

Syracuse University Academic Integrity Hearing Guide

Syracuse University's Academic Integrity Hearing Guide establishes the process that is followed during all academic integrity hearings. Most recently revised in April 2017, the Hearing Guide is based on requirements specified in Syracuse University's [Academic Integrity Policy](#) and draws upon prior versions of the hearing guide as well as on Syracuse University's Student Conduct System Handbook.

Academic integrity hearings are informal and administrative in nature. Their goal is to provide a forum in which the faculty interviewer, reporting instructor and student or students involved have the opportunity to present information directly to panel members, and panel members have the opportunity to pose questions and discuss the case. Students may accept or challenge the suspected violation and proposed sanctions.

In particularly complex cases, such as those involving multiple students or multiple charges of a single student, the Academic Integrity Office may, in consultation with University Counsel, modify hearing procedures to ensure fairness and efficiency.

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Immediately Before the Hearing Begins

1. The hearing panel chairperson (hereafter referred to as the “hearing chair”) speaks privately with the student(s) and the reporting instructor (if attending) to obtain phone numbers and email addresses for use in informing both parties of the outcome of the hearing after the panel concludes its deliberations. (Students are also welcome to wait nearby to hear the outcome in person.)
2. The hearing chair meets with hearing panel members to answer any procedural questions they have before opening the hearing.
3. The hearing chair resolves any issues arising from the failure of any panel member, student, faculty interviewer, reporting instructor or other party to the hearing to appear on time.¹
4. The hearing chair calls the student(s), faculty interviewer, reporting instructor, and any support person(s) accompanying them into the hearing room to join the panel members.²

Opening the Hearing

5. The hearing chair performs introductions and explains the nature of the hearing and standards for hearing participants, including making introductions and summarizing paragraphs b through h below.
 - a. **Introductions:** The hearing chair introduces her/himself and asks the panel members, faculty interviewer, reporting instructor and student(s) to state their names and roles in the hearing.
 - b. **Nature and Purpose of Hearing:** The hearing chair explains that the hearing is an informal administrative proceeding, not a civil or criminal trial. Rules of evidence and standards of proof used at trial do not apply. The purpose of the hearing is to provide the student and the reporting instructor with an opportunity to present testimony and evidence regarding the charge that the student violated Syracuse University’s Academic Integrity Policy.³ All evidence and testimony will be presented while the student and reporting instructor are present unless one of the parties does not attend the hearing. No private testimony to the hearing panel is permitted.

¹ The hearing chair may delay the start of a hearing for a short period in order to contact or wait for a hearing panel member or other party to the hearing. If the absent party does not arrive within approximately 15 minutes, the hearing chair will consult with Academic Integrity Office staff immediately. In most instances involving the absence of the student or reporting instructor, the hearing will proceed.

² The student and the reporting instructor are each permitted to bring one support person to the hearing. The support person may be an advisor, department chair, friend, family member or someone else in a position to provide emotional or practical support, including legal counsel. The support person may only advise the student or reporting instructor and is not permitted to address the Hearing Panel or to direct or coach testimony.

³ Cases that occur outside of courses may be brought by the Academic Integrity Coordinator of the school or college where the violation occurred or by another representative of the University. In such cases, references in this Hearing Guide to “the reporting instructor” will apply to the person bringing the case on behalf of the school/college or University.

