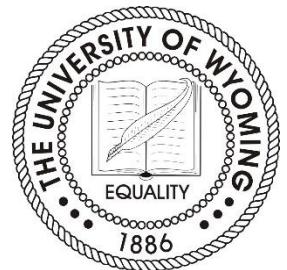


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## UNIVERSITY OF WYOMING REGULATIONS

### Subject: Academic and Honorary Degree Revocation

Number: UW Regulation ~~8-254 (2-XX)~~2-120

#### I. PURPOSE

To establish policies and procedures governing the University of Wyoming's revocation of a degree.

#### II. GENERAL INFORMATION

The University is a State higher education institution whose Trustees are legislatively empowered to confer academic degrees on students who have earned them, upon the recommendation of the faculty. The Trustees also award degrees honoris causa to individuals who have demonstrated outstanding accomplishments in all professions, public service, or service to humanity. The Board of Trustees recognizes that there may be instances where a degree is awarded to an individual who, upon review, has not properly completed all requirements for the degree. Likewise, there may be instances when an individual who has been awarded a degree honoris causa takes actions that are contrary to the university's high ideals and values of excellence, service, and integrity engendered in the honorary degree award. In such instances, the Board of Trustees may revoke the degree. This Regulation establishes the process for such revocation.

#### III. PRINCIPLES

The University may revoke a degree if it has clear and convincing evidence that ~~the degree recipient~~:

A. A. The recipient of an academic degree:

1. Failed to complete the requirements for the degree that were in effect at the time of the degree conferral; and/or
2. Engaged in academic misconduct serious enough to negate bona fide completion of one or more explicit degree requirements.

B. The recipient of an honorary degree engaged in conduct that:

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- 35        1. Is inconsistent with the stated mission and/or values of the University;
- 36
- 37        2. Misrepresents or Undermines the accomplishments that were cited as the
- 38        basis for awarding the honorary degree; and/or
- 39        3. Is injurious to the reputation of the University.

40        **IV. DEFINITIONS**

41        **A. Academic Misconduct-**

42        : An action attempted or performed that misrepresents one's involvement in an academic  
43        endeavor in any way, or assists another student in misrepresenting his or her involvement  
44        in an academic endeavor. Examples of academic dishonesty include but are not limited  
45        to the following:

46        **1. Plagiarism**

47        A. : Presenting the work (i.e., ideas, data, creations) of another, wholly or in part, as  
48        one's own work without customary and proper acknowledgement of sources and  
49        extent of use, unless authorized by the instructor, if the plagiarism was part of the  
50        work presented for credit toward the degree under consideration for revocation.

51        2.

52        **Fraud**

53        B. : Altering or inventing data, research, or citations for an academic endeavor;  
54        fabricating, forging or otherwise misrepresenting to an instructor or an institution  
55        one's past or current academic or professional activities; impersonating someone  
56        or allowing oneself to be impersonated for an examination or other academic  
57        endeavor; using a ghost writer, commercial or otherwise, for any type of  
58        assignment. See UW Regulation 6-802 for additional examples of academic  
59        dishonesty.

60        **B. Allegation-**

61        Assertion(s) that may justify degree revocation, involving (1) failure of a degree  
62        recipient to complete degree requirements and/or (2) academic misconduct on the  
63        part of a degree recipient; which are (3) made to the dean or designee of the  
64        college from which the degree was awarded.

65        **C. Charge-**

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66 : Formal action taken when (1) the dean of a college/school has factual grounds sufficient  
67 to believe that a degree recipient has failed to complete degree requirements, or has  
68 engaged in academic misconduct serious enough to negate bona fide completion of one  
69 or more explicit degree requirements; and (2) the degree should be revoked; and (2) in the  
70 case of academic degrees, the recipient does not consent to revocation of the degree.

71 **D.**

72 **Charging Party-**

73 The dean: In cases of academic degrees, the dean(s) of the college(s) of the college (or  
74 colleges, in the case of a degree awarded by an interdisciplinary program sponsored by  
75 more than one college)/school(s) or designee(s), who concludes from an investigation  
76 that the degree recipient's academic degree was improperly awarded; and brings the  
77 case charge against the academic degree recipient.

78 E.—In cases of honorary degrees, where an award may no longer be warranted, the  
79 charging party may be the Provost and Vice President for Academic Affairs, the  
80 President, or a member of Board of Trustees. The standards and procedures for honorary  
81 degree revocation are outlined in section VIII of this regulation.

82 **College-**

83 **A/School:** The college (or colleges, in (s)/school(s) that awarded the case of a degree  
84 awarded by an interdisciplinary program sponsored by more than one college) that  
85 awarded the degree.degree.

86 **F.—Hearing Committee-**

87 : A committee of five (5) faculty members that will consider the charge and render a  
88 finding of fact on whether grounds exist for revoking the degree recipient's degree.

89 **G.—**

90 **List of Candidates-**

91 : A list of faculty members nominated to serve on the hearing committee. The list shall  
92 name ten (10) candidates from not fewer than five (5) colleges/schools within the  
93 University. All listed faculty members shall hold tenure, shall not be currently serving as  
94 officers of the University, shall have no prior relationship with the degree recipient, and  
95 shall have no prior involvement in the matter before the hearing committee.

96 **H.—Provost and Vice President for Academic Affairs-**

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97       : The Chief Academic Officer of the University.

98       **I.——Working Day**

99       :A day in which the University is open for business.

100      **V.     ADMINISTRATIVE PROCESS FOR REVOCATION OF ACADEMIC DEGREES**

102      A.     Allegations(s) of circumstances that may justify degree revocation shall be made  
103        to the dean of the college/school that awarded the degree. The dean or a designee  
104        shall conduct a preliminary investigation to determine whether there is a factual  
105        basis to conclude that the degree recipient failed to complete one or more explicit  
106        degree requirements or committed academic misconduct which would warrant  
107        revocation of the degree. The investigation shall be made in a timely manner, and  
108        shall be compliant in all respects with relevant federal and state laws and  
109        University regulationsRegulations.

110      B.     If the dean's or designee's preliminary investigation reveals factual grounds  
111        sufficient to justify academic degree revocation, the dean or designee shall notify  
112        the degree recipient in writing, and shall include the following:

- 113        1.     A summary of the factual grounds;
- 114        2.     The degree recipient's right to a hearing before a committee (the "Hearing  
115           Committee") comprised of faculty members as defined above;
- 116        3.     A copy of this Regulation; and
- 117        4.     A request for a response from the academic degree recipient within thirty  
118           (30) working daysWorking Days.

119      C.     Upon notification to the academic degree recipient, the dean or designee becomes  
120        the "Charging Party" as defined above.

- 121        1.     If the degree recipient admits to the facts described in the summary and  
122           agrees to degree revocation, the degree recipient shall execute a statement  
123           to that effect provided by the Charging Party. The degree recipient shall  
124           return the statement to the Charging Party within ten (10) working days of  
125           receipt of the statement. The Charging Party shall forward the statement  
126           to the Provost and Vice President for Academic Affairs and to the  
127           President of the University with a recommendation for its acceptance.

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- 128           a. Within five (5) working days of receipt of the statement or as soon  
129           thereafter as practicable, the President shall make a decision  
130           accepting or rejecting the statement. The President shall then  
131           communicate this decision in writing to the Board of Trustees, the  
|132           Provost and Vice President for Academic Affairs, the academic  
133           degree recipient, and the Charging Party.
- 134           b. The Board of Trustees shall consider the matter and make the final  
135           decision to revoke the degree or dismiss the charge at a special or  
136           regular meeting. The Board shall communicate its decision in  
|137           writing to the academic degree recipient, the President, the Vice  
138           President for Academic Affairs, and the Charging Party.
- 139           c. The full record of the case shall be maintained in accordance with  
140           standing University procedures. The record shall include the  
|141           factual grounds justifying revocation of the academic degree, the  
142           statement executed by the degree recipient, the decision of the  
143           President, and the decision of the Board of Trustees.
- |144           2. If the academic degree recipient contests the facts described in the  
145           summary, does not return the statement agreeing to revocation of the  
146           degree within the specified time, or otherwise requests a hearing, the  
147           Charging Party shall communicate in writing a formal charge ("the  
148           Charge") to the degree recipient. The Charge shall specify the degree  
149           requirements(s) allegedly not satisfied or the academic misconduct alleged  
|150           to have occurred, the evidence, and the basis for concluding that academic  
151           degree revocation is warranted. In addition, the notification shall:
- 152           a. Identify the dean or designee as the Charging Party; and  
|153           b. Inform the academic degree recipient that a Hearing Committee  
154           shall consider the Charge and render a finding of fact in the matter.
- 155           3. In the event a Hearing Committee is required, the following steps shall be  
156           taken:
- 157           a. Within ten (10) working days of communicating the Charge to the  
158           degree recipient, the Charging Party shall notify the Provost and  
159           Vice President for Academic Affairs of the Charge and the need to  
160           form a Hearing Committee;

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- 161           **b.** Within twenty (20) working days of the notification, the Provost  
162            and Vice President for Academic Affairs shall draft a list of  
163            candidates for the Hearing Committee, and present it to the  
164            Executive Committee of the Faculty Senate;
- 165            **c.** No later than the next regularly scheduled meeting of the  
166            Executive Committee, the Executive Committee shall select the  
167            Hearing Committee members from the list of candidates;
- 168            **d.** Within fifteen (15) days of being designated, the Hearing  
169            Committee shall convene in order to:
- 170              1. Elect one of its members as chair;
- 171              2. Review the Charge;
- 172              3. Establish a schedule under which it will:
- 173                *i.* Receive and consider the factual evidence supporting  
174                the Charge;
- 175                *ii.* Receive and consider any information that the academic  
176                degree recipient may wish to submit in rebuttal to the  
177                charge;
- 178                *iii.* Hold one or more hearings with the academic degree  
179                recipient; and
- 180                *iv.* Render a written finding of fact regarding the Charge to  
181                the Provost and Vice President for Academic Affairs.
- 182            **e.** The Hearing Committee shall make every effort to complete its  
183            review and render a finding of fact to the Provost and Vice  
184            President for Academic Affairs in a timely manner. The Hearing  
185            Committee shall, however, allow sufficient time to consider fully  
186            all evidence and arguments brought before it.

## 187           **VI. HEARING PROCESS FOR ACADEMIC DEGREE REVOCATION**

- 189           **A.** As soon as possible after the Hearing Committee has elected its Chair, the Chair  
190            shall institute a discovery process to prepare for the hearing. Discovery shall be  
191            limited to an exchange of information between the Charging Party and the

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192                   academic degree recipient of (1) relevant documents, which may include a  
193                   written rebuttal from the academic degree recipient; and (2) lists of witnesses (if  
194                   any), including a summary of the factual testimony expected from each witness.  
195                   Exchange of information shall be completed, and also-provided to the Hearing  
196                   Committee, not later than ten (10) working days prior to the hearing. The  
197                   Hearing Committee Chair shall have final authority over the suitabilityrelevance  
198                   of documents and witnesses.

- 199                   B. The Chair, the Charging Party, and the academic degree recipient shall use their  
200                   best efforts to convene a hearing on the earliest possible mutually convenient date  
201                   following the election of the Chair. The Hearing Committee shall allow the  
202                   academic degree recipient reasonably sufficient time to prepare a defense.
- 203                   C. The hearing may be delayed by the Hearing Committee Chair for good cause  
204                   shown upon request of the academic degree recipient, the Charging Party, or a  
205                   member of the Hearing Committee.
- 206                   D. The Hearing Committee meetings and process shall conform in all respects to the  
207                   provisions of the Family Educational Right to Privacy Act (FERPA). All charges  
208                   and information gathered regarding the charge(s) shall be confidential. The  
209                   hearing shall not be open to the public unless the academic degree recipient so  
210                   requests and the Hearing Committee concurs.
- 211                   E. The parties involved in the process are the Charging Party and the academic  
212                   degree recipient. The Hearing Committee Chair shall preside over the meeting  
213                   and any adjournments thereof.
- 214                   F. The burden of proof shall be on the Charging Party to prove the charge by clear  
215                   and convincing evidence.
- 216                   G. The hearing shall be recorded by a certified court reporter at the University's  
217                   expense.
- 218                   H. The academic degree recipient may be advised or represented at the hearing, or  
219                   any adjournments thereof, by legal counsel at his/her expense.
- 220                   I. If the Charging Party requests, University counsel shall represent the Charging  
221                   Party.
- 222                   J. The University shall provide outside counsel to advise the Hearing Committee  
223                   and assist in the conduct of all proceedings.

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- 224        K. At the hearing, the Charging Party and the academic degree recipient may present  
225        ~~an~~ opening and closing statements and present witnesses for questioning by the  
226        Hearing Committee. No depositions may be taken unless a witness is unavailable  
227        to testify in person or by some other means on the day of the hearing and the  
228        Hearing Committee Chair determines that the testimony of that witness is  
229        necessary to the ~~committee's~~Committee's deliberations. Hearing Committee  
230        members and their counsel may ask questions of the Charging Party, the academic  
231        degree recipient, their respective counsel, and all witnesses.
- 232        L. Formal rules of evidence do not apply. The Chair shall control the conduct of the  
233        hearing and shall rule on the admissibility of any evidence and may exclude any  
234        witnesses, documents, interrogatories, or cross-examinations ~~which~~that are  
235        untrustworthy, irrelevant, or redundant.

## **VII. FINDINGS AND DECISION FOR ACADEMIC DEGREE REVOCATION**

- 237        A. The Hearing Committee shall present written findings of fact to the Provost and  
238        Vice President for Academic Affairs. These findings shall state whether the  
239        charge was substantiated by clear and convincing evidence and shall also set forth  
240        the specific pertinent factual findings. These findings shall be by majority vote  
241        and shall be reported to the Provost and Vice President for Academic Affairs as  
242        soon after the conclusion of the hearing as is practicable. The findings shall be  
243        communicated in writing to the Charging Party and the academic degree recipient.
- 244        B. Within five (5) working days of receipt of the Hearing Committee findings or as  
245        soon thereafter as practicable, the Provost and Vice President for Academic  
246        Affairs shall forward a written recommendation to the President of the University  
247        regarding whether the academic degree should be revoked or the charges  
248        dismissed. The recommendation shall be communicated in writing to the  
249        Charging Party, the Hearing Committee, and the academic degree recipient.
- 250        C. Within five (5) working days of receipt of the Provost and Vice President for  
251        Academic Affairs' recommendation or as soon thereafter as practicable, the  
252        President shall make a decision on the case. The President shall communicate the  
253        decision in writing to the Charging Party and the degreeacademic recipient.
- 254        1. If the Provost and Vice President for Academic Affairs recommends  
255        dismissal of the charge, and the President concurs with that  
256        recommendation, the charge shall be dismissed.

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- 258           2. If the Provost Vice President for Academic Affairs recommends  
259 revocation of an academic degree, and the President does not concur with  
260 that recommendation, the charge shall be dismissed. The President shall  
261 provide an explanation in writing of the reasons for dismissing the charge  
262 to the Charging Party, academic degree recipient, and Hearing Committee.  
263 The explanation shall become part of the full record of the case and  
264 proceedings.
- 265           3. If the Provost and Vice President for Academic Affairs recommends  
266 revocation of an academic degree, and the President concurs, the  
267 President shall forward to the Board of Trustees a recommendation to  
268 revoke the academic degree and the reasons for it, along with the full  
269 record of the case and proceedings.
- 270           4. If the Provost and Vice President for Academic Affairs recommends  
271 dismissal of the charge, and the President does not concur with that  
272 recommendation, the President shall forward to the Board of Trustees a  
273 recommendation to revoke the academic degree and the reasons for it, the  
274 recommendation of the Provost and Vice President for Academic Affairs,  
275 and the full record of the case and proceedings.
- 276           D. If the case is forwarded to the Board of Trustees, the Board shall consider the  
277 matter at a special or regular meeting.
- 278           1. The academic degree recipient may submit a written argument to the  
279 Board, indicating why the Board should dismiss the recommendation for  
280 revocation of the academic degree. The written argument must be  
281 submitted no later than twenty (20) working days after the academic  
282 degree recipient is sent notice of the President's recommendation. The  
283 academic degree recipient shall provide a copy of the written argument to  
284 the Charging Party.
- 285           2. The Charging Party shall submit a written response to the Board of  
286 Trustees within ten (10) working days from receipt of the degree  
287 recipient's written argument. The Charging Party shall forward a copy of  
288 the written response to the degree recipient.
- 289           3. The Board may request oral argument from the parties, or request  
290 additional written argument from the parties.
- 291           4. The Board shall revoke the academic degree or dismiss the charge.

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292           **5.**       The Board shall communicate its decision, in writing, to the Charging  
293                          Party, to the academic degree recipient, and to the President within five (5)  
294                          working days of the decision.

295           **E.**       The decision of the Board of Trustees final.

296           **F.**       The full record of the case shall be maintained in accordance with standard  
297                          University procedures. The record shall include the charge, all evidence  
298                          presented, a transcript of the hearing, the findings of the Hearing Committee, the  
299                          recommendation of the Provost and Vice President for Academic Affairs, the  
300                          decision of the President, and the decision of the Board of Trustees.  
301

## **VIII. REVOCATION OF HONORARY DEGREES**

302           The authority to revoke a previously awarded honorary degree rests with the Board of  
303           Trustees. The Board of Trustees may revoke an honorary degree if, in its judgment, and  
304           taking into account the President of the University's recommendation, the recipient of the  
305           degree has engaged in conduct that: 1) is inconsistent with the stated mission and/or  
306           values of the University of Wyoming; 2) misrepresents or undermines the  
307           accomplishments that were cited as the basis for awarding the honorary degree; or 3) is  
308           injurious to the reputation of the University of Wyoming.

311           Recipients have the right to appeal revocation of an honorary degree. The written appeal must  
312           be made within 30 days of the public announcement of revocation. The appeal shall be  
313           submitted to the chair of faculty senate. The chairperson will convene an ad hoc committee  
314           composed of the Faculty Senate chair, a past chair of faculty senate, and the Provost or  
315           a representative designated by the Provost. The ad hoc committee will consider the merits of  
316           the appeal. It will submit its recommendation to the President of whether the revocation  
317           decision should stand. The recommendation shall be made to the President within 7 working  
318           days of receiving the appeal, after which the President will convey the recommendations to the  
319           Board of Trustees for action, along with the President's recommendation.

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**Responsible Division/Unit:** Office of the Provost and Vice President for Academic Affairs

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**Links:** <http://www.uwyo.edu/generalcounsel/current-uw-regulations-and-presidential-directives/index.html>

**Associated Regulations, Policies, and Forms:**

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Revisions adopted 11/14/14 Board of Trustees