the researcher in this study could have adopted

ethnographic methods to investigate the research question. For example, the researcher is embedded in the international education arena and observes colleagues in multiple social situations. She could also have selected questions to interview the P/DSOs that target their understanding of their experience. Ethnography could certainly enable the researcher to gain an understanding of the experience of power as experienced by P/DSOs, but FDA enables the researcher to go beyond this to see the operation of power in a larger social system. FDA specifically asks questions of the way power operates beyond the experience of individuals in a way ethnography does not by focusing on discourse. FDA is a more directly relevant toolkit for understanding how language reveals the operation of power.

Additionally, ethnography places primacy on the person as a subject of the research, as opposed to going beyond the subject to investigate how the discourse/discursive practices shape situations and practices. To examine discourse and the operation of power in a manner that could keep participants safe in their work environment, it will be necessary for the researcher to separate the individual as the subject from the research and focus on the discourse to reveal power structures and struggles.

Grounded Theory

Grounded Theory originated in the sociological work of Glaser and Strauss during the 1960s and has since grown and morphed into several different theoretical strands; Glaser and Strauss both now hold differing interpretations. Despite the internal debates on which is the most appropriate version of Grounded Theory, all versions share a common aim: the process of identification and integration of categories of description and the analysis of the connections between these (Charmaz, 2000). The result is the creation of a theory to explain phenomena. It is an iterative process involving data acquisition, usually in the form of interviews, and intensive

data coding of the transcribed texts and other records, followed by constant comparative analysis.

Traditional Grounded Theory aims to reduce the researcher's preconceptions through the constant coding of data, leading to the generation of themes and a hierarchy of abstraction to generate a theory, ideally done alongside other researchers (Kempster & Parry, 2011). The aim is to make the researcher neutral from the data and allow for the data to generate a new theory (from the coding process) devoid of author bias (Glaser and Strauss, 1967).

The traditional grounded theory believes there is a true reality to be revealed (Mills, Bonner, & Francis, 2006). Charmaz's relatively recent revision, Constructionist Grounded Theory, allows for the position of the researcher to be accounted for and explained as it relates to the project's findings, in part addressing the issue of reflexivity by incorporating it into the findings (Charmaz, 2000; Charmaz, 2006). It also recommends studying a context (Charmaz, 2006). Constructivist Grounded Theory, unlike Traditional Grounded Theory, sees that reality is relative and truth, (or what we think we know), is subjective (Mills, Bonner, & Francis, 2006). All knowledge is acknowledged as in some way biased, and the researcher's position will always bring a perspective to the questions asked and the subsequent findings.

The current position and background of the researcher in this study place her in a potentially biased position. She is a participant in the discourses at work. By using Constructivist Grounded Theory, she can elaborate on this personal connection with the subjects and subject matter, and at the same time develop a theory that would make sense of what is occurring from these interactions.

There are, however, a few issues that make Grounded Theory problematic. Again, the researcher in this study specifically wishes to examine the effect of and operation power in a

specific context. As such, she will not, as a Grounded Theorist would, seek to generate new theory, rather she is using an existing theory on a specific form of data (discourse) to examine a particular social situation.

FDA considers discourse to contain evidence of processes of power and focuses on examining how these discourses facilitate what can be said, by whom, where, and when. The questions and theory already exist and do not emerge from a constant iterative process of coding, but rather from a constant searching of discourse for the operation of power in what is said or not said in a context. FDA provides a discourse-analytic methodology with an inherent theoretical opposition to the very idea that language can be treated as a neutral information source from which generalizable theories can be developed in an objective/semi-objective way.

FDA does not see language as neutral, but rather a place where the operation of power and resistance can be witnessed and examined. For example, Ellis and Chen (2013), conducted a study of 11 undocumented immigrant college students using Constructivist Grounded Theory. The authors used transcribed interviews as their main source of data along with the notes developed by the researchers during the data collection and analysis stages. Themes were iteratively identified, then refined until the authors were satisfied that data saturation (where no new themes emerged from the data) was achieved, before proceeding to generate a theory from the final themes. In common with this research, Ellis, and Chen (2013) acknowledged and recognized that there were political and social issues that were inherent in the lived experiences of the undocumented individuals, living in a social situation that was affected by power relationships.

Ellis and Chen's (2013) study considered a wide range of issues concluding that the students had complex emotional states and lived experiences which contributed to their

understanding of their own identity. Their social situation in many ways shaped their actions and perceptions of potential actions and was an ongoing psychological negotiation between the students and their situations. The benefit of this type of study lies in its ability to inform psychologists, community workers, and government employees on how to help people in these situations and as such is extremely helpful. While there are similarities to this study, there are also important differences. The most significant is that while this study can generate a theory about individuals and what they experience, there is little or no questioning of the discourse regarding what can be said, by whom, where, and when to examine the way power operates in the wider social system. Rather, the focus is on the individuals in a situation, not on the system. The FDA analyst is more interested in examining discourse to reveal the systemic use of power that forms social norms and the knowledge that people use to control people's understandings, meanings, and actions.

Hermeneutic Phenomenology

Researchers adopting a phenomenological perspective seek to provide an understanding of peoples' lived experiences, as experienced by them (Laverty, 2008). Hermeneutic studies also often involve the gathering and review of interview data along with supporting contextual data.

Hermeneutic phenomenology seeks to gain a better understanding of everyday experiences, specifically their nature or meaning (van Manen, 1990). Further, it reflects an experience that has already passed or has already been lived. Processing through a hermeneutic phenomenology requires the researcher to have serious interest in the phenomenon; investigate the experience as it was lived; reflect on essential themes; describe the phenomenon by writing and rewriting; maintain a strong orientation to the phenomenon; and balance the research context by comparing parts to the whole (van Manen, 1990). Researchers who choose a

phenomenological approach seek to reveal or describe the essence of the phenomenon in question (Hatch, 2002; Moustakas, 1994; van Manen, 1990). Further, hermeneutic phenomenology implies that multiple realities exist and that individual meanings given to experiences need to be studied (Hatch, 2002)

Hermeneutic Phenomenology considers that understanding is central to who we are and that this is related to one's background or 'situatedness' and through it, we determine what is real. In this way, there are some apparent similarities to Foucault and, again, there are major differences.

Foucault was critical of Phenomenology (and the same criticism can be leveled against Ethnography and Grounded Theory) because of their focus on "commentary on everyday life and in its related form of deep exegesis of what everyday practices cover-up" (Dreyfus & Rabinow, 1983, p. 27). A good example of this is an education study by Volkmann and Anderson (1998) who conducted a study of a chemistry teacher's yearlong personal journal. They investigated how this teacher created a professional identity by considering how the teacher explained their feelings and experiences through metaphors about the dilemmas they faced. Combined with an extensive literature review and textual analysis, they concluded that the teacher had struggled with three major dilemmas: "feeling like a student versus the expectation to act like an adult; wanting to care for students versus the expectation to be tough; feeling incompetent in the knowledge of chemistry versus the expectation to be an expert" (p. 293). These all related to the teacher's desire to adhere to an identity conception of what being a professional teacher meant to herself and what she thought others would perceive it as being; for example, the desire to make chemistry appear understandable and also fun and inspiring for students, but also maintaining the position of a subject expert while not feeling confident. This study concluded that new teachers

required more institutional and collegial support both in pre-teacher education and while beginning their career teaching.

Again, the reason the researcher has not adopted this phenomenological toolkit concerns its propriety for studying the research question, focusing as it does not just on individuals. Volkmann and Anderson (1998) focused primarily on the individual as the subject, and attribute meaning-based largely upon an individual's experience to infer issues, rather than looking at the wider discourse affecting these actions or thoughts. The conclusion that there was a lack of training or support, while potentially valid, does not draw upon analysis of the wider discourse affecting this person's actions other than their description of why they did something. Foucault and FDA try to go beyond this to examine the discourse of 'individuals and systems' for meaning, rather than focus on an individual themselves. Thus, the FDA allows for a connection to the wider social structures in historical periods which create truth-making processes. For example, an FDA analysis of the same situation would have asked the questions: how this situation in teaching has come to be and what alternative ways of thinking or acting are allowed in this space.

Foucault was concerned with what made social practices normal and truth-bearing by focusing on how culture acts to affect behavior and normalize people as subjects and objects through rationalization.

Foucauldian Discourse Analysis as a Research Model

Discourse analysis is concerned with how objects, subjects, bodies, and experiences are discursively brought into being and located within regimes of truth and power (Malson, 2010). Discourse Analysis is attributed primarily to two features of post-modernity. First, a generalized loss of certainty has resulted in a radical questioning of the basis of Western knowledge and an epistemological shift. This shift

has refocused investigations away from determining the truth of a proposition to how knowledge is represented and produced. Second, the contemporary world has become increasingly ‘textualized’. The global consumption and production of human services, information, and knowledge have resulted in communication tools, including media representation, emerging as the primary instruments and loci for the exercise of power, through their creation of social meaning. Discourse analysis is a central tool in analyzing both of these trends (Lee & Peterson, 2011).

The methodological tradition of discourse analysis extends across multiple disciplines including sociology, history, literature, and psychology (Sarangi, 2010), and there are several discourse analysis approaches rooted in different scholarly communities and holding different political commitments. These approaches include conversation and discourse analytic techniques associated with ethnomethodology (Hepburn & Potter 2006), critical discourse analysis (CDA) popularized by Fairclough (2005; 2013), and the socio-cognitive approach developed by Van Dijk (2008) and others. Whereas a discourse analytic approach is primarily interested in linguistic processes within texts (Puchta & Potter, 2004), CDA is concerned with the emancipatory project of “demystifying ideologies” (Wodak & Fairclough, 2004, p. 185). CDA is also used to uncover the asymmetries of power (Chouliaraki, 2008). A Foucauldian approach to discourse analysis is distinguished by a “predisposition to look at certain questions rather than others” (Kendall and Wickham, 2004, p. 131) and the use of Foucauldian theoretical ‘frames’ for identifying, selecting, and interpreting data (Cheek, 2008). In other words, it is not a prescribed set of empirical or analytic steps but rather a set of theoretically informed: “principles of scholarship” (Cheek, 2004, p. 1142).

As an “analytic sensitivity to discourse” (Parker, 1992, p. 122), Foucauldian discourse analysis shapes the conceptualizing of a research problem and the gathering and interpreting of data. Crawshaw (2007) states, “discourse analysis is characterized by a rigorous combination of empiricism and theory” (p.

1609). There is no established technique or defined set of procedures that characterize a Foucauldian discourse analysis approach (Cheek, 2004; Chouliaraki, 2008; Powers, 2007). Although a Foucauldian approach is not systematic, the approach has spawned a growing body of qualitative research scholarship that has gained increasing prominence in many substantive areas (e.g. Cheek 2008; Diaz-Bone et al., 2008). This researcher draws from this body of theoretical and empirical work to inform both the overarching methodological framework as well as the analytic techniques for this study.

There is a great deal of scholarship that examines international students from such perspectives as internationalization of higher education; assimilation and social adjustment; skilled migration, global competition for talent and brain-drain; language acquisition and academic performance; political economy, and commercialization, as well as national security. Despite the impressive corpus of scholarly work that is admittedly indispensable to the educated debate about international students, there is a dearth of research that looks at the intersection of federal immigration laws and higher education as it relates to the role of the P/DSO at the urban community college in administering the law. Therefore, closing the literature gap would provide great value to the existing scholarship on international students.

Chapter 3 - Methodology

The purpose of this multi-case study is threefold: (a) to explore how Principal/Designated School Officials (P/DSOs) at Student and Exchange Visitor (SEVP)-certified urban community colleges make meaning of the immigration regulatory environment; b) to provide a conceptual framework for understanding and explaining the practices and interventions for community college administrators to aid in improving immigration practices at community colleges; c) to propose practices and interventions for community college administrators and advisors to address the needs of international students served by the institution.

This chapter presents the research design of the study. The key components of the chapter include the research methodology, research design, ethical consideration, data analysis, methodological limitation, and trustworthiness.

Research Methodology

This study employs a qualitative research approach. Denzin and Lincoln (2011) offered a multi-faceted definition of qualitative research. They defined it as a process that locates researchers in the world as active observers that transform the world into a series of representations; researchers rely on natural settings to interpret phenomena based on “the meanings people bring to them” (p.3). Edson (1988) stated that one hallmark of a qualitative approach is that it causes the researcher to acknowledge his or her assumptions so that he or she can suspend beliefs in these familiar convictions and examine evidence in a new and productive manner. Qualitative researchers must employ an interpretative frame of reference to bring meaning to experience.

Scholars have not yet concretized a definitive methodology for Foucauldian Discourse Analysis (FDA); rather, it is the process of analysis that clearly emerges from Foucault’s

perspectives. Researchers, therefore, employ Foucault's perspectives to inform their interpretive process of analyzing the data (Fairclough, 1992). The researcher followed the two principles Peers (2012) called for in guiding sound qualitative methodology: theoretical consistency and usefulness. First, the researcher's approach is consistent with Foucault's theoretical perspectives throughout and between every step. Second, the researcher's process occurs in a clear and useful way. The process also allowed the researcher to relate to discourse in a way that encourages different ways of thinking about, and acting within, the discourse (Peers, 2012)

The researcher's approach was not complete for the current study, however, to explain fully, the researcher guides the reader through a digressive, abridged explanation of the history of, as well as a few key theorists' perspectives and applications of, Foucault's discursive analytic methods.

Andersen (2003) outlined four methods of Foucauldian analysis, based primarily on the works of Foucault himself. Archaeology focuses on the regularity and dispersion of discursive statements, highlighting the advent of a discourse, asking, "Why did this and not another statement occur in this place?" (p. 31). Archaeological analysis was Foucault's first stage, and examined formal knowledge as well as institutional and social mores and practices (Scheurich & McKenzie, 2008). Genealogy was Foucault's second process. Genealogical analysis elucidates a wider, rather than deep, assessment of historical, contextual, and relational operations of the discursive object, in this case eroticism. Researchers focus genealogical analysis on continuity, discontinuity, and power relationships, examining how institutional practices shape and transform discursive formations and strategies (Anderson, 2003; Scheurich & McKenzie, 2008).

Fairclough (1992) challenged the static nature of archaeological and genealogical analyses:

The questionable assumption is that one can extrapolate from structure to practice, that one can arrive at conclusions about practice without directly analyzing real instances of it, including texts. This would seem to imply, for instance, that practice is considerably more uniform than we have reason to believe; that the extent to which and ways in which practice is determined by structures are less variable than they would appear to be; and that the determination of which rules or sets of rules are drawn upon in practice is more straightforward than it actually is. (p. 58).

Dreyfus and Rabinow (1982) critically discussed the development and trajectory of Foucault's works and practices. Dreyfus and Rabinow cited Foucault's personal acknowledgement that, despite his efforts against such, archaeological analysis shared certain assumptions with structuralism, in archaeology's presentation of discourse as a rule-governed, causal system in which the presentation of social institutions' influence was in a way from which Foucault tried to stay away. Recognizing this dilemma, Foucault moved away from that position into Nietzsche's genealogical method, "as a starting point for developing a method that would allow him to thematize the relationship between truth, theory, and values and the social institutions and practices in which they emerge...to pay increased attention to power and the body in their relation to the human sciences" (Dreyfus & Rabinow, 1982, p. xxv).

This position served as the foundation for writing *The History of Sexuality* (Foucault, 1977), and leads into the influence of the present study. Including only archaeology would be unnecessarily and inappropriately reductionistic; focusing only on genealogy ignores the subject. Andersen (2003) further noted the impossibility of separating archaeological from genealogical analyses; the two go hand in hand.

The Rationale for the Research Method

Unlike hermeneutics or the other approaches discussed in Chapter 2, FDA research is important not just for what it tells us about something, but in that it can open up discussion and critique about the rules that shape or govern a situation (Foucault 1972). In FDA it is not only about what the discourse means but what the discourse does and could what it does be done differently (Foucault 1972).

FDA is considered an appropriate methodology for this research due to its macro-level approach focusing on the way discourses construct objects and subjects, creating a certain version of reality while maintaining certain practices and institutions (Willig, 2008). This research seeks (a) to explore how Principal/Designated School Officials (P/DSOs) at Student and Exchange Visitor (SEVP)-certified urban community colleges make meaning of the immigration regulatory environment; b) to provide a conceptual framework for understanding and explaining the practices and interventions for community college administrators to aid in improving immigration practices at community colleges; c) to propose practices and interventions for community college administrators and advisors to address the needs of international students served by the institution. FDA entails historical inquiry and makes explicit the history of the object (Arribas-Ayllon & Walkerdine, 2011) and is, therefore, an appropriate methodology to seek to understand the historical and social conditions which support certain discourses at particular points in time.

Discourses are viewed as being tied to social structures and practices, masking power operating within society, and having a profound effect on how people live their lives (Burr, 2003). FDA's emphasis on power and resistance is of importance when considering the role of P/DSOs and the discourses they encounter and whether they take up or resist these. Foucault's

work has drawn attention to how language is organized around different systems of meaning which offer positions of power to certain groups of people while disempowering other groups (Parker et al.,1995). Foucault's work around madness, civilization, power, and the practices of surveillance and regulation is particularly pertinent to this research and allows the critical reflection of the immigration regulations and monitoring of international students, mechanisms of urban community college compliance, and the role of P/DSOs in maintaining compliance.

Research Design

The design elements of this study included document analysis, and in-depth interviews. Federal documents pertaining to congressional committee meetings, regulatory documents, and legislative texts), NAFSA documents (opinion pieces, advocacy position statements and recommendations, research), newspaper and journal articles, and documents and materials from the community colleges being researched in the study relating to international student policies and procedures (including institutional websites) were collected for analysis. (Data table 1 showing the documents collected for this study can be found in Appendix B).

Interviews conducted with Principal Designated School Officials (P/DSOs) at all four institutions will be described in chapter four. Data were collected from October 2020 through February 2021, with occasional follow-up conversations with some interview participants occurring through May 2021. While some analysis was concurrent with data collection, focused analysis continued through February 2022. Additional insights have emerged during the writing of multiple drafts.

