



Syracuse University
Academic Integrity
Hearing Guide
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ACADEMIC INTEGRITY OFFICE
Syracuse University
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Syracuse University Academic Integrity Hearing Guide

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I. Hearing Purpose and Protocol

A. Purpose of the Hearing Guide: This Syracuse University Academic Integrity Hearing Guide establishes the process that is followed during all academic integrity hearings. 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.

B. Nature of Hearings: 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.

C. Modifications to Hearing Procedures: 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.

D. Role of the Hearing Chair: The hearing chair directs the hearing and makes sure that the Academic Integrity Policy and procedures are followed. AIO designates the panel member who will serve as chair in the case of panels that include multiple members. When panels consist of a single panel member, that panel member will serve as chair and will be responsible for ensuring that policy and procedures are followed. The hearing chair is also responsible for maintaining civility and guiding discussion if it strays from topics relevant to the hearing. The 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 staff in the Academic Integrity Office (AIO), the office which oversees academic integrity case administration in collaboration with the schools and colleges.

E. Role of the Hearing Panel Member(s): The hearing panel member or members review 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. When panels consist of a single panel member, that panel member will serve as chair and determine whether a violation occurred and, if so, what sanctions apply.

F. Standard of Proof for Determining that a Violation has Occurred: *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).

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G. Abbreviated Proceedings When Students Have Admitted Their Violation: If the student admits having violated the Policy but requests a lesser sanction, the hearing chair may limit testimony and questions to focus on the violation level and applicable sanctions. Similarly, if the student admits to the violation and a hearing is necessary because the student has a prior violation on record, the chair may limit testimony and questions to focus on applicable sanctions for the new violation given the level of the prior violation and the circumstances and level of the new violation.

H. Confidentiality: Academic integrity hearing panel proceedings are confidential, as noted at the beginning of each hearing. 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.

I. 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 identifies points of agreement and disagreement in the accounts of the reporting instructor and the student(s) and recommends a violation level and non-grade penalty or penalties based on their interview report.

J. 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.

K. 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 their transcript.

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L. Witnesses: The faculty interviewer, the reporting instructor, and the student each have the option to call relevant witnesses. Witnesses must have knowledge of facts relevant to the academic integrity charge. Any party wishing to call a witness must inform the Academic Integrity Office. 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 AIO, to confirm that each witness possesses relevant, factual information about the case. The hearing chair has authority to make final decisions regarding potential challenges to witnesses or last-minute requests for participation of witnesses. The hearing chair may preclude witnesses from testifying if their statements are not relevant or they offer only opinions, not facts. No witness can remain anonymous throughout any part of the Academic Integrity process. This includes students who have identified a violation and wish to work with a faculty member to report the incident.

M. Cases Arising Outside of Courses: 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.

N. Support Person(s): 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 testimony.

II. Hearing Procedures

A. Immediately Before the Hearing Begins

1. **Preliminary Conversations:** The hearing chair has authority to meet with hearing panel members to discuss procedural questions before allowing the student, reporting instructor, faculty interviewer and any support persons into the hearing and formally opening the hearing.

2. **Delays:** 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. 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 AIO staff immediately. In most instances involving the absence of the student or reporting instructor, the hearing will proceed.

B. Opening the Hearing

1. **Introductions:** The hearing chair performs introductions, introducing themselves and asking the panel members, faculty interviewer, reporting instructor and student(s) to state their names and roles in the hearing.

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2. **Statement of Hearing Expectations:** The hearing chair informs hearing participants that, “This 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. 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. As chair of this hearing panel, I am responsible for assuring that the Academic Integrity Policy and the hearing procedures established in this Hearing Guide are followed. I will hold all participants to the requirements established in Section 1, Hearing Purpose and Protocol.”

3. **Statement of Confidentiality:** The hearing chair reminds hearing participants of the confidentiality requirements specified in Section 1 of this Hearing Guide.

4. **Confirmation of Review of Potential Conflicts of Interest:** The hearing chair confirms that the reporting instructor, the student and panel members had an opportunity to review the list of hearing participants before the hearing began and that the potential for any conflict of interest that could prevent a panel member from weighing testimony impartially has been reviewed and, if necessary, resolved. 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, preferably, 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 AIO 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.

C. Presentation of the Case

1. The Hearing Chair asks the Faculty Interviewer to highlight key points on which the reporting instructor and student agree and/or disagree, based on statements contained in the *Instructor Report* of the suspected violation; the *Faculty Interview report*; and the *Student Response to Charge Form*. Up to 10 minutes is allotted for this purpose. The Hearing Chair then invites questions from the panel members first. Then, the reporting instructor and student may address any questions they have to the Hearing Chair, who will restate these questions for the Faculty Interviewer. Lastly, the Hearing Chair should pose any remaining questions they believe need to be addressed.

