

**UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made on January 6, 2015

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. 1971, c. 56 as amended
S.O. 1978, c. 88

B E T W E E N:

UNIVERSITY OF TORONTO (the "University")

- AND -

H [REDACTED] M [REDACTED] (the "Student")

REASONS FOR DECISION

Hearing Date: February 18, 2015

Panel Members:

Ms. Roslyn M. Tsao, Chair

Professor Michael Saini, Factor-Inwentash Faculty of Social Work, Faculty Panel Member

Ms. Alice Zhu, Student Panel Member

Appearances:

Mr. Robert Centa, Assistant Discipline Counsel for University, Paliare Roland Barristers

Dr. Chester Scoville, Instructor for ENG110Y5Y1Y: Narrative, University of Toronto
Mississauga

No one appearing for the Student

In Attendance:

Ms. Lucy Gaspini, Manager, Academic Integrity and Affairs, University of Toronto Mississauga

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

1. The Trial Division of the Tribunal heard this matter on February 18, 2015. The Student was charged on January 6, 2015 with plagiarism contrary to section B.I.1(d) of the Code in ENG110Y5Y1Y ("Course") on or about April 2, 2014. The Student was also charged, in the alternative, with engaging in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code.

Absence of Student from Hearing

2. The Student did not attend at the Hearing. The Tribunal waited 15 minutes after the scheduled commencement of the Hearing to allow for the Student to appear.
3. The University presented evidence to the Tribunal confirming proper service of the Charges and Notice of Hearing dated February 3, 2015 (which contained the requisite warning for non-attendance) in accordance with Rule 9 (Part 3) of the *Rules of Practice and Procedure ("RPP")* by:
 - e-mailing a copy of the documents to the student's e-mail address contained in the Student's ROSI record.
4. The SWS Activity log for the University showed logins into the Student's university account up to October 9, 2014, the latest logins being from an IP Address in Korea.
5. Accordingly, the Hearing proceeded in the absence of the Student.

Facts

6. The University tendered Dr. Chester Scoville as their one witness.
7. Dr. Scoville was the lecturer of the Course at the relevant time and has been teaching since September 2000.
8. The Course had about 350 students and consisted of a main lecture by Dr. Scoville with tutorials lead by teaching assistants.
9. Interestingly, at the beginning of the Course, there was a "Academic Integrity Workshop" which comprised a ½ hour lecture about academic misconduct, including plagiarism, and

how to identify such offences and avoid them. The workshop also included a short quiz testing whether the students could identify examples of plagiarism. The Student scored 90% on this quiz.

10. Assignment #2, the essay assignment in question, was worth 15% of the Course. Students were required to submit both a hard copy of their essay and a copy to "Turnitin", the software which assists in the identification of plagiarism.
11. Dr. Scoville was alerted to the Student's essay by Turnitin and, upon his review of the essay, identified passages in the essay which were identical or near identical to other uncited source material. The Panel has reviewed the Student's essay and source material from CliffsNotes and www.gradesaver.com and have no difficulty finding that the Student plagiarized significant passages without any citations.

Decision of the Tribunal

12. The Student is found guilty of plagiarism contrary to section B.I.1(d) of the Code.
13. The University withdrew the alternative charge.

Penalty

14. The University sought the following penalty:
 - (a) a zero in the Course;
 - (b) a two (2) year suspension from the University commencing the date of the Order;
and
 - (c) a notation of the sanction on the Student's academic record and transcript until her graduation from the University.
15. The Student has no prior record of academic misconduct and has not registered at the University since the Winter 2014 term.
16. The Tribunal accepts the University's submission with respect to (a) and (b) above and with respect to (c), the Panel feels that the period for the notation on the Student's record

and transcript should be for a period of three (3) years given that the Student was in first year and there is no prior record of misconduct.

17. An Order was signed at the hearing by the Panel to this effect.
18. The Tribunal is to report this decision to the Provost for publication of a notice of the decision of the Tribunal and the sanctions imposed in the University's newspapers, with the name of the Student withheld.

Dated at Toronto, this 25th day of February, 2015



Roslyn Tsao, Co-Chair