



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

APPROPRIATIONS COMMITTEE
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LACEY E. PUTNEY, CHAIRMAN
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October 27, 2008

Mr. Thomas Rosenthal, Rector
Virginia Commonwealth University
Office of the Board of Visitors
910 West Franklin Street
Box 842512
Richmond, Virginia 23284-2512

Dear Mr. Rosenthal:

I received your October 24, 2008 memo regarding the improperly awarded degree to Mr. Monroe and want to thank you for your prompt response.

I appreciate your correcting the public record regarding your inaccurate statement to the Committee that the Board of Visitors had been given legal guidance by the Office of the Attorney General to the effect that the Board lacked the "inherent authority" to revoke an unearned degree.

In your response you state that "under the terms of existing University policy, the Board did not have an adequate basis upon which to revoke the degree." Your memo further states that University policy "limits revocation of degrees to situations in which the student has engaged in academic misconduct." Finally, you state that "revocation of this degree would have required the Board to act outside of its policy."

It appears, based on your response, that the Board took a narrow view of its policies. A complete review of the University's Bulletin clearly expresses various policies that need to be examined in fully determining whether Mr. Monroe bears responsibility. Based on the two investigations it is apparent that Mr. Monroe had no knowledge that his degree requirements were not consistent with University policy, despite the fact that the bulletin clearly holds the student responsible:

"It is the responsibility of all undergraduate students to be familiar with the Undergraduate Bulletin of record (the bulletin in effect at the time of official admission), as well as the academic regulations in individual school and department publications and on program Web sites; however, in all cases, the academic regulations and general degree requirements, as published on this Undergraduate Bulletin Web site, take precedence over individual program policies and guidelines."

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Based on this University policy, it was Mr. Monroe's responsibility to understand the 25 percent residency rule requirement and the procedures to waive that requirement through the Academic Regulations Appeals Committee (ARAC). Neglect of one's academic responsibilities does not serve as an excuse to allow a student to hold a degree that was not properly earned.

Second, in reading the University policy regarding the revocation of a degree, it appears that the issue of "academic misconduct" is not necessarily limited to the conduct solely of the student, as stated below:

"At any time following the award of a degree, certificate or other university recognition, the university reserves the right to take appropriate action, including, but not limited to, the revocation of such degree, certificate or other university recognition, on the basis of academic misconduct discovered subsequent to, but which occurred prior to, the awarding of the degree, certificate or other university recognition. More specifically, when an action that constitutes a violation of the VCU Honor System leads to a finding that invalidates a major piece of work required for a degree, certificate or other university recognition so that the validity of the degree, certificate or other university recognition is jeopardized, the student or former student will be subject to a sanction that may include (a) rejection of a thesis, dissertation or other work, (b) revocation of a certification or other university recognition or (c) revocation of a degree."

It is clear that your policy does not limit Board action to academic misconduct alone. It also seems clear that academic misconduct does not have to be solely on the part of the student. By stating simply academic misconduct, would you not agree, that misconduct engaged on behalf of the student is also subject to review and potential action? Clearly, the actions taken by the individuals involved in this unfortunate matter rise to the level of academic misconduct.

From my view, it appears that the Board has chosen to adhere to part of its policies while ignoring other aspects. It is my hope that you will ask the Board to reconsider its previous decision. Prior to taking action, I believe that the Board should communicate with Mr. Monroe advising him that he failed to meet the university requirements of earning a degree. At a minimum the Board should lay out three options for Mr. Monroe. First, allow him to complete the necessary requirement at VCU to properly earn his degree. Second, ask that he transfer his VCU earned credits to the University of Phoenix and receive his degree from that school. Lastly, ask Mr. Monroe to voluntarily return the degree.

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It is not my intent, nor the Committee's, to belabor this issue. But, in light of the seriousness of this issue, I would like to remind you of the General Assembly's responsibility under §23-50.4 of the Code of Virginia:

There is hereby established a corporation consisting of the board of visitors of the Virginia Commonwealth University under the style of "Virginia Commonwealth University," and shall at all times be under the control of the General Assembly.

In closing, I am somewhat at a loss to your statement that you did not have an adequate opportunity to fully explain your position at the Committee's meeting. After your November 20th Board meeting the Committee may afford you another opportunity to fully explain the Board's actions.

I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Lacey E. Putney". The signature is written in a cursive style with a large initial "L".

Lacey E. Putney
Chairman

Cc: Members, House Appropriations Committee
The Honorable Robert F. McDonnell