



FOR INFORMATION

PUBLIC

OPEN SESSION

TO: Academic Board

SPONSOR: Mr. Christopher Lang, Director, Appeals, Discipline and Faculty
Grievances

CONTACT INFO: christopher.lang@utoronto.ca

PRESENTER: See Sponsor

CONTACT INFO:

DATE: November 6, 2014 for November 13, 2014

AGENDA ITEM: 8(a)

ITEM IDENTIFICATION: University Tribunal, Individual Reports Fall, 2014

JURISDICTIONAL INFORMATION:

The University Tribunal hears cases of academic discipline under the *Code of Behaviour on Academic Matters, 1995* (the “Code”)¹ which are not disposed of under the terms of the *Code* by the Division.

Section 5.2.6 (b) of the Terms of Reference of the Academic Board provides for the Board to receive for information reports, without names, on the disposition of cases in accordance with the *Code*.

GOVERNANCE PATH:

1. **Academic Board [for information] (November 13, 2014)**

PREVIOUS ACTION TAKEN:

The last semi-annual report came to the Academic Board on June 2, 2014.

HIGHLIGHTS:

The purpose of the information package is to fulfill the requirements of the University Tribunal and, in so doing, inform the Board of the Tribunal’s work and the matters it considers, and the process it follows. It is not intended to create a discussion regarding individual cases, their specifics or the sanctions imposed, as these were dealt with by an adjudicative body with a

¹ <http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>

legally qualified chair, bound by due process and fairness, and based on the record of evidence and submissions put before it by the parties.

FINANCIAL IMPLICATIONS:

There are no financial implications.

RECOMMENDATION:

For information.

TRIBUNAL DECISIONS UNDER THE
CODE OF BEHAVIOUR ON ACADEMIC MATTERS
(FALL 2014)

PLAGIARISM OF AN ESSAY

Three-year suspension; four-year notation on transcript; a grade of 0 in the course; and publication of the decision with the name of the Student withheld

The Student pleaded guilty, and agreed with both the facts and proposed sanctions. In finding the Student guilty of plagiarism, the Tribunal noted the following: the high threshold to reject a jointly-proposed sanction; the Student had two prior offences; the Student entered an Undertaking to complete Academic Skills Workshops; the Student expressed remorse; and the proposed sanctions were consistent with other cases.

PLAGIARISING A PAPER

Two-year suspension; notation on transcript until graduation grade of 0 in the course; publication of the decision with the name of the Student withheld

The Student did not attend the hearing, but the Tribunal was satisfied that reasonable notice had been given. The Tribunal found the Student guilty, and imposing the sanctions, noted the following: it was a first offence; the Student did not participate in the process; and, the sanctions were consistent with other cases.

PLAGIARISED AND FORGED/FALSIFIED MULTIPLE DOCUMENTS
Expulsion; publication of the decision with the name of the Student withheld

The Student did not attend the hearing, but the Tribunal was satisfied he received adequate notice. The Tribunal found the Student guilty of forging and falsifying multiple documents in order to obtain eight (8) post-admission transfer credits from Huazhong University of Science and Technology. The falsified documents included academic records and transfer credit requests such as an official transcript, English language translations of the official transcript, and course outlines describing the courses listed on the official transcript. In recommending expulsion, the Tribunal noted the following: there was no evidence of mitigating circumstances or character evidence since the Student did not attend; the most important sanctioning factors were detriment to the

University, the nature of the offences and the need for general deterrence; the important facts in this case were similar to other cases that resulted in expulsion, but cases that resulted in suspension could be distinguished on the facts; the gravity of the offence could not be overstated, as it created both unfairness towards peers and the community, and was a detriment to the integrity of the University's degree; and, the need for general deterrence was high because the transfer credit process is based on trust as not all applications can be verified to the same extent as what occurred in this case.

FORGED ANOTHER STUDENT'S CLASS TEST AND CLAIMED IT WAS HIS OWN

Five-year suspension; notation permanently recorded on the Student's transcript; grade of 0 in the course; publication of the decision with the name of the Student withheld

There was both a Tribunal and Appeal decision. The Tribunal recommended expulsion, but the Discipline Appeals Board, in a majority decision, overturned this and substituted a five-year suspension and permanent notation. In imposing a five-year suspension, the DAB noted the following: the panel agreed that there was no evidence of good character, insight or remorse; the Student's conduct at the Tribunal hearing, his allegations against others and his dishonesty had to be taken into account; but they disagreed with the Tribunal that an escalation from what the Dean was originally going to impose (a grade of 0 in the course) to a recommendation for expulsion was justified.

