

Sacramento State Degree Revocation Policy and Procedure

California State University Sacramento's¹ award of academic credit and Degrees constitutes its certification of student achievement. However, a Degree may be awarded to an individual in error or as a result of fraud, misrepresentation or other intentional or unintentional actions. In order to preserve the integrity of the academic standards and of the Degrees granted by the University, the University may exercise its right to revoke a previously conferred Degree as set forth in this procedure. The authority to revoke a Degree rests with the President. The President hereby delegates that authority to the Vice President for Student Affairs and the Provost and Vice President for Academic Affairs as set forth herein.

1. General Provisions:

- a. **Advisor:** An Advisor is someone who may accompany the Student or University at the Degree revocation hearing. The Advisor's role is limited to consulting and providing support, and may not speak for, or on behalf of, the Student or University. The Advisor may not be an attorney.
- b. **Clear and convincing evidence:** 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. Such evidence requires a higher standard of proof than proof "by a preponderance of the evidence" but a lower standard than required for proof "beyond a reasonable doubt."
- c. **Degree:** Degree includes any form of Degree, 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, including the College of Continuing Education.
- d. **Registrar:** Registrar refers to the management personnel in Office of the Registrar at the University.
- e. **Notice of Intent to Revoke Degree:** 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.
- f. **Student:** The term Student shall include all current and former students, including a student in the College of Continuing Education.

¹ California State University Sacramento is referred to throughout this policy as "University."

- g. Hearing Officer: The Hearing Officer referred to herein shall be a person selected by the VP-Student Affairs and Provost. The Hearing Officer shall be a University faculty member or administrator who has relevant experience or who shall have received appropriate training regarding this policy and procedure as well as the standards associated with the granting of the Degree at issue in the proceedings. Student conduct administrators and their subordinates, persons with a conflict of interest in the matter, and percipient witnesses giving rise to the matter are ineligible to serve as Hearing Officers. If a conflict of interest or other cause prevents the selection of a Hearing Officer employed by the University, a Hearing Officer who is a faculty member or administrator at another CSU campus shall be asked to serve as a Hearing Officer.
- h. Timelines: The University may, but is not required to, extend timelines set forth herein. Extensions shall be determined by the VP-Student Affairs or designee. The VP-Student Affairs or designee shall promptly and in writing notify the Student and any University administrators involved of any revised timeline.
- i. If the Provost and VP-Student Affairs are in disagreement at any stage of the proceedings set forth in this policy, the Provost shall have the authority to make the decision.

2. Basis for Revocation:

A Degree may be revoked by the University if: 1) upon examination of a Student's record, it is determined that the requirements for the Degree awarded as established by the California Code of Regulations, Title 5 were not met; or 2) information comes to light which, if known at the time the Degree was awarded, would have resulted in a determination that the Degree should not be conferred. The bases for a Degree revocation include, but are not limited to, the following:

- a. Intentional misconduct by administrators, faculty, staff or Students, including fraud, dishonesty, or falsification or unauthorized altering of information of a Student record (including in an official University student information system).
- b. Error(s) by administrators, faculty, staff or Students which resulted in the granting of the Degree when the Degree otherwise would not have been awarded.
- c. Other violations of the University's Student Conduct Code that are of such a nature that had they been discovered prior to the issuance of the Degree, they would have resulted in the suspension or expulsion of the Student from the University.

3. Investigation:

a. When information comes to light that places into question the validity of a previously conferred Degree, it shall be referred to the University Registrar.

b. Upon receipt of such information, the Registrar shall conduct an initial review of the information and determine whether such information is credible and whether, if established as true, the evidence would justify the revocation of a Degree.

c. If the Registrar determines that the information is credible and, if established, would justify the revocation of a Degree, the Registrar shall inform the VP-Student Affairs of this determination and shall request that the Registrar be authorized to conduct a formal investigation into the matter. If the VP-Student Affairs agrees, the VP-Student Affairs shall direct the Registrar (or designee) to conduct an investigation, which shall be completed within sixty (60) calendar days. Upon completion of the investigation, the Registrar shall present to the VP-Student Affairs and the Provost a report of the Registrar's findings with regards to the information examined and a recommendation as to whether the evidence establishes by clear and convincing evidence that the Degree should be revoked.

