

**THE UNIVERSITY TRIBUNAL**  
**THE UNIVERSITY OF TORONTO**

**IN THE MATTER OF** charges of academic dishonesty made on February 14, 2013.

**AND IN THE MATTER OF** the *University of Toronto Code of Behavior on Academic Matters*, 1995,

**AND IN THE MATTER OF** the *University of Toronto Act*, 1971, S.O. 1971, c. 45 as amended S.O. 1978, c. 88

**B E T W E E N:**

**THE UNIVERSITY OF TORONTO**

**- AND -**

J [REDACTED] S [REDACTED]

**REASONS FOR DECISION**

**Date of hearing:** May 7, 2013

**Tribunal Members:**

Ms. Wendy Matheson, Barrister and Solicitor, Chair

Professor Dionne Aleman, Department of Mechanical and Industrial Engineering, Faculty Panel Member

Mr. Adel Boulazreg, Student Panel Member

**Appearances:**

Ms. Tina Lie, Assistant Discipline Counsel, Paliare Roland Barristers

Mr. Jeff Marshman, Legal Case Worker, Downtown Legal Services

**In Attendance:**

Mr. J [REDACTED] S [REDACTED], the Student

Professor Luc De Nil, Vice-Dean, Students, School of Graduate Studies

Professor Andrea Sass-Kortsak, Associate Director, Academic Affairs and Graduate Coordinator  
Dalla Lana School of Public Health

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

### **Charges and Hearing:**

1. The Trial Division of the Tribunal held a hearing on May 7, 2013 to consider the following charges brought by the University of Toronto against J■■■■ S■■■■ (the Student) under the *Code of Behaviour on Academic Matters, 1995* (the Code):
  - 1) that on or about September 4, 2012, the Student knowingly represented the ideas, or the expressions of the ideas of another as his own work in the final practicum report that the Student submitted in the University of Toronto courses CHL 6010Y and CHL 6011H ("Courses"), contrary to section B.I.1(d) of the Code; and,
  - 2) in the alternative, that by submitting the final practicum report in the Courses, the Student knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code in order to obtain academic credit or other academic advantage of any kind, contrary to section B.I.3(b) of the Code.
2. The Student attended the hearing, was represented by student counsel from Downtown Legal Services, and pled guilty to the above charges. The University indicated that if the plea of guilty to charge 1, above, was accepted, the second charge would be withdrawn in that it was in the alternative.

### **Agreed Statement of Facts & Finding on Charges**

3. At the outset of the hearing, the Tribunal was advised that the University had entered into an Agreed Statement of Facts with the Student. That Agreed Statement is attached as Appendix A to this decision. The Tribunal also received into evidence, on consent, a Joint Book of Documents that are referred to in the Agreed Statement of Facts.
4. As set out in more detail in the Agreed Statement of Facts, the circumstances giving rise to the charges involved a 16-week practicum placement in relation to the Courses that the Student was required to complete in order to obtain his Master of Public Health degree. On September 4, 2012, the Student submitted a final practicum report titled "Optimal Cancer Screening Strategies: A Focused Review of Simulation Models" (the "Report").
5. In the course of reviewing and grading the Report, the professor noted that several of the passages in the Report were reproduced verbatim or nearly verbatim from secondary sources that were not contained in the Report's list of references. In addition, the passages in the Report were not identified through the use of quotation marks or any other method of indicating that they were verbatim or nearly verbatim quotes from secondary sources.
6. The Tribunal was provided an annotated excerpt from the Report that demonstrated the concerns initially noted by the Professor.

7. With respect to the Report, the Student has admitted that he knowingly included verbatim and nearly verbatim excerpts from several secondary sources, failed to attribute those verbatim and nearly verbatim excerpts appropriately using quotation marks or other appropriate means and failed to include three of the secondary sources in the list of references at the end of the Report.
8. After reviewing the facts contained in the Agreed Statement of Facts and Joint Book of Documents, the Tribunal deliberated and concluded that the facts demonstrate that the charge 1 was proved, and agreed to accept the guilty plea in respect of that charge. Given that finding, the University withdrew charge 2, and that charge is therefore not the subject of a finding of this Tribunal.