Certain design considerations were fundamentally important for the integrity of the study and the methods used. First, due to the vulnerability of the P/DSOs, anonymity was essential in

gaining access to potential P/DSO interviewees. This anonymity also helped in establishing trust early into the interview process.

Each interviewee had a unique perspective to contribute. The viewpoints of all participants were needed to present the stories for this study in a credible way (Glesne and Peshkin, 1992; Glesne, 1999; Heck, 2004). The researcher did not intend to interview federal immigration officials or international students. However, she now understands that limiting the interview participants to P/DSOs have left voids at both the federal and international student levels. The interviews with all three groups of interviewees would have added to the richness of the P/DSO stories.

Prior to any data collection involving human subjects, the study was approved by the Institutional Research Board (IRB) of Kansas State University overseeing the research project. Approval from IRB was not required for interviewing the P/DSOs at all four institutions. Individual interviews with P/DSOs were conducted virtually via Zoom due to the current COVID-19 pandemic.

Each interviewee was asked to sign an IRB consent form (Appendices A). All of the interviews were recorded. The transcripts were made available to the interviewees for review, correction, clarification and/or additional input. The interviewees were initially asked to give approximately 45 minutes of their time to the interview process. The average length of an interview, however, was one hour. These in-depth interviews were at the convenience and initiative of the interviewees.

Multi-case Study

A multi-case study approach was selected for this research. The genre of the case study was selected because of the flexibility to include many different perspectives, a variety of data collection methods, and multiple strategies for analysis (Stake, 1995; Yin, 2014). The use of multiple cases provides robustness to the research (Yin, 2014) and informs the development of a useful result. The perception among the participants may not be the same and the use of multiple cases will help to recognize multiple realities (Stake, 1995).

Foucauldian Research Approach

Scholars have not yet concretized a definitive methodology for Foucauldian Discourse Analysis (FDA); rather, it is the process of analysis that clearly emerges from Foucault's perspectives. Researchers, therefore, employ Foucault's perspectives to inform their interpretive process of analyzing the data (Fairclough, 1992).

Archaeological analysis was Foucault's first stage and examined formal knowledge as well as institutional and social mores and practices (Scheurich & McKenzie, 2008). Genealogy was Foucault's second process. Genealogical analysis elucidates a wider, rather than deep, assessment of historical, contextual, and relational operations of the discursive object, in this case, immigration policy. Researchers focus genealogical analysis on continuity, discontinuity, and power relationships, examining how institutional practices shape and transform discursive formations and strategies (Anderson, 2003; Scheurich & McKenzie, 2008).

Genealogy cannot be separated from archaeology and addresses the power relations that shaped the archaeology. Foucault's third analysis stage involved practices or care of the self, which examines "the modes according to which individuals are given to recognize themselves

as...subjects” or “the games of truth in the relationship of self with self and the forming of oneself as a subject” (Foucault, as cited in Scheurich & McKenzie, 2008).

For this study, the literature review served as an outline of the archaeological and genealogical analysis of the discourse of how P/DSOs make meaning of the international student regulatory environment. The four participant responses, federal documents pertaining to congressional committee meetings, regulatory documents, and legislative texts), NAFSA documents (opinion pieces, advocacy position statements and recommendations, research), newspaper and journal articles, and documents and materials from the community colleges being researched in the study relating to international student policies and procedures (including institutional websites) served as the text for analysis of the discursive practice in consideration of Foucault’s care of the self-philosophical analysis.

This qualitative approach served the study in the best possible way because of the following reasons. First, Foucault based his perspectives and approaches on notions of imbalances of power and control. Today, the source of the federal government’s power to control international affairs generally, and immigration in particular, is accepted without question (Weissbrodt, & Myers2017). The researcher’s intent and approach therefore are in alignment with those of Foucault in designing and implementing this study. Second, the extant literature was rooted in a structuralist paradigm, which favors behavior, numbers, and operationalization. Subjective human experiences (such as that of the P/DSOs the researcher intends to study) change, grow, and interact socially and contextually, and therefore cannot be operationalized. Thus, the inherent limits of a structuralist paradigm of earlier research render such an approach insufficient and inappropriate to examine how P/DSO’s make meaning (policy-as-experienced).

Population

This study took place at four urban community college campuses, each one in a southern state, western state, eastern state, and northern state, in the United States for better representation. Urban locations were used because demographic data (Keller, 2001) indicated a continued high concentration of international students enrolling in community colleges, especially within large metropolitan and urban areas (Cohen, 1991). Further, an assumption was made that these institutions would have rich documents and perspectives to share.

Sampling

FDA researchers have not clearly delineated an ideal number of participants because of the nature of examining discursive constructions in various textual expressions (Willig, 2008). Creswell (2013) suggested collecting extensive details about a few sites or individuals. He provided observations and some recommendations of sample size ranging no more than four to five cases for a case study.

"Purposeful sampling" will be built into the research design by selecting participants from 4 urban community colleges located in the North, South, East, and Mid-western region of the United States that are "information-rich" (McMillan & Schumacher, 2006, p. 319), that is, they have been in their role for at least 2 years and knowledgeable about the international student services at their institutions. The strength of this strategy for this study is inherent in the sample populations. All the P/DSOs would have experienced the international student admission process by holding that title, making them qualified to discuss this process.

A purposeful sampling technique will be used to maximize the range of specific information that will be attained from and about the context (Creswell, 2014). The interview guide to be used (see appendix A) is in a semi-structured format. The participants' responses

from these semi-structured interviews will be developed to focus on discourse and power relations.

Site Selection

The researcher used the Open Doors list published by IIE to select urban community colleges with the largest international student populations. The urban community colleges selected will represent the Northern, Southern, Eastern, and Midwestern United States. These urban community colleges were selected both for convenience and as part of the research design. Site profiles are displayed in Table 1.

Table 1

Institutional Site profiles

COMMUNITY COLLEGE	TOTAL INSTITUTIONAL DEGREES	OVERALL STUDENTS	INTERNATIONAL STUDENTS	# PDSO's	# OF DSO's
Northern Community College	48	14,000	200	1	1
Southern Community College	84	56,000	600	1	10
Eastern Community College	54	17,000	300	1	3
Western Community College	90	18, 000	302	1	0

Participants

According to the Code of Federal Regulations Part 214 – Nonimmigrant Classes [8 C.F.R. § 214.2(f) and 8 C.F.R. § 214.3(a)(2)], all SEVP-approved schools must appoint a P/DSO who is tasked with helping direct F-1 visa holders, in navigating federal regulations as well as individual institutional policies. In her dissertation on the impact of post-September 11, 2001 immigration policies on the roles of P/DSOs, Boyd (2008) found P/DSOs to be more highly specialized in regulatory matters. Therefore, P/DSOs were recruited to participate in this study.

Recruiting P/DSOs was very simple. The researcher contacted each P/DSO by e-mail and invited them to participate in the study. All P/DSOs responded, and the researcher was able to schedule the interviews via zoom due to the COIVD-19 pandemic. Participant profiles are displayed in Table 2.

Table 2

Participant Profiles

P/DSO	TENURE	DEGREE
P/DSO N	20 YEARS	Ph.D in Higher Education
P/DSO S	3 YEARS	Ph.D in Religion
P/DSO E	26 YEARS	M.Sc in Engineering
P/DSO W	16 YEARS	M.A in International Education

Data Collection

Data collection occurred in the fall of 2020. All data gathered from participant resources were collected with explicit permission from the participants and in full compliance with the Institutional Review Board (IRB) guidelines. Following the qualitative research tradition (Denzin & Lincoln, 2005; Merriam, 2007; Stake, 1995; Yin, 2003), multiple data sources will be collected. Data used in this dissertation is organized into four sets: the primary set is made up of interview data, comprised of semi-structured interviews. This interview data was triangulated by the following: 1) participant interviews; 2) institution websites; 3) policy documents as an artifact such as institutional websites, and international student recruiting materials, served as the text for analysis of the discursive practice in consideration of Foucault's care of the self-philosophical analysis.

Semi-Structured Interviews

Merriam (1998) advised that meaning is embedded in people's experiences. For this reason, a semi-structured interview format was used with predefined overarching themes and a range of questions but with no strict script where each question must be asked, or a prescribed order followed. The goal was for the conversation to flow naturally while being guided by the researcher. Such interviews allowed the interviewee freedom to explore his/her perspectives, construct his/her role using natural language, and reflect on the policies with which he/she works. At the same time, the existence of the overarching themes and preparation by the researcher endeavored to ensure the conversation remained relevant to the subject being researched (Kvale & Brinkman 2009).

Semi-structured interviews reject the positivist notion of striving for perfect reproducibility and the concomitant attempt to isolate variables that might 'interfere' with standardization. Instead, it is acknowledged that each interview is a unique product of a wide range of different factors, and each reflects one particular reality which can then be interpreted in a multitude of different ways. That is not to say that rigor is not critical but simply that the strictures of structured interviews are not considered an appropriate mechanism for providing it (Seidman 2013).

A major challenge with qualitative interviewing (whether semi- or unstructured) is that it is relatively time-consuming to carry out, transcribe, and analyze (Kvale & Brinkman 2009: 117). Given the limited resources available for this study, a balance will have to be struck between the need to interview sufficient people to generate sufficient data, and the need to speak to each for long enough to cover the various topics in enough depth to allow for detailed analysis. Ultimately only the P/DSOs at 4 urban community colleges were interviewed.

According to USCIS (n.d.), “each campus on the Form I-17 must have one P/DSO. This person may be a P/DSO at multiple campuses. A school can have an unlimited number of DSOs per campus”.

Institutional Websites

Institutional websites were used to source documents for analysis, as they contain information about institutional policy relating to international students.

Policy Documents as Artifact

Artifact collection is a less intrusive method of collecting data and provided detail and evidence of corroboration or contradiction as compared to other collected data (Merriam, 2007), but Yin (2003) cautions that while gleaning material from artifacts, researchers must recall that these artifacts were designed for purposes other than research and, therefore, they should use these sources judiciously.

For this study, the researcher collected and analyzed documents and materials regarding the 9/11 attacks and international students (including government, media, and advocacy group documents, position statements, assessments, and recommendations); Past and present immigration laws, regulations, legislation, and policies affecting international students and who enter the U.S. under F1 visa; Documents and materials from the community colleges being researched in the study relating to international student policies and procedures.

Researcher as Instrument

The researcher approached this study with an understanding of her role as an “instrument” in the research process (Lincoln & Guba, 1985). This conceptualization recognizes the important role the researcher plays in shaping the inquiry and the findings of the study. It also emphasizes that in qualitative inquiry, a distinct line between researcher and research methods is

blurry at best. As such, it is important to acknowledge that the choice of methodological approaches and methods employed in this study are influenced by the researcher's bias.

The researcher's role was that of an outsider employing open-ended questions, probes, note-taking, analysis, and interpretation for the study. Occasionally, she engaged participants in the discussion of the issues under investigation, providing prompts, clarifying issues, and adjusting research questions and procedures when necessary to provide a focus for the study. To ensure accuracy and validity, she employed member checking, which involved sharing the transcribed responses from notes with participants and asking them to verify the accuracy of the report (Creswell, 2014).

Relative to the researcher's role as an "instrument" for this research, it is also important to note that she has over 12 years of experience working as an international education administrator at an urban community college. Her familiarity with international education as well as her understanding of immigration policies provided her with an "insider's" perspective for this inquiry. This perspective affects the research process in several ways. Her insider knowledge base helped to collect data efficiently by understanding how immigration regulations and compliance are typically situated with the administration of international education. Further, she has access to a network of community college international educators under her membership in the Michigan Association of International Educators. Thus, she called upon her network for assistance in retrieving legislative texts, NAFSA documents such as publications, manuals, and discussing her perspectives. The role of "insider" is not an unproblematic one. While her involvement in the organization is still in its infancy stage, her interest in promoting the goals of this group remains strong.

Attentive to her role as an instrument of analysis and interpretation in this study, it is important to pay careful attention to the assumptions she was bringing to the data.

The researcher cannot assert that the findings will be neutral. However, that does not suggest that they are not a valid interpretation of the social situation being examined. There are both benefits and disadvantages of being ‘close’ to the research. The researcher has attempted to clearly explain the analysis and texts to be used, and a process of discussion with her dissertation chair was undertaken to ensure that the analysis was sensible. The mixed-disciplinary team of the researcher’s dissertation committee allowed her to discuss and question the data from differing viewpoints and question what P/DSOs experience and how this discourse can reveal the various power structures apparent and not consciously apparent in the international education environment. Bearing in mind the central thesis of the FDA, this is only one view of reality as the researcher in this study saw it, and it did not attempt to invalidate any other but to offer a new perspective.

Data Analysis

In this study, the researcher explored texts related to immigration policies. These documentary texts were broadly comprised of P/DSO interviews, federal documents pertaining to congressional committee meetings, regulatory documents, and legislative texts), NAFSA documents (opinion pieces, advocacy position statements and recommendations, research), newspaper and journal articles, and documents and materials from the community colleges being researched in the study relating to international student policies and procedures (including institutional websites) and researcher as an instrument.

Heck (2004) notes the recent trend in qualitative research of focusing on the language usage (p. 217). This is consistent with the qualitative attentiveness to words in data collection, as

well as with Foucault's theoretical concept of discourse. This type of analysis "is influenced by the text's structure and the social circumstances surrounding its production" (p. 217). This was somewhat of an intuitive process, as the researcher was unsure initially what she needed to see in the language used in federal regulatory and institutional policy documents. The researcher read most of the official documents early in the study, noting what was said about the role of P/DSOs.

As the researcher conducted interviews and early themes emerged, she paid close attention to the e-mails received from NAFSA listservs, noting the language used in the messages. This process allowed her to juxtapose each unit of analysis with the appropriate element of the discourse analysis, noting the language used in each unit of measurement (i.e., each document, interview, etc.) as discussed below.

Document analysis focused on the language of each piece of documents as to how regulations and policies were stated. The language of each document was analyzed according to the stated intent of SEVIS and other visa-related regulations. Common themes were coded and examined within the context of a larger body of literature, including institutional websites, research, newspaper and journal articles, opinion pieces, advocacy position statements and recommendations, and government documents. After the interview data were coded, the researcher used the documentary data to create detailed descriptions of the cases to support, oppose, and inform the interview data. The documentary data and related literature were also used to refine the codes, supplement the findings, and assist in validity. The triangulation of several data sources increases the validity of specific findings and ensures a comprehensive perspective of the data.

The researcher transcribed the interviews verbatim then coded them thematically. Thematic categories such as advocacy, criminalization, docile bodies, fear, and surveillance

emerged from the data and were used in reading and re-reading transcripts. The thematic categories were then expanded to capture the layers of each according to the identity of the interviewee, what was being communicated, who was affected by what was said and in what ways people were affected. These themes, as well as related themes, are fully identified and expanded in chapters four.

Foucauldian Discourse Analysis

Foucauldian versions of discourse analysis go beyond the immediate context of language and ask questions about the relationships between discourses, subjectivity, practices, and the material conditions in which those experiences take place (Willig, 2008). There are a variety of frameworks suggesting how to undertake the FDA, all varying in the attention paid towards power, knowledge, archaeology, governmentality, and subjectivity (Morgan, 2010). Morgan (2010) suggests that many approaches to FDA do not pay enough attention to the issue of power. It is for this reason that the researcher has chosen to also consider the two first steps of archaeological analysis and genealogical analysis based on the work of Anderson (2003), thus bolstering the analysis.

Archaeological analysis involves examining how a particular discourse emerged, based on statements as the smallest form of discourse, and the regularity and dispersion of such statements. Genealogical analysis concerns a wide, historical, contextual examination of how the discursive object came to relate with larger social institutions, asking, “How are different discursive formations and discursive strategies shaped and transformed” (Andersen, 2003, p. 31). Scheurich and McKenzie (2008) outlined Foucault’s (1998) chronological progression through different analytical approaches, from archaeology to genealogy to care of the self:

Foucault divides his work into three ‘axes’ or arenas of analyses; he also labels these three “theoretical shifts: that he had to make to study “the games of truth.” The first is “the analysis of discursive practices [that] made it possible to trace the formation of disciplines (savoirs),” that is, archaeology. The second is “the analysis of power relations and their technologies,” that is, genealogy. And the third is “the modes according to which individuals are given to recognize themselves as ...subjects” or “the games of truth in the relationship of self with self and the forming of oneself as a subject,” that is, the care of the self-work. Then, at the end of this section, he calls these three the “archaeological dimension,” the “genealogical dimension,” and the “practices of the self,” respectively. (p.327)

In archaeological analysis, *savoir* refers to knowledge that incorporates formal knowledge, as well as popular opinions. *Savoir* encompasses social norms and rules, political climate, commercial practices, and other implicit knowledge. *Savoir* also includes more formal, institutional knowledge, such as books and theories, known as *connaissance* (Scheurich & McKenzie, 2008). For the purposes of this research, the literature review constitutes the archaeological and genealogical analysis.

In consideration of archaeology the researcher asked, “Why did this and not another statement occur in this place?” (Andersen, 2003, p. 31). Or, more specifically, she examined how international students are constructed. In consideration of genealogy, the researcher examined, based on the archaeology, the overview of immigration policies in the United States, international student regulatory access, and challenges faced by P/DSOs “to query the discourses and practices of the present by referring them back to the hegemonic conditions under which they have been established” (Andersen, 2003, p. 20). To summarize, the literature review serves

to elucidate the context of the discourse-in-practice (Holstein & Gubrium, 2008) of immigration regulatory environment. That is, the social, historical, political, societal, and institutional mores that shaped the discourse of immigration policies affecting international students, likened to the archaeology and genealogy of the object.

Policy documents, institutional websites, and data analysis, served as the third phase, or care of the self-phase (Scheurich & McKenzie, 2008), which is the discursive practice, or the social interaction, cultural meaning, and “patterns of talk and interaction that constitute everyday life” (Holstein & Gubrium, 2008, p. 183). The archaeological and genealogical phases served as a contextual situation of what, and the policy documents, institutional websites, and data analysis served as the care of the self-phase, which describes how P/DSOs make meaning of the immigration regulatory environment.

