


**New Policy**

***Establishes a process for revoking an erroneously awarded degree.***

	<p style="text-align: center;"><b>NORTH CAROLINA A&amp;T STATE UNIVERSITY</b></p> <p style="text-align: center;"><b>CHAPTER 300 – ACADEMIC AFFAIRS</b></p> <p style="text-align: center;"><b>INTERIM UNIVERSITY POLICY 306, REVOCATION OF DEGREE</b></p>
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**SECTION 306.1 POLICY STATEMENT**

North Carolina Agricultural and Technical State University (N.C. A&T or University) awards degrees in acknowledgement of the successful completion of specific academic programs of study. In order to preserve the integrity of its academic standards and the degrees it grants, the University reserves the right to revoke a previously conferred degree. Such action may be considered in a case where it is alleged, for example, that the degree has been obtained by fraud or other serious misconduct, such as, but not limited to, providing false information on an application for admission, cheating on an examination, tampering with student records, plagiarism, or research misconduct while enrolled in the degree program.

**SECTION 306.2 PURPOSE**

This policy outlines the process to be followed when a question arises as to whether a degree previously granted to a student should be revoked.

The Chancellor, on behalf of the Board of Trustees, confers all degrees at N.C. A&T. The Provost and Executive Vice Chancellor for Academic Affairs (Provost), as the Chancellor’s designee, shall have the authority to revoke a degree pursuant to the process outlined herein.

**SECTION 306.3 SCOPE**

This policy applies to any person who has been awarded an undergraduate or graduate degree from the university.

**SECTION 306.4 DEFINITIONS**

- (a) “Academic Misconduct” includes but is not limited to dishonest practices such as fabrication of data, cheating, or uttering by a student of false statements relating to academic work.
- (b) “Advisor” is someone who may accompany the student or university at a hearing to revoke a degree. The advisor may consult and provide support, but may not speak for, or on behalf of, the student or university.

- (c) “Clear and convincing evidence” means evidence of such convincing force that it demonstrates, in contrast to the opposing evidence, a high probability of the truth of the fact(s) for which it is offered as proof.
- (d) “Degree” means any form of degree, diploma, academic credential, certificate, or professional designation or other award (e.g., Honors designation) conferred by the University, or any of its colleges, departments or units.
- (e) “Fraud” includes, but is not limited to, altering transcripts or other official documents relating to student records, misrepresenting one’s credentials, or creating or altering letters of reference.
- (f) “Good Cause” means a reasonable or legally sufficient reason. Good cause to postpone a hearing includes, but is not limited to:
- Illness of a party;
  - Death in the immediate family of the requesting party;
  - A need to obtain an interpreter or translator;
  - A religious observance;
  - Jury duty;
  - Unrelated court appearance;
  - Active military duty;
  - Recusal of hearing officer; or
  - Ongoing settlement negotiations.
- (g) “Hearing Officer” means a university faculty member or administrator with relevant experience or appropriate training regarding this policy and procedure and the standards associated with the granting of the degree at issue in the specific proceeding. If a conflict of interest or other cause prevents the selection of a hearing officer employed by the N.C. A&T, a hearing officer who is a faculty member or administrator at another constituent institution shall be asked to serve as a hearing officer.
- (h) “Notice of Intent to Revoke Degree” is the written notice issued to a student whose degree the university intends to revoke under the terms of this policy.
- (i) “Revocation mean the withdrawal or cancellation of a previously awarded degree or other academic credential as well as action to stop or prevent the award of a degree or other academic credential that is determined not to have been earned
- (j) “Student” means all current and former students.

