

**BOARD OF REGENTS
BRIEFING PAPER
HANDBOOK REVISIONS: Degree Revocation Policy**

BACKGROUND & POLICY CONTEXT OF ISSUE:

During the August 4, 2006, Special Board meeting, regents heard testimony on the violations of the Honor Code at University of Nevada, Las Vegas, School of Dental Medicine. At that time the Board discussed the appropriateness of revoking an academic degree under certain circumstances. Currently, the Board does not have a formal degree revocation policy. Nationally, both public and private institutions generally have exerted authority to withhold and revoke degrees when it is confirmed that the student engaged in acts of academic misconduct, deceit, or fraud.

A policy proposal outlining the protocols for degree revocation was brought for a first hearing before the Student and Academic Affairs Committee on October 12, 2006. Based on the Committee's discussion the proposal was revised for reconsideration.

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend Title 2, Chapter 6, Section 6.3 to provide that a student's degree may be revoked for acts of academic misconduct that occur during the time a student is enrolled at an NSHE institution, but are not discovered until following graduation. (See attached policy proposal.)

IMPETUS (WHY NOW?):

The proposal is brought forward at this time at the request of the Board during its August 4, 2006, Special Board meeting. The proposal was heard for the first time before the Student and Academic Affairs Committee on October 12, 2006.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

The Board of Regents recognizes that academic integrity rests with the members of the higher education community, and academic decisions are based upon trust between faculty and students. The award of academic credit and degrees is certification of student achievement. To that end, the Board should reserve the right to preserve the integrity of NSHE academic degrees through a degree revocation policy whereby a degree may be revoked when a charge of academic dishonesty is confirmed.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

Students that have completed the required coursework and met the requirements for graduation should be awarded a degree certifying the completion. The authority of an educational institution to withhold or revoke a degree for academic dishonesty is well-established among higher education institutions across the nation, so long as necessary procedural requirements, including providing adequate opportunity for appeal, are followed.

ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

- In lieu of the provision recommended in 6.3.8(i) whereby acts of misconduct discovered more than 5 years following a student's graduation are not subject to degree revocation, the Board may consider an alternative that limits the application of the policy to within 2 years of discovery of the act of misconduct, thus allowing for a longer period for the acts of academic misconduct to be discovered and potentially addressed under the proposed policy.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: *Title 2, Chapter 6, Section 6.3*
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: _____
- Fiscal Impact: Yes _____ No _____
Explain: _____

POLICY PROPOSAL – *as amended*
TITLE 2, CHAPTER 6, SECTION 6.3
Degree Revocation

Additions appear in ***boldface italics***; deletions are [~~stricken~~ and bracketed]

Section 6.3 Disciplinary Sanctions

The following sanctions are applicable to members of the community of the Nevada System of Higher Education for conduct prohibited by Section 6.2 of the Nevada System of Higher Education Code. Depending on the seriousness of the misconduct, these sanctions may be imposed in any order.

- 6.3.1 Warning. Notice, oral or written, that continuation or repetition of prohibited conduct may be the cause for more severe disciplinary action.
- 6.3.2 Reprimand. A formal censure or severe reproof administered in writing to a person engaging in prohibited conduct.
- 6.3.3 Restitution. The requirement to reimburse the legal owners for a loss due to defacement, damage, fraud, theft or misappropriation of property. The failure to make restitution shall be the cause for more severe disciplinary action.
- 6.3.4 Probation. Probation is applicable to students only. It consists of a trial period not exceeding one year in which the conduct of the student will be evaluated in terms of whether any prohibited acts are committed. Probation may include exclusion from participation in privileged or extracurricular activities of the System. The person placed on probation shall be notified, in writing that the commission of prohibited acts will lead to more severe disciplinary sanctions. The official transcript of the student on probation may be marked "DISCIPLINARY PROBATION" for the period of the probation and any exclusions may also be noted. Parents or legal guardians of minor students shall be notified of the action.
- 6.3.5 Reduction in Pay. A reduction in pay may be imposed at any time during the term of an employment contract upon compliance with the procedures established in this chapter.
- 6.3.6 Suspension.
- (a) For Students Only:
1. Exclusion for a definite period of time from attending classes and from participating in other activities of the System, as set forth in a written notice to the student. The official transcript of the student shall be marked "DISCIPLINARY SUSPENSION EFFECTIVE ____ TO ____." Parents or legal guardians of minor students shall be notified of the action.

2. A student who is not currently enrolled in the System and who was not registered during the previous semester or who graduated at the end of the previous semester may request that the notation of the disciplinary suspension be removed from the official transcript when two years have elapsed since the expiration of the student's suspension. Such request must be submitted in writing to the president. If the request is not granted, the student at yearly intervals thereafter may submit a request for removal of the notation.

(b) For Employees Only . Exclusion from assigned duties for one or more workweeks without pay, as set forth in a written notice to the employee. The phrase "workweek" has the meaning ascribed to it in Section 7(a) of the Fair Labor Standards Act; 29 U.S.C. § 207(a). (B/R 10/93)

6.3.7 Expulsion or Termination .

(a) For Students Only . Termination of student registration and status for an indefinite period of time. Permission of the president shall be required for readmission. The official transcript of the student shall be marked "DISCIPLINARY EXPULSION EFFECTIVE _____." The parents or legal guardians of minor students shall be notified of the action.

(b) For Employees Only . Termination of employment for cause. A hearing held under the procedures established in Section 6.12 and other applicable provisions of this chapter shall be required before the employment of an employee may be terminated for cause.

6.3.8 Revocation of a Degree

(a) *The Board and its institutions reserve the right to withdraw academic degrees in the event that a case is brought after graduation for **material** academic misconduct that **impacts the reputation** of the institution, including misrepresentation of academic credentials or material falsification in an application, if the act occurred before graduation and during the time the student applied to, or was enrolled at an NSHE institution, but a complaint had not been filed prior to graduation. Institutions who are investigating acts of misconduct prior to a student graduating may postpone the awarding of a degree pending the outcome of the investigation and imposing of appropriate disciplinary sanctions.*

(b) *Upon receipt of a complaint that a degree was conferred to a student accused of academic misconduct under subsection (a), the institution shall commence an investigation under Section 6.8. The purpose of the investigation is for the administrative officer to make a recommendation to the President whether the charges are warranted, and if so, whether the violation is of such severity to warrant revocation of degree.*

(c) *If the President determines that the charges are warranted and the violation, if proven, is of sufficient severity to warrant revocation of degree, then a special*

- hearing committee and special hearing officer shall be appointed in accordance with Section 6.12.*
- (d) The charged party shall receive all due process required by this Chapter in the investigation and hearing.*
 - (e) The President may consider alternatives to revocation of degree, depending on the severity of the offense.*
 - (f) After receiving the recommendation of the special hearing officer and special hearing committee, if it is determined that revocation of the degree is warranted, the President may revoke the degree. The charged party shall have an opportunity to appeal to the Board of Regents based on the procedure and grounds for appeal specified in Section 6.14.*
 - (g) On appeal, the Board may take such action as specified in Section 6.14.2(d).*
 - (h) The fact of degree revocation will appear permanently on the student's transcript.*
 - (i) Events of misconduct discovered more than 7 years following graduation from an NSHE institution are not subject to the provisions of this section.*
 - (j) NSHE institutions shall appropriately inform students of the Board's degree revocation policy.*