Ethical Considerations

Excerpts from regulatory and policy statements and interview transcripts are included in the presentation of findings in chapters four, as well as in chapter five, in which the researcher addresses the implications of the study. Due to sensitivity for anonymity about P/DSOs, the names of the institutions and the interviewees in the study are not given. In a few cases someone very astute could develop a general sense of what institutions are involved.

P/DSOs were provided anonymity. Interviewees were free to withdraw from the study at any time without penalty, although this did not occur in any case. Participants received no financial compensation in this study. All those participating in the study were informed that the results of the study would be made available to them per their request for that information. The researcher provided a copy of the transcript to all participants. The benefit of doing this was two-fold. First, it allowed the interviewee to correct or clarify statements the researcher may have

misunderstood, which could have resulted in misrepresenting the interviewee's perspective and compromising the data. Second, in many cases the interviewee added to data previously collected. The researcher corresponded with the interviewees by e-mail after the interviews, thanking them again for their time and for sharing their stories, insights or expertise. Most of the participants responded with an offer to follow up with additional conversations if the project could be benefited. The researcher has contacted a few of the interviewees to assist with the clarification of some points, primarily as the researcher has collapsed, reduced and expanded emerging themes.

Personal Bias

The researcher's own personal politics and bias from the position of advocate for international students supported initial intentions of a critical review of how P/DSOs make meaning of immigration regulations. It seems important to state that the researchers' intentions for this study were not to undermine or produce a rationale for eliminating immigration regulations. Clearly, doing so would not be taken seriously in the current global environment. The researcher supports efforts to assure citizens and non-citizens in the United States of national and personal security, and she is certain all interviewees for this study would concur. Yet her experiences with international students and changing immigration policies contributed to her concern for P/DSOs make meaning of the immigration regulatory environment. In addition to her knowledge of visa-related issues experienced by international students, she has accompanied many international students to Social Security offices, drivers' license offices, banks, grocery stores and various other locations and has observed a range of treatment from blatant discrimination to simple impatience on the part of Americans, based on a lack of understanding and/or an unwillingness to provide basic services in those settings. Admittedly, at the heart of

this research was her belief that international students who study in this country have the right to equal opportunity and treatment; including the right to privacy, to fair and humane treatment without humiliation, to be employed for one's own financial support if there is a need to do so, and to have and enjoy basic comforts that are available here, including affordable housing and medical care. Having made this admission, the researcher passionately subjected all analysis to rigorous critical review on a daily basis throughout the project. The researcher also periodically submitted her research to the committee chairperson as a means of tempering potential bias for the purpose of providing credible and valid data, with equally credible analysis.

Trustworthiness

Maxwell (2013) emphasized two significant quality indicators to the validity of a qualitative research study: a researcher's bias and reactivity. These quality indicators could profoundly influence the outcome of a study, leading to invalid conclusions. The researcher's bias includes a subjective activity, and it involves personal beliefs, values, and assumptions introduced in a study to influence the outcome.

Reactivity refers to a researcher's domineering influence on the setting or participants in a study due to prior engagement with the study's setting, participants, or the phenomenon. To minimize these potential threats, the researcher was mindful not to allow her experience or insider information as a P/DSO in an urban community college to influence the collection and interpretation of data for the study. Further, the researcher openly acknowledged her position while also conducting the triangulation of data, peer review of analysis, and keeping proper documentation to establish that the analysis is a valid representation of reality. The main intention of this process was to counter the ambiguity of the researcher and the fact that language

can be interpreted in many ways. However, Rogers et al. also notes that while reflexivity is crucial for the discourse analyst in educational research, it is also difficult:

Education researchers are often researchers of familiar educational settings. As members and ex-members of the school communities that we study, we bring with us (often successful) histories of participation in those institutions as students, teachers, and parents. Thus, we have embodied what Fairclough (1992) refers to as “members’ resources,” or what Gee (1999) refers to as “cultural models” around our participation in school that includes beliefs, assumptions, and values within these contexts. Thus the classic tension between distance and closeness in the research setting is often blurred in education research. (p. 382)

The researcher agrees with Rogers et al. (2005) that the tension between distance and closeness can become blurred for a researcher. The researcher cannot be completely neutral in her research.

The aim was not to try to minimize or mitigate the researcher’s presence and participation, but to be aware that it is a part of the process and to document where decisions were made that shaped the analysis. Further, it is understood that meaning is assigned to language and texts by both writers/speakers and readers/listeners; as a researcher, she stepped into a place to impose meanings onto texts written by others, bringing to bear her understandings of each text (Cheek, 2004; Malson, 2010). The resultant implication of the role of the researcher, Cheek (2004;200) argues, is the need for thorough and detailed reporting on the research process. This reporting included laying out the researcher’s theoretical stance on both discourse and discourse analysis by articulating the theoretical framework used for analysis. It is important to

provide a “decision trail” (Koch, 2006, p. 91) of the data collection and sampling process as well as a detailed description of which texts were analyzed and why (Cheek, 2004).

Member Checking

Establishing trustworthiness is an important part of a qualitative study. Accordingly, the researcher used the techniques of member checking, peer review and clarification of bias, as described by Glesne (2015), to help maintain clarity and relevance. Member checking required the researcher to present her findings and perceptions with P/DSOs interviewed to see if her analysis aligned with the words and thoughts, they shared with her. Peer review with fellow researchers allowed additional perspectives and insights that existed in researcher’s intellectual blind spots. Clarification of bias entailed researcher outlining and examining the potential bias she may have towards P/DSOs so she is aware of her latent views.

Methodological Limitations

A methodological implication of Foucauldian discourse analysis is that it requires attention to both the text and the context. Cheek (2004) argues that discourse analysis is indeed less concerned with content and is instead, more about exploring “how certain things came to be said and done, and what has enabled and/or constrained what can be spoken or written in a particular context” (p. 1147). The researcher aims to explore both the content of the policy texts, as well as how those texts were ordered, shaped, and historically and socially situated to ask, like Clarke, “Where did this text come from? What work is it intended to do in the world? How so?” (Clarke, 2005, p. 53). Another implication of discourse analysis pertains to the role of the researcher. Cheek (2004) argues that discourse analysis affects both the research and the researcher, “from the questions asked to those ignored, from whom is studied to who is ignored,

from problem formation to analysis, representation and writing” (p. 1148-9). In this study, the researcher did not view herself as an objective investigator, but rather as one who participated in the research process and participates in and produces discourses (Parker, 1992).

Summary

In this chapter the researcher has outlined the methodology and research design of this qualitative study. Data collection instrumentation included documents, and interviews with Principal Designated School Officials (P/DSOs). The interviews took place via Zoom due to the COVID-19 pandemic. Data were reviewed multiple times, reduced through a process of discourse analysis which focuses on the language within discourses of power and knowledge. This is consistent with Foucault's theory of power-knowledge, the theoretical framework for this study. To this end, the analysis focused on how SEVIS and other visa-related regulations and policies are categorized, and then say what they say and how those meanings are communicated across federal and institutional lines and understood by P/DSOs. The researcher also discussed her personal bias and ethical issues related to the study. The researcher's personal bias, which initially was made up of a decidedly advocate's bend toward the needs of international students, was tempered by intentional and ongoing analysis, and the review of others. Finally, to remain ethically sound, the researcher has not revealed the institutional and personal identities of the participants in the study.

Next, the Foucauldian discourse analysis is described, which is characterized not by a prescribed set of steps, but rather by a set of epistemological commitments, a predisposition to ask questions, and a sensitivity to discourse. There are many methodological papers and empirical studies that provided conceptual and practical guidance, and the researcher described

how this literature helped to develop the study design. This was followed by a discussion of the methodological implications of a Foucauldian discourse analysis approach.

In the next chapter, the researcher presents the results of this study. Chapter four addresses the P/DSOs perspectives, drawing from the data collected from documents and interviews.

Chapter 4: Presentation and Analysis of Findings

The primary purpose of this multi-case study is threefold: (a) to explore how Principal/Designated School Officials (P/DSOs) at Student and Exchange Visitor (SEVP)-certified urban community colleges make meaning of the immigration regulatory environment; b) to provide a conceptual framework for understanding and to explain the practices and interventions for community college administrators to aid in improving immigration practices at community colleges; c) to propose practices and interventions for community college administrators and advisors to address the needs of international students served by the institution.

This chapter begins with a restatement of the research questions that served as the foundation for this study, and demographic characteristics of the participants. The remainder of the chapter will present findings that emerged from the data collected and analyzed using the theoretical framework of this study.

Research Questions

The five research questions that guided the study were: 1) How do Principal/Designated School Officials (PDSOs) describe internal and external communication about immigration policies? 2) How do Principal/Designated School Officials (P/DSOs) explain the processes they use to respond to changing immigration policies? 3) How do Principal/Designated School Officials (PDSOs) describe the strategies used to manage student compliance issues related to immigration regulations? 4) How do Principal/Designated School Officials (PDSOs) describe immigration policies and practices at their institution? 5) How do Principal/Designated School

Officials (PDSOs) explain the approaches used to facilitate their job responsibilities and the governmental immigration regulations?

Theoretical Framework

The work of Michel Foucault (1972, 1977, 1981) provides the initial theoretical framework, particularly his work pertaining to surveillance, the Panopticon and what Foucault refers to as knowledge-power (1977). These elements also provide a structure for analysis, applying thematic categories of advocacy, fear, criminalization, surveillance, and docile bodies.

Demographic Characteristics of Participants

Each of the participants interviewed for this study held mid- to high-level positions in their colleges. Participants had worked an average number of 11 years (range 8-20 years) in positions that control and impact international student access to education in America.

Each community college participant was the P/DSO at his or her community college who was (a) responsible for issuing the eligibility documents for international students and scholars to enter the U.S. and (b) responsible for the continued monitoring of international students at their institutions via SEVIS. For anonymity, the full transcripts are not included. Each interviewee is identified by a pseudonymous title (P/DSO N; P/DSO S; P/DSO E; and P/DSO W).

P/DSO N has been with the Northern Community College for 20 years and as vice president for student affairs for 13 years. Between 1997 and 2008, International Student and Scholars Services (ISSS) was an integral part of the Division of Student Affairs, over which she superintended. P/DSO N holds a Bachelor's degree in management with minors in economics and theology, a Master's degree in student personnel services, and a doctorate in higher education administration, which she readily calls her "passion." As vice president, she is

responsible for the overall administration and leadership of 126 staff, a budget exceeding \$53 million, and out-of-class education and learning opportunities serving over 5,000 students. She has one DSO to support her.

P/DSO S, joined Southern Community College 3 years ago and serves as the P/DSO. Educated in the United States, France, and Israel, he holds a Ph.D. in religion. He has functioned as an archaeologist in various countries and is credited with enhancing the undergraduate experience at SCC. His vision at SCC is to link Study Abroad and exchange programs and other international initiatives with academic affairs, making them curriculum driven. International Student & Scholar Services (ISSS) and International Education and Exchange (IEE) programs now report to him. He has 10 DSOs to support him in his work.

P/DSO E is originally from India. He joined Eastern Community College 26 years ago. He has a master's degree in mechanical and industrial engineering. He also holds a bachelor's degree in mathematics. He functioned as Director for International Affairs as well as Director of International and Government Relations before becoming assistant provost and serves as the college's P/DSO. He has 3 DSOs to support him in his work.

P/DSO W is the Associate Director in the International Student and Scholars Services office at Western Community College and serves as the P/DSO. A German immigrant, she has a Master of Arts in international education and has worked in the ISSS office for 16 years. He does not have a DSO to support him.

The interviews for this study provided valuable data and a look inside the everyday workings of P/DSOs working daily with the regulations surrounding international student access.

Presentation of Findings

At this stage it is worth briefly reiterating that discourse analysis is an interpretive practice. The purpose here is not to assert that what follows is a definitive statement of truth, but rather, through close consideration of the interviews, ‘texts’ produced in combination by the interviewer and interviewee, alongside the wider context of competing discursive frames. This approach is informed by the idea that discourse does not simply express or reflect meanings; rather, meanings are constructed through discourse (Potter and Wetherell, 1987). The exploration of discourse analysis has become an essential element of diverse academic disciplines, including communication studies, organization studies, cultural studies, political science, education, psychology, literary theory, linguistics, anthropology, sociology, and philosophy (Gee, 1999).

Further, much has been written on Michel Foucault’s reluctance to clearly delineate a research method (Harwood, 2000; Meadmore, Hatcher, & McWilliam, 2000; Tamboukou, 1999). Foucault (1994, p. 288) himself disliked prescription stating, “I take care not to dictate how things should be” and wrote provocatively to disrupt equilibrium and certainty, so that “all those who speak for others or to others” no longer know what to do. It is doubtful, however, that Foucault ever intended for researchers to be stricken by that malaise to the point of being unwilling to make an intellectual commitment in outlining methodological possibilities. The aim of this section is to develop what might be called a discursive analytic from Foucault’s work and related post-structural writings to provide this researcher with a clear doctoral itinerary but also to do others the courtesy of leaving a clearly identifiable trail.

While writing this dissertation, the research felt an awkward tension that arises when one attempts to do poststructural work whilst still satisfying the conventions of academic writing and scholarship. Despite there being no model for discourse analysis *qua* Foucault, should one claim

to be drawing on a Foucauldian framework there is a very real danger in one's work being dismissed as unFoucauldian - if one doesn't get it right. But how can one get it wrong when there are supposedly no rules to follow? This is an interesting but precarious dilemma that has an exclusive/exclusionary effect (see O'Farrell, 2005). The researcher's approach is to develop what might be called a discursive analytic; a methodological plan with which she can set about doing a form of poststructural discourse analysis that is informed by and consistent with the work of Michel Foucault. This is not a set of rules to follow but a journey.

Discourse analysis is a flexible term. What one is doing is greatly dependent on the epistemological framework being drawn upon. It appears that many scholars using discourse analysis within a Foucauldian framework have adopted a 'Foucauldianistic' reticence to declare method, fearful perhaps of the charge of being prescriptive. There are those again who make references to 'doing' discourse analysis and because they loosely link their analysis to motifs of power and sporadically cite Foucault, there is an assumption that this too is 'Foucauldian' discourse analysis. In any case, it is quite difficult to find coherent descriptions of how one might go about discourse analysis using Foucault. Perhaps the difficulty in locating concise descriptions as to how to go about doing 'Foucauldian' discourse analysis is because there is no such thing.

Archaeological Analysis

Archaeology is a term used by Foucault to describe what happened in the past along with the discursive conditions that existed during that time. In other words, archaeology locates the social or discursive practices evidenced in the techniques, rules, and systems of a particular time and context that shape knowledge.

The literature review in chapter two served as the presentation of the archaeological analyses. Archaeology describes formal knowledge, institutional, and social mores (Scheurich & McKenzie, 2008). To summarize the archaeological analyses, the discourses-in-practice of immigration policies were (a) The United States of America is formed within the principle of communitarianism (Bang, H., Box, R., Hansen, A., & Neufeld, J. 2000) – a social and political philosophy that centers on the community as the basis for individual character development, shared responsibility for social welfare, and the workings of social and political institutions; hence, like any other nation, it has the right to give precedence to its citizens and to impose laws that guard its borders; (b) Twenty-five years ago, the American Council on Education's Vice-President Stephen K. Bailey bemoaned the rising increase in federal regulations impacting international students at colleges. He noted higher education institutions were being strangled, unintentionally, by a web of complex and ever-expanding federal regulations (Hartle, 2000); (c)

A school's approval to accept nonimmigrant students may be withdrawn for the failure of school officials to comply with recordkeeping and reporting requirements. This failure in compliance is based on willful issuance by a school of a false statement and any conduct on the part of the school official that does not align with regulations (U.S. Department of Justice, 2002); (d) Principal/Designated School Officials (P/DSOs) are charged with considerable responsibility for maintaining their schools' approval to enroll nonimmigrant students. The relationship that exists is one between DHS as a government agency and the community college as an educational institution. The P/DSO is the individual designated by the school to manage the educational part of the relationship. Colleges and universities are required by DHS to follow specific record-keeping and reporting requirements. A school wishing to enroll non-immigrant students under the provisions of Section 100(a)(15)(F) of the INA must apply for approval to admit such

students; and (e) SEVIS is a database connecting all institutions of higher education which enroll international students to the Department of Homeland Security, and it is part of the Student and Exchange Visitor Program (SEVP) within the Patriot Act legislation passed during the aftermath of September 11, 2001. This database houses prospective students' demographic, academic, and financial information when applying to a United States academic institution when they apply for a visa. Students are tracked throughout the visa acquisition process and during the tenure of their study in the United States. This database serves as an instrument used to monitor international students' compliance and the institutions that host them.

Genealogical Analysis - Research Question 1: How do Principal/Designated School Officials (P/DSOs) describe internal and external communication about immigration policies?

The researcher used the genealogy analysis to answer research question one because all P/DSOs interviewed referenced the institutional websites as a means of communicating to prospective students about current immigration policies governing international students. When asked about how P/DSOs maintain currency with immigration policies and how that knowledge is shared within the institution, all P/DSOs mentioned NAFSA documents and Code of Federal Regulation (CFR). P/DSO S and P/DSO W both indicated that they attend and present at conferences and bring back information to their institution on changes in immigration policies as well as best practices from other institutions.

Genealogy illustrates the political and economic nature of discourse and reveals the importance of a specific institutional context in shaping discursive practices (Shumway, 1989), including action, language, and meaning. Major shifts in the discourse enable “new regimes of truth to regulate our knowledge, manipulate our assumptions, and direct our practices” (Foucault; as cited in Dean, 1999, p. 173).