### **Penalty**

9. The parties submitted a further Agreed Statement of Fact regarding penalty, which is attached as Appendix B. These agreed facts show that the Student had previously received sanctions in June of 2011 in respect of academic dishonesty under section B.I.3(B) of the Code. These sanctions related to two courses in which the Student purported to submit two assignments electronically, where the electronic files did not actually contain the assignments. The two incidents were treated together as a first offence and were dealt with by the Vice-Dean. The Student received a grade of zero in each of the two courses and an annotation on his transcript for less than one year. The Vice-Dean, in his letter to the Student confirming these sanctions, warned the Student that a second offence would be treated more severely.
10. The parties in this hearing made a Joint Submission on Penalty. The Joint Submission proposed that the Student be given a final grade of zero in the two courses that were the subject of charge 1, be suspended from the University until April 30, 2017 (about four years) and have a notation of his academic record and transcript until graduation. It was also proposed that this case be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanctions imposed, with the name of the student withheld.
11. In addition to the proposed penalty, the student also agreed with the University that he would attend and participate in a mutually agreeable program or workshop regarding academic integrity prior to registering for any further courses at the University.
12. In support of the Joint Submission, the parties asked the Tribunal to take into account the fact that the Student admitted the charges at an early stage in the process and cooperated with the University, including by the agreement on the facts in the Agreement Statement of Facts, by pleading guilty and by the Joint Submission on Penalty.
13. The Tribunal considered the factors that are to govern its decision, as set out in *The University of Toronto and Mr. C.* dated November 5, 1976, at p. 12, and the various illustrative cases provided to it. The Tribunal also recognized that the high threshold that must be met for the Tribunal to reject a joint submission. To meet that threshold, the Tribunal would have to be of the view that accepting the joint submission would bring

the administration of justice into disrepute. The Tribunal concluded that this is not such a case.

14. The Tribunal therefore accepted the joint submission on penalty.

**Decision of the Tribunal**

15. The Tribunal ordered as follows:

1. the Student is found guilty of the academic offence of plagiarism, contrary to section B.I.1(d) of the *Code of Behaviour on Academic Matters*;
2. the following sanctions shall be imposed on the Student:
  - a. he shall receive a final grade of zero in the courses CHL6010Y and CHL6011H;
  - b. he shall be suspended from the University from May 7, 2013 until April 30, 2017; and
  - c. the sanction shall be recorded on his academic record and transcript from the date of this order until the date he graduates;
3. this case be reported to the Provost, with the Student's name withheld, for publication of a notice of the decision of the Tribunal and the sanction imposed.

All of which is ordered as of May 7, 2013.

Dated at Toronto, this 21<sup>st</sup> day of May, 2013.



Wendy Matheson, Chair

## APPENDIX A

THE UNIVERSITY TRIBUNAL OF THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty filed on February 14, 2013,

AND IN THE MATTER OF the University of Toronto *Code of Behaviour on Academic Matters*, 1995, No. 2

AND IN THE MATTER OF the *University of Toronto Act*, 1971, S.O. 1971, c. 56 as amended  
S.O. 1978, c. 88

THE UNIVERSITY TRIBUNAL  
UNIVERSITY OF TORONTO

BETWEEN:

THE UNIVERSITY OF TORONTO

- AND -

J. S.

AND  
This Exhibit is produced by  
the University  
this 7<sup>th</sup> day of May, 2013.

AGREED STATEMENT OF FACTS

1. This hearing arises out of charges of academic misconduct filed by the Provost of the University of Toronto (the "Provost") under the *Code of Behaviour on Academic Matters* ("Code"). For the purpose of this hearing, the Provost and J. S. ("Mr. S.") have prepared this Agreed Statement of Facts ("ASF") and a joint book of documents ("JBD"). The Provost and Mr. S. agree that:

- (a) each document contained in the JBD may be admitted into evidence at the Tribunal for all purposes, including for the truth of the document's contents, without further need to prove the document; and
- (b) if a document indicates that it was sent or received by someone, that is *prima facie* proof that the document was sent and received as indicated.

A. *Charges and guilty plea*

2. Mr. S. admits that he received a copy of the charges filed by the Provost. The charges are included in the JBD at Tab 1.

3. Mr. S█ admits that he received a copy of the notice of hearing in this matter and that he has received reasonable notice of this hearing. A copy of the notice of hearing is included in the JBD at Tab 2.

4. Mr. S█ waives the reading of the charges filed against him, and pleads guilty to both charges.

5. The Provost agrees that if the Tribunal convicts Mr. S█ on charge 1, the Provost will withdraw charge 2.

6. At all material times, Mr. S█ was a registered student at the University of Toronto School of Graduate Studies, in the Master of Public Health ("MPH") program. A copy of Mr. S█'s current academic record is included in the JBD at Tab 3.