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- c. Role of the Hearing Chair:** The hearing chair directs the hearing and makes sure that Academic Integrity Policy and procedures are followed. Only members of the hearing panel - not the hearing chair – vote. However, the hearing chair is responsible for ensuring the fairness of the hearing process. Therefore, it is appropriate for the hearing chair to raise relevant questions and points not addressed during testimony or questioning. The hearing chair is also responsible for maintaining civility and guiding discussion if it strays from topics relevant to the hearing. The hearing chair has authority to resolve any conflicts or last-minute requests (e.g. for presentation of additional evidence or calling of new witnesses) that arise during the hearing. If necessary, the hearing chair may call a brief recess to consider the matter or to consult with Academic Integrity Office staff.
- d. Role of the Hearing Panel Members:** The hearing panel members read the documents provided in advance of the hearing, consider testimony impartially during the hearing, ask relevant questions, decide whether a violation of the Academic Integrity Policy occurred, and determine appropriate sanctions if a suspected violation is upheld. *The standard of proof is “a preponderance of the evidence.”* This means that a charge will be upheld if the panel members conclude it is “more likely than not” that the student violated Policy (Academic Integrity Policy, Section D, Resolution of Academic Integrity Cases).⁴
- e. Role of the Faculty Interviewer:** The Faculty Interviewer is the faculty member serving on the school or college academic integrity panel who was assigned to interview the student. At the hearing, the faculty interviewer summarizes the reporting instructor’s account and the student’s account of the case, identifies points of agreement and disagreement, and recommends a violation level and non-grade penalty or penalties to the hearing panel based on her or his interview report.
- f. Civility and Respect:** The hearing chair is responsible for maintaining an atmosphere of civility and respect for all hearing participants. Restating or elaborating on a question once for purposes of clarification is permissible. Repeating the same question multiple times or otherwise badgering a hearing participant is prohibited. If any hearing participant (reporting instructor, student, faculty interviewer, witness or panel member) violates these norms, the hearing chair will warn the participant to refrain from the behavior. If the behavior continues, the hearing chair may call a brief recess, discuss the matter privately with the hearing participant, and, if necessary, excuse the hearing participant or discontinue the hearing. To promote civility during the hearing, the student and reporting instructor will be asked to state any questions they have for one another or for the interviewer to the hearing chair, who will direct these questions to the relevant party.
- g. Relevance of Testimony and Questioning:** The subject of the hearing is the violation the student is suspected of having committed. Hearing panels do not pass judgment on the student’s overall character or academic performance or on the strengths or shortcomings of the reporting instructor’s course. The hearing chair is responsible for keeping the hearing focused on the key question: Did the student violate the Academic Integrity Policy and, if so, what sanctions are appropriate? The hearing chair may limit testimony that is not pertinent to these questions. The student’s transcript is not relevant and may not be discussed unless the student is accused of altering his or her transcript.

⁴ If the student admits having violated the Policy but requests a lesser sanction, the hearing chair may limit testimony and questions as, appropriate. to focus on the violation level and applicable sanctions.

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- h. Confidentiality:** The hearing chair reminds hearing participants that, “Academic integrity hearings are confidential. The student, reporting instructor, interviewer, hearing chair, hearing panel members and any witnesses are prohibited from disclosing (a) correspondence, documents, evidence and other written materials prepared or submitted in connection with an academic integrity hearing; as well as, (b) information discussed during an academic integrity hearing. However, a student may share information regarding an academic integrity matter with a support person or with legal counsel.”

Challenges

- 6. By the Reporting Instructor (if in attendance):** The hearing chair asks the reporting instructor whether she or he believes any panel member has a conflict of interest that could prevent the panel member from weighing testimony impartially.⁵
- 7. By the Student:** The hearing chair asks the student whether she or he believes any panel member has a conflict of interest that could prevent that panel member from weighing testimony impartially.⁵

Presentation of the Case

- 8.** The faculty interviewer summarizes the case.⁶ Afterward, the reporting instructor and student have the option to respond.
 - a. The Faculty Interviewer outlines the case,** highlighting key points on which the reporting instructor and student agree or disagree, including: the *Instructor Report* of the suspected violation; the *student’s account* given during her or his interview and described in the *Student Interview Report*; and the *Student Response to Charge* submitted by the student after receiving the Interview Report.
 - b. The Reporting Instructor has up to 10 minutes to provide any additional relevant testimony or statement she or he wishes to make.**
 - c. The Student has up to 10 minutes to provide any additional relevant testimony or statement she or he wishes to make.**

⁵ Panel members should not be close friends or colleagues of the reporting instructor or student, should not hold a position of authority over either, and, to the extent possible, should not be in the same department as either. The hearing chair has authority to recess the hearing to confer privately with any party asserting a conflict of interest, to decide whether a conflict exists, and to dismiss any panel member found to have a conflict. In the event that dismissal is necessary, the hearing chair will consult Academic Integrity Office staff immediately to determine whether the hearing will proceed or be postponed. The hearing chair also has authority to resolve any other conflicts of interest that arise, e.g. involving support persons or witnesses.

⁶ All panel participants receive written documentation of the case, including the Instructor Report and related evidence, Student Interview Report, and Student Response to Charge, in advance of the hearing.