Genealogy does not judge the validity of a policy or educational priority. In focusing on the conditions, it provides a means of “pointing out on what kinds of assumptions, what kinds of familiar, unchallenged, unconsidered modes of thought the practices that we accept rest” (Kritzman, 1990, p. 154). Genealogy offers no solutions or absolutes, but because it reveals how the construction of “truth” and power occurs, it provides opportunity for reform, resistance, and transformation (Smart, 1985). Accordingly, changes in educational policies or priorities can be identified through the analysis of the numerous discursive practices that constructed the power/knowledge discourse of education. Understanding context fosters new ideas about alternative policy possibilities.

For purposes of this study, institution websites, federal documents (congressional committee meetings, regulatory documents, legislative texts), NAFSA documents (opinion pieces, advocacy position statements and recommendations, research), newspaper and journal articles, all served as the genealogy analysis.

Heck (2004) notes the recent trend in qualitative research of focusing on the language usage (p. 217). This is consistent with the qualitative attentiveness to words in data collection, as well as with Foucault's theoretical concept of discourse. This type of analysis "is influenced by the text's structure and the social circumstances surrounding its production" (p. 217). This was somewhat of an intuitive process, as the researcher was unsure initially what she needed to see in the language used in federal regulatory and institutional policy documents. The researcher read most of the official documents early in the study, noting what was said about the role international students have in the overall internationalization process of higher education in the United States.

As she conducted interviews and early themes emerged, she paid close attention to the federal documents pertaining to congressional committee meetings, regulatory documents, and legislative texts), NAFSA documents (opinion pieces, advocacy position statements and recommendations, research), newspaper and journal articles, and documents and materials from the community colleges being researched in the study relating to international student policies and procedures (including institutional websites), noting the language used in the messages. This process allowed her to juxtapose each unit of analysis with the appropriate element of the discourse analysis, noting the language used in each unit of measurement (i.e., each document, interview, etc.). Document analysis was focused on the language of each piece document as to how regulations and policies were stated. The language of each document was analyzed according to the stated intent of SEVIS and other immigration regulations.

Research Question 2: How do Principal/Designated School Officials (P/DSOs) explain the processes they use to respond to changing immigration regulations?

Federal Regulations: The researcher used the term regulation when speaking within the federal domain and applies the term policy to that of institutions. As mentioned previously in chapter 1, page 2, the Patriot Act legislation contained additions and changes specific to visa regulations for international students and scholars in the United States. Therefore, the researcher began this section with a narrative of data specific to those federal regulations followed by institutional policy data. The thematic categories of criminalization, fear, surveillance, and docile bodies which emerged from the data are applied to federal regulations while themes related to fear, surveillance, docile bodies, and advocacy are employed for institutional policy data.

Numerous post-September 11, 2001, regulatory changes and adjustments at the federal level pertain to international student and scholar visas. To address how Principal/Designated School Officials (P/DSOs) make meaning of the immigration regulatory environment, one must first know what changes have occurred since the events of 9/11. The background information in chapter one addresses some of the general changes since the implementation of SEVIS. In this section, the researcher discusses some of the changes identified by the P/DSOs interviewed for this study.

The most salient change in visa regulations, not surprisingly, is the addition of the SEVIS database, which became fully functional in August of 2003. SEVIS monitors international students and scholars using information entered by various entities within the U.S. government and P/DSOs. Another significant change in visa regulations following September 11, 2001, was the elimination of the Immigration Naturalization Service (INS), which was replaced by the Department of Homeland Security (DHS). The DHS contains Immigration Customs Enforcement (ICE), which owns SEVIS. Prior to presenting the findings the researcher gave a basic explanation of the student visa (F-1 visa) program and identified the title associated with the institutional official who enter SEVIS data to give the reader context.

The F-1 Student Visa

The F-1 student visa program was completely revised after 9/11 and in conjunction with the onset of SEVIS. The purpose of the revision was to create consistency within the F program and to eliminate, or at least significantly diminish, the variance of implementation between institutions of higher education. Currently most international students in the United States, hold F-1 visas. Visa type is essentially determined by the institution of higher education issuing the documents of eligibility required for a prospective international student to begin the visa

application process. Two key factors inform the type of visa: funding and the expressed intention of what kinds of activities the international students will engage in during his or her time in the United States. Specifically, students entering the U.S. strictly to study are issued documents for an F-1 visa. Principal/Designated Student Officials (P/DSOs) frequently point to the benefits of the studying under an F visa program. The inventory of benefits seems well-rehearsed. When asked what the benefits entail one P/DSO quickly responded,

The benefit of getting the education, the work benefit through curricular practical training, or internships, the optional practical training benefit, the benefit to adjust status, to transfer to another school, to have their dependents here, to do extensions to their program, to seek economic hardship if they run into a bind. Those are all what I call benefits that they need to learn about; opportunities that are there for them under the F or J visa (Interview, October 2020).

Many issues related to the F-1 visa program are addressed in the findings for this study.

Therefore, Table 3 provides an overview of benefits applied to the F-1 Visa category.

Table 3 – Benefits of F-1 Visa

Benefits
U.S Education
Student is designated as self-funded or family-funded; but may also be fully funded by the institution
Student may change the academic program
Student may transfer to another institution
Student may pursue another degree following completion of an academic program
Curricular Practical Training (CPT) while enrolled
Optional Practical Training (OPT) following graduation
Student can be employed on campus for 20 hrs./week without DSO permission
Apply for Dependent visas

Title Associated with the Institutional Official

The Primary Designated School Official (P/DSO) works specifically with F-1 students, issuing the appropriate Certificate of Eligibility (I-20) and communicating with the Department

of Homeland Security (DHS) regarding visa-related issues on behalf of F-1 students. According to regulations governing international student programs, all Student and Exchange Visitor Program (SEVP)-approved schools must appoint P/DSOs who are tasked with helping direct F-1 visa holders in navigating federal regulations as well as individual institutional policies.

Change in Immigration Regulatory Environment

Some distinction can be made between changes that are new additions to established regulations and regulations enforced differently or more strenuously following September 11, 2001, and the implementation of SEVIS. Most of the findings involve change, while one piece of the visa acquisition process is indicative of the increased strength of enforcement. The regulation being more strenuously enforced involves the criteria required for acquiring a student visa, which has historically included demonstrating sufficient ties to the home country. Such ties include family members in the home country, ownership of property, such as a home, land or business, and bank accounts in the home country. Data from this study suggest these criteria appear to be more strongly enforced since September 11, 2001.

According to P/DSOs, failure to provide proof of adequate ties to the home country is one of the most common reasons for visa refusal. Another frequently given reason for denial of a visa is insufficient proof of funds. When asked about these criteria and the reasons for denial, one P/DSO said, " they are really the same thing. I mean, if you don't own property or have a bank account, you don't have adequate ties to the country; and you probably don't have adequate funds either" (October 2020). The current strenuous enforcement of these criteria may be limiting access to student visas for prospective students from nations where owning property or having access to a bank account is not necessarily a cultural or economic norm. This could be especially true for students from developing nations; yet not owning property or having a bank account is

not synonymous with a lack of adequate funds. Interestingly, P/DSOs at all four of the sample institutions reported fewer students from various African nations, especially Nigeria, were issued visas during the past three to four academic years (2016-2020). A report presented at the 2021 conference of Association of International Educators (NAFSA) by Hobsons, a firm which recruits and manages enrollment of students for institutions of higher education in several countries, noted that prospective students from Nigeria were the most likely group to cite visa acquisition as a barrier to studying in the United States (Redden, 2021). Approximately one in six international students from Africa were granted a visa after Certificate of Eligibility for Nonimmigrant Student Status (I-20), were issued from the institutions. This is significant because international students must provide the institution with proof of adequate funding before the proper eligibility forms are issued by the P\DSO. It is important to acknowledge that there is a long, albeit not documented, history of some internationals falsifying financial records to provide the necessary documentation for obtaining the I-20. Existing empirical data to substantiate this suspicion were not found, but every institutional interviewee for this study noted that students from some parts of the world tend to struggle more financially than others, at least in the past. Yet often denials are given to international students who are fully- funded by the institution. This may explain why the denial by means of insufficient ties to the home country is the more frequent reason given by immigration officials at the embassy and consulate levels.

Having provided additional background concerning the F-1 visa program, the title associated with the institutional official, and some criteria pertaining to obtaining a visa to study in the United States, the researcher moved to some of the regulatory changes post September 11, 2001, which affect the work of P/DSOs. Actual federal regulatory changes since September 11, 2001, include: elimination of the non-employment Social Security number (SSN) category,

restructuring of the F-1 visa program, and the creation and implementation of SEVIS. Below the researcher present findings regarding the Social Security category change and discuss SEVIS more fully in answering research question 3.

Social Security Regulations

The first significant set of changes mentioned by P/DSOs interviewed involved the inability of non-employed international students to acquire a Social Security number (SSN). This acquisition has historically included securing employment, although prior to the Social Security Number Protection Act of 2004 international students who were not employed went through a relatively simple process to acquire a non-work SSN. They presented a letter from the DSO and presentation of their passport and visa. Currently, however, proof of employment is a necessity.

The stated rationale for the Social Security Number Protection Act of 2004 is an effort to eliminate fraud in the SSN enumeration process (Congressional Response Report, 2004). This regulation, called Evidence Requirements for Assignment of Social Security Numbers (SSNs); Assignment of SSNs to Foreign Academic Students in F-1 Status (Federal Register, December 2003), became effective on October 13, 2004. Even if the regulation had not named F-1 status students, this group would have been the most affected by it, as they are the only long-term non-immigrants entering the United States who may not be employed during their time here. Since the new regulation requires anyone seeking an SSN to be employed or have an offer of employment in writing from the intended employer, international students who are not employed cannot obtain an SSN.

SEVIS - Research Questions 3: How do Principal/Designated School Officials (P/DSOs) describe the strategies used to manage student compliance issues related to immigration regulations?

Federal regulation requires that all P/DSOs use SEVIS as a compliance tool. All P/DSOs interviewed indicated that they use SEVIS to manage student compliance. Data for every international student was initially to be entered into the SEVIS database by January 31, 2003. Less than two months later (March 1, 2003) the SEVIS system was placed under the control of Immigration and Customs Enforcement (ICE). Numerous glitches in the system, including institutional complaints regarding the mere volume of data entry required, provided an extension for full operation of SEVIS until August of the same year. While P/DSOs interviewed for this study communicated varying degrees of discomfort in being required to record large amounts of personal information for each international student, they indicated there are some positive consequences of SEVIS. First, the implementation of SEVIS replaced a paper process of monitoring international students and scholars while they were in the United States. Prior to SEVIS, information was collected by immigration officials at ports of entry and sent to a central site, where it was processed and sent to the enrolling institution. The process could take from six to eighteen months or more. One P/DSO interviewed for this study reported that the central processing office had been known to be as many as two years behind in returning the necessary documentation to the originating institutions. Even though the institutions tried to maintain current records regarding residency and employment for all international students, the backlog of the central office for recording pertinent information into a national record meant that international students were less monitored. SEVIS, on the other hand, not only maintains the information automatically, but does so quickly, with little to no delay. Interestingly, however,

while several constituents have access to SEVIS (such as enrolling institutions, embassies and consulates, ports of entry, federal immigration offices, the State Department, and ICE officials), each views a different screen with information specific to the needs of that entity. When communicating across official lines, those with access can only respond to the information available to them. Therefore, when an international student's certificate of eligibility has been cancelled, by virtue of completion of an academic program, failure to enroll, or falling out of status for some other reason, the cancellation will be evident but the reason for the cancellation may not be viewable. As explained previously, this is potentially problematic if the international student is applying for a visa renewal or a new visa altogether, because to an embassy or consulate official a cancellation is often a red flag.

Another positive aspect of SEVIS, claim the P/DSOs, is the fact that SEVIS virtually eliminated fraudulent duplication of I-20s (for F-1 visas), as individual numbers are now given to students by institutions when these documents are produced following acceptance to the institution. The numbers are loaded into the SEVIS database by the issuing institutional P\DSO, with the initial information from the international student. International students should find this comforting, states one DSO, as apparently prior to SEVIS the accusation of committing fraud had been a common occurrence at embassies, consulates, and ports of entry. Theoretically, international students are now much less likely to be refused a visa based on an assumption of fraud regarding the I-20.

The final regulatory change for SEVIS involves its funding source. Only the initial start-up costs were federally funded. SEVIS is currently completely fee-supported by international students and scholars, as well as institutions which are SEVIS-certified. The SEVIS fee must be paid before the international student or scholar applies for a visa to study in the United States and

is non-refundable, even if the visa is denied. Institutions continuously fund SEVIS by paying re-certification fees to maintain SEVIS certification. On the positive side, no U.S. citizen can complain about a tax burden regarding SEVIS. International students and scholars contribute the bulk of SEVIS funding, which makes an already costly endeavor even more expensive for them.

SEVIS often sends updates and requests information from institutions. For example, SEVIS occasionally randomly selects institutions of higher education to provide a full list of all international students and scholars, with full details pertaining to academics, residency, and employment. One such selection occurred the day before one of my P/DSO interviews. The P/DSO had not received such a notice in the past.

I just got a list yesterday from SEVIS and 800 names are on it - where are these people? And if I hadn't just done the registration and done it in the manner I did it this time, which is totally opposite from the way I've done it before, we would have been in a pickle trying to figure out who they are. But because I had printed out the SEVIS real time report and went through one by one, each student on that list and made notes by it, whether we'd cancelled them or terminated them. We knew if they'd changed their status; we had a copy of their green card, but SEVIS still had them as an active student. There are just so many things popping up that you didn't know. I actually got an e-mail Saturday that this was coming, the SEVIS Project Validation Report - saying you may be chosen to participate. And I thought I just can't imagine - and then yesterday I got the list. The SEVIS Validation Participant Inquiry. SEVIS sent a list of students and we had to say if they're in the school, terminated, graduated, or if they were never here in the first place. The exact words are: 'at the request of Homeland Security, SEVP is

conducting a validation exercise to measure SEVIS data integrity. Your school has been selected to participate in this project' (DSO interview, October 2020).

This generates additional work for P/DSOs, work that no other employees in the institution can legally do because only SEVIS-certified personnel may enter data into SEVIS

Discourses of Power-Knowledge

The researcher used the thematic categories of surveillance, criminalization, fear and docile bodies to situate the findings from Part I within an analytical framework. These themes are consistent with Foucault's power-knowledge theory and help to tease out the discourses of power and knowledge in the data. The data specific to federal immigration regulations are analyzed below, beginning with surveillance.

Surveillance

Discourses of power and knowledge are everywhere and nowhere. This is the nature of surveillance. SEVIS, as a monitoring system, appears to be everywhere, receiving data and sending messages. It is a system that is always watching but cannot be seen, even by the people who enter data, process data, or deploy intervention. SEVIS, it seems, is everywhere and nowhere. Information entered into SEVIS is employed by various entities within the U.S. government. When does information become knowledge? One type of knowledge, symbolic knowledge is general in nature, obtained from specific conditions of time and space, or a set of events. By this definition, and in the Foucauldian sense, information stored by SEVIS becomes knowledge for the U.S. government. Still unknown is how this knowledge will be utilized in the future. Some indications are that the knowledge is already being used to deny visas when a previous denial is recorded, or an I-20 has been cancelled. The knowledge is also the impetus for

action on the part of law enforcement when data suggest a student is out of status. This represents the first discursive practice and demonstrates the power of the U.S. government in issuing or denying visas by virtue of savoir knowledge obtained through surveillance of SEVIS.

Criminalization

The fact that SEVIS has been placed under the ownership of ICE, the enforcement division of the Department of Homeland Security (DHS) suggests a significant transition in both ideology and power structures within the U.S. government. Both immigrants and non-immigrants have been placed under the law enforcement umbrella, which is reminiscent of other times in U.S. history when different groups were purported to be a threat to the security of the nation; Native Americans and Japanese Americans immediately come to mind. Now as then, groups are being singled out as potentially dangerous, criminalized by association with a handful of people with whom there is a common characteristic: they are international students.

The criminalization of international students is evident with respect to Social Security enumeration as well. The explicit identification of foreign students in the regulatory changes outlined in the Social Security Number Protection Act of 2004 seems indicative of two things: the belief that foreign students are responsible for SSN enumeration fraud, and the U.S. government's focus on limiting the day-to-day activities of as many non-immigrants as possible, the majority of whom are international students. Again, a discourse of power is evident in controlling, or at least limiting movement within the normal infrastructure of American society by eliminating the acquisition of an SSN for a relatively large population of international students. Adding insult to injury is the fact that being without an SSN makes this group more vulnerable to exploitation, as they are frequently forced to pay higher deposits for living accommodations, utilities and items such as cell phones. According to the Office of the Inspector

General (OIG), this legislation "provides critical safeguards for the Social Security number, as does the Intelligence Reform and Terrorism Prevention Act of 2004" (Kissko, 2012). Putting both acts together in the same sentence leaves little doubt that international students are viewed as potential terrorists from the perspective of the U.S. government.

Fear

The circumstances of previously criminalized groups in the United States were very different from international students and scholars under the surveillance of SEVIS today, but the driving force of fear is the same. The power discourse of fear in the present U.S. political environment may be increasingly pervasive as international scholars, researchers and students are denied access to the United States by virtue of their national identity or political beliefs. SEVIS is designed to maintain surveillance on international students and scholars studying and conducting research in the United States. So, if international students are the prime suspects for terrorism, SEVIS should assuage the fears of the government and the public. Yet there is one final irony at work: SEVIS only monitors international non-immigrants in the academic community. There is no monitoring system currently (October 2021) in place to monitor the other thousands of international immigrants and visitors who enter the United States every year.

Legislation such as the Patriot Act and SEVIS, regulations designed to monitor and control, frequently cast international students and scholars as potential terrorists. Yet the U.S. government simultaneously contributes to the rhetoric of welcoming international students and scholars with open doors, insisting that academic freedom and an exceptional higher education experience can be obtained in the United States.