2. The Hearing Chair asks the Reporting Instructor if they have any additional relevant testimony or statement they wish to make. Up to 10 minutes is allotted for this purpose. Following this statement, the Hearing Chair invites questions from the panel members first. Then, the student and Faculty Interviewer may pose any questions they have to the Hearing Chair who will restate these questions for the Reporting Instructor. Then, the Hearing Chair should pose any remaining questions they believe need to be addressed.

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3. The Hearing Chair invites the Student to take up to 10 minutes to provide any additional relevant testimony or statement they wish to make. Following this statement, the Hearing Chair invites questions from the panel members first. Then, the reporting instructor and faculty interviewer may pose questions. Finally, the Hearing Chair should pose any questions they believe need to be addressed.

4. If one or more witnesses have been approved as having relevant testimony, the Hearing Chair invites the first witness to join the hearing and invites them to take up to five minutes to provide a statement. Members of the hearing panel may then pose questions, followed by the reporting instructor, student, and hearing chair. (The reporting instructor and the student should pose their questions via the Hearing Chair who will direct their questions to the witness.) The witness is then excused, and any additional approved witnesses are invited to join the hearing one by one following the same process. *Note: If an approved witness is unable to participate in person, they may provide a written statement to aio@syr.edu. The Hearing Chair will review the written statement, determine whether it is relevant, and, if so, read it to panel participants. Written witness testimony carries less weight than direct testimony that allows panel members to ask questions of the witness.*

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

1. **Prior Violation Memorandum:** 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. *(Students reported for a suspected second violation are informed by the Academic Integrity Office that a hearing will occur if their suspected violation is upheld by the faculty interviewer and school/college academic integrity coordinator. Prior violations are not disclosed to the faculty interviewer before the interview takes place. And students are encouraged to avoid reference to prior violations. 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. A second violation will typically be classified as Level 3 with a minimum sanction of suspension, as specified in the Academic Integrity Violation and Sanction Classification Rubric and in the Procedures for Classifying Academic Integrity Violations in section III. C. of this Hearing Guide.)* Reading the memorandum during this portion of the hearing while all hearing participants are present allows students who have a prior established violation the option to address this directly with the panel during closing statements (see below).

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2. Optional Closing Statements

- a) **Reporting Instructor:** The reporting instructor may take up to five minutes to provide hearing panel members with any additional information relevant to the case, including potential aggravating or mitigating circumstances. Note: aggravating and mitigating factors may be considered only if they meet the criteria described in section III. C. of this Hearing Guide. The hearing chair has authority to decide whether these criteria are met.
- b) **Student:** The student may take up to five minutes to provide hearing panel members with any additional information relevant to the case, including potential aggravating or mitigating circumstances and/or prior established violations. Note: aggravating and mitigating factors may be considered only if they meet the criteria described in section III. C. of this Hearing Guide. The hearing chair has authority to decide whether these criteria are met.
- c) **Faculty Interviewer:** The faculty interviewer takes up to five minutes to provide hearing panel members with any final, brief observations based on the written and verbal testimony, including potential aggravating or mitigating circumstances.

E. Dismissal of Reporting Instructor, Interviewer, Student and Support Persons

- 1. **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 I.H. above.
- 2. **Thanks and Dismissal:** The hearing chair explains that the main, information gathering portion of the hearing is concluded. The hearing chair thanks the faculty interviewer, reporting instructor, student and any support persons for their participation and dismisses them from the hearing room.

III. Panel Deliberations

- A. Majority vote:** All panel decisions regarding whether a violation occurred, the violation level, and appropriate sanctions must be made by majority vote.
- B. Determination of Whether a Violation Occurred:** 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.
 - 1. **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.

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2. **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.)

3. **The relevant question is whether a violation occurred.** For educational purposes, the Academic Integrity Policy establishes four broad categories of academic integrity expectations and related violations (Section III.A., p. 3). The categories are not exhaustive. The panel determines whether any violation of the policy occurred, regardless of the category indicted by the reporting instructor.

4. **Decision of no violation:** If the panel overturns the charge, the hearing chair moves directly to Section IV. of this Hearing Guide and brings the hearing to a close.

C. Procedures for Classifying Violation Level and Determining Sanctions (if the violation has been upheld)

1. Violation level

a) **Preliminary classification of violation level:** Initial decision of violation level must be based on descriptions in the Violation and Sanction Classification Rubric, not any potential mitigating or aggravating circumstances or prior violations. In the interest of fairness, panel members should not discuss the impact of potential violation levels and related sanctions on the student at this stage. The sole question is what level of violation does the current violation fit. Panel members should discuss the violation level recommended by the faculty interviewer in conjunction with the Violation and Sanction Classification Rubric. While panel members should give serious consideration to the faculty interviewer’s recommendation of violation level but are not bound by it. Likewise, they should consider but are not bound by the violation level recommended by the reporting instructor.