#### **B. The Practicum**

7. In the Summer 2012 term, Mr. S█ enrolled in CHL 6010Y and CHL 6011H, a 16-week practicum placement (the "Practicum"). Mr. S█ was required to complete a practicum placement in order to obtain his Master of Public Health degree.

8. A copy of the MPH Epidemiology Practicum Guidelines (the "Guidelines") is included in the JBD at Tab 4. Mr. S█ admits that he received a copy of the Guidelines.

9. The academic requirements for the Practicum included the submission of a final practicum report one week before the end date of the Practicum.

10. On September 4, 2012, Mr. S█ submitted a final practicum report titled "Optimal Cancer Screening Strategies: A Focused Review of Simulation Models" (the "Report"). A copy of the Report is included in the JBD at Tab 5. The Report has been highlighted as described below.

11. Professor Nancy Krieger was responsible for reviewing and grading the Report. In the course of reviewing and grading the Report, Professor Krieger noted that several of the passages in the Report were reproduced verbatim or nearly verbatim from secondary sources

that were not contained in the Report's list of references. In addition, the passages in the Report were not identified through the use of quotation marks or any other method of indicating that they were verbatim or nearly verbatim quotes from secondary sources.

12. With respect to the Report, Mr. S [REDACTED] admits that he knowingly:

- (a) included verbatim and nearly verbatim excerpts from secondary sources, including:
  - (i) "Statistical models for cancer screening", by C.E. Stevenson, which is included in the JBD at Tab 6 (the "Stevenson Article");
  - (ii) "Use of Modeling to Evaluate the Cost-Effectiveness of Cancer Screening Programs", by Amy B. Knudsen, et al., which is included in the JBD at Tab 7 (the "Knudsen Article");
  - (iii) "Selecting a decision model for economic evaluation: a case study and review", by Jonathan Karnon and Jackie Brown, which is included in the JBD at Tab 8 (the "Karnon Article"); and
  - (iv) "Computer Disease Simulation Models: Integrating Evidence for Health Policy", by Carolyn M. Rutter et al. (the "Rutter Article"), which is included in the JBD at Tab 9;
- (b) failed to attribute those verbatim and nearly verbatim excerpts appropriately using quotation marks or other appropriate means; and
- (c) failed to include the Knudsen Article, the Karnon Article and the Rutter Article in the list of references at the end of the Report.

13. The Report, included in the JBD at Tab 5, has been highlighted to indicate the text in the report that was taken verbatim or nearly verbatim from the Stevenson Article (identified in the margin as "1"), the Knudsen Article (identified in the margin as "2"), the Karnon Article (identified in the margin as "3") and the Rutter Article (identified in the margin as "4"). Mr. S [REDACTED] agrees that the highlighted text should have been referenced appropriately using quotation marks or other appropriate means, and the Knudsen Article, the Karnon Article and the Rutter Article should have been included in the list of references at the end of the Report.



14. Mr. S█ admits that he knowingly:

- (a) represented in the Report the ideas of another person, the expression of the ideas of another person, and the work of another person as his own;
- (b) committed plagiarism in the Report contrary to section B.I.1(d) of the *Code*; and
- (c) engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation in order to obtain academic credit, contrary to section B.I.3(b) of the *Code*.

**C. *The meeting with the Dean's Designate***

15. On January 31, 2013, Mr. S█ met with Prof. Luc De Nil, the designate of the Dean of the University of Toronto School of Graduate Studies. Mr. S█ admits that Prof. De Nil provided the warning that was required to be given to him under the *Code*.

16. Mr. S█ admitted to Prof. De Nil that he had violated the *Code* by knowingly committing plagiarism in the Report.

**D. *Acknowledgments***

17. Mr. S█ undertakes to attend and participate in a mutually agreeable program or workshop regarding academic integrity prior to registering for any further courses at the University of Toronto.


18. Mr. S█ acknowledges that:

- (a) the Provost has advised Mr. S█ of his right to obtain legal counsel and that Mr. S█ has done so;
- (b) he is signing this ASF freely and voluntarily, knowing of the potential consequences he faces, and does so with the advice of counsel.

Signed on May 6, 2013.