Docile Bodies

Foucault (1977) engages the history of the practice of disciplining the human body in order to situate his position that various discursive practices constrict and dominate for social control on a large scale. Discipline, says Foucault,

produces subjected and practiced bodies, 'docile' bodies. Discipline increases the forces of the body (in economic terms of utility) and diminishes these same forces (in political terms of obedience). In short, it dissociates power from the body' on the one hand, it turns it into an 'aptitude', a 'capacity', which it seeks to increase, on the other hand, it reverses the course of the energy, the power that might result from it, and turns it into a relation of strict subjection (p. 138).

Therefore, according to Foucault, there is a connection between discipline and domination. So, a body that can be disciplined, brought into subjection so to speak, can be controlled. The Panopticon provides the architecture for surveillance. Surveillance serves the purpose of creating docile bodies within the observed population; such techniques are always employed in response to a need or event. Foucault offers examples of disciplinary applications in response to certain circumstances: quarantines in response to outbreaks of epidemics; the militarization of large workshops in response to the invention of the rifle (p. 138). I posit that SEVIS was created in response to the threat of terrorism, and it was implemented specifically in response to 9/11. One intended outcome of SEVIS, then is the creation of docile bodies out of international students and scholars.

The data from this study indicate establishing a population of docile international students in the United States begins with the visa application process. Access is denied to those who cannot provide adequate proof of sufficient ties to the home country.

Federal immigration regulation is only one piece of what must be negotiated by international students who pursue academic study in the United States. This begs the question, how do Principal/Designated School Officials (P/DSOs) describe the strategies used to manage student compliance issues related to immigration regulations? How do Principal/Designated School Officials (P/DSOs) describe immigration policies and practices at their institution? The researcher attempts to address the policy piece of the puzzle in the section below.

Research Question 4: How do Principal/Designated School Officials (P/DSOs) describe immigration policies and practices at their institution?

Institutional Policy - Federal regulations, such as SEVIS and other visa-related regulations, are subject to interpretation by those who must implement and enforce them. One P/DSO interviewed for this study stated:

There are the regulations and then there's policy. And so of course you have to go by the regulations - the ones that are clearly written and very specific. But then there are the areas where you have to apply those; where you have to define or explain what they are. So all universities have policies that would never be against the regulations, but they might be in addition to. The regulations might allow for something, but the policy will not allow for it. So policy is where you're going to see lots of divergence.

In this section the researcher presents findings regarding institutional policy regarding SEVIS and other immigration-related regulations. Conversations in this section include institutional mission contexts and details pertaining to the F-1 visa program. The overall findings related to institutional policy are situated within the contexts of each of the four sample institutions. Institutional contexts inform how regulations pertaining to the F-1 visa program are interpreted and implemented.

Institutional Policy on Employment

As mentioned previously, the F-1 visa regulations were redefined following September 11, 2001. Revisions in the F-1 visa program created significant consistency across institutional lines, as the new regulations are very specific in most areas concerning this group of international students. Although the F-1 revisions did establish consistency, differentiation still occurs in varying degrees among institutions of higher education.

One significant area of variance of interpretation involves Curricular Practical Training (CPT), which allows international students to simultaneously gain work experience off campus within their field of study and be financially compensated for that training. CPT experience must be "an integral part of the curriculum" (Federal Register, 2002). The interpretation of how integral the training must be is left to the discretion of each institution. Some schools require CPT to be tied to a specific course, while others may permit CPT to be done throughout an international student's course of study, so long as the CPT is generally consistent with the academic program. A third interpretation allows international students to work in almost any setting, as work experience in general is considered beneficial in the overall learning experience of the international student.

Variance also occurs according to different types of institutions, which suggests a relationship between policy and institutional context. For example, some employment is inherent to the federal regulations. International students, regardless of visa status, are permitted to work up to 20 hours per week on campus during the regular semester/quarter system (and up to 40 hours per week during summers and vacations). International students with F-1 visas are limited to on-campus employment, but this employment can be obtained independent of the P/DSO. However, P/DSO S and P/DSO N both reported that they require international students with an F-1 visa to obtain written permission by the P/DSO to pursue on-campus employment. P/DSO S stated that if the students have adequate funding they should not need to work; and all international students enrolled at that institution had demonstrated proof of funding. Therefore, requesting to work outside of an unforeseen financial hardship was considered an indication of falsifying the financial statement.

Institutional Policy on Health Insurance

Variations of institutional policy may not be an issue of interpretation of regulations, but rather how regulations are applied as policy. Again, the variation in implementation may be indicative of institutional context. One regulatory application which may be related to institutional context involves health insurance for international students and dependents. Federal regulation does not require F-1 visa holders or their dependents to have health insurance, however, it is highly recommended that students and their dependents have insurance coverage for the entire time they are in the US.

Three of the institutions in the study recommend that international students be covered by health insurance. The fourth institution, Southern Community College, requires health insurance coverage for all its international students, with the following statement on their website “All

international students holding an "F-1" visa and enrolled at Southern Community College (pseudonym) will be automatically enrolled in and billed each semester for health insurance coverage under the Student Health Insurance Plan unless a waiver of coverage has been submitted and approved online by the waiver deadline date each semester”.

Certificates of Eligibility: Length of time on the I-20

It is P/DSOs who determine the length of time an I-20 will be valid, most often establishing an initial time consistent with the expected length of an academic program. Therefore, if the expected time required to complete an Associate Degree program is two years, the I-20 will be valid for a minimum of two years and will often permit some additional time to allow for full completion of the degree. Additional time could be needed if the international student experiences circumstances that create an unexpected delay.

The P/DSOs at all four of the sample institutions indicated they apply established lengths of time for various academic programs when determining the period of validity given on the I-20. Data suggest however, some DSOs may be less consistent than others with time allowances on these documents. For example, P/DSO N demonstrated some variance with regard to providing a length of validity for the I-20s issued to international students enrolled in the same program. Therefore, the eligibility documents for the same program occasionally had different time limits. This seemed to occur most often with programs which required the international students to be in the United States for only brief periods of time for intensive coursework one to two times a year and returning to their home countries between classes. While most international students had to request a new I-20 before each trip to the United States, which required re-application for a visa in each event, a small number of international students in the same program received I-20s valid for five years. Not only is this inconsistent with the stated federal

regulations, but it also presents financial issues for the international student, as well as an increased chance of visa denial.

There are two salient consequences for not issuing the maximum period of eligibility for international students in any program. First, students who must apply for a new visa prior to each return to the U.S. must repeatedly pay the visa application and visa interview fees (varies by country). Second, any time a student must renew a visa there is a risk of being denied, so the more renewal applications for the same program, the greater the risk of denial. Moreover, the risks extend beyond the norm in this case because SEVIS also monitors terminations of I-20s. When a student completes an academic program or, as in the scenario above, reaches the end of the designated period of eligibility, the P/DSO terminates the I-20. Terminations, however, can occur for many reasons: failure to enroll, falling out of status, withdrawing from the institution, or even a transfer to another school. The reason for the termination is not necessarily recorded in such a way that someone from another government agency, such as an Embassy or Consulate office, could see all the information. When the international student applies for a new visa, with a new eligibility form, SEVIS will simply show multiple terminations. Embassies and Consulate offices could and often do view this as a red flag and deny the visa. For these reasons it is advisable for P/DSOs to assign periods of eligibility to the I-20 as consistently as possible.

Research Question 5: How do Principal/Designated School Officials (P/DSOs) explain the approaches used to facilitate their job responsibilities and the governmental immigration regulations?

The Role of the P/DSO - While significant variance of interpretation and implementation of regulations between institutions seems apparent, data suggest that in terms of overall mission, P/DSOs share a common perspective. When asked about their roles as P/DSOs,

each participant consistently identified three general responsibilities: assisting students in maintaining visa status, representing the institution, and communicating with the Department of Homeland Security. Principal Designated School Officials who had been in their roles prior to 9/11 reported struggling initially with the prospect of reporting so much personal information regarding international students. The P/DSO with the most experience (P/DSO E), over 26 years, seems to have worked through that dilemma. He states,

I think the NAFSA [the Association of International Educators] conference has helped us debrief. It was like one big support group. And it has helped us remain in our stance that we are here to assist in international education. And we are more immigration than we ever have been. There is that accountability, but we don't work for immigration. We do what we need to. But we are still here to serve the students and the college. We are still a safe place for students to come when they need to share what's going on in their lives. Some of the gray areas and the latitude we had did get taken away... At first, I felt like it was big brother and instead of being an advisor I was going to be some heavy-handed rat to immigration. But I don't feel that way anymore. I really don't. I think it has streamlined things. The transition was hard. The deadlines were short. The way it was implemented was hard, very difficult, under great duress. But once we lived with it a while, I would not want to go back to the other way. I think this has forced us to keep much more accurate records.

Yet not all the P/DSOs subscribed to the above view. P/DSO W reported continuing to be uncomfortable with the type and amount of information she is required to report to SEVIS. Below is a portion of our conversation:

P/DSO W: My general observations of SEVIS are that the U.S. government only cares to know where the students are. They don't really care about the program changes although they tell us we have to do those kinds of things. We stay in compliance.

Researcher: What do you mean when you say where the students are? Are you referring to the changes of program or the residential address?

P/DSO W: If a student goes from English to History, it's not going to cause an uproar. But if a student from a certain country switches over from History to Chemical Engineering it may tag them. I think the whole system was really created as a way to divert some of the attention of what's going on in the United States. International students are a very visible and noticeable group of students on a campus and in the United States and I think the government figured they were an easy group that they could follow and then give that to the public to say this is what we are doing in reaction to things that have happened. I have very strong feelings about it.

Researcher: Do you say that because there is such a discrepancy between the way we monitor international students compared to the way we monitor the rest of our international population?

P/DSO W: Yes. I really feel like they're picking on a certain group only because they can be easily tracked. And 99.9% of the students are good apples.

While all of the P/DSOs interviewed for the study agreed that SEVIS has made some aspects of record keeping more efficient, only one P/DSO admitted to actually liking SEVIS. Of the other three P/DSOs, one expressed frustration with the amount of time taken to enter data and accommodate SEVIS update and review requests, and all three raised questions about what

information is being entered into SEVIS and how that information will be used in the future. For example, P/DSO N raised the question of whether officials at the Embassies and Consulates may access information of previous students who family members of prospective international students are applying for student visas. She stated,

This database now gives information to those people granting visas on whether people go home. So how much of this is being compiled? That's my question, how is it being used, as to statistically whether students are being granted visas. Is it particular to identifying students of (a specific institution) or is it students in general, or is it students from [a specific country]?

Regardless of how SEVIS data are used, the statements made, and questions raised by P/DSOs in this study imply an advocacy role on the part of P/DSOs. While all P/DSOs interviewed for this study readily admitted they have a responsibility to report immigration-related information to SEVIS, all of the P\DSO participants viewed themselves as advocates for international students in their institutions and all explicitly stated that their offices are safe places for students. Yet, there are shades of difference in the ways the P/DSOs at the institutions in this study respond to international students. I asked the P/DSOs what they would do if they were to see an international student with an F-1 visa working in the service sector outside of campus (and therefore in violation of the F-1 regulations). P/DSO N and P/DSO E agreed that they do not see their role as reporting international students in this kind of scenario. P/DSO N indicated she might talk with the student about it to make sure he or she knows the risks of out of status employment, but that she would not be likely to make a report. While the outcome may be the same, by contrast P/DSO W and P/DSO S agree they would have an ethical responsibility to

address the problem with the international student. P/DSO W relayed an experience regarding an international student working out of status:

“We've had it happen. What I do is I notify... my supervisor. And then we call the student in and ask what's up... I had a student who was working off-campus. So early in my time here we were faced with that. And what we told him was come into compliance now”.

P/DSO S spoke of an international student who had volunteered to help the campus food services with a catering event. P/DSO S was concerned that the student was "trying to get her foot in the door and maybe turn it into a job" (P/DSO interview, October 2020). To be sure this did not occur, the P/DSO S had spoken to the campus food services director, asking to be notified if that international student applied for a job. This seems to relate to Foucault's ideas on surveillance.

Discourses of Power-Knowledge

Institutional policy is what happens in response to federal regulation and to the circumstances within the institutional community. When policy is determined reactively, discourses of power may be more hidden. This is especially true when policy is made with the best of intentions but is short-sighted in its consequences. To address this more fully, I first address some of the differentiation of institutional policy implementation, after which I present analysis within the overall thematic categories for this study.

Research question 4 for this study asked how P/DSOs describe immigration policies and practices at their institution. Responses had some differentiation which could be found in institutional policy, but much of what is done differently is a matter of how the P/DSO responds to different situations. Policy variances include proof of funding, health insurance coverage requirements, definitions of employment categories and CPT experiences.

Regarding families, P/DSO E admitted the institution discourages international students from bringing families because of the cost of education and living in the United States compared to the economies of some other nations. When asked if this discouragement is consistent with all groups, the P/DSO replied, "I would say, in general yes, although we're fairly aware that our Saudi students and some European students are not going to have a funding problem. Canadians are not going to have a problem. So we're not going to discourage a Canadian from coming south because of it" (Interview, October 2020). So, the unwritten policy in this case seems to be: International students from developing countries should not bring their families.

The implications of such a policy are deeply disturbing. Discrimination has also been identified at the federal level in this study in terms of regulations which require visa applicants to demonstrate sufficient ties to the home country. If an international student cannot show proof of ownership of land, home, or business, they are denied visas so the ties to the home country become human ties instead of economic ones. Then institutional policies complicate matters further. The objective of the policy, albeit unwritten, is to spare families from unnecessary financial hardship which can put an additional burden on the institution and the surrounding community. Yet this policy becomes discriminatory because it does not apply to all groups.

Two dynamics are apparent in affecting how immigration policies are interpreted and implemented at the institutions in this study: training, and number of DSOs. First, training for P/DSOs may be a significant point of connection for much of the salient differentiation identified in the data. There is no established training for P/DSOs employed by institutions of higher education; therefore, a high level of differentiation is likely to exist. The P/DSOs spoke highly of NAFSA, acknowledging that the NAFSA manual is preferred over the official SEVIS manual; conferences provide essential professional guidance; and colleagues all over the United States

provide a support system. Yet even NAFSA cannot meet the demand for providing comprehensive training for every P/DSO.

The other factor that seems relevant is the number of DSOs employed by each institution. One institution in this study employs as many as ten DSOs. Another institution of almost the same size employs only three DSOs. The other two institutions have only one or two employees in these roles. Of the four institutions in the sample, the school with the largest staff of immigration officials appears to have the most clearly defined regulatory interpretation and the most consistently implemented policies. This suggests that a team effort, with adequate institutional support, is instrumental in consistent interpretation and implementation.

Additionally, the smaller the immigration official staff, the more pressure there is on the P/DSO, often the only person really functioning in this role, to interpret regulation and juxtapose interpretation with institutional mission to develop policy. Then, the rest of the institution must rely on the accuracy of one person's interpretive assessment. This would seem to put the institution and the international students enrolled there at various degrees of risk.

Returning to the Thematic Categories.

Institutions are placed between the federal government and international students. The panoptical view situates institutions so that they become instruments of the SEVIS function, directly in contact with international students. Just as this researcher began the data analysis section of Part II with the last set of findings, she also begins analysis of Part III with the last set of findings: the thematic category of advocacy, followed by surveillance, fear, and docile bodies.

Advocacy

Advocacy may be the most complex theme at the institutional level. Clearly, P/DSOs see their roles of helping international students remain in status as a function of advocacy. But how this advocacy is implemented reveals the attitudes and worldview held by P/DSOs and the institutions which employ them.

All the P/DSO identified their primary role as helping international students remain in status. There seem to be two perspectives on how this is accomplished: authoritative and authoritarian. The authoritative way is to inform students of the regulations, as well as the potential risks for violating them. The international student is aware of the P/DSO's authority, but the P/DSO uses that authority as a means of informing the student then allows the student to make his or her own decisions. The authoritarian approach uses authority to exert control over the international student. Both the authoritative P/DSO and the authoritarian P/DSO identify how international students are assisted in maintaining status or coming back into compliance as advocacy.

The scope of advocacy for the P/DSOs, includes identifying ways to assist students in meeting needs. Aside from meeting needs strictly from a perspective of showing genuine concern for others, the logic follows that when needs are met people are less likely to violate status. P/DSOs from all four of the sample institutions reported intervening on the behalf of international students concerning issues related to: the registrar, the bursar's office, on-campus and off-campus housing, and financial assistance from various academic departments and in some cases, the surrounding community.

Surveillance

Foucault (1977) speaks of a special group of personnel who "become indispensable, constantly present" (p. 174). This seems consistent with the placement of P/DSOs at the institutional level. They are certainly indispensable in the process of admitting international students by issuing I-20s. But because the role of the P/DSO is to assist international students in remaining in status, P/DSOs also become indispensable in monitoring the actions of international students throughout their academic programs. There are potential consequences, such as fines, levied against institutions, if P/DSOs violate federal regulations. Therefore, in a sense P/DSOs are both the disciplinarians and the disciplined.

P/DSOs function as instruments of surveillance and as part of the machinery of what Foucault refers to as "disciplinary power" (Foucault, 1977, p. 175). Disciplinary power is intended to be a physical presence that is essentially unseen. Surveillance in and of itself does not punish. Instead, it controls, and disciplines, by being present but with limited visibility. Invisible presence is evident in situations where the P/DSO has communicated with other entities on campus to limit the movement of an international student, such as the P/DSO who spoke with the food services director, not only to prevent an international student from obtaining employment but also to be informed if that student applied for a job. This level of surveillance is accomplished with what Foucault (1977) calls the gaze (p. 195).

The gaze is everywhere. The gaze is an instrument of the eye of power; a way of seeing those under surveillance from multiple vantage points. It is manifested in people, as with institutional employees. It is also operational through other technological networks: Social Security Administration, the Department of Motor Vehicles, and hospital databases. The gaze is present through surveillance cameras, on campus and off.

Context matters with respect to the degree the gaze is employed in surveillance of international students and P/DSOs. Data collected from P/DSOs suggest international students are more vulnerable to the gaze. P/DSO E noted that while international students may forget to inform the institution when they move or have a baby, "Here on the Eastern Community College campus that's easy because we're small enough that we usually know" (interview, October 2020). The gaze is also effective because P/DSOs seem to consider their own role of assisting international students with maintaining visa status synonymous with honoring the institutional ethos. Therefore, P/DSOs maintain surveillance within the community by encouraging others to participate in the gaze.