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Witness Statements

9. Presentation of Evidence by Witnesses

- a. **Eligible Witnesses:** The faculty interviewer, reporting instructor or student may call relevant witnesses. Witnesses must have knowledge of facts relevant to the academic integrity charge. The hearing chair may preclude witnesses from testifying if their statements are not relevant or they offer only opinions, not facts.
- b. **Notice of Plans to Call a Witness:** Any party wishing to call a witness must inform the Academic Integrity Office in advance. The reporting instructor should list any potential witnesses in his or her initial report of the case and/or their response to the faculty interview form when it is found by the faculty interviewer and AIC that the evidence is inconclusive. The faculty interviewer should list potential witnesses in the Faculty Interview Form. The student should list potential witnesses on the Student Response to Charge form. Advance notice of requests for witnesses allow the school/college Academic Integrity Coordinator to include a list of scheduled witnesses in the hearing materials and, in consultation with the Academic Integrity Office, to confirm that each witness possesses relevant, factual information about the case. The hearing chair has authority to make final decisions on the hearing day with regard to potential challenges to witnesses or last-minute requests for presentations by witnesses.
- c. **Procedures for Witness Testimony:** Witnesses will be called in one at a time to make a statement generally lasting no more than five minutes. The hearing chair will then give hearing panel participants an opportunity to question each witness. Panel members will pose questions first, followed by the reporting instructor and student. Then, the hearing chair may pose any pertinent questions not already asked of the witness. Immediately thereafter, each witness will be excused.

Questioning

10. The hearing chair fields questions from the hearing panel members and other hearing participants:
 - a. Panel members typically begin by asking any questions they have for the reporting instructor (if present) or the faculty interviewer.
 - b. Panel members then asks questions of the student.
 - c. The hearing chair asks the faculty interviewer, reporting instructor and student any additional questions that the hearing chair believes are pertinent to the case and have not yet been addressed.
 - d. *Note:* If the reporting instructor or faculty interviewer wishes to ask the student a question, the reporting instructor or interviewer should put the question to the hearing chair, who will restate the question and direct it to the student. Similarly, if the student wishes to ask a question of the reporting instructor, the student should put the question to the hearing chair, who will direct the question to the reporting instructor or faculty interviewer.

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Prior Violations, Aggravating and Mitigating Circumstances, and Optional Closing Statements

- 11. Summary provided by the Academic Integrity Office of any prior established violations.** The hearing chair reads aloud a memorandum from the Academic Integrity Office indicating whether the student has any prior established violations and, if so, briefly describing them and any resulting sanctions. *Note: Prior violations are not disclosed to the faculty interviewer before the interview takes place. This allows the faculty interviewer to make an initial assessment as to whether a violation occurred and recommend sanctions based solely on evidence related to the current charge.*
- 12.** The reporting instructor, the faculty interviewer, and the student may each take up to five minutes to provide hearing panel members with any additional information relevant to the case, including potentially aggravating or mitigating circumstances.
 - a. Aggravating circumstances** include but are not limited to evidence that the student
 1. Lied or deliberately misled the reporting instructor, interviewer, Academic Integrity Coordinator or others investigating the case.
 2. Violated professional ethics in the course of violating the Policy.
 3. Planned the violation in advance, such that his or her actions appear to have been premeditated.
 - b. Mitigating circumstances** typically involve major personal events occurring immediately prior to the suspected violation that could plausibly have affected the student's judgment at the time she or he violated the Policy. A student who raises potentially mitigating circumstances will be expected to document those circumstances with credible evidence.
 - c.** Consult the **Guidelines for Classifying Academic Integrity Expectations** at the end of this Hearing Guide for additional information about circumstances qualifying as aggravating or mitigating.

Dismissal of Reporting Instructor, Interviewer, Student and Support Persons

13. Confidentiality Reminder:

The hearing chair reminds all hearing participants of their obligation to maintain the confidentiality of the hearing proceedings and documents, as specified above in section 5.h.

14. Thanks and Dismissal:

The hearing chair explains that the main, information gathering portion of the hearing is concluded. After ascertaining whether the student wishes to wait nearby to learn the outcome of the hearing in person or be notified via phone or email, the hearing chair thanks the faculty interviewer, reporting instructor, student and any support persons for their participation and dismisses them from the hearing room.

