

Misrepresentation Policy

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

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 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.”

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 regulations regarding misrepresentation describe misrepresentation with respect to:

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

While it is the expectation of the University that all employees adhere to this policy, specific procedures and training to ensure compliance are expected within departments with responsibility to represent the University to students, prospective students, members of the public, accrediting agencies, state agencies or the Department of Education program. These include, but are not limited to, academic departments with specialized accreditation, Academic Support Administration (catalog and advising), Athletics, Career and Experiential Education, Enrollment Management (Admission, Marketing, Communications), Institutional Advancement, Institutional Research, President’s Office, Student Financial Services (billing, financial aid).

Any violation of this policy will be taken seriously and the University will ensure that it is not repeated. Any employee conduct resulting in disciplinary actions from misrepresentation activity will be addressed through disciplinary procedures as articulated in this Handbook.