Fear

The discourse of fear takes a different form within institutions. Rather than being employed to criminalize international students, fear as a power structure is applied to the control of institutions of higher education on the part of the federal government. There is much to lose if an institution is found to allow students to be out of status and therefore complicit in students' violations. P/DSOs are keenly aware that fines can be levied and in the worse-case scenario, SEVIS certification could be lost. This would mean forfeiting the privilege of enrolling international students and bringing exchange visitors of any kind into the institution. The earlier discussion pertaining to the use of SEVIS data offers a glimpse of the federal surveillance of institutions of higher education. Institutional data are entered into SEVIS as well as individual international student data. Therefore, the institution is also under the gaze of SEVIS; so, institutions of higher education also become "subjected to the disciplinary regime" (Foucault, 1977, p. 190) of SEVIS. It is still unclear exactly how the data are or will be used in the future. Conceivably, federal agencies could view data from an institution, gaining knowledge of what

international students do during and after their academic programs, then use that information to limit the autonomy of the institution. For example, if international students from a specific country apply, gain acceptance, and obtain a visa to an institution but immediately transfer to another type of institution when they arrive, these data will be entered and stored in SEVIS.

Might the Embassy or Consulate in the country from which those international students came begin to limit the visas issued for international students with I-20s for that institution? Perhaps the Department of Homeland Security will initiate a site visit to audit the files of the International Office at that institution.

A SEVIS site visit is the equivalent of an examination for institutions of higher education. Foucault identifies the examination as yet another discourse of power-knowledge. The examination makes cases out of people (Foucault, 1977), gathering knowledge through observation and comparison (Staples, 2000, p. 28). The "calculable person" (Hoskins, 1993, p. 277) is one who is easily assessable and reckoned with, and easily disciplined. The examination becomes a visible tool then of discipline for the subject (in the sense of a person, not a branch of learning or area of interest). I apply Hoskins' development of the Foucauldian concept of the examination about SEVIS site visits of institutions. As the federal government audits the policies and procedures of an institution, that institution may experience a sense of being disciplined and therefore come under its own sense of compliance. The examination, or site visit, then is a discursive practice, albeit a more visible one, which operates within the panoptical gaze. The calculable person, moved by fear and the knowledge of being observed, becomes a docile body (Foucault, 1977), as well as a producer of docile bodies, a notion I discuss in the following section.

Docile Bodies

The researcher wants to revisit the concept of, "compliance." A compliant child is amenable, submissive. One might use the words compliance and in status interchangeably in reference to student visas. Yet it seems P/DSOs talk about "remaining in status" or "coming into compliance." The language is significant because to come into compliance means to submit to the regulations and policies that have been violated. SEVIS employs surveillance to ensure international students and exchange visitors remain in status, while simultaneously ensuring that SEVIS-certified institutions bring those who violate regulations into compliance. The gaze and the examination are instruments of social control intended to create docile bodies: "mute, obedient individuals who have been subjected, transformed, and improved" (Staples, 2000, p. 28).

Thus far, the researcher has presented the findings pertaining to federal regulations and institutional policy. Data pertaining to federal regulations for international student visas include the criteria for obtaining student visas, applying for social security numbers, revision of the F visa program, and the implementation of SEVIS. Data pertaining to institutional policy indicate significant differentiation of how SEVIS and other visa related regulations are interpreted and implemented. This differentiation includes how P/DSOs define the advocacy aspects of their roles as immigration officials, funding structures, and training for P/DSOs. The policies reveal a wide range of differentiation in how regulations are interpreted. The policies also reflect institutional context.

P/DSOs Make Meaning

A Foucauldian analytic framework of discourses of power-knowledge is employed to identify discursive practices within regulations and policies. The thematic categories applied to analysis of data pertaining to federal regulations include surveillance, criminalization, fear, and docile bodies. Data pertaining to institutional policy are analyzed according to themes of advocacy, surveillance, fear and docile bodies. In the following section, the researcher presents findings identified from data specific to how P/DSOs make meaning of immigration regulatory environment.

How P/DSOs make meaning of the immigration regulatory environment is the main purpose for this study. The researcher begins the presentation of P/DSO findings by continuing the notion of advocacy raised in the previous section. Other themes which emerged from the data collected in interviews with P/DSOs included: access, the risks and worries of international students, issues related to dependents, perceptions of prejudice, feelings of being criminalized, and the responses of international students to regulations and policies. Presentation of the data is followed by analysis, which is based on the thematic categories of surveillance, fear, criminalization, docile bodies, and knowledge-power.

Advocacy

Prospective international students have significant contact with institutional P/DSOs prior to arriving in the United States, as P/DSOs submit the I-20s. While P/DSOs in this study viewed themselves as international student advocates, they indicated that international students did not share that belief. According to the P/DSOs, international students view institutional P/DSOs as part of the SEVIS process of surveillance and not necessarily advocates for international

students. All the P/DSOs in the-study suggested that international students were more likely to identify campus personnel other than P/DSOs as someone who could be sought out and trusted by the international student community.

Access

Issues of access to studying in the U.S. apply to both the visa application process and border crossing points, as access can be denied right up until the international student enters the United States at a port of entry. It was a consensus among the P/DSOs in this study that most international students receive student visas the first time they applied. Some international students from African countries were reported to have entered the United States from nations other than their home countries, such as the United Kingdom or Canada. P/DSOs seemed convinced that acquiring a student visa for the U.S. from a third country, as a temporary resident in that country, was potentially more successful than acquiring a visa from within their own country.

International students who acquire F-1 visas to study in the United States must of course come into the U.S. through an official port of entry. P/DSOs asserted that international students regarded the port-of-entry process as intimidating. All the P/DSOs shared that secondary inspections are common for both male and female students from Asian, African and Middle Eastern countries. While officials are not necessarily viewed as rude, they ask the same questions repeatedly or say nothing as they go through every item in one's bag, sometimes setting aside things which are permitted according to the guidelines. No explanation is given for being taken into secondary inspection and the wait can be several hours. P/DSO E stated that he advises new international students to allow lengthy layovers in U.S. airports when making travel arrangements to accommodate potential delays.

P/DSO E and P/DSO N identified the behavior of port-of-entry officials as rude or threatening. P/DSO E stated that one of his students was questioned by immigration officers who repeatedly asked, "What is your purpose here? What are you really doing here?" P/DSO N stated that one of her students reported having brought homemade food in a plastic container from her home country. The food, still in the containers, was confiscated and "thrown into the trash just right there. She didn't even get back my containers." The student, who had never been outside of her home country and had been unaware of the guidelines prohibiting non-commercial food items, felt embarrassed by the incident.

P/DSO S reported that international students encountering immigration officials in any context, whether it is an Embassy, a port of entry, or an immigration office in the U.S., is arbitrary; anything can happen, good or bad on any given day. Concerns regarding issues of access intersect with the risks which cause worry for international students. These risks are discussed more fully below.

Concerns of P/DSOs

Participants communicated concerns about many things (many of which are apart from issues related to SEVIS), such as international students using English as a second language, doing well in their classes and being liked by their professors and American classmates. P/DSOs communicated student anxiety related to the financial costs of studying in the United States. Principal/Designated School Officials identified benefits for international students, such as being able to seek employment, albeit predominantly part-time, as well as a variety of additional training options. When asked what they think their students perceive as the best aspects of studying in the United States, P/DSOs indicated that international students acknowledge the educational experience is very practical and they appreciate the hands-on approach to learning.

Yet far more than benefits, P/DSO – N stressed that international students often raised concern regarding the risks of being an international student in the United States. Risks include the possibility of losing visa status, which could result in being arrested and therefore being deported. Such consequences can occur if the credit hours for each semester or quarter drop below the required full-time minimum, an F-1 visa holder works off-campus or if the international student neglects to report a change of residential address within 10 days of relocating.

Another risk is leaving the U.S. prior to completing an academic program and not being permitted to re-enter the United States. P/DSOs reported experiencing fear of this possibility. When asked what kept the P/DSOs up at night, P/DSO W spoke of this issue more than any other possible risk. She stated, "Of course I worry about that. What if one of my students has to renew his/her visa while out of the U.S. and the visa is denied? What if he/she can't return? What if he/she can't finish? Yes, I worry about this very much" (Interview, October 2020). These concerns are well-founded. P/DSOs indicated they frequently recommend that students not plan to go home until they complete their programs, as being denied a visa renewal is always a possibility, especially since life circumstances are not static. P/DSO E stated "A student's situation may have changed between issuance of one visa to the next. If, for example, a parent has died there would be fewer ties to the home country and some Embassy officials may consider the current ties insufficient for granting a visa renewal. A wide range of life-altering events can occur, marriage, the birth of a child, other siblings entering the U.S. as students, selling of family property or a business. On any given day an Embassy or consulate official may interpret information of this nature in a variety of ways".

Dependent Issues.

Just as there are issues of access for prospective international students, access for students' dependents is also a concern. Data suggest international students from some countries are experiencing long periods of separation from dependents due to increased difficulty in obtaining visas for dependents post 9/11. P/DSO S indicated that participants from African nations, have more difficulty acquiring visas for dependents than any other national group represented at his institution. One complicated case was presented by P/DSO S regarding an international student from Kenya, whose wife was also studying in the U.S. The couple had two young children for whom dependent visas were secured under the wife's visa. P/DSO S explained that both the international student and his wife had secured full funding from the institutions which had admitted them and provided I-20s, but as one spouse secured a visa, the other was denied. The wife and children came to the U.S. ahead of the husband, who was denied a visa two more times before finally successfully securing F-1 status. P/DSO N spoke of a student from Zimbabwe who was reportedly being separated from his wife and daughter for almost two years since first coming to the U.S. to study. The student's spouse and child had been denied visas on three different occasions. On the initial refusal, the wife had been told by Embassy officials that the marriage license she submitted did not appear valid. The second denial was attributed to insufficient funds, even though the documents they submitted met the stated requirements of the enrolling institution. No reason was given for the third denial.

According to all the P/DSOs in this study, proof of significantly more financial support is required for international students' families who seek visas to accompany the student. Institutions determine the amount of funding needed based on the projected cost of living and how many dependents are involved. International students from countries traditionally regarded as

developing nations are often faced with the choice of coming to the United States to study alone, without their families, or forfeiting the educational opportunity of studying here.

As mentioned earlier, Southern Community College has adopted the health insurance requirements for all F-1 students and their dependents. While the intention of making health insurance coverage compulsory is a gesture of advocacy on the part of the institution, there is no question that doing so adds considerably to the costs for international student families; many are unable to cover the expense. Additionally, P/DSO S stated that many student health plans require high co-payments and deductibles for services obtained; therefore, many families pay for the insurance but never file a claim or receive insurance benefits.

Employment seems to be a recurring issue, appearing in several contexts in the interview findings, including the restriction of dependent employment. F-2 spouses, dependents of international students with an F-1 visa, are restricted from gainful employment. The consequences of this restriction are felt in financial, professional and emotional domains. Frequently families have been able to raise only the required funds, according to the budgets provided by an institution. P/DSOs indicated that the budgets they give international students underestimate the actual cost of living comfortably in the U.S. For example, budgets did not reflect the additional fees international students would encounter simply because they are foreigners, such as higher deposits for rental property, some utilities, and cell phones. Budgets also lacked input from local public schools regarding expenses such as school supplies and field trips, or cultural-based traditions with hidden costs, such as Valentines for elementary classmates or the Prom for secondary students. Further, P/DSO E added that international students with dependents in the public schools were ill-prepared for these expectations and their children suffered for this ignorance.

These issues appear at first glance as a digression from immigration regulations yet are part of the big picture and eventually do impact visa status. P/DSO E indicated that some students confessed to having taken on additional employment and finding employment for their F-2 spouses in order to set aside money to assure preparedness for unexpected expenses. Yet as an F-1 visa holder, the student knew he was out of status in working off-campus, as well as allowing his wife and son to work. This action is a reason for deportation.

If emergency expenses are incurred there are few resources for meeting those needs. Northern Community College has emergency funds available for unexpected costs, but these funds are limited. According to P/DSO N, many international students' dependents have taken advantage of public assistance in various forms, only to be informed after the fact that these programs are available to naturalized citizens, children born in the United States to immigrant or nonimmigrant parents, but not to the international students themselves or their other school-age dependents. These services include reduced and free lunch programs for children in public schools, health department services, and subsidized housing. P/DSO N stated that there has been significant confusion on the part of international students and their families, as it is individuals working in what international students consider official roles who are often the presenters of these programs. People identified as officials by P/DSO N include cafeteria directors, public school administrators and staff members, health department personnel, and subsidized housing directors. There is an apparent disconnect between federal government regulations pertaining to nonimmigrant visitors, such as international students and their dependents, and what some public agency employees know of those regulations.

Analysis of the Data

The researcher begins by engaging Stephen Ball's (1990) interpretation of Foucault and discourse as a way of understanding immigration policy as a discursive structure which incorporates the U.S. government, higher education, and international students. Discourse, or conversations within discursive structures, often determines what is said, what is not said, and who can speak (Ball, 1990). Furthermore, how Principal Designated School Officials (P/DSO)s make meaning is shaped by the assumptions held within discourses. "The world is perceived differently within different discourses. Discourse is structured by assumptions within which any speaker must operate to be heard as meaningful. Thus, the concept of discourse emphasizes the social processes that produce meaning" (p. 3). As noted in the previous sections, discourses of power can be identified as techniques, such as surveillance and criminalization, and products, such as docile bodies. Fear can be both an instrument and a product. The researcher starts with the technique of surveillance, followed by criminalization, fear, docile bodies, closing the section with a discussion of data specific to P/DSOs responses.

Discourse of Power-Knowledge

Previously I have acknowledged that according to Foucault, not all power is negative or oppressive. Foucault (1977) states, "We must cease once and for all to describe the effects of power in negative terms... In fact, power produces; it produces reality" (p. 194). Furthermore, because Foucault couples knowledge and power, one cannot exist without the other. So, just as SEVIS provides savoir knowledge (knowledge of the subject) for the federal government by holding information pertaining to international students, it also becomes part of the discourses of power as an instrument of surveillance. The objective of SEVIS and other visa related regulations and policies is to control international students and hold school administrators

accountable. Yet these individuals possess knowledge too. If international students and P/DSOs possess knowledge, they also possess power. Below I apply the power-knowledge couplet analytically to the responses the P/DSOs gave in response to visa regulations and policies. P/DSOs respond to visa regulations and policies in a variety of ways. In a sense, all the responses represent some form of resistance. I assign the responses to three general categories: working within the existing discourses, working apart from the discourses, and working to transgress the discourses.

Resistance is not necessarily apart from power, but operates from within it, sometimes even from within the power discourses which a response challenge. Responses of this nature work within the systemic structures. One example of such a response is P/DSO S responding favorably to an international student petitioning for an I-20 issued for an academic program that had traditionally carried a two-year period of validity to be increased to three years. This response appears to be an anomaly, as it is the only example from this study of P/DSOs working within the existing structures to change institutional policy. This P/DSO has the power and the knowledge needed to negotiate the institutional system.

The second form of response, that of developing resistance apart from existing discourses, involves what I have identified as the grapevine phenomenon. The networks of communication between P/DSOs include person to person, internet chat rooms, and blog sites. Networks are local and global. Participants consistently elected to secure information pertaining to regulations and policies from colleagues at other schools before, and often in lieu of, official U.S. government sites. P/DSOs reported they continue to seek out other P/DSOs, as these relationships are more common than relationships with federal immigration officials. P/DSOs first sought out other P/DSOs from other community colleges, then P/DSOs from 4-year

institutions. Gravitating to a community of P/DSOs from the community college was more comfortable as they could embrace a shared experience.

Finally, some responses transgress pervasive and dominating power discourses. These responses include F-1 students who work off-campus without DSO permission and F-2 dependents who are employed. Other transgressions involve F-1 students accepting public assistance in the form of health care, free lunch programs for children enrolled in public schools, and living in subsidized housing. In the majority of the responses in this category, the decision to resist in these ways is financially driven according to the P/DSOs.

Surveillance

SEVIS is the database which compiles all visa related information pertaining to international students and scholars studying in the United States. SEVIS is used as a tool of surveillance by various agencies within federal and institutional systems, as personal, academic and employment information about any international student can be accessed from SEVIS by various parties: Embassies, ports of entry, Immigration and Customs Enforcement (ICE), and institutions of higher education. P/DSOs in this study often referenced the surveillance (though not using that terminology) as a burden that they often carry. For example, P/DSO S discussed the fact that the United States Immigration and Customs Enforcement ramped up efforts in 2019 to ensure that international students were pursuing work opportunities directly connected to their field of study. “The agency is actually passing the onus on to school officials who have to judge the relevance of the job to the student’s studies”. P/DSO W also referenced this regulation by saying:

“Last year, ICE released new regulations requiring designated school officials (DSO) to review and maintain records of written statements from international students participating in Optional Practical Training and STEM OPT programs – demonstrating how students’ job responsibilities pertain to their area of study. The regulation adds a new dimension to P/DSOs’ already complex scope of work.”

In addition to reviewing students’ descriptions of relevance, P/DSOs must also now follow up with students to request additional evidence if their initial explanation is found to be lacking. “It puts a huge burden on higher education institution staff to keep track of all this” (P/DSO S, October 2020). Under the new guidance, students may provide the written explanation to P/DSOs via the Student Exchange and Visitor Program (SEVP) portal. P/DSOs must then review and assess the explanation and follow up as needed. Schools must maintain a record of the explanation, either in SEVIS or in the student’s school records. P/DSO W followed by saying “the students and P/DSOs will make an approximation of how they view the job and how it relates to their field of study, but it may not coincide with the view of an ICE officer. There’s the issue of whether discrepancies will be viewed as understandable or whether they will be viewed in a more negative light”. Surveillance of any kind is representative of the gaze, which was introduced earlier.