d. The VP-Student Affairs and the Provost shall review the report and, if appropriate, may ask the Registrar and/or other University personnel to investigate any other information relevant to whether the Degree should be revoked. If the VP-Student Affairs and the Provost determine that there is sufficient information to make a determination as to whether to issue a "Notice of Intent to Revoke Degree" ("Notice"), the VP-Student Affairs and the Provost shall notify the Registrar of that determination and the VP-Student Affairs or designee shall issue a "Notice of Intent to Revoke Degree" to the Student to whom the award was issued. If the VP-Student Affairs and the Provost determine that there is insufficient evidence to justify a revocation, no further action shall be taken and the Degree shall remain intact.

4. Process when Notice of Intent to Revoke Degree is Issued:

a. The Notice shall be a written notice sent to the Student advising the Student that the University has clear and convincing evidence that justifies the revocation of the Student's Degree pursuant to this policy. The Notice shall identify the Degree (and year that it was awarded) and shall describe the evidence upon which the Notice is based in sufficient detail to allow the Student to respond to the Notice. A copy of this policy shall also accompany the Notice. The Notice shall state that if the Student decides to contest the revocation, the Student shall, within thirty (30) calendar days of receipt of the Notice, make a written request to the VP-

Student Affairs for a hearing. The Notice shall also state that if the Student requests a hearing, the Student shall prepare a written response to the Notice (“Response”) stating whether the Student disputes the information set forth in the Notice and/or the University’s conclusion that the Degree should be revoked as well as the specific evidence and reasons upon which the Student bases such dispute or conclusion.

b. The Notice shall be sent by certified mail, personal or overnight delivery, to the last known mailing or contact address for the Student; if possible, the Notice shall also be sent concurrently via email. The Student’s written request for a hearing and Response shall be sent to the VP-Student Affairs via certified mail within the thirty (30) day period set forth in Paragraph 4.a. Absent good cause to be determined by the University, the failure to timely request a hearing and submit a Response shall result in the University revoking the Degree as set forth in Paragraph 4.d.

c. The thirty (30) calendar day period within which the Student may request a hearing shall commence as of the date of receipt by the Student as reflected on the written confirmation received by the University that the Student received the Notice. This confirmation can be a document signed by the person who delivered the Notice indicating that the Student was given the Notice; a receipt signed by the Student acknowledging receipt of the Notice by certified mail; a signed acknowledgement by the Student acknowledging receipt of the overnight mail containing the Notice; or other proof of actual receipt by the Student, such as email delivery confirmation.

d. If the University receives confirmation pursuant to Paragraph 4.c and the Student does not timely request a hearing, the University may revoke the Degree without further proceedings. (If the University does not obtain appropriate confirmation, it may nevertheless proceed with revocation in accordance with Paragraph 4.k herein.)

e. If the Student requests a hearing, the VP-Student Affairs or designee shall use reasonable efforts to schedule such hearing no sooner than thirty (30) and no later than sixty (60) calendar days after the Student notifies the University of the Student’s request for a hearing. The Student shall be provided with written notice of the scheduled hearing date and location no later than fourteen (14) days before the hearing.

f. The Student shall be entitled to review the evidence that supports the University’s Notice and may request a copy of such evidence at a cost not to exceed that provided under the

California Information Practices Act (Civil Code section 1798 et. seq.). The Student and the VP-Student Affairs or designee shall exchange a list of witnesses to be called at the hearing no later than fourteen (14) calendar days prior to the hearing. At the Student's written request, the University shall send a "notice to appear" to any University employee-witness at his or her University-assigned email address. If, after this deadline, the Student and/or the University wish to supplement their witness list, they shall request permission from the Hearing Officer to do so.