## **SECTION 306.5 REASONS FOR REVOCATION**

A degree may be revoked by the university for reasons that include, but are not limited to:

- (a) The degree was issued with an error, such as listing the wrong major or wrong degree and the degree must be revoked in order for a new and correct degree to be awarded;
- (b) After examining the student’s record, it is determined that the degree was issued, but the student had not fulfilled the requirements for award of the degree;

- (c) Information is discovered which, if known at the time that the degree was awarded, would have resulted in a determination that the degree should not be conferred;
- (d) There was intentional misconduct by administrators, faculty, staff, or students, including fraud, dishonesty, falsification or unauthorized altering of information in or regarding a student record;
- (e) Errors by administrators, faculty, staff, or students which resulted in the granting of the degree when the degree otherwise would not have been awarded; and
- (f) Other violations of law, policies, or the Student Code of Conduct that may have resulted in disciplinary action if the conduct was discovered before the degree was conferred.

### **Section 306.5.1 Error in Awarding the Degree**

If the request for revocation is due to an error in awarding the degree, the dean shall include the following information in the formal request for revocation:

- (a) The nature of the error that resulted in the degree being awarded;
- (b) Why the student was placed on the degree list;
- (c) What changed that justifies the revocation;
- (d) When and how the student was notified of the error;
- (e) Whether the student was awarded a diploma that must be returned to the university, and if so, whether arrangements were made for the return of the diploma; and
- (f) What, if any response was received from the student after notice and request to return the diploma, if applicable.

### **Section 306.5.2 Correcting Degree Error**

If the request for revocation is due to an error in the degree that will result in replacing the previously awarded degree with a corrected degree, the dean shall include the following information in the formal request for revocation:

- (a) The nature of the error that resulted in the degree being incorrectly granted;
- (b) What happened that caused the degree to be awarded and why the degree needs to be revoked/replaced;
- (c) When and how the student was notified of the error and need for revocation and replacement;
- (d) Whether the student has a diploma that reflects the error, and if so, whether arrangements were made for the return of the diploma; and
- (e) The changes that will be reflected in the new degree.

### **Section 306.5.3 Academic Misconduct or Fraud**

If the request for revocation is due to fraud or academic misconduct, the dean shall include the following information in the formal request for revocation:

- (a) A summary of the evidence on which the allegation of fraud or academic misconduct is based;
- (b) A copy of the documents related to the allegation;
- (c) When and how the student was notified of the need for revocation; and

- (d) Whether the student has a degree that reflects the error, and if so, whether arrangements were made for the return of the degree.

### **SECTION 306.6 STUDENT NOTIFICATION OF QUESTION OF DEGREE VALIDITY**

When information becomes available that raises a question as to the validity of a previously conferred degree, the dean of the college shall provide written notice to the student and request that the student return a conferred diploma within thirty (30) days. A copy of the written notice shall be provided to the Provost, Vice Chancellor for Student Affairs, and Registrar.

If the student does not respond to the notice or return the degree after the written request, the university may move forward with proceedings to revoke the degree.

### **SECTION 306.7 DEAN'S FORMAL REQUEST FOR DEGREE REVOCATION**

The dean is the recommending officer when granting degrees, and is the appropriate officer when revoking degrees. Requests to revoke degrees shall be in writing and come from the dean of the college.

If the university reasonably believes that a degree revocation is necessary, and it has already conferred the degree, the dean of the college shall submit a written request for formal proceedings to revoke the degree to the Registrar, with a copy to the Provost and the Vice Chancellor for Student Affairs.

### **SECTION 306.8 REVIEW OF FORMAL REQUEST**

Upon receipt of the college dean's request, the Registrar shall conduct an initial review of the information and determine whether, if established as true, the evidence is clear and convincing, and would justify revocation of the degree.

If the Registrar determines that there is insufficient evidence to justify a revocation, the Registrar shall inform the Provost with a copy to the Vice Chancellor for Student Affairs in writing. The Provost shall determine whether further action shall be taken to gather more information, revoke the degree, or permit the student to retain the degree. The decision shall be in writing and sent to the Registrar, with a copy to the Vice Chancellor of Student Affairs.

