



# Loopholes and Plugging the Loopholes: An Investigation of the Incidents of Attending a University or College by Means of Fraudulence

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**Type of Work:** Peer Reviewed.

DOI: <https://dx.doi.org/10.21013/jems.v19.n3.p1>

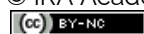
**Review history:** Submitted: June 20, 2023; Revised: July 16, 2023; Accepted: July 25, 2023

#### How to cite this paper:

Jiaxin, L., Yuhui, Z., & Yuxuan, G. (2023). Loopholes and Plugging the Loopholes: An Investigation of the Incidents of Attending a University or College by Means of Fraudulence. *IRA-International Journal of Education & Multidisciplinary Studies* (ISSN 2455-2526), 19(3), 165-175. <https://dx.doi.org/10.21013/jems.v19.n3.p1>

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This paper is peer-reviewed following IRA Academico Research's [Peer Review Program](#) .

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## ABSTRACT

The incident of “attending a University or college by the means of Fraudulence” has not only trampled on the bottom line of educational fairness and social justice but also the dignity of national laws and administrative regulations. There are three main reasons for the repeated occurrence of “attending a college by the means of Fraudulence”: firstly, the lack of strict audit in the admission process of college entrance examination; secondly, the lack of strict review in the admission process of college freshmen; thirdly, the lack of strict supervision in the cultivation process of college talents. In order to effectively prevent the recurrence of the incident of “attending a University or college by the means of Fraudulence”, education administration should join with universities and social third-party organizations to plug the loopholes in the admission process of college entrance examination with systematic audit mechanism, the loopholes in the admission process of new students in universities with systematic review mechanism, and the loopholes in the cultivation of talents in universities with systematic supervision mechanism.

**Keywords:** attending a University or college by the means of Fraudulence; prevention and control mechanism; loopholes; plugging loopholes

### 1. Problem Formulation and Literature Review

Although a higher education degree does not necessarily represent a high level of ability, it has always been a relatively easy brick to open the door to employment, and has become a sign that an individual can enter a relatively superior employment position, or even a pass to enter "high society". In order to obtain a higher education qualification, ordinary students have been competing to cross the "one-way bridge" of the college entrance examination, trying to change their destiny through the college entrance examination has become a major part of the "ten years of hard work" of the majority of students. The "one-way bridge" has become a great source of hope for students who have been studying hard for ten years. Since the resumption of the college entrance examination system in the late 1970s, countless students have obtained tickets to higher education through their diligence and perseverance, but sadly, there have also been cases such as "Zhang Huqun", "Qi Yuling", "Gou Caixia", "Gou Caixia" and "Gou Caixia". Luo Caixia", "Gou Jing", "Wang Lili", "Chen Chunxiu" and other students from poorer backgrounds have been able to obtain a ticket to higher education through "ten years of hard work". The "tickets" that should have been theirs in exchange for the "ten years of hard work" have been taken by others, who have then been impersonated to attend university. As the act of "attending a University under false names" not only tramples on the bottom line of educational fairness and social justice but also on the dignity of national laws and administrative regulations, it has become a major crime and has attracted the attention of the Party and the government and people from all walks of life. "How did this incident happen? How to punish impostors? How can we prevent the recurrence of the "impostor at university" incident? The series of questions surrounding this incident has so far been studied from a number of perspectives. For example, Jingjun Bai (1999) has considered the issue of fraudulent students from the perspective of strengthening the management of academic records; Junjie Zhang and Lirong Chen (2010) have put forward their views on the causes, dangers and suggestions to curb the "fraudulent university admission" incident from the perspective of public supervision, university audit and personal integrity ; Jingying Li

