



**TITLE:** Misrepresentation

**PROCEDURE NUMBER:** 1-2-1020.4

**RELATED POLICY AND PROCEDURES:** 1-2-1021 College Communications Code of Federal Regulations (CFR), title 34, sections 668.71-74

**DIVISION OF RESPONSIBILITY:** Administrative

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<u>January 15, 2015</u>	<u>October 30, 2019</u>	<u>October 26, 2016</u>
Approved by Area Commission	Date of Last Review	Date of Last Revised

**General Information**

Piedmont Technical College is prohibited under federal regulations from making any false, erroneous, or misleading statement directly or indirectly to a student, prospective student, member of the public, accrediting agency, state agency, or to the Department of Education.

**Definitions**

The Code of Federal Regulations (CFR) title 34 sections 668.71-74 addresses the issue of misrepresentation on the part of the College and provides the following definitions:

- A. **Misleading statement** - 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.
- B. **Misrepresentation** - “any false, erroneous or misleading statement made by an institution or one of its representatives, or to provide marketing, advertising, recruiting, or admissions services 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.”

**C. Substantial Misrepresentation** - “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 regulations regarding misrepresentation describe misrepresentation with respect to:

- Nature of the education program
- Nature of financial charges
- 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.

### **Procedures**

It is the expectation of the College that all employees adhere to these requirements. The Office of Marketing and Public Relations (OMPR) shall make all PTC employees aware of this procedure and the pertinent federal regulations annually.

### **Maintenance of Records**

The Office of Marketing and Public Relations shall:

- A. Maintain records of news releases which include quotes and statements made by college personnel.
- B. Maintain electronic copies of all publications, advertisements, and promotional pieces created by the office.