Signed on May 7, 2013.

  
for: Robert A. Centa  
Assistant Discipline Counsel  
University of Toronto

## APPENDIX B

THE UNIVERSITY TRIBUNAL OF THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty filed on February 14, 2013,

AND IN THE MATTER OF the University of Toronto *Code of Behaviour on Academic Matters*, 1995,

AND IN THE MATTER OF the *University of Toronto Act*, 1971, S.O. 1978, c. 88

BETWEEN:

THE UNIVERSITY OF TORONTO

- AND -

J. S. [REDACTED]

NO. 4  
THE UNIVERSITY TRIBUNAL  
UNIVERSITY OF TORONTO  
AND  
[REDACTED]  
[REDACTED]  
this Exhibit is produced by  
the University  
this 7<sup>th</sup> day of May, 2013  
[Signature]

AGREED STATEMENT OF FACTS ON PENALTY

1. This hearing arises out of charges of academic misconduct filed by the Provost of the University of Toronto (the "Provost") under the *Code of Behaviour on Academic Matters* ("Code"). For the purpose of the penalty phase of this hearing, the Provost and J. S. [REDACTED] ("Mr. S. [REDACTED]") have prepared this Agreed Statement of Facts ("ASF on penalty"). The Provost and Mr. S. [REDACTED] agree that:

- (a) each document attached to this ASF on penalty may be admitted into evidence at the Tribunal for all purposes, including for the truth of the document's contents, without further need to prove the document; and
- (b) if a document indicates that it was sent or received by someone, that is *prima facie* proof that the document was sent and received as indicated.

2. In the Winter 2011 term, Mr. S. [REDACTED] was enrolled in CHL 5402H (Epidemiologic Methods II) and CHL 5418H (Scientific Overviews in Epidemiology). During the Winter 2011 term, Mr. S. [REDACTED] submitted:

- (a) an electronic file purporting to contain Assignment #3 for CHL 5402H, which could not be opened; and
  - (b) a transmittal email purporting to attach Assignment #1 for CHL 5418H, which did not contain any attachment.
- 3. The electronic submissions referred to in paragraph 2 did not contain Assignment #3 for CHL 5402H or Assignment #1 for CHL 5418H.
- 4. On June 2, 2011, Mr. S ■ admitted to Professor Berry Smith, Vice-Dean, Students, School of Graduate Studies at the University of Toronto, that he had engaged in a form of cheating, academic dishonesty, misconduct, fraud or misrepresentation in respect of Assignment #3 for CHL 5402H and Assignment #1 for CHL 5418H, in order to obtain academic credit or other academic advantage, contrary to section B.I.3(b) of the *Code*.
- 5. That day, Vice-Dean Berry Smith imposed the following sanctions:
  - (a) a grade of zero (FZ) in course CHL 5402H;
  - (b) a grade of zero (FZ) in course CHL 5418H; and
  - (c) an annotation on Mr. S ■'s transcript running from June 3, 2011 to April 30, 2012.
- 6. On June 3, 2011, Vice-Dean Berry Smith wrote to Mr. S ■ confirming the above sanctions. A copy of Vice-Dean Berry Smith's letter is attached to this ASF on penalty at Tab 1. Vice-Dean Berry Smith warned Mr. S ■ in the letter as follows:


While I trust that you have learned from this experience, I must warn you that a second offence will be treated much more severely.
- 7. Mr. S ■ acknowledges that:
  - (a) the Provost has advised him of his right to obtain legal counsel and that he has obtained legal advice; and

- (b) he is signing this ASF on penalty freely and voluntarily, knowing of the potential consequences he faces.

Signed on May 6, 2013.



Signed on May 7, 2013.

  
\_\_\_\_\_  
Tina Lie  
Assistant Discipline Counsel  
University of Toronto



FIRST  
OFFENCE

Mr. J. S. [REDACTED]

Dear Mr. S█████:

Professors Badley and Johnson, Faculty of Medicine Vice-Dean Sass-Kortsak, Emma Thacker (notetaker), and I attended this meeting with you. The meeting was conducted in accordance with the procedures outlined in the Code of Behaviour on Academic Matters. During the course of the meeting, you admitted that you had committed the offence of academic misconduct.

1. FZ in course CHL 5402H
2. FZ in course CHL 5418H
3. An annotation indicating academic misconduct to appear on your academic record from June 3, 2011 to April 30, 2012.

Yours sincerely,

JBS

/ɛjt

65 St. George Street, Toronto, ON, M5S 2Z9, Canada

Tel: +1 416 978-5986 • Fax: +1 416 971-2327 • [sgs.vdeanstudents@utoronto.ca](mailto:sgs.vdeanstudents@utoronto.ca) • [www.sgs.utoronto.ca](http://www.sgs.utoronto.ca)