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Deliberations and Sanction Selection

- 15. Majority vote:** All panel decisions regarding whether a violation occurred, the violation level, and appropriate sanctions must be made by majority vote.
- 16. Decision 1: Did a violation occur?** Deliberation takes place in two stages. First, if the student has contested the violation, the panel considers whether a violation has occurred. The panel has two options at this stage: (1) Uphold the charge; or 2) Overturn the charge based on a conclusion that insufficient evidence exists to conclude that the student's actions violated the Policy.
- The panel may *not* discuss potential sanctions** during this stage of the deliberations. Discussion of sanctions is appropriate only after a panel decides by majority vote that a violation has occurred.
 - The relevant standard of proof in considering whether a violation occurred is a preponderance of the evidence.** That is, the panel members must find the student in violation if they conclude by majority vote that it is “more likely than not” that the student has violated the policy. (See Academic Integrity Policy Section D, Resolution of Academic Integrity Cases.).
 - Decision of no violation:** If the panel overturns the charge, the hearing chair moves directly to section 18 of this Hearing Guide and brings the hearing to a close.
- 17. Decision 2: What violation level applies and what sanctions are appropriate?** If the panel decides that the student did violate the Academic Integrity Policy, the panel moves to the second stage of deliberations:
- Violation level:** Panel members discuss the violation level recommended by the Faculty Interviewer in conjunction with the Violation and Sanction Classification Rubric. The hearing chair reminds panel members that they should give serious consideration to the interviewer's recommendation of violation level but are not bound by it. Panel members are strongly encouraged to select the violation level that best fits the guidelines provided in the Violation and Sanction Classification Rubric. The hearing chair records the members' vote.
 - Non-grade sanctions:** Panel members determine what sanctions will apply based on the the violation level they have chosen, the Violation and Sanction Classification Rubric and the Guidelines for Classifying Academic Integrity Violations, which are provided at the end of this Hearing Guide. *Except in cases involving alteration of a transcript, the panel may not consider the student's academic performance in selecting sanctions.*
 - Grade sanction:** The reporting instructor may apply a grade-related sanction after the hearing is concluded and any relevant appeal deadline for the case expires.⁷

⁷ Panel members have no authority over the grade sanction with the following exception: Panel members may opt by majority vote to decrease a grade penalty of course failure for a Level 1 violation if the reporting instructor did not indicate in the course syllabus that any level violation could result in course failure.

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- d. **Prior violations on record:** If the student has a prior violation on record, the **panel must take the prior violation into account in determining the current violation level and sanctions based on guidelines in the Violation and Sanction Classification Rubric.** (A summary of the prior violation and resulting sanctions will have been provided to the panel chair by the Academic Integrity Office as described in section 11 above.)

Closing the Hearing

18. Final procedures following deliberations:

- a. **All hearing materials are collected:** To preserve confidentiality, the hearing chair collects all hearing materials from hearing panel members and gives them to the school/college Academic Integrity Coordinator or the Coordinator's designee for safekeeping until time limits for student appeal have expired.
- b. **Appreciation of service and confidentiality reminder:** The hearing chair thanks the hearing panel members for their service and reminds them of their obligation to maintain the confidentiality of all hearing materials and proceedings.
- c. **Informal notification of student and reporting instructor:** The hearing chair communicates the outcome of the hearing to the student and reporting instructor as soon as possible after the hearing concludes. If the student has waited nearby, the hearing chair meets with the student in person.

After the Hearing Concludes

19. Formal notification of student and reporting instructor: The hearing chair completes and submits the **Hearing Panel Decision Form** to the Academic Integrity Office within three business days. The Academic Integrity Office uses this form to provide written notice of the hearing outcome to the reporting instructor, the student, and the Academic Integrity Coordinator(s) and Advisor(s) of the school/college where the violation was reported and of the student's home school/college if these differ.

20. Appeal rights: The student has seven business days following receipt of formal notification of the hearing outcome to file a written request for appeal if she or he believes sufficient grounds for appeal exist. Requests for appeal must be emailed to the Academic Integrity Office and to the appropriate School/College Academic Integrity Coordinator using the Student Request for Appeal Form provided in the hearing notification sent to all students found in violation by a hearing panel. Two grounds for appeal exist:

- a. **Substantial failure to follow required procedures so significant as to likely alter the hearing outcome:** To meet this basis for appeal, the student must demonstrate that hearing panel participants failed to follow required procedures and that this failure was significant enough that the outcome of the hearing would have differed substantially without this failure, e.g. student would not have been found in violation.
- b. **Substantial new evidence so significant as to likely alter the hearing outcome:** To meet this basis for appeal, the student must demonstrate that new evidence not previously available at the time of the hearing has come to light and that this new evidence is significant enough that the outcome of the hearing would have differed substantially if this evidence had been available at the hearing, e.g. student would not have been found in violation.