Fear and Anxiety

What international students fear has been identified in the data for this study within the context of risks, which are frequent sources of worry. International students worry about a variety of issues; from academic performance and success to the use of English, financial needs, and issues related to their visas. They worry about whether or not they will be able to return to the United States if they leave prior to completing their programs. The P/DSOs in this study also

communicated students' fear regarding encountering the P/DSOs. Ultimately, international students fear the punishment of losing their visa status and being deported.

Fear seems to produce a variety of reactions. Compliance is the desired outcome of fear as a discourse of power. Many international students remain in status and, as mentioned earlier, some who do not remain in status are brought into compliance by authoritarian P/DSOs. Fear of what such a P/DSO might report to federal authorities brings most who transgress policies and regulations into compliance. The analysis of other responses is discussed later in the knowledge-power section.

Criminalization

The researcher reported international students' feelings of being criminalized earlier in this chapter. Criminalization, however, is also a discourse of power and therefore she has identified it as part of her analytical framework. The criminalization of international students has been historically linked to terrorism. The media is complicit in this process, as international students have been highlighted as the culprits of the 9/11 attacks. Ironically, only one of the 9/11 terrorists entered the United States using a student visa. Even some events which have no connection at all to terrorism have been initially thought to involve international students. Case in point is the rampage of a troubled student at Virginia Tech University in the Spring of 2007. Before Cho Seunghui was identified as a permanent resident, in the U.S. since elementary school, live television news media had already raised the concern that he was an international student (CNN, April 2007). A wary public is easily influenced by the media. Incidents such as the Virginia Tech tragedy, despite having nothing to do with international students, somehow maintain public support for surveillance and other terrorist-monitoring tactics.

Docile bodies

Foucault (1977) refers to forming docile bodies as a "political anatomy" (p. 138). Such an anatomy consists of a population which is the object of control. Control is achieved utilizing regulations which identify, isolate, and keep international students and P/DSOs under surveillance.

The data from the interviews of the P/DSOs contends that power relations between the Department of Homeland Security (DHS) and the institutions were those where DHS, through SEVIS and policies exercised power to construct and determine the role of the P/DSOs in the management of international students as part of keeping the borders safe. Practices of power here reflect the understanding of power emanating from DHS, where government ideologies and practices dominate, and P/DSOs are merely beneficiaries of their roles. This domination is rooted in the concept of governmentality, that is an approach to governing society which emphasizes the positive effects of power and the willingness of individuals to accept and take part in their own governance. It is this concept of governmentality (Foucault, 1991) that is pertinent in exploring the power relations between DHS and P/DSOs. Here, government 'create a discursive field' which shapes 'the conduct, thoughts, decisions and aspirations of P/DSOs in relation to their roles and responsibilities. This discourse gives rise to 'a regime of rationality' (Foucault, 1991:79) in which policies are validated and justified to the population.

When asked for one word which would define the role of the P/DSO, P/DSO W said "compliance", P/DSO N said "enforcer", while both P/DSO S and P/DSO E said "accountability". P/DSO W continued by saying "the ever-changing immigration regulation has left little room for us to exercise autonomy".

What has resulted is docile bodies, institutions under the control of government where the opportunities for resistance (of P/DSOs) to the practices of power become eroded. P/DSO N suggested that the “field representatives” that visit twice a year have not made the feeling of being an enforcer any better.

“Our field representative that is supposed to serve as local customer service representatives to the academic community by meeting with us at least twice per year, represents a form of surveillance if you ask me. While she answers questions relating to SEVIS and the rules and regulations governing international students, there is no telling when she would want to review student SEVIS records. This makes the visits very nerve-wrecking as we have to be audit-ready at all times”.

Rather than creating an opportunity to establish the intent of the policy through educational discourse between DHS and P/DSOs, the imperative becomes one of acceptance where P/DSOs implement DHS initiatives without question in a bid to ensure their institution meets the regulation standards.

Summary

In this section, the researcher has presented data pertaining to P/DSOs. Data were identified in terms of how P/DSOs make meaning of the immigration regulatory environment. Meaning is determined by what is known, and knowledge informs power. The themes which emerged from the data include advocacy, access, employment, feelings of prejudice, and criminalization. The data were analyzed using Foucauldian themes of surveillance, fear, criminalization, docile bodies, and knowledge-power.

Overall, the findings suggest a relationship between how P/DSOs make meaning of the immigration regulatory environment with institutional context, but meanings also occur consistently across institutional lines and discourses. I have tried to demonstrate the assumptions held by P/DSOs, as assumptions are representative of knowledge. Furthermore, discourse "is structured by assumptions within which any speaker must operate in order to be heard as meaningful" (Ball, 1990, p. 3). P/DSOs in this study have been heard in their assumptions - what they know about SEVIS and other visa related regulations and policies, and in their responses, i.e., how they employ their own power.

Yet a larger picture is emerging of SEVIS and its role in monitoring international students. In considering the effects of surveillance, such as fear, criminalization, and the production of docile bodies, the researcher wishes to raise the question: what is the federal government's primary motivation for implementing SEVIS? International students and scholars are quite visible, as well as the most easily regulated population of internationals in the U.S., while other nonimmigrant groups cannot be monitored to this degree. Therefore, federal administrators can tell the American public that foreigners inside the U.S. are being monitored, even though international students and scholars are the primary subjects under this level of consistent surveillance. Furthermore, the role international students play in the internationalization of higher education seems in conflict with SEVIS and other visa related regulations and policies. How does one maintain that international students benefit the U.S. by living here and coming to understand American values if the regulations and policies make doing so problematic?

Another issue involves subsistence for international students. While many of the participants indicated their students have remained in compliance with visa regulations or have

come into compliance when a transgression was identified, questions pertaining to how prospective international students demonstrate adequate funding remain. Two participants acknowledged they are aware that some students falsify funding documents submitted to the institution. For these students, remaining in the U.S. has been extremely difficult. If they approach a P/DSO to ask for permission to seek employment off campus or in excess of the 20 hour per week limit, the P/DSO is forced to ask the student to demonstrate financial hardship which has resulted from unexpected, unavoidable circumstances, after which a \$410 fee is required. The inability to provide proof of this nature, as well as the fee, discourages many international students from seeking a financial hardship provision. These concerns inform a host of others, perhaps the most prominent of which is employment practices among international students after they arrive in the United States.

In the following section, I attempt to bring the issues raised by the findings into focus with a discussion of what has been learned from this study, juxtaposing federal regulations, institutional policies, and P/DSOs meanings and responses with the theoretical frameworks the researcher has used to think about the research questions.

Chapter 5: Discussion, Recommendations, and Conclusions

"Poststructuralism is difficult to the extent its practitioners use old words in unfamiliar ways, or coin terms to say what cannot be said otherwise. This new vocabulary still elicits some resistance, but the issue we confront is how far we should let the existing language impose limits on what it is possible to think." – Catherine Belsey (2002).

In the previous four chapters the researcher presented an overview of immigration policies and the challenges faced by Principal Designated School Officials (P/DSOs), as well as the theoretical foundations, methodology, and findings for this study. This chapter presents a summary of the study findings and discusses both the significance of the study for the field as well as opportunities for future research.

Discussion of Findings

Foucault (1972; 1978/1990) stated that applying language to something serves to form a discourse, allowing objective knowledge to be applied to that discourse. In this way, institutions perpetuate that knowledge and discourse establish power over it and its subjects, and subjects are thereby positioned to act according to normative and or acceptable rules within that discourse.

This study showed that powerful institutional discourses are at play in the relegation and regulation of immigration policies, as evidenced by the constructions and internalized discourses of the Principal Designated School Officials interviewed.

Certainly, the efforts of the federal government to centralize surveillance of international students and scholars through SEVIS and other student visa related regulations have influenced institutions of higher education in the United States. Institutions enrolling international students are now required to be certified by SEVIS, which includes investing in special software for

SEVIS and additional requirements for immigration officers (Principal Designated Student Officials, or P/DSOs) employed by institutions of higher education, such as being American citizens or permanent residents. While P/DSOs are responsible for entering all data on every international student, the U.S. provides no formal P/DSO training. As institutions accept the responsibility of implementing federal mandates, institutional policy emerges. In discussing these emerging policies, the researcher has limited the use of the word policy to institutional implementation of immigration policies and applied regulation to that of the U.S. government.

The researcher posits that SEVIS, like schools, hospitals, prisons, and most of society's structures, operates much like a Panopticon, with the locus of control permeating from the center, where the center of surveillance occurs, maintaining all personal data pertaining to international students and scholars. The observer is invisible but can observe the subject at all times and from multiple vantage points. Beyond the center are federal immigration officials, followed by institutional immigration advisors, referred to as Principal Designated Student Officials (P/DSOs). Another level of surveillance is provided by faculty, higher education staff and administrators, and the communities in which international students and scholars live, study and work. The international students are placed on the outermost edges of the SEVIS Panopticon, where they are visible to all of those who monitor them.

Knowledge-power is the combination of knowledge and power, with one never operating apart from the other. Fundamental to Foucault's knowledge-power framework are discourses, structures which comprise objects of power while simultaneously obscuring them (Ball, 1990). Discourses of power-knowledge, says Foucault, exist in all aspects of society. The researcher utilizes the knowledge-power framework to identify discourses of knowledge and power within the context of international students in urban community colleges in the United States. While

identifying the discourses which place international students in the role of the monitored, often to their disadvantage, the researcher also acknowledges the power held and utilized by P/DSOs in their responses to SEVIS and other immigration regulations and policies.

Federal Regulation

While the SEVIS fee of \$350 is consistent, fees for acquiring a U.S. student visa differ from country to country. United States Embassies and consulates around the globe seem to apply the criteria pertaining to visa requirements differently. Institutions of higher education determine what amount of funding is required for international students who want to study in the United States. Funding amounts are based on projected costs of living, tuition and applicable fees. Yet international students who demonstrate they have met these requirements may still be rejected at the embassy level due to insufficient funding, or insufficient ties to the home country. The researcher has discussed the fact that some prospective international students do falsify the funding documents in their applications. Yet even students who are fully funded by the enrolling institution experience denials while those who have provided false financial statements may receive visas.

Therefore, federal immigration officials seem to issue student visas arbitrarily, a perception compounded by the frequent failure to give a reason for denials. Another area of significant federal differentiation and arbitrary treatment involves various ports of entry, where P/DSOs reported that international students are being routinely taken into secondary inspections, even when their country of origin is not on the list of countries most consistently of interest in matters of national security.

Federal Regulations, Foucault, and the Implications

The Foucauldian thematic categories of criminalization, fear, surveillance, and docile bodies are applied to issues related to SEVIS and other immigration regulations related to international students. The nature of surveillance is that of an inconspicuous, yet prominent, presence. Surveillance, says Foucault (1977), provides a gaze which promotes feelings of criminalization and fear in those who are observed and is intended to yield individuals who are docile bodies. Furthermore, surveillance is pervasive, as it occurs in federal and institutional contexts. The Panopticon (Foucault, 1977) provides a structural framework for SEVIS. The database is placed at the center of the Panopticon, with concentric layers extending from the center containing federal officials, institutional officials, faculty, and community officials. The final layer contains the international students, who are seen by all, but are unable to view those who observe them.

The Panopticon and all of the themes are parts of an overarching framework: knowledge-power. Foucault considers knowledge and power inseparable, as each informs the other and operates in response to the other. Knowledge is identified as both *savoir* (symbolic) and *connaissance* (knowledge). *Savoir* knowledge, based largely on identity information pertaining to the observed, has been most prominent in terms of SEVIS functions. The information entered and stored in the SEVIS database becomes an instrument of surveillance in monitoring international students who study in the United States.

SEVIS, understood within the Foucauldian framework briefly reviewed above, raises questions about how international students are perceived and treated in the United States. Is every international student considered potentially dangerous (as a possible terrorist) until proven innocent? Since security clearances are ongoing, are international students ever deemed not a

threat? All international students are suspect at this time. These issues are even more disturbing considering the role international students play as tools of internationalization of higher education in the United States.

Many entities in the United States, including political leaders, institutions of higher education, and the Association of International Educators (NAFSA), identify international students as principal instruments of internationalization and a financial asset. Yet the same government that acknowledges the benefits of having international students study in the U.S. simultaneously delays the visa process for the majority of international student applicants and denies access entirely for many. Access for international students from developing, non-Western countries may be particularly troubling, as these students are representative of populations with the most limited financial resources. Previously, the researcher has acknowledged that falsification of financial documents has occurred when prospective international students seek to study in the United States. Yet the actions of some should not negate the seriousness of U.S. regulations which intentionally limit access to any group when the criteria for issuing student visas are inappropriate for that population. The most common reason identified for denying visa acquisition is insufficient ties to the home country. Criteria for being sufficiently tied to the home country include ownership of property or a business. These criteria were first established as part of the Immigration and Nationality Act of 1952 (INA), when the federal government sought to increase the numbers of international students studying in the U.S. Therefore, the United States is applying culturally bound criteria to establish sufficient home ties, as ownership of property is not necessarily the norm in many cultures. So, the implication is even more difficult: perhaps the U.S. is maintaining the standard first penned in the INA for the purpose of limiting access to

certain groups? The findings of this study indicate international students from African nations, particularly Nigeria, are having the most difficulty with regard to acquiring U.S. student visas.

The implications raised go back to issues of access. P/DSOs in this study voiced concerns regarding their African students' struggles acquiring student visas and visa renewals for the U.S. The data do not provide enough information to support a clear relationship between these units of information but are substantial enough to make the researcher uncomfortable. She raises the issue again below in suggestions for further research.

Issues which affect international students that P/DSOs referred to in this study raise related concerns. The fact that significant delays in the visa process have and continue to occur has been thoroughly discussed in previous chapters. Additionally, secondary inspections in ports of entry and exit have increased since the implementation of SEVIS. Finally, the inability of some international students to re-enter the U.S. if they must travel home prior to completing their academic programs. Increasingly, for many international students the message is clear: international students are not welcome in the United States.

Perhaps the most ironic reality for international students who gain access using a student visa is the fact that there are non-documented international students attending U.S. institutions of higher education. So, what is the point of SEVIS? SEVIS was designed to monitor all international students and scholars who enter the United States with an academic visa. Other visa holders, such as visitors, are not entered into the SEVIS database. Unlike SEVIS, existing databases do not track those individuals if they remain in the U.S. beyond the visa expiration date. This issue connects with the larger conversation of immigration in the United States, which this study is not prepared to address. However, the reality of non-documented international students enrolling in American institutions of higher education suggests yet another painful

implication: international students who remain in status for the duration of their academic programs and return to their home countries as agreed, adhere to strict visa guidelines, pay all required fees, and endure interrogations during secondary inspections when they travel may find the effort was both punitive and unnecessary.

Institutional Policy

The highest level of differentiation seems to occur at the level of institutional structures and policies established from the interpretation and implementation of federal visa regulations. First, staffing practices vary significantly among the four institutions in the sample. Federal regulations require institutions which enroll international students to employ at least one person who serves as an institutional immigration official. All institutions enrolling international students with F-1 visas are required to have a Primary Designated Student Official (P/DSO). Additional F-1 personnel are referred to as Designated Student Officials (DSOs). Many schools have one staff member who actually functions in both roles. The sample institutions in this study represent a wide range of staffing models for institutional immigration advisors. Western Community College employs only a P/DSO, while Northern Community College employs a P/DSO and a DSO, but the DSO does not perform any immigration related tasks. Eastern Community College employs a P/DSO and three employees functioning as DSOs and Southern Community College employs a P/DSO with ten DSOs. When the P/DSO is the only DSO employed by an institution, or when a second DSO is in title only, there is vulnerability for the P/DSO to establish policy based on personal preferences and present that policy to the institution as law, without accountability. This occurred in one of the institutions in this study.

Federal regulations require international students to demonstrate they have available funds for the first year of study in the United States. International students are being required by

Southern Community College to also demonstrate availability of funds for living expenses and health insurance. The situation suggests the Primary Designated Student Official (P/DSO) and the administration in this institution is determining policy and presenting it as regulation.

Further evidence of differentiation between institutions in regulation interpretation and implementation is seen in how institutions interpret regulations pertaining to Curricular Practical Training (CPT), which allows international students to obtain paid training connected to a course of study. Some institutions have a narrow interpretation of the regulations, limiting CPT experiences to short-term internships or course-specific programs while other institutions consider virtually any work experience as valid and beneficial for the course of study involved.

The most salient variance may not be specific to interpretation of federal regulations, but indicative of institutional context. I noted a key area of differentiation pertaining to how DSOs from different types of institutions view their roles in assisting international students maintain visa status. Some P/DSOs view themselves as responsible for making sure international students are aware of the benefits of maintaining status, while others see their roles as policing international students, even in demanding violators come into compliance if a violation is discovered or reported to the DSO. The researcher acknowledges this differentiation as indicative of how context may inform one's perspective of authority. Diana Baumrind (1967) first identified applications of how authority is configured in the context of parenting. Authoritarian parents are typically more inclined to monitor and control child behavior externally, while authoritative parents tend to be more inclined to negotiate, yet maintaining a sense of authority (Rudy, et al, 1999). The researcher uses these definitions of authority to help understand how institutional context informs P/DSOs' views of their own roles with international students.

Institutional Policy, Foucault, and the Implications

The analytical themes employed for the institutional findings include fear, surveillance, and docile bodies. The policy implications are significant for each of these categories. Foucault (1977) identifies fear and docility of those who are observed as potential outcomes of surveillance. Surveillance is embedded in the variances of the institutions. Institutional staffing, specifically, the number of DSOs employed and where they are placed within the organizational structure is important. The more DSOs there are, the more likely surveillance would occur, as there are more individuals gazing on international students. Instead, institutional context was more salient in terms of DSOs as human instruments of surveillance. While the size of the institutions may be a considerable factor, the dispositions of the P/DSOs with regard to authority seem to be more essential.

