

**THE UNIVERSITY OF TORONTO
UNIVERSITY TRIBUNAL
TRIAL DIVISION**

IN THE MATTER OF charges of academic dishonesty filed on March 10, 2011,

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

BETWEEN:

THE UNIVERSITY OF TORONTO

- AND -

L [REDACTED] W [REDACTED]

REASONS FOR DECISION

Hearing Date: November 28, 2012

Members of the Panel:

Ms. Sarah Kraicer, Barrister and Solicitor, Chair
Professor Ernest Lam, Faculty of Dentistry, Faculty Panel Member
Mr. Afshin Ameri, Student Panel Member

Appearances:

Ms. Lily Harmer, Assistant Discipline Counsel, Paliare Roland Barristers

In Attendance:

Mr. L [REDACTED] W [REDACTED], the Student
Ms. Lucy Gaspini, Manager, Academic Integrity and Affairs, University of Toronto
Mississauga
Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances

REASONS FOR DECISION

1. The Trial Division of the University Tribunal was convened on November 28, 2012 to consider charges brought by the University of Toronto (the “University”) against Mr. L [REDACTED] W [REDACTED] (the “Student”) under the *University of Toronto Code of Behaviour on Academic Matters, 1995* (the “Code”).

The Charges

2. The charges against the Student were as follows:

1) On or about October 27, 2010, you did knowingly represent as your own any idea or expression of an idea or work of another in connection with academic work with respect to the submission of a lab assignment entitled “Lab 2 – Sawmill Creek” in GGR316H5F, contrary to section B.I.1.(d) of the Code.

2) On or about October 27, 2010, you did knowingly use or possess an unauthorized aid or aids or obtain unauthorized assistance in connection with academic work, with respect to the submission of a lab assignment entitled “Lab 2 – Sawmill Creek” in GGR316H5F, contrary to section B.I.1.(b) of the Code.

3) In the alternative to paragraphs 1 and 2 above, on or about October 27, 2010, you did knowingly engage 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, in connection with the submission of a lab assignment entitled “Lab 2 – Sawmill Creek” in GGR316H5F, contrary to section B.I.3.(b) of the Code.

4) On or about November 1, 2010, you did knowingly represent as your own any idea or expression of an idea or work of another in connection with academic work with respect to the submission of an essay entitled “Marine diamond deposits of Southern Africa: Origin, Physical Processes contributing to Present day Distribution and Mining techniques” in GGR479H5F, contrary to section B.I.1.(d) of the Code.

5) On or about November 1, 2010, you knowingly submitted academic work containing a purported statement of fact or reference to sources which had been concocted in connection with the submission of an essay entitled “Marine diamond deposits of Southern Africa: Origin, Physical Processes contributing to Present day Distribution and Mining techniques” in GGR479H5F, contrary to section B.I.1.(f) of the Code.

6) In the alternative to paragraph 4 and 5 above, on or about November 1, 2010, you did knowingly engage 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, in connection with the submission of an essay entitled “Marine diamond deposits of Southern Africa: Origin, Physical Processes contributing to Present day Distribution and Mining techniques” in GGR479H5F contrary to section B.I.3.(b) of the Code.

7) On or about November 21, 2010, you did knowingly engage 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, in connection with the submission of an essay entitled “Marine diamond deposits of Southern Africa: Origin, Current and Paleo Distribution and Mining techniques” in GGR479H5F, contrary to section B.I.3.(b) of the Code.

The Plea

3. The Student attended the hearing, and entered a plea of guilty to Charges 1, 2, 4, 5 and 7. The University agreed that if the Tribunal were to convict the Student on Charges 1 and 2, the University would withdraw Charge 3, and that if the Tribunal were to convict the Student on Charges 4 and 5, the University would withdraw Charge 6.

4. As outlined in greater detail below, at the conclusion of the University's evidence to establish charges 4, 5 and 7, the Student made submissions which prompted the Tribunal to question the Student as to whether he wished to maintain or to withdraw the guilty pleas he had made to those charges. The Tribunal adjourned briefly to permit the Student and the University Counsel to discuss the issue. On the resumption of the hearing, the Student advised the Tribunal that he wished to confirm all of his guilty pleas, that he accepted that he had committed the offences set out in those charges, and that his submissions were not intended to suggest otherwise. Having considered the Student's original submissions, his clarifications, and his confirmation of the guilty pleas, the Tribunal was satisfied that the Student's guilty pleas on all of the charges are informed and voluntary.