g. The Student and the University may be accompanied at the hearing by an Advisor, who may neither speak for, nor on behalf of, the Student or University.

h. The hearing shall take place before a Hearing Officer selected by the VP-Student Affairs. The VP-Student Affairs or designee shall represent the University.

i. Subject to Paragraph 4.f herein, the Student and the University shall be allowed to introduce evidence and call witnesses to testify at the hearing. The formal rules of evidence applied in courtroom proceedings do not apply in the hearing. All information that responsible persons are accustomed to rely upon in the conduct of serious affairs is considered, although unduly repetitive information may be excluded. The Hearing Officer controls the proceedings.

j. If, after requesting a hearing, the Student fails to appear at the hearing without good cause, the hearing shall proceed nevertheless and the Hearing Officer shall render a decision based on the evidence submitted by the University and the Student's written response. The Hearing Officer shall weigh the evidence presented and shall draw no inferences from the Student's absence from the hearing.

k. If, despite its own due diligence, the University receives no confirmation that the Student received the Notice, or is unable to locate the Student to provide the Notice, the University may nonetheless seek revocation of the Degree. The University shall schedule a hearing within sixty (60) calendar days of the date of the Notice that shall proceed in the absence of the Student. The Hearing Officer shall consider the evidence presented at the hearing by the University and shall determine whether there is sufficient evidence to revoke the Student's Degree pursuant to this policy. The Hearing Officer shall draw no inferences from the Student's absence from the hearing.

l. The Hearing Officer shall consider and weigh the evidence and shall prepare written findings concerning whether there is clear and convincing evidence to revoke the Degree. 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 permitted to complete the requirements for his or her Degree after some sanction (if appropriate) is applied. Sanctions may include, but are not limited to, a ban from enrollment for some period of time or a loss of catalog year rights. The Hearing Officer shall submit such written findings and any appropriate recommendations to the Provost and the VP- Student Affairs no later than thirty (30) calendar days after the hearing.

m. The Provost and VP- Student Affairs 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 and VP- Student Affairs depart from the Hearing Officer's recommendation, the decision letter shall explain the reasons for such departure. The decision letter shall be issued within fifteen (15) 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.

n. If a Degree is revoked in accordance with Paragraph 4.k (University unable to locate Student), a Student who later learns of the revocation and wishes to contest it may request a rehearing of the matter in writing. The Student shall provide clear and convincing evidence to the VP- Student Affairs and the Provost that the Student did not receive any advance notice (either in writing or verbally) of the University's intent to revoke the Student's Degree through no fault of the Student. The decision to grant or deny a rehearing shall be made by the Provost and the VP- Student Affairs and shall be final. The decision shall be made within sixty (60) calendar days of receipt of the request and provided to the Student in writing. If a rehearing is granted by the Provost and VP- Student Affairs, a new Hearing Officer shall be assigned to hear the matter.

o. The VP- Student Affairs or designee may direct the Registrar to 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 will be able to request and access unofficial transcripts under the same conditions as any other student.

p. Nothing in this policy shall be construed to prevent the Provost and VP- Student Affairs from agreeing to an informal resolution of the matter with a Student in lieu of, or after, a hearing.

5. Post-Revocation Steps:

If a Degree is revoked pursuant to Paragraph 4.d (Student does not request a hearing), 4.k (University unable to locate Student), or 4.m (after hearing), the Registrar shall:

- a. Ensure that all relevant records of the University relating to the Student are promptly amended to reflect the Degree revocation;
- b. 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
- c. Use reasonable efforts to notify the Student that the Student is no longer entitled to represent to any person that he or she is the recipient of the revoked Degree and that the Student should take appropriate steps to notify all former and current employers, relevant educational institutions, professional registration bodies or associations, or others as applicable that the Degree has been 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 at the time of the revocation the Student is enrolled at the University, the VP- Student Affairs or designee shall promptly notify the University Student Conduct Officer of the revocation so that the Student Conduct Officer can consider whether to take any steps pursuant to Executive Order 1073 and any other applicable policies.