The researcher has raised the notion of varying types of authority represented in the institutional sample. Authority types have implications, especially when there is only one person functioning as a P/DSO. When no other staff member or administrator is cognizant of SEVIS or other visa related regulations, a range of discrepancies can occur, from unintentional to intentional misinterpretation of regulations toward establishing policy as it pleases the individual. While the latter extreme may be difficult to measure, the fact that it could happen must be acknowledged. Either way, the implication of much more widespread differentiation than this study could possibly identify may be occurring, based on staffing issues alone.

While P/DSOs are responsible for entering international student data into SEVIS, other employees who provide services to international students also play important roles. It is essential that these individuals also receive training pertaining to federal student visa regulations. Institutional policy that does not keep other personnel informed of regulatory changes makes

both the institution and the international students enrolled vulnerable to visa violations.

Admissions personnel should be especially aware of visa regulations, not only for initial entry to the United States, but for sustaining visa compliance throughout an international student's stay in the U.S. Having a full understanding of the regulations enables admissions counselors to provide more complete information to prospective international students. Finally, implications for recruiting practices must be addressed. Institutions increasing their efforts to recruit international students need to acknowledge the realities of challenges associated with studying in the United States. The challenges for the international students have been discussed in depth previously in this dissertation. Such challenges include maintaining a full-time course load, adhering to employment limitations, fully disclosing all financial information, keeping the institution and the U.S. government advised of one's residential address, and submitting to extensive security clearances, and secondary inspections in ports of entry and exit. More abstractly, recruiters must find a way to address the issue of how it might feel to be an international student in the U.S. in a post 9/11 environment which requires all of the above.

P/DSO Making Meanings

Findings pertaining to how P/DSOs make meaning of SEVIS regulations and policies tend to be more negative overall than positive. P/DSOs communicated frustration with regard to delays their students face in acquiring visas, repeated experiences of secondary inspections of international students in ports of entry and exit, and long separations from family members. P/DSOs indicated they worry most about their students leaving the United States prior to completing their academic programs and being denied visa renewals to return.

P/DSOs respond to regulations and policies in a variety of ways, encompassing both legal and illegal activities according to the student visa guidelines. Some responses involve awareness

of student employment outside of the stated visa regulations and turning a blind eye.

Additionally, initiating any policy adjustment is rare for P/DSOs, as they typically either submit to existing policies or find ways to make the policies more workable within the system.

It seems that P/DSOs as well as international students are docile bodies (Foucault, 1977) in the sense of trying to comply with regulations and policies. They are always observed by someone and are apparently fully aware of that reality.

How P/DSOs make meaning of regulations and policies may elicit another conversation regarding what it means to be a citizen in a global sense. The researcher is not suggesting that international students and scholars as visitors to the United States should be granted the privileges of U.S. citizenship. What she is trying to raise is the fact that international students come to the U.S. with their own cultural understanding of citizenship, and this is juxtaposed to their preconceptions of life in the United States. Granted, this study has not measured those issues. However, the perceptions of citizen versus visitor are difficult to ignore in light of the layered federal regulations and institutional policies with which international students must comply. If so, a new definition of what it means to be a global citizen is needed.

Recommendations

SEVIS became a permanent part of the Patriot Act legislation in 2006 (The White House web page). Apart from changing the law, SEVIS and the visa regulations which accompany it are here for the long term. There are still ways, however, of engaging the federal government and institutions of higher education in the United States in conversations which could lead to altering regulations and policies to alleviate unnecessary challenges for P/DSOs and international students in the U.S. The benefits of making adjustments include the possibility of increasing the

numbers of prospective international students at both the undergraduate and graduate levels, as well as increasing the quality of life for international students after they enter the U.S. to study. Certainly, these benefits could be seen as self-serving; yet this should not preclude making needed adjustments in regulations or policy. Therefore, the researcher suggests these entities consider some of the thoughts offered below, beginning with institutions.

Institutional Recommendations

Institutions could do more in assisting international students with finding adequate employment options. International students hold F-1 visas, which limit them to on-campus employment. One possible solution may be to establish cooperative programs with other institutions within city or county parameters. Such programs might permit international students to seek employment on campuses within the cooperative institutions, while not compromising visa status.

It has been established that U.S. government regulations pertaining to Curricular Practical Training (CPT), which occurs during an international student's course work, can be broadly interpreted. Faculty should be involved in the process of successfully identifying what is considered "an integral part of the curriculum" to increase CPT opportunities which are both beneficial for international students and consistent with regulations and policies. When an Office of International Student Services (ISS) makes policy based only on the ISS interpretation of the regulations and without input from faculty regarding the desired learning outcomes of a CPT experience, unnecessary limitations may be placed on the international student. A more holistic interpretation and implementation of the federal regulations can occur when faculty and ISS staff members collaborate on CPT descriptions.

Professional development for P/DSOs needs to be utilized to assist them in dealing with culture changes, workflow changes, updates in policy and communication and advising techniques. An assessment of each office's current operations should take place internally. Assessments should be used to address areas for improvement, strengths, weaknesses, and possible reorganization. They should also be used as a basis for assessing resources versus need and potentially creating a request for additional resources. Institutional administration should be open to listening to the P/DSOs and their needs and assess the importance of international student presence on campus when reviewing such requests. Within each international student and scholar office, regular meetings should be held to announce, discuss, and address new and changing legislation. P/DSOs should ensure everyone is aware of and comfortable with explaining, understanding, and implementing new policies affected by legislation. Simultaneously, international student and scholar offices should work towards keeping, strengthening, or enhancing their skills that make them so valuable to the international population. By retaining programming, advising hours, and interaction with students, administrators will feel the rewards of the field and their work while also serving the international students.

Finally, any institution which enrolls international students must be fully certified by SEVIS. This is a significant investment on the part of the institution. That investment should carry to the hiring an adequate number of fully qualified Designated Student Officials (DSOs). Currently, the federal government recommendation for every SEVIS-certified institution is a minimum of two DSOs. Yet even institutions which technically employ two DSOs frequently do not provide training for both individuals toward full understanding of SEVIS and other visa regulations. This essentially renders the institution, and the international students it enrolls, equally vulnerable to institutions where only one P/DSO is employed. In such cases, the one and

only DSO has full responsibility for interpreting federal regulations and establishing institutional policy related to international students. There is no system for checks and balances to see that policies are fair, consistently applied, or even accurately interpreted for that matter. To that end, institutions would do well to establish a team of individuals well-versed in the basics of SEVIS and student visa regulations. Such a structure helps ensure consistent provision for international student support with regard to visas and tends to carry over into multiple areas of meeting international student needs. Institutions which do not provide adequate support for international students through Offices of International Student Services and P/DSOs could easily communicate a lack of concern for the international students it enrolls. Furthermore, P/DSOs should be financially compensated for the level of responsibility which is compulsory for the role.

Federal Recommendations

Currently, all foreign nationals seeking a visa to enter the United States as nonimmigrants, whether their time in the U.S. is spent as visitors, in a business or employment capacity, or as students, must demonstrate ties to the home country. This regulation is explicitly stated in the Immigration and Nationality Act (INA), enacted in 1952 and amended many times since then, including the Homeland Security Act of 2002. The INA states, "every alien ... shall be presumed to be an immigrant until he establishes to the satisfaction of the consular officer, at the time of application for a visa ... that he is entitled to a nonimmigrant status" (Section 214b). Therefore, the applicant is responsible for demonstrating that he or she intends to return to the home country. These criteria are problematic because they are based on Western notions of economic ties, such as ownership of property or business connections. Secondly, social ties which include leaving family members behind frequently mean families are separated for long

periods of time. The researcher has already discussed the issues related to these consequences but reiterates the fact that any prospective international student who applies for a visa to study in the United States is automatically put into one or both of the following situations: either the international student visa applicant is faced with presenting his or her long-term intentions dishonestly in order to acquire a student visa or with remaining in the United States illegally. This regulation, therefore, may increase the chances of international students overstaying their visa period of validation.

The researcher suggests the Department of State (DOS) increase the length of time a visa is valid for F-1 student visa holders to accommodate the anticipated length of the respective academic programs. This, if applied to F-1 students, would enable international students to travel freely during their academic programs of study, which could increase the chances of maintaining ties to the home country with regard to family relationships and potential employment opportunities.

Another recommendation involves the regulation restricting F-2 dependents from seeking employment. Again, the difficulties associated with this regulation are previously noted. However, put simply, denying employment opportunities to spouses of international students may reinforce the likelihood that the spouse and any other dependents will remain behind in the home country, adding to the length of time apart. Spouses who are not free to work in the United States are also at risk for isolation and depression. I suggest some reconsideration be given to revising this regulation to allow some employment, even on a part-time basis, considering the consequences of the existing regulation in terms of overall impact on international students and their families. Certainly, this point can also be argued on the basis of what has a positive impact on international students and their dependents may also have positive consequences for the

United States, such as utilizing gifted and skilled workers, and in the vein of increasing opportunities for cross-cultural understanding. Lastly, the issue of international students gaining access to higher education in the United States by obtaining a visa for one institution and immediately transferring to other institutions upon their arrival in the U.S. needs to be addressed. The institution which has issued the 1-20 has invested time and resources in doing so, but sees no return on that initial investment. I suggest that regulations require incoming international students to complete at least one semester at the institution for which they received a visa, prior to transferring to another school. This might curtail the practice somewhat and would certainly permit the initial institution to benefit by receiving one semester of tuition to compensate for funds invested in the student during the admission process.

Additional Research

Principal Designated Student Officials (P/DSOs) interviewed for this study have varying amounts of experience and training. All of those interviewed utilize materials produced by NAFSA in the process of interpreting federal regulations. In fact, NAFSA has become the leading organization for providing information and training pertaining to visa regulations and policies in higher education. No other organization is cited in related literature and the U.S. government does not provide training of any kind for SEVIS institutions. Yet membership in NAFSA is expensive. If an institution does not cover the cost of joining NAFSA, individuals working with international student visa issues may not be adequately trained. Even in the case of full membership, training programs are voluntary and carry additional costs. The role of NAFSA needs more research. How do NAFSA membership and trained schools compare, for example, with non-NAFSA schools? Such research could illuminate more differentiation of interpretation and implementation regarding visa regulations among institutions of higher education.

Student visa applicants from African countries may be experiencing more access related problems than other groups, an issue that needs additional research to be confirmed or refuted. A related area of study involves variation in how Embassy and consular officers interpret and implement guidelines for visa issuance or denial. Does each visa issuing office have the same set of guidelines? Are the guidelines clearly defined? Furthermore, what kind of training do visa and immigration officers receive? Is it consistent across all Embassy and consulate lines? These are questions to be raised in other studies.

Finally, having applied a Foucauldian theoretical framework throughout this dissertation, the researcher acknowledges the need for additional analysis of the framework relative to the findings. In hindsight, the study might have provided a critique of Foucault. Additionally, as the researcher has noted, the thematic categories used do not allow for differing institutional contexts, which data indicate matters. The sample used contributes to the problem of analysis as well. Limiting the sample to four institutions, did not provide enough variance to definitively determine how much mission influenced the data. The researcher would like to continue the project with P/DSOs from other types of institution, such as four-year institutions, and for-profit institutions. Perhaps such an addition would provide clarity of context and mission impact on how P/DSOs make meaning of regulations and policies.

Conclusion

In this chapter the researcher has summarized the previous four chapters of this dissertation, noting the primary objectives of the study, the theoretical frameworks, methodology, and findings. She also discussed the implications and offered recommendations for the federal government and institutions, as well as identified a few areas for additional research.

The researcher's closing thoughts take her to the questions with which this study began. She wanted to know how P/DSOs make meaning immigration regulations and policies. The purpose of this study was to contribute research to begin to answer these questions.

The researcher was struck by the notion that bringing international students to the U.S. benefits the U.S. both financially and by internationalizing higher education. Another key rationale for enrolling international students is that of cultivating American values world-wide. Not one P/DSO said anything even remotely in the range of, "international students are learning about America and respect its values and culture." Instead, the P/DSOs in this study take a much more pragmatic view of international students' time in the United States. If the overall objective is to send international students back to their home countries with a positive sense of American life and values, we may be failing miserably. This researcher can only hope that this research will add to the conversations currently taking place in higher education in such a way as to counter the climate of suspicion and surveillance in relationship to international students and scholars who make the United States their home, even temporarily.

Appendix A: Data Instrument – Interview Questions for P/DSOs

1. Tell me about your role in working with international students at your institution?
2. What are the benefits of having international students at your institution?
3. What are the top 5 countries that your students are from?
4. Describe the values of your institution?
5. How do you understand the immigration policies relating to international students?
6. What are the benefits of studying under the F-1 visa program?
7. Describe how you maintain currency with immigration policies?
8. How do you view your role in implementing immigration policies at your institution?
9. Describe the challenges of implementing immigration policies at your institution?
10. Who are some of the other organizations or networks that influence international education policy at your institution?
11. What kinds of immigration violations are most common among the students with whom you have contact?
12. What kinds of issues usually create these violations?
13. What is the process of reporting a violation at (the name of the institution)?
14. How does your institution manage institutional compliance with DHS regulations?
15. How much of your work is affected by immigration regulation?
16. How would you characterize the United States immigration policies?
17. How do you balance the requirements of compliance and student support?
18. What keeps you up at night?

Appendix B: Documents Collected for Analysis

Documents Analyzed	Rationale
Federal Documents: • Congressional Meeting notes • Code of Federal Regulations – Nonimmigrant Classes • Legislative texts	To focus on the language of each piece of documents as to how regulations and policies were stated. The documentary data and related literature were also used to refine the codes, supplement the findings, and assist in validity
NAFA Documents: • Opinion pieces • Advocacy Statements & Recommendations • Research	Used data to create detailed descriptions of the cases to support, oppose, and inform the interview data.
Newspaper and Journal Articles	Used data to create detailed descriptions of the cases to support, oppose, and inform the interview data.
Community College Documents: • Websites • International Student Policies & Procedures	To understand what is communicated internally and externally regarding immigration regulations.

Appendix C: Consent Form

CONSENTING TO THIS STUDY AND CONSENT FORM

[International Student Compliance: The Regulatory Dilemma of Student and Exchange Visitor Program (SEVP)-Certified Urban Community Colleges]

Introduction

The purpose of this form is to provide you information that may affect your decision as to whether or not to participate in this research study. If you decide to participate in this study, there is a one-page consent form at the end of the study that you can sign to record your consent. The purpose of this interpretive case study is to explore how Principal Designated School Officials (P/DSOs) at SEVP - certified urban community colleges understand and construct their roles within the current immigration regulatory environment while simultaneously meeting the needs of the international students they serve and their institutions that are responsible for providing evidence of regulatory compliance to the federal government. You were selected to be a possible participant because you meet the above criteria.

What will I be asked to do?

If you agree to participate in this study, you will be asked to engage in a maximum of a two-hour interview via Zoom to talk about your experiences with the assistance of prompts provided by the researcher. This study will take six months. Over the course of the months, I will interview you once, and follow up with you to review data, to check for accuracy of transcription, verification of meanings made, and verification of findings. Your conversations will be audio taped.

What are the risks involved in this study?

There is no foreseeable risk for participating in this study. At any point participants can exit the study if she or he feels uncomfortable without penalty.

What are the possible benefits of this study?

There is no direct benefit for you to participate in this study.

Do I have to participate?

Your participation is voluntary. You can exit the study anytime without any penalty or prejudice.

Who will know about my participation in this research study?

The records of this study will be kept confidential. No identifiers linking you to this study will be included in any sort of report that might be published or presented. Research records will be stored securely and only my dissertation chair, Dr. Michael Burke, will have access to the records.

Whom do I contact with questions about the research?

If you have questions regarding this study, you may contact Omobonike Odegbami at 248-679-2216, or at oodegba@k-state.edu or oodegbami@gmail.com or Dr. Michael Burke at 505-231-2267 or at mlburke@ksu.edu

Whom do I contact about my rights as a research participant?

This research study has been reviewed by the Human Subjects' Protection Program and/or the Institutional Review Board at Kansas State University.

Signature

If you agree to participate in this study, then please read the consent form on the following page, ask any questions you have about the study, and sign at the bottom to demonstrate understanding of your expected role in this study.

_____	_____	_____
Researcher	Signature	Date
_____	_____	_____
Participant	Signature	Date

Consent Form

I, _____, agree to participate in a multi-case study as part of a doctoral dissertation by Omobonike Odegbami chaired by Dr. Michael Burke (505-231-2267) from the Department of Educational Leadership at Kansas State University titled International Student Compliance: The Regulatory Dilemma of Student and Exchange Visitor Program (SEVP)-Certified Urban Community Colleges. I understand that my participation is voluntary. I can stop taking part without giving any reason, and without penalty. I can ask to have all of the information about me returned to me, removed from the research records, or destroyed.

The reason for this study is designed so that the researcher can gain some understanding of how Principal Designated School Officials (P/DSOs) make meaning of the immigration regulatory environment.

If I agree to take part in this study, I will be asked to do the following:

1. Attend one 1-2-hour interview with the researcher via Zoom.
2. Share relevant documents with the interviewer such as archival documents.
3. Check for accuracy in the researchers' transcripts and findings when depicting my information.

I understand that:

- The researcher will audiotape conversations and interviews that occur between the researcher and me.
- The data will be kept by the researcher and will be shared while maintaining confidentiality with Dr. Michael Burke.
- The researcher will analyze the data and keep it for no longer than one year for educational and research purposes after the last date of data collection.
- There is no direct benefit for me participating in the project.
- No risk is expected but, if I experience some discomfort or stress during observations or conversations, then I can choose to discontinue my participation in the study without any penalty.
- No information about me, or provided by me during the research, will be shared with others, except if it is necessary to protect my welfare (for example, if I were injured and need physician care) or if required by law.

The researcher will answer any further questions about the research, now or during the course of the project. I understand that I am agreeing by my signature on this form, to take part in this research project and understand that I will receive a signed copy of this consent form for my records.

Researcher Signature

Date

Participant Signature

Date

Please sign two copies, keep one and return one to the researcher.

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