(2016) has pointed out that from the perspective of candidates ; Yaqun Zhang (2020) elaborates on three major measures to effectively prevent and curb fraudulent practices such as fraudulent enrollment from the implementation level; Xingpei Yang (2020) clarifies the criminal law regulation of fraudulent enrollment; FanYang (2020) specifically discusses the legal responsibility of the person who substitutes himself ; Dengwei Shu (2020) , in his analysis of whether fraudulent enrollment should be regulated by a separate offence ; Xiangsheng Qian (2021) analyzes the institutional space and practical path for the restoration of school registration for victims of college entrance examination impersonation from the perspective of the development of the rule of law and the modernization of higher education governance , and Feng Xu and Fei Xie (2021) explain the disciplinary mechanism and remedial paths for impersonating students; Yanfang Hou (2021) provides an in-depth analysis of the criminal law response to the problem of impersonating students from the perspective of both the improvement of the crime and the creation of a new crime. The criminal law response to the problem of impersonation in school is analyzed in depth by Hou Yanfang et al. It is undisputed that the above-mentioned research findings are of certain foundational and pioneering value for subsequent studies, but they are clearly limited in their ability to provide a comprehensive understanding of the "fraudulent substitution for university" incident and to prevent its recurrence. This is because most of the existing studies only focus on the obvious link between the recruitment to the college entrance examination and the main body of the impostor, but in fact, the "impostor to university" incident is also related to the obvious link between the new students (including undergraduates and specialists) and the talent of the university. In fact, it is also closely related to the explicit process of admission and the implicit process of talent training in universities. In addition, the departments and people involved in the case of "impersonation at university" are relatively complex, in particular, there are cases where the impersonated person is directly impersonated without their knowledge, where the impersonated person is impersonated without giving up the results of the entrance examination or the opportunity to attend school, where the impersonated person impersonates the student of the impersonated person and takes part in the examination on their own, and where the impersonated person is impersonated. There are four different patterns of "impersonation at university", such as the impostor's "voluntary" consent to the impostor's substitution for him or herself out of some "transaction". In this regard, this paper will focus on all the explicit and implicit aspects of the "impostor at university" incident, from the perspective of all the stakeholders involved in the "impostor at university" incident, based on the whole process of the "impostor at university" incident. "It is a comprehensive examination of the whole process of the "fraudulent university admission" incident and its corresponding prevention and control mechanism.

## **2. The Three Missing Links of The "Impostor College" Incident**

A comprehensive review of this major criminal incident shows that there are different forms and degrees of deficiencies in the three aspects of university admissions, new students' enrollment and talent training, which have led to the "university fraud" incident. The incident of "impersonation at university" is a result of the concerted efforts of the universities to create different forms and degrees of deficiencies in the admission, admission and training of students.

## **2.1 Lack of Rigorous Auditing in The Recruitment Process**

From 1977 to 1999, due to the immaturity of Internet technology, the admissions process was carried out manually. Such a manual recruitment method not only required a lot of human and material resources, but was also relatively error-prone and, in particular, provided a certain ground for recruitment corruption. Gang Jiang (2017) elaborated that with the development of Internet technology, the Ministry of Education took the lead in organizing 10 provinces (autonomous regions and municipalities) and 199 colleges and universities in Beijing, Tianjin, Liaoning, Shanghai, Guangxi, Sichuan, Fujian, Hubei, Chongqing and Yunnan to implement the pilot work of online admissions in 1999, and since 2005, Chinese colleges and universities have fully realized online admissions. After the implementation of online admissions, universities do not need to go to the provincial examination institutions to carry out the recruitment work, but only need to sit in front of the computer, from the Internet to extract the electronic files of candidates who meet the admission requirements of our university, and paper files are handed over to the corresponding universities when students enter.