If the Registrar determines that the information is credible and, if established, would justify revocation of the degree, the Registrar shall inform the Provost in writing, with a copy to the Vice Chancellor of Student Affairs. Upon receipt of the written notice from the Registrar, the Provost shall transmit a *Notice of Intent to Revoke Degree* to the student by certified mail, return receipt requested, registered mail, or other method that can show proof of delivery, with a copy to the Registrar and Vice Chancellor for Student Affairs.

### **SECTION 306.9 NOTICE OF INTENT TO REVOKE DEGREE**

The Notice of Intent to Revoke Degree shall:

- (a) Identify the student to which the degree was awarded;
- (b) Identify the degree awarded, and year that the degree was awarded; and
- (c) Describe the evidence upon which the notice is based in sufficient detail to allow the student to respond to the notice;
- (d) Inform the student that the student has the right to contest revocation of the degree by submitting a written request for a hearing to the dean of the college within fifteen (15) calendar days of receipt of the notice that includes:
  - An explanation of whether the student disputes the accuracy of the information set forth in the notice and/or the university's conclusion that the degree should be revoked; and
  - The specific evidence and reasons upon which the student relies in reaching the student's conclusion.
- (e) Inform the student that the student has a right to seek independent legal advice;
- (f) Inform the student that if the student receives the *Notice* and does not respond within 15 days of receipt, a hearing will be scheduled before a hearing officer, and that the student will get reasonable notice of the hearing date and time;
- (g) Notify the student that the hearing officer has a right to hear the allegations and evidence in the student's absence if the student does not respond within the time allowed, and the student will not be entitled to any further notice in the proceeding.

If the student receives the *Notice of Intent to Revoke Degree* and fails, without good cause, to submit a timely response to request a hearing, the University may schedule the hearing to revoke the degree after thirty (30) days.

## **SECTION 306.10 NOTICE OF HEARING TO REVOKE DEGREE**

If the student requests a hearing, the hearing officer shall use reasonable efforts to schedule a hearing no later than thirty (30) calendar days after the student's request for a hearing. Notice of the hearing shall be sent to the student no later than fourteen (14) calendar days before the hearing, and shall include:

- (a) The date of the hearing;
- (b) Time of the hearing;
- (c) Location of the hearing;
- (d) Purpose of the hearing;
- (e) The name of the hearing officer;
- (f) Notice that the student and Provost (or designee) must transmit a list of the witnesses that they intend to call at the hearing to each other and to the hearing officer no less than five (5) days before the hearing;
- (g) Notice that the parties shall be entitled to review the evidence that supports revocation;
- (h) Notice that the University shall send a "Notice to Appear" to any University employee-witness at the employee-witness's university-assigned email address at the student's written request. The student or university may supplement their witness list after the deadline with the hearing officer's permission; and
- (i) The student and the University may be advised at the hearing by an attorney or non-attorney advisor with whom they may consult during the hearing, but who may neither speak for, nor on behalf of, the student or University.

If, despite its own due diligence, the university receives no confirmation that the student received the hearing notice, or is unable to locate the student to provide the notice, the university may proceed to revoke the degree after 60 days from the date that the hearing notice was mailed to the student.

A student may submit a written objection to the assigned hearing officer on grounds of bias at least five (5) working days before the hearing. The student must objectively articulate reasons for believing that the hearing officer is biased. The Provost shall review the reasonableness of the student's objection and rule on the objection. The Provost's ruling shall be final. A student shall have no right to rehearing if the student fails to timely object to the assigned hearing officer.

### **SECTION 306.11 THE HEARING**

The Provost shall designate a representative for the hearing. The student and university's representative and witnesses shall be allowed to testify, introduce evidence, and call witnesses to testify at the hearing. The formal rules of evidence applied in judicial proceedings shall not apply, and the hearing officer shall consider all relevant evidence.

The hearing shall take place before a hearing officer selected by the Vice Chancellor for Student Affairs. The hearing officer shall preside over the hearing and may exclude information that is repetitious or irrelevant to the purpose of the hearing.