FALSIFIED A UNIVERSITY MEDICAL CERTIFICATE IN ORDER TO DEFER A FINAL EXAMINATION

Two-year suspension; notation on transcript for three years; grade of 0 in the course; publication of the decision with the name of the Student withheld

The Student did not attend the hearing, but the Tribunal was satisfied that reasonable notice had been given. The Tribunal found the Student guilty and imposing the sanctions noted the following: the offence was serious; the Student did not communicate or participate in the process; this was a first offence; and, the sanctions were consistent with other Tribunal cases.

ALTERED A SCANTRON ANSWER FORM IN AN EXAMINATION

Two-year suspension; notation on transcript for three years; grade of 0 in the course; publication of the decision with the name of the Student withheld

The panel found the Student guilty of altering a scantron sheet during an examination, specifically erasing answers and his name. In imposing the sanctions, the Tribunal noted the following: this was a first offence; and, the sanctions were consistent with other similar cases.

SUMMITTED ALTERED TERM TESTS FOR RE-GRADING AND ALSO SUBMITTED ACADEMIC WORK FOR WHICH CREDIT HAD ALREADY BEEN GRANTED

Five-year suspension; notation on transcript until Student graduates; grade of 0 in two courses; publication of the decision with the name of the Student withheld

The Student did not attend the hearing, but sent a legal representative, and also pleaded guilty and agreed with both the facts and proposed sanctions. In finding the Student guilty and in imposing the sanctions, the Tribunal noted the following: the Student committed a second offence, only three weeks after admitting to committing the first offence; the Student could not have committed the offences negligently; the Student admitted guilt and cooperated; and the Student had accepted responsibility.

PROVIDING AND OBTAINING UNAUTHORIZED ASSISTANCE DURING A MID-TERM

Suspension of two years and five months; notation on transcript for four years; grade of 0 in the course; publication of the decision with the name of the Student withheld

The Student did not attend, but the Tribunal was satisfied that reasonable notice had been given. The Tribunal found the Student guilty, and imposing the sanctions, noted the following: there was a prior academic offence; the Student did not participate in the process; there was no evidence of mitigating circumstances; the offence was serious; and, there was detriment to the University.

COPIED A TERM TEST ANSWER BOOKLET FROM ANOTHER STUDENT

Two-year suspension; notation on transcript for two years; grade of 0 in the course; publication of the decision with the name of the Student withheld

The Student did not attend the hearing, but the Panel was satisfied that there was reasonable notice. In finding the Student guilty and imposing the sanctions, the Tribunal noted that this was the Student's first offence.

STUDENT ALLOWED ANOTHER STUDENT TO COPY HER TERM TEST ANSWER BOOKLET, HAD ANOTHER PERSON IMPERSONATE HER DURING AN EXAMINATION, AND FORGED/FALSIFIED AN ACADEMIC RECORD

Five-year suspension; notation on transcript for six years; grade of 0 in two courses; publication of the decision with the name of the Student withheld

The Student attended the hearings, and agreed with the facts regarding the impersonation and forging/falsifying allegations. In finding the Student guilty of all three offences, and in imposing the sanctions, the Tribunal noted the following: there was no "prior" offence given the timing of the first set of charges; the Student admitted guilt for some of the charges; the Student participated in the discipline process; the Student continued to take courses and had no other disciplinary incidents; the Student showed remorse and cooperated; general deterrence and specific deterrence and rehabilitation were properly balanced.

IMPERSONATED ANOTHER STUDENT DURING AN EXAMINATION AND FORGED/FALSIFIED AN ACADEMIC RECORD

Five-year suspension; notation on transcript for six years; publication of the decision with the name of the Student withheld

The Student did not attend, but the Panel determined that notice was given and found the Student guilty. In imposing the sanctions, the Tribunal noted the following: the Student had a prior academic offence; the Student did not participate in the process; there was a lot of planning and deliberation; the Student gained no academic advantage for herself; the ability of the Student to provide assistance in the exam was minimal; and the sanctions adequately addressed general and specific deterrence.