



Policy No. 5.016
Northwest Louisiana Technical College

Misrepresentation Policy

Original Adoption: January 2, 2014
Effective Date: January 2, 2014
Last Revision: December 13, 2018

Misrepresentation Policy

This statement addresses the U.S. Department Regulatory Citation: 34 CFR § 668.71 through 668.75, Federal Register Pages: 66913, 66958-66960 Regarding the Prohibition of Misrepresentation to Students and Others at Northwest Louisiana Technical College.

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.

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:

Northwest Louisiana Technical College 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 Academic Affairs Committee is responsible for providing accurate and timely information for faculty and staff at key junctures during the academic year. The committee also conducts training sessions on general school information which is open to all faculty and staff each long semester. 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 career and technical programs or related admissions and financial aid procedures according to U.S. Department of Education statutes. In addition, departments with proven “high contact” with students and the community like the Financial Aid office, the Office of Student Services/Registrar provide training opportunities on more focused subject matters to provide clarity on new policy, procedures and regulations. This statement 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 Chief Academic/Student Affairs Officer maintains electronic copies of all documents submitted for proofing.
- The Chief Academic/Student Affairs Officer maintains records of news releases which include quotes and statements made by college personnel.
- Electronic and hard copies of every publication created by this office including rack cards are readily available.
- The Chief Academic/Student Affairs Officer is responsible for the training of personnel under the director’s supervision regarding misrepresentation of admissions requirements and other college information.
- The Chief Financial Aid Officer is responsible for the training of personnel under the director’s supervision regarding misrepresentation of college financial aid information.

Disciplinary Action

Any violation of this directive will be taken seriously and the College will ensure that it is not repeated.

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.

Approved:

Date: 12/13/18

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the bottom.

Earl W. Meador, J.D.
Director