In the period of manual recruitment, when the Internet technology is not mature enough and the corresponding paper records of candidates are taken as the basis, candidates do not have electronic records, and all their corresponding records exist in paper form, so if the parents of candidates, their schools, local education departments and certain personnel of the household registration department, or even the personnel in charge of the recruitment process of universities, collude, it will be difficult to avoid "fraudulent admission to university" in this recruitment process. "In the period when the Internet technology is relatively mature and the online recruitment process is based on the extraction of candidates' electronic files, it is relatively difficult to avoid the occurrence of "impersonation for university admission" in this recruitment process. However, if the impostor gives up checking his or her real college entrance examination results due to low scores, or gives up the opportunity to go to college on his or her own initiative, the "impostor goes to college" incident may still occur. For example, in 2012, An article(2016)mentions that Yang of Lingbi County, Suzhou City, Anhui Province, did not get his acceptance letter because he thought the college he was admitted to was not good, but the father of the impostor Zhang got a copy of Yang's college acceptance letter, school records, and a copy of Yang's ID card and household registration book, and went to the police station with Yang's ID card, household registration book, college acceptance letter, and other materials to move Yang's The household registration was moved out of Lingbi County, making it possible for Zhang to successfully replace Yang at the university that year. The fact that there are certain loopholes in the recruitment process of the college entrance examination, whether it is manual recruitment by means of paper files in the past or online recruitment by means of electronic files nowadays, and the stakeholders of the "fraudulent university admissions" incident will always try to find the corresponding loopholes and collude with each other. The impostors are able to successfully enrol in the respective universities in place of the impostor.

## **2.2 Lack of Rigorous Review of the Admission Process**

The review of the admission process refers to the review of the admission qualifications of the new students by the universities during the period of the new students' arrival and at a

certain time after the new student's arrival. The review of the admission process mainly includes the admission register of new students, their age, school registration, admission notice, pass, ID card, household registration certificate, pass, secondary school paper files, electronic files, photo materials, proof of eligibility for extra points in the college entrance examination and other materials, as well as their physical condition.

From the review practice of new students' admission in China's universities, most of the universities pay more attention to the review of the above-mentioned materials related to new students' admission, and these materials are usually examined by the students' tutors for the first time, and then reviewed by the admissions and employment department of the academic work department. However, given the relatively large number of new students, the relatively small number of counsellors and the fact that many of them do not have sufficient review capacity and that many universities' academic departments have not yet organised other personnel with sufficient review capacity to review new students' admission materials, it is easy for impostors to muddle through in the review of admission materials, and if they can also muddle through in the physical and professional review, they will be able to muddle through. If they are able to get away with it, they will continue their impersonation in the admissions process because the review is not strict enough. Bingqi Xiong (2016) elaborated it is worth mentioning that some universities with relatively difficult enrollment have intentionally or unintentionally neglected the review of new students in order to recruit more students, thus allowing the impostor's impersonation not to be exposed at this stage. Just as the impostor Wang Nana went to university to study, only to change his name to Nana Wang, not at all like the person who impersonated Caixia Luo to get an ID card with the same ID number, whose ID card number and birth year are different from the impostor, actually went to the university to report to pass the audit, such an admission review, inconceivable, especially, in the next study and life, the impostor is likely to It is likely that the impostor will use his or her own identity information to go through the relevant procedures, which simply cannot be done if the school is not deliberately watered down. It is worth pointing out that, as there is no unified review content and standard of review in the admission process, and universities are generally not capable of identifying the authenticity of relevant documents, many universities do not subjectively or objectively conduct a strict enough review of the admission qualifications of new students, thus making the impostors "safe" in the new students' qualification review. "This has led to a number of universities not being sufficiently rigorous in their review of new students' qualifications, either subjectively or objectively.

### **2.3 Lack of Strict Monitoring of the Training Process**

It is puzzling that, although the case of "impersonation at university" has received widespread attention from the society and attracted the attention of many scholars, it has rarely been discussed in relation to the mode of training of universities, especially that So far, Xiaoli You (2020) thinks "almost no one has discussed or paid attention to how impostors with poor academic performance and scores far below the admission mark can enter university and graduate successfully under other people's names." As a matter of fact, the reason why the incident of "impostors attending a University" has happened and been developed and repeated is closely related to the "strict entry and wide exit" mode of training talents in universities in China. It is no secret that our universities have been playing the role

of both "coach" and "referee" in talent training, and the education administration usually only manages from the macro level, thus the corresponding management system is obviously difficult to be strictly implemented. As to how to cultivate talents and whether the quality of cultivated talents is qualified, it is almost always decided by the universities themselves, and the education administration can only supervise the quality of talents cultivation by universities through limited professional construction assessment and teaching quality assessment.