If, after requesting a hearing, the student fails to appear at the hearing without good cause, the hearing shall proceed and the hearing officer shall render a decision based on the evidence submitted by the university and the student's written response, if any. The hearing officer shall weigh the evidence presented and consider the evidence presented at the hearing by the University in determining whether there is sufficient evidence to revoke the student's degree. The hearing officer shall prepare written findings concerning whether there is clear and convincing evidence to revoke the degree.

### **SECTION 306.12 HEARING OFFICER'S RECOMMENDATION**

The hearing officer shall submit written findings and recommendations to the Provost no later than thirty (30) calendar days after the hearing.

If the hearing officer finds that the evidence establishes that the degree should be revoked, the hearing officer shall also consider whether the student should be allowed to complete the degree requirements after an appropriate sanction, if appropriate.

### **SECTION 306.13 PROVOST'S DECISION**

The Provost shall prepare a decision letter that accepts the hearing officer's recommendation, adopts a different result, or refers the matter back to the hearing officer for further findings on enumerated issues. If the Provost departs from the hearing officer's recommendation, the decision letter shall explain the reasons for departure.

The decision letter shall be issued within thirty (30) calendar days of the hearing officer's recommendation. Any decision letter that refers the matter back to the hearing officer shall include timelines for the hearing officer's supplemental findings/recommendations as well as the subsequent supplemental decision letter.

The Provost's decision shall be final.

#### **SECTION 306.14 REQUEST FOR REHEARING**

A student who learns that a degree was revoked and who can show by clear and convincing evidence that the student did not respond to the *Notice* and/or did not participate in the hearing because the student had no notice of the proceedings through no fault of the student, or for good cause, may request a rehearing of the matter in writing within 60 days of receipt of the decision letter revoking the degree.

A written decision to grant or deny a rehearing shall be made by the Provost within thirty (30) days of the request, and shall be final. If a rehearing is granted, the matter shall be heard by a new hearing officer.

#### **SECTION 306.15 REGISTRAR'S RESPONSIBILITIES**

The Registrar shall place an administrative hold on the issuance of any official transcript for a student to whom a *Notice of Intent to Revoke Degree* has been sent. The student may request and access unofficial transcripts under the same conditions as any other student.

If a degree is revoked after hearing, the Registrar shall:

- Ensure that all relevant education and other records relating to the student are promptly amended to reflect the revocation of the degree;
- Note the effective date of the revocation on the student's transcript and use reasonable efforts to transmit a copy of the official revised transcript to the student; and
- Provide written notice to the student that the student shall not represent to any person or entity that the student received a degree from N.C. A&T. The notice shall also inform the student that the student should take immediate action to notify all former and current employers, relevant educational institutions, professional registration bodies or associations, or others as applicable that the degree was revoked.
- If, despite its own due diligence, the University is unable to provide this notice to the student due to an inability to contact or locate the student, the University shall place a hold on the student's records until such time as it is able to provide such notice.

If the student is enrolled at the University at the time that the degree is revoked, the Dean of Students shall consider whether the student violated any laws, policies, or Student Conduct Regulations, and shall provide written notice of the findings to the Vice Chancellor for Student Affairs with copies to the Registrar and Provost.

#### **POLICY HISTORY:**

Interim Policy Eff. October 26, 2020

**AUTHORITY:** Board of Trustees

**POLICY OWNER:** Provost and Executive Vice Chancellor for Academic Affairs

**RESPONSIBLE OFFICE:** Senior Vice Chancellor for Academic Affairs

**RESOURCES:**

[N.C. Gen. Stat. §§ 116-33 and 34](#)

[UNC Code 100.1.99 Appendix 1-Delegations of Duty and Authority to Board of Trustees, § III, Academic Degrees and Grading](#)

[UNC Code Chapter V, Officers of the University § 502D](#)