(1) **Magnitude of the violation:** The magnitude or extent of the violation and its grade value in the course should be taken into account at this stage. Magnitude would include, 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.

(2) **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 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. Often, the largest-scale violations are those occurring outside of or beyond the scope of a single course, such as altering a transcript or submitting forged medical excuses to multiple faculty.

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(3) 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 they will take to achieve this.

b) **Final classification of violation level:**

(1) **Aggravating/mitigating factors:** Once the violation level has been selected, panel members should consider whether any mitigating or aggravating circumstances apply. **Mitigating or aggravating circumstances must meet the criteria** established below. Mitigating factors cannot include the student's character, grade level (e.g. freshman or graduate student), state or country of origin, domestic/international status or proximity to graduation. **If the panel finds a mitigating or aggravating factor that meets the standards established in this Hearing Guide, the panel may adjust the classification up or down by only one violation level, not two.**

(2) Aggravating factors may include but are not limited to:

(a) **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.

(b) **Lying or efforts to cover up a suspected violation**, such as destroying evidence or persuading someone else to lie on the student's behalf.

(c) **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.

(d) Sufficient time* was provided to the student to complete the Academic Integrity Seminar and the student failed to do so.

(3) **Mitigating factors** involve **major personal events** occurring immediately prior to the suspected violation that could plausibly have affected the student's judgment at the time they violated the Policy.

(a) **Extenuating Circumstances:** 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.

(b) **Reporting Timeline:** two violations occur within such close proximity that the student was not notified of the first violation before the second violation occurred

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(c) **Academic Integrity Seminar Completion:** The student did not receive sufficient time to complete the Academic Integrity Seminar for the first violation prior to the occurrence of the second violation. *Sufficient time is defined as eight weeks.

(4) **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** do not provide direct evidence that a student did or did not violate the Academic Integrity Policy. However, the panel may take into account the student's academic performance in the course in which the suspected violation occurred, particularly as it relates to the student's ability to perform the academic work that is in question.

(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 their course.

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(5) **Prior violations:** If the student has a prior violation, the panel chair should avoid re-visitation of basic circumstances and decisions related to the prior violation. However, panel members should take the prior violation into account in selecting the non-grade penalty for the current violation. **The standard classification of a second or higher-order violation is Level 3 with a minimum non-grade sanction of one-semester suspension. Lesser penalties risk setting the student up for expulsion without prior suspension if they are found in violation a third time.** A panel may decide to classify a second violation as Level 2 based on mitigating circumstances but may not classify a second violation as Level 1 even if mitigating circumstances apply.

(a) **If both violations occurred within a short time period:** Panel members ought to take into account circumstances in which a student commits two violations in such close proximity that they have 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.

(b) **Consideration of both violation levels:** Panel members may take into account the level of both the prior and current violation in classifying the current violation level, e.g. two Level 1 violations could result in one-semester suspension, while having two Level 2 or 3 violations could result in a two-semester suspension.

(c) **Recording of vote:** The hearing chair records the panel's vote on violation level.

2. **Non-grade sanction(s):** Panel members **must** choose one of the non-grade sanctions associated with the **final** violation level: letter of reprimand for Level 1; six or 12-month academic integrity probation for Level 2 (potentially including work with the Writing Center to master use of source expectations AND/OR meeting with their academic integrity advisor to promote effective time management and academic success); and, one-semester or two-semester suspension or expulsion for Level 3.

a) **Recording of vote:** The hearing chair records the panel's vote on non-grade sanction(s).

3. **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. **The panel cannot alter the reporting instructor's grade penalty unless** the following circumstances apply: Instructor proposed course failure; syllabus does not state that instructor reserves the option to apply course failure regardless of violation level; **and** the case is classified as Level 1.

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IV. Closing the Deliberations

A. 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.

B. Collection of hearing materials: The hearing chair directs panel members to shred any hearing materials they have printed and/or ensures that printed materials are returned to AIO or the school or college holding the hearing for shredding.

V. After the Hearing Concludes

A. Notification of hearing outcome: The hearing chair completes and submits the Hearing Panel Decision Form to AIO within two business days. AIO staff members use 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.

B. 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 they believe sufficient grounds for appeal exist. Requests for appeal must be emailed to the AIO office via aio@syr.edu. Two grounds for appeal exist:

1. 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.

2. 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.