From the reality of China's university assessment, as the arrival rate and graduation rate of new students occupy a large proportion in all kinds of university assessment, thus universities may not only neglect to review the entry qualifications of new students in the process of entering, but also may intentionally or unintentionally guide teachers to be "lenient" in students' course study and course examinations in order to improve the graduation rate. "For example, many colleges and universities have been known to make up exams for students in the course of their studies. For example, many universities are lax in the management of student make-up exams and retakes, and in previous years, universities even practised a system of graduation "clearing" exams. In particular, in the current situation that universities link the results of student assessment at the end of semester or academic year with teachers' merit evaluation and even promotion, many university teachers tend to relax classroom management and lower the difficulty of course examinations out of their own and the university's inability to effectively deal with the strategy of malicious grading of some students, thus making those students who usually do not perform well or even score below the entrance examinations score. This allows "impostor students", whose grades are not good enough to pass the examinations, to pass the examinations during their studies at the university. In addition, although all universities emphasize the importance of practical teaching, few of them really assess students strictly according to the standards of practical teaching, in particular, even the thesis (design), which is a crucial part of practical teaching, is rarely strictly controlled by universities. For example, although the Ministry of Education has repeatedly issued documents requiring strict management of undergraduate thesis (design) (2005), strengthening the teaching aspect of undergraduate thesis (design) (2007), managing all aspects of undergraduate thesis (design) (2018), and strictly assessing the professional practice ability of specialist thesis (design) and specialist graduates, undergraduate thesis still has improper topic selection and lack of logic in thesis writing because universities have not strictly implemented the relevant requirements. However, Mingtao Wang, Xi Li and Qiheng Han (2019) analyzed the universities do not strictly implement the relevant requirements, so the undergraduate thesis still has problems such as inappropriate topic selection, lack of logic in writing the thesis, and Yuan Zeng and Qinghai Wang (2018) analyzed serious plagiarism, while the assessment of the professional practice ability of the specialist thesis (design) and the specialist graduates is also in form. According to statistics, Jingyu Yuan (2019) elaborated the rate of four-year undergraduate students receiving degrees on time is above 90%, and many universities are as high as 99%, and it is even easier for specialist students to graduate, so it is obvious that the "exit" of our university graduates is obviously loose. It goes without saying that the fact that universities lack both strong external monitoring and self-monitoring of their talent development will certainly give impostors the courage to impersonate others to go to university, thus exacerbating the

occurrence, development and recurrence of "impostor to university" incidents. Xiaoli You (2020) said "It's no wonder that impostors who go to university after exposing their shortcomings in learning ability and knowledge are not naturally eliminated from even the top universities and can still pass their exams and graduate successfully. As for obtaining a diploma from an average university, it is even less of a problem." This shows that there are many shortcomings in the cultivation of talents in our universities that nurture the "impostor to university" incident.

### **3. Three Major Mechanisms for Plugging Leaks in the Prevention and Control of "University Fraud" Incidents**

In view of the different forms and degrees of deficiencies that contribute to the occurrence, development and recurrence of the above-mentioned triple links, it is reasonable to systematically build three major mechanisms for plugging these deficiencies based on the position of linkage prevention and control.