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Guidelines for Classifying Academic Integrity Violations

- Magnitude of the violation**, for example, the extent of plagiarism in a final paper or the number of occasions on which a student signed into class on behalf of his roommate. Often, the largest-scale violations are those occurring outside of or beyond a single course, such as altering a transcript or submitting forged medical excuses to multiple faculty. The magnitude of the violation also encompasses these potential aggravating factors:
 - Premeditation** of the actions that violated the Academic Integrity Policy. Violations that involve planning and execution over time demonstrate consistent willingness to ignore academic integrity expectations.
 - Lying or efforts to cover up a suspected violation**, such as destroying evidence or persuading someone else to lie on the student's behalf.
 - Violation of professional ethics**, for example, submission of plagiarized coursework to a collaborating professional organization involved in the course or falsification of hours for a required internship in a professional setting.
- Value of the assignment or exam in which the suspected violation occurred**. Although any violation is problematic, most reporting instructors and most Academic Integrity Panel members are, understandably, more troubled by cheating on a final exam worth 25 percent of the course grade than on a five-point quiz on a 100-point course grading scale.
- The student's appreciation of the seriousness of the violation** and degree of commitment expressed to avoiding any future violation of the Policy, including articulation of practical steps she or he will take to achieve this.
- Mitigating factors** typically involve **major personal events** occurring immediately prior to the suspected violation that could plausibly have affected the student's judgment at the time she or he violated the Policy. These may include the onset of a major physical or mental illness, a death in the student's immediate family or a violent crime. Students are generally expected to provide documentation of these events. Panel members may only reduce a suspected violation by one level based on mitigating factors.
- Subsequent violations**: A hearing will be held for all students found in violation a second or third time. The Academic Integrity Office will inform students suspected of a subsequent violation that a hearing will occur if the pending suspected violation is upheld by the faculty interviewer. The faculty interviewer will not be informed of the prior violation unless the student chooses to do so himself. Subsequent violations will be automatically classified by the Academic Integrity Office under Level 3, and hearing panel members will be reminded of the importance of applying a minimum penalty of suspension for second violations; failure to do so creates a risk that the student will be reported for a third violation and then expelled without having been suspended previously. *However, panel members may take into account circumstances in which a student commits two violations in such close proximity that s/he has not been notified by the Academic Integrity Office of the first violation when the second violation occurs and has not had an opportunity to complete the Academic Integrity Seminar. Such circumstances in no way justify a second academic integrity violation. However, panel members may take them into account and opt to classify the second violation as Level 2 rather than Level 3 if they would have classified it as Level 1 or 2 absent the prior violation.*

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Guidelines for Classifying Suspected Academic Integrity Violations (continued)

6. **Factors that should not be taken into account** include:
- a. **Personal circumstances:** Considering how a violation and its consequences will affect a particular student may be tempting but is unwise; such practices introduce exactly the inconsistency and unfairness we're striving to eliminate through strong guidelines and training. Panel members will never have all the accurate, documented information they would need to make this assessment consistently across students and cases. Moreover, it isn't appropriate to apply lesser penalties for reasons unrelated to the violation.
 - b. **Student status, including first-year, first-generation, or international students:** The policy was written with the explicit goal of basing violation level on a student's actions, not status. The three-violation-level design encourages reporting of lesser violations and giving students the benefit of the doubt by charging them with lesser violations whenever doing so can be justified based on the rubric and classification guidelines.
 - c. **Course load and regular student pressures and responsibilities:** A heavy course load, multiple exams or academic deadlines in a short time frame, paid employment, and normal elements of student life do not justify an academic integrity violation or lesser sanctions.
 - d. **Past academic performance and/or grades** are not relevant in evaluating whether a student's actions violated the Policy or what level of violation occurred.
 - e. **The character of the student, the reporting instructor or the course:** Review of suspected violations is based on an evidentiary standard – whether it is more likely than not that the student's actions violated the Policy. No judgment is rendered on the student's character or that of the reporting instructor or her or his course.