



FILE: 1999-00-11

Note: Heard together with 1999-00-10

November 15, 1999

**Via Registered Mail
Personal and Confidential**

Ms B.
[REDACTED]

North York, ON
[REDACTED]

Dear Ms B.:

At its hearing held on June 23, 1999, the Trial Division of the University Tribunal considered the following charges against you:

1. That on or about May 8, 1997, you knowingly obtained unauthorized assistance in an academic examination contrary to s.B.I.1.(b) of the *Code of Behaviour on Academic Matters* (the *Code*), the particulars of which are set out below.
2. That on or about May 8, 1997, you knowingly engaged in a form of cheating or academic dishonesty or misconduct in order to obtain academic credit, contrary to s.B.I.3.(b) of the *Code*.
3. On May 8, 1997, you were a party to an offence and that you knowingly aided or assisted another member of the University to obtain unauthorized assistance in an academic examination contrary to s.B.II.1.(a)(ii) of the *Code*.

The particulars of the charges were as follows:

1. In the spring of 1997 you were a student in PSL 321Y.
2. The final examination for that course was held on May 8, 1997.
3. During the course of that examination, you knowingly obtained unauthorized assistance from Ms A. by looking at her examination paper and/or answer sheets, and by communicating with Ms A. orally.
4. During the course of that examination, you knowingly aided or assisted Ms A. by communicating with her orally and by allowing her to see your examination paper and/or answer sheet.

The panel unanimously imposed the following sanctions after hearing a Joint Submission on sanctions:

- a grade of zero in the course; and
- a two-year notation be placed on your record, commencing January 1, 1999.

The panel also recommended that the decision and sanctions imposed be reported to the Vice-President and Provost for publication in the University newspapers, with your name withheld.

The panel provided the following comments in support of its decision.

While the panel unanimously accepted the Joint Submission of Counsel, it did so reluctantly. The Panel thanked Counsel for their submissions, which had been both helpful and provoking.

The Joint Submission had contained a recommendation for a suspension from the University until the end of the summer; however, the panel members were of the view that this sanction was meaningless in the given circumstances. Hence, while the panel had accepted the Joint Submission, it was not imposing the recommended suspension. This suspension would not, in the panel's view, accomplish anything and the panel did not believe that meaningless sanctions should be imposed.

The next recommendation had been for a grade of zero in the course. Again, this recommendation appeared to be somewhat meaningless; however, the panel was prepared to accept the Joint submission and impose this grade.

With respect to the recommendation that the sanctions be recorded on the students' record, the panel would have been inclined to have that recorded for a longer period of time. But, the panel realized that both students involved had already been prevented from receiving their degrees and would not be able to do so for a further period of time and consequently would not be able to commence post-graduate studies for some sixteen to eighteen months.

The Tribunal is reporting the case to the Vice-President and Provost for publication in the University newspapers, with your name withheld.

Information concerning rights of appeal may be found in Section E of the Code. You may file an appeal of this decision within 21 days of the date of this letter.

Yours sincerely,

Margaret McKone

Ms Margaret McKone
Acting Secretary
University Tribunal

cc: D. Affleck, Chair, Tribunal Panel
S. Bartkiw, Arts and Science
D. Cook, Vice-Provost

L. Rothstein, Senior Discipline Counsel
C. Snow, Downtown Legal Services