#### **3.1 Mechanism for Auditing and Plugging Leaks at The Point of Recruitment**

The admission gate is a key entrance for secondary school graduates to enter colleges and universities, and is also the initial gate for secondary school graduates to enter colleges and universities; the mechanism of inspecting and plugging leaks at the admission gate refers to a series of measures and measures implemented by the education administration department in conjunction with other relevant departments on the admission process of colleges and universities in order to plug the corresponding leaks that may exist at the admission gate and lead to the incident of "impostor attending a University". The system is a series of inspections and measures implemented by the education administration and other relevant departments on the admission process of universities. The whole case of "fraudulent admissions" shows that the admissions process is not only the initial "gateway" but also the most difficult "gateway" for the incident to take place. This is because, in the case of the "impersonation" incident, the admissions process is not only the initial "gate", but also the most difficult "gate". This is because the impostors and their related interests have a lot of "illegal" things to do in this process, and the risk factor or risk factor for each of them is quite high. For example, the impostor and his or her related interests have to obtain information about the impostor's admission letter, school registration and household registration, as well as make changes to the impostor's information, and in order to complete this series of "illegal" matters, they must try to "buy" the impostor. In addition, Hongju Shi (2020) elaborated that the impostor and his or her related interests "also need to fabricate lies or take other methods to prevent the impostor from going to In addition, the impostor and his or her related interests "also need to fabricate lies or take other measures to prevent the impostor from checking with the admissions office or the institution to which he or she has applied to see if he or she has been accepted and from choosing to repeat his or her studies". If any of these things cannot be successfully completed, the corresponding imposture will end. In fact, from the several cases of "university impersonation" that have occurred in China to date, once the impostor has passed the "admissions gate", the impersonation becomes extremely covert, which in turn allows it to continue because it is more difficult to be detected. This is because the impostor is more difficult to detect and can continue until the impostor successfully completes his or her

studies. Obviously, by increasing the efforts of inspection at the admissions gates, trying to plug the various loopholes that allow for the occurrence of impersonation in the process, and thus allowing the corresponding impersonation to be terminated in the process, will undoubtedly go a long way in effectively preventing the occurrence, development and even recurrence of impersonation. Yanfang Hou (2021) analyzed In view of the current existence of "direct impersonation, automatic abandonment, impersonation, impersonation, impersonation, and impersonation", the four modes of impersonation in the admission process of colleges and universities, for the "impersonation incident "In the process of admissions to universities, there are four types of impersonation behaviors: test paper transfer, tampering with test scores, falsification of archives, illegal interception of other people's admission notice and pass, abuse of authority, negligence, forgery or alteration of official documents and certificates of state organs, private engraving of seals, theft of official documents and certificates of state organs, theft of other people's identity documents In addition, the government should systematically build the corresponding inspection mechanism to effectively stop the acts of "fraudulent admission to universities", "low scores and high admissions", bribery and bribery, illegal trading of admission information by candidates, and voluntary abandonment of opportunities for further education or even voluntary repetition by candidates. The "impostor attending a University" incident at the admissions gates of the corresponding omissions.

### **3.2 Mechanism to Review and Plug Leaks in School Imports**

The mechanism of re-checking and plugging leaks is a series of measures and measures taken by the education administrative departments, together with universities and third-party institutions, to plug the possible gaps in the entry and registration of new students to universities, so that the incident of "impostor attending a University" can be continued. This is a series of measures to review the admission information of all new students during the registration period. Once the impostor has safely passed through the admissions process, he or she will be able to finish university almost unscathed. It is clear that increasing the intensity of the review of the entrance of new students to colleges and universities can undoubtedly effectively curb the continued development of the "impostor to university" incident. The Ministry of Education has explicitly requested the universities to strengthen the review of new students' admission qualifications and electronic registration work. The Ministry of Education of each province, based on the spirit of the document issued by the Ministry of Education on the review of admission qualifications and electronic registration of new students of higher education institutions, has detailed the specific matters of the review of admission qualifications and electronic registration of students of higher education institutions. For example, universities are required to check all students admitted before they can register; they are required to carefully verify new students who have renounced their enrollment status; they are required to conduct comprehensive physical examination reviews for all new students who have reported to the university; they are required to verify key information of new students, such as their examination pass, admission notice, ID card, household registration card (except for those who have not undergone household registration), paper file, electronic file, admission register and photos. In addition, universities are required to organize retesting of entry majors, review the qualification of extra points in college entrance examinations and



