



## COLLEGE of CENTRAL FLORIDA ADMINISTRATIVE PROCEDURE

<b>Title: Prohibition of Misrepresentation to Students and Others</b>	
<b>Page 1 of 2</b>	<b>Implementing Procedure For Policy # 2.06</b>
<b>Date Approved/Revised:</b> 11/28/11, 4/7/2021	<b>Division: Marketing and Public Relations</b>

This procedure addresses the U.S. Department Regulatory Citation: 34 CFR § 668.71 through 668.75, Federal Register Pages: 66913, 66958-66960

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

- The nature of the institution's educational programs.
- The institution's financial charges.
- The employability of the institution's graduates.

**Definitions:** The current regulations define "misleading statement," "misrepresentation" and "substantial misrepresentation."

- 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."

**Procedure:** The College of Central Florida 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.

**Responsibilities toward Misrepresentation to Students and Others:** The Department of Marketing and Public Relations is responsible for providing information for faculty and staff through the published Brand and Style Guide, which are available online and in hard copy format. The department also conducts training sessions through the Office of Professional Development which is open to all faculty and staff several times a year. A portion of each training session will include the college’s expectations with regard to use of statements that tend to mislead or misrepresent the academic programs or related admissions and financial aid procedures according to U.S. Department of Education statutes.

This procedure as it applies to oral statements shall be provided to the faculty and staff on an annual basis particularly for admissions staff and student ambassadors who may represent the college with presentations in high schools and to faculty prior to college preview events.

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

- The Marketing and Public Relations department maintains electronic copies of all documents submitted for proofing.
- The Marketing and Public Relations department maintains records of news releases which include quotes and statements made by college personnel.
- Electronic and hard copies of every publication created by this department including rack cards are available in the Marketing and Public Relations office.
- The Marketing and Public Relations Office maintains records of the number of times the Style and Media Guide training are taught and the attendance at each.
- The director of Admissions and Student Recruitment is responsible for the training of personnel under the director’s supervision regarding misrepresentation of admissions requirements and other college information.
- The director of Financial Aid is responsible for the training of personnel under the director’s supervision regarding misrepresentation of college financial aid information.

**Disciplinary Action**

Any employee’s conduct resulting in disciplinary actions from misrepresentation activity will be documented in the Human Resources Department and maintained in the employee’s personnel file.

Vice President, Institutional Effectiveness and College Relations		Date:
Approved by President		Date: