
UNIVERSITY OF WYOMING REGULATIONS

Subject: Degree Revocation

Number: UW Regulation 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 degrees on students who have earned them, upon the recommendation of the faculty. 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. 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. Failed to complete the requirements for the degree that were in effect at the time of the degree conferral; and/or
- B. Engaged in academic misconduct serious enough to negate bona fide completion of one or more explicit degree requirements.

IV. DEFINITIONS

A. Academic Misconduct

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

1. Plagiarism

Presenting the work (i.e., ideas, data, creations) of another, wholly or in part, as one's own work without customary and proper acknowledgement of sources and extent of use, unless authorized by the instructor.

2. Fraud

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

B. Allegation

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

C. Charge

Formal action taken when (1) the dean of a college has factual grounds sufficient to believe that a degree recipient has failed to complete degree requirements, or has engaged in academic misconduct serious enough to negate bona fide completion of one or more explicit degree requirements; and (2) the degree recipient does not consent to revocation of the degree.

D. Charging Party

The dean(s) of the college (or colleges, in the case of a degree awarded by an interdisciplinary program sponsored by more than one college) or designee(s), who concludes from an investigation that the degree recipient's degree was improperly awarded, and brings the case against the degree recipient.

E. College

The college (or colleges, in the case of a degree awarded by an interdisciplinary program sponsored by more than one college) that awarded the degree.

F. Hearing Committee

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

G. List of Candidates

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

H. Vice President for Academic Affairs

The Chief Academic Officer of the University.

I. Working Day

A day in which the University is open for business.

V. ADMINISTRATIVE PROCESS

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

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

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

- C.** Upon notification to the degree recipient, the dean or designee becomes the “Charging Party” as defined above.
- 1.** If the degree recipient admits to the facts described in the summary and agrees to degree revocation, the degree recipient shall execute a statement to that effect provided by the Charging Party. The degree recipient shall return the statement to the Charging Party within ten (10) working days of receipt of the statement. The Charging Party shall forward the statement to the Vice President for Academic Affairs and to the President of the University with a recommendation for its acceptance.
 - a.** Within five (5) working days of receipt of the statement or as soon thereafter as practicable, the President shall make a decision accepting or rejecting the statement. The President shall then communicate this decision in writing to the Board of Trustees, the Vice President for Academic Affairs, the degree recipient, and the Charging Party.
 - b.** The Board of Trustees shall consider the matter and make the final decision to revoke the degree or dismiss the charge at a special or regular meeting. The Board shall communicate its decision in writing to the degree recipient, the President, the Vice President for Academic Affairs, and the Charging Party.
 - c.** The full record of the case shall be maintained in accordance with standing University procedures. The record shall include the factual grounds justifying revocation of the degree, the statement executed by the degree recipient, the decision of the President, and the decision of the Board of Trustees.
 - 2.** If the degree recipient contests the facts described in the summary, does not return the statement agreeing to revocation of the degree within the specified time, or otherwise requests a hearing, the Charging Party shall communicate in writing a formal charge (“the Charge”) to the degree recipient. The Charge shall specify the degree requirements(s) allegedly not satisfied or the academic misconduct alleged to have occurred, the evidence, and the basis for concluding that degree revocation is warranted. In addition, the notification shall:
 - a.** Identify the dean or designee as the Charging Party; and
 - b.** Inform the degree recipient that a Hearing Committee shall consider the Charge and render a finding of fact in the matter.
 - 3.** In the event a Hearing Committee is required, the following steps shall be taken:

- a. Within ten (10) working days of communicating the Charge to the degree recipient, the Charging Party shall notify the Vice President for Academic Affairs of the Charge and the need to form a Hearing Committee;
- b. Within twenty (20) working days of the notification, the Vice President for Academic Affairs shall draft a list of candidates for the Hearing Committee, and present it to the Executive Committee of the Faculty Senate;
- c. No later than the next regularly scheduled meeting of the Executive Committee, the Executive Committee shall select the Hearing Committee members from the list of candidates;
- d. Within fifteen (15) days of being designated, the Hearing Committee shall convene in order to:
 - (1) Elect one of its members as chair;
 - (2) Review the Charge;
 - (3) Establish a schedule under which it will:
 - (a) Receive and consider the factual evidence supporting the Charge;
 - (b) Receive and consider any information that the degree recipient may wish to submit in rebuttal to the charge;
 - (c) Hold one or more hearings with the degree recipient; and
 - (d) Render a written finding of fact regarding the Charge to the Vice President for Academic Affairs.
- e. The Hearing Committee shall make every effort to complete its review and render a finding of fact to the Vice President for Academic Affairs in a timely manner. The Hearing Committee shall, however, allow sufficient time to consider fully all evidence and arguments brought before it.

VI. HEARING PROCESS

- A. As soon as possible after the Hearing Committee has elected its Chair, the Chair shall institute a discovery process to prepare for the hearing. Discovery shall be limited to an exchange of information between the Charging Party and the degree recipient of (1) relevant documents, which may include a written rebuttal from the degree recipient and (2) lists of witnesses (if any), including a summary of the factual testimony expected from each witness. Exchange of information shall be

completed, and also provided to the Hearing Committee, not later than ten (10) working days prior to the hearing. The Hearing Committee Chair shall have final authority over the suitability of documents and witnesses.

- B.** The Chair, the Charging Party, and the degree recipient shall use their best efforts to convene a hearing on the earliest possible mutually convenient date following the election of the Chair. The Hearing Committee shall allow the degree recipient reasonably sufficient time to prepare a defense.
- C.** The hearing may be delayed by the Hearing Committee Chair for good cause shown upon request of the degree recipient, the Charging Party, or a member of the Hearing Committee.
- D.** The Hearing Committee meetings and process shall conform in all respects to the provisions of the Family Educational Right to Privacy Act (FERPA). All charges and information gathered regarding the charge(s) shall be confidential. The hearing shall not be open to the public unless the degree recipient so requests and the Hearing Committee concurs.
- E.** The parties involved in the process are the Charging Party and the degree recipient. The Hearing Committee Chair shall preside over the meeting and any adjournments thereof.
- F.** The burden of proof shall be on the Charging Party to prove the charge by clear and convincing evidence.
- G.** The hearing shall be recorded by a certified court reporter at the University's expense.
- H.** The degree recipient may be advised or represented at the hearing, or any adjournments thereof, by legal counsel at his/her expense.
- I.** If the Charging Party requests, University counsel shall represent the Charging Party.
- J.** The University shall provide outside counsel to advise the Hearing Committee and assist in the conduct of all proceedings.
- K.** At the hearing, the Charging Party and the degree recipient may present an opening and closing statements and present witnesses for questioning by the Hearing Committee. No depositions may be taken unless a witness is unavailable to testify in person or by some other means on the day of the hearing and the Hearing Committee Chair determines that the testimony of that witness is necessary to the committee's deliberations. Hearing Committee members and their counsel may ask questions of the Charging Party, the degree recipient, their respective counsel, and all witnesses.

- L. Formal rules of evidence do not apply. The Chair shall control the conduct of the hearing and shall rule on the admissibility of any evidence and may exclude any witnesses, documents, interrogatories, or cross-examinations which are untrustworthy, irrelevant, or redundant.

VI. FINDINGS AND DECISION

- A. The Hearing Committee shall present written findings of fact to the Vice President for Academic Affairs. These findings shall state whether the charge was substantiated by clear and convincing evidence and shall also set forth the specific pertinent factual findings. These findings shall be by majority vote and shall be reported to the Vice President for Academic Affairs as soon after the conclusion of the hearing as is practicable. The findings shall be communicated in writing to the Charging Party and the degree recipient.
- B. Within five (5) working days of receipt of the Hearing Committee findings or as soon thereafter as practicable, the Vice President for Academic Affairs shall forward a written recommendation to the President of the University regarding whether the degree should be revoked or the charges dismissed. The recommendation shall be communicated in writing to the Charging Party, the Hearing Committee, and the degree recipient.
- C. Within five (5) working days of receipt of the Vice President for Academic Affairs' recommendation or as soon thereafter as practicable, the President shall make a decision on the case. The President shall communicate the decision in writing to the Charging Party and the degree recipient.
 - 1. If the Vice President for Academic Affairs recommends dismissal of the charge, and the President concurs with that recommendation, the charge shall be dismissed.
 - 2. If the Vice President for Academic Affairs recommends revocation of a degree, and the President does not concur with that recommendation, the charge shall be dismissed. The President shall provide an explanation in writing of the reasons for dismissing the charge to the Charging Party, degree recipient, and Hearing Committee. The explanation shall become part of the full record of the case and proceedings.
 - 3. If the Vice President for Academic Affairs recommends revocation of a degree, and the President concurs, the President shall forward to the Board of Trustees a recommendation to revoke the degree and the reasons for it, along with the full record of the case and proceedings.
 - 4. If the Vice President for Academic Affairs recommends dismissal of the charge, and the President does not concur with that recommendation, the President shall

forward to the Board of Trustees a recommendation to revoke the degree and the reasons for it, the recommendation of the Vice President for Academic Affairs, and the full record of the case and proceedings.

- D.** If the case is forwarded to the Board of Trustees, the Board shall consider the matter at a special or regular meeting.
- 1.** The degree recipient may submit a written argument to the Board, indicating why the Board should dismiss the recommendation for revocation of the degree. The written argument must be submitted no later than twenty (20) working days after the degree recipient is sent notice of the President's recommendation. The degree recipient shall provide a copy of the written argument to the Charging Party.
 - 2.** The Charging Party shall submit a written response to the Board of Trustees within ten (10) working days from receipt of the degree recipient's written argument. The Charging Party shall forward a copy of the written response to the degree recipient.
 - 3.** The Board may request oral argument from the parties, or request additional written argument from the parties.
 - 4.** The Board shall revoke the degree or dismiss the charge.
 - 5.** The Board shall communicate its decision, in writing, to the Charging Party, to the degree recipient, and to the President within five (5) working days of the decision.
- E.** The decision of the Board of Trustees final.
- F.** The full record of the case shall be maintained in accordance with standard University procedures. The record shall include the charge, all evidence presented, a transcript of the hearing, the findings of the Hearing Committee, the recommendation of the Vice President for Academic Affairs, the decision of the President, and the decision of the Board of Trustees.

Effective Date: July 1, 2018

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

Source: None

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: None

History:

University Regulation 254; adopted 7/17/2008 Board of Trustees meeting

Revisions adopted 3/4/2011 Board of Trustees meeting

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