carefully examine the previous qualifications of new students, to strictly prevent duplicate registration with the same name and ID card number, to accurately label the types of students, etc., and to emphasize that universities should be strict in their work requirements and strengthen responsibility implementation and disciplinary supervision. In theory, if the above-mentioned "requirements" issued by the Ministry of Education and provincial education departments could be implemented, it would be difficult not to put an end to the case of "impersonation for university entrance", but unfortunately, as there is no "requirement" in line with the above-mentioned "requirements" so far "The Ministry of Education and the provincial education departments have not strictly implemented the requirements for strengthening the review of new students' entry qualifications and the electronic registration of students, thus obviously weakening the strength of the review of entry. In view of the fact that the matters involved in the re-checking of new students' admissions to universities are not only complex and diverse, but also require the cooperation of many departments including universities, it is necessary to establish a special government-university alliance group for the re-checking of new students' admissions to universities, and on this basis to establish a systematic mechanism for the re-checking of admissions.

### **3.3Fostering a Mechanism to Monitor and Plug Leaks Throughout the Process**

The whole training process means the whole process of training talents in universities; the mechanism of monitoring and blocking the whole training process means that in order to prevent universities from playing the role of "coach" and "referee" and lowering the quality of training talents, which in turn makes the possible "fraudulent university students" continue to develop and even repeat. In order to prevent universities from lowering the quality of talent training due to their de facto role as "trainers" and "referees", and thus to enable possible "impostors" to complete their studies even if they are not capable of learning, and thus indirectly contribute to the development and even recurrence of "impostors", the education administration, together with social third-party institutions, has implemented a series of means and methods to monitor the whole process of talent training in universities. In this regard, it is important to note that the education administration, in conjunction with third-party institutions, has adopted a series of measures to monitor the whole process of training talents in universities. With the advent of the popularisation of higher education, the concept of diversification and quality of higher education has become a social consensus, and there is no longer a unified national standard for the quality of talent training in universities. It goes without saying that, at present, the state usually only supervises universities to ensure the quality of teaching and learning at a macro level, but does not monitor the whole process of talent training in universities, thus making it difficult to truly understand the real situation of talent training in each university. In the competitive development situation of universities where the "student source is life", many universities, even if they find that students who have difficulty in completing their university studies due to their poor academic ability may be "impostors", do not care about them because they do not want to lose their student source. "In the competitive development of university teachers, where the results of student assessment are closely linked to the evaluation of teachers' titles and their merits, university teachers usually give students with poor academic performance a pass for fear of malicious assessment.

Even if they suspect that the reason for the apparently poor academic performance of some students is probably because they are "impostors", they usually do so out of fear that they may be "better off with one thing than another". Even if they suspect that some students' poor academic performance is likely to be due to the fact that they are "impostors", they usually choose to "ignore the matter" out of concern that "one more thing is better than less". Obviously, in the absence of strong monitoring of the whole process of training talents in universities, "impostors attending a University" are "neglected" and "disregarded" by universities and university teachers in the process of training talents for their subjects. "The "impostor to university" incident is perpetuated by the fact that universities and university teachers are "neglectful" and "indifferent" to the people they are training. This is the reason why the "impersonation of university students" incident is perpetuated. In this regard, in view of the fact that the lack of strong supervision in the whole process of talent cultivation in universities has in fact given room and opportunity for "impostors to go to university", based on the whole process of talent cultivation in universities, with the aim of improving the quality of talent cultivation, we should focus on the teaching management, teachers and teachers' training. It is an urgent task to build a systematic supervision and plugging mechanism from teaching management, teacher ethics, professional talent training program, curriculum and teaching design, teaching organization and implementation, classroom management and control, assignment and correction of homework, course completion assessment and evaluation, make-up exams and retakes, graduation exit review, thesis (design) sampling, and degree awarding standards.

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