



**Subject:** Misrepresentation

**Purpose:** To define “misleading statement,” “misrepresentation” and “substantial misrepresentation.”

**Policy:**

OIAH strives to provide accurate, honest and clear information in print, online, broadcast media or oral presentations. The college will make every effort to avoid misrepresentation to students and others in communications made in writing, visually, orally, or through other means. Training of employees to avoid any form of misrepresentation as they disseminate communications is a key component of this procedure.

This OIAH policy strives to comply with the U.S. Department Regulatory Citation: 34 CFR § 668.71 through 668.75, regarding the Prohibition of Misrepresentation to students and others.

The current regulations define “misleading statement,” “misrepresentation” and “substantial misrepresentation” as:

- Misleading statement is defined as including any statement that has the likelihood or tendency to deceive or confuse. A statement is any communication made in writing, visually, orally, or through other means.
- Misrepresentation is defined as “any false, erroneous or misleading statement made by an institution, one of its representatives, or any ineligible institution, organization, or person with whom the eligible institution has an agreement to provide educational programs, or to provide marketing, advertising, recruiting, or admissions services, makes directly or indirectly to a student, prospective student, family of either, accrediting agency, state agency, any member of the public, or US Department of Education.” This includes “dissemination of a student endorsement or testimonial made under duress or because the school required the student to provide the endorsement to participate in a program.”
- Substantial Misrepresentation is defined as “any misrepresentation on which the person to whom it was made could reasonably be expected to rely, or has reasonably relied, to that person’s detriment.”
- The revised definition of misrepresentation, misleading statement, and substantial misrepresentation applies to not just written statements, but to “any communication made in writing, visually, orally, or through other means.”

The current regulations provide numerous examples of topics that cannot be misrepresented within each of the four areas covered by statute 20 USC § 1094(c)(3). Those four areas include:

- The nature of the institution’s educational programs.
- The institution’s financial charges.
- The employability of the institution’s graduates.
- Relationship with the Department of Education. A Title IV eligible school may not describe its participation in a way that suggests approval or endorsement by the Department of Education of the quality of its educational programs.

OIAH strives to provide accurate and timely information for faculty and staff at key junctures during the academic year, to conduct training sessions on general school information which is open to all faculty and staff as needed.



# Ohio Institute of Allied Health

School of Integrative Healthcare

In addition, Admissions and Financial Aid periodically provide training opportunities on more focused subject matters to provide clarity on new policy, procedures and regulations.

This policy applies to both oral and written statements from admissions, staff, faculty, and student ambassadors who may represent the college with presentations in high schools and public events.

**Maintenance of Records:** Records shall be maintained as follows:

- The School Director maintains electronic copies of all documents submitted for proofing.
- Electronic and hard copies of every publication created by OIAH are available through the School Director.
- The Director of Admissions is responsible for the training of personnel regarding misrepresentation of admissions requirements and other college information.
- The Director of Financial Aid is responsible for the training of personnel regarding misrepresentation of college financial aid information.

## **Disciplinary Action**

Any employee's action of misrepresentation may result in suspension or depending on severity, termination. All incidents of misrepresentation activity will be and maintained in the employee's personnel file.