The Agreed Statement of Facts Re Charges 1 and 2

5. University Counsel advised the Tribunal at the outset of the hearing that the University and the Student had entered into an Agreed Statement of Facts relating to Charges 1 and 2, which is attached as Appendix "A" to these reasons. The Tribunal also received into evidence a Book of Documents containing documents referred to in the Agreed Statement of Facts as well as documents relating to the other charges.

6. The facts giving rise to Charges 1 and 2 are set out in detail in the Agreed Statement of Facts and Book of Documents and are summarized below.

7. In the Fall 2010 term, the Student enrolled in GGR 316 H5F– Landforms, taught by Professor Dan Fitzgerald. The Course Syllabus, received by the Student, stated:

Lab assignments will include: in-lab work as well as field work conducted on or within walking distance from campus.

Please read University policy on plagiarism. They can be found at (www.utoronto.ca/govcncl/pap/policies/behaveac).

8. One of the course requirements was completion of a lab assignment worth 10% of the final course grade. Students were required to complete field work, worth 5%, and to submit a one page report with an attached spreadsheet of field collected data and calculated values, worth an additional 5%.

9. The Student did not attend to conduct the field work at Sawmill Creek. Instead, he obtained the data collected by a classmate and submitted a spread sheet based on the classmate's data. The Student did not perform the required calculations for his Lab 2; rather, he submitted the calculations provided to him by the classmate as if they were his own. A number of typographical errors in the classmate's data were replicated in the Student's spreadsheet.

10. The Student admitted that in submitting Lab 2 for academic credit in GGR 316 he knowingly:

- (a) obtained unauthorized assistance from a fellow student, contrary to section B.I.1.(b) of the *Code*;
- (b) represented the ideas of another person, the expression of the ideas of another person, and the work of another person as his own;
- (c) committed plagiarism contrary to section B.I.1(d) of the *Code*; and
- (d) 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*.

11. On December 6, 2010, the Student met with Professor Scott Graham, the Dean's designate for academic integrity. Professor Graham provided the warning that was required to be given to him under the *Code*. The Student admitted to Professor Graham that he had violated the *Code* by obtaining unauthorized assistance in connection with Lab 2 and signed an admission of guilt form to that effect.

The Evidence Re Charges 4, 5 and 7

12. The University presented the evidence of Mr. Josh Kershaw, Dr. John Johnston, and Professor Scott Graham and documents contained in the Book of Documents to establish the facts relevant to charges 4, 5 and 7 relating to Course GGR479H5F.

13. Dr. Johnston testified that he was the instructor of Course GGR479H5F, an advanced seminar course in Physical Geography – Coastal Environments. The Student and Mr. Kershaw were enrolled in the Fall 2010 Term. One of the course assignments entitled "Publish or Perish" required the students to prepare a first draft essay and submit it to a classmate for peer review by November 1, 2010, conduct the peer review of the classmate's essay and submit it together with their own draft essay to the professor by November 15, 2010, and then submit their final revised essay to the professor by November 29, 2010.

14. The Course syllabus reminded the students of the seriousness of plagiarism, and Dr. Johnston addressed plagiarism and the need to properly reference and credit the work of others consistent with academic integrity when discussing the assignment in class.

15. Mr. Kershaw was given the Student's draft essay to peer review, and became concerned that parts of it might have been copied from another source. He entered the first sentence of the Student's draft essay on the Google search engine, and found the same sentence and other portions of the draft essay verbatim in a website found at www.diamondfields.com/s/Namibia.asp?reportID=88890.

16. Mr. Kershaw spoke to the Student on the phone on November 14, 2010 and urged him to speak with Dr. Johnston. The Student sounded upset, stated that he did not want to speak with Dr. Johnston and asked Mr. Kershaw not to speak to Dr. Johnston about the matter.

17. On November 15, 2010, Mr. Kershaw emailed Dr. Johnston and advised him of his concerns with the Student's essay, and his telephone conversation with the Student. Mr. Kershaw attached the Student's draft essay (the "Peer Review draft"), a link to the diamondfields website, and his peer review notes.

18. Dr. Johnston emailed the Student on November 17, 2010 and asked that he submit his overdue draft essay and peer review. He did not receive an immediate response from the Student.

19. Dr. Johnston again emailed the Student on November 18, 2010 and requested to meet with him as soon as possible.

20. On November 21, 2010, the Student responded to Dr. Johnston by email, attaching the "First Draft" of his essay (the "November 21 Draft") and his peer review, and offering to meet on the following Monday.

21. On December 6, 2010, the Student attended a meeting with the Dean's designate Professor Graham to discuss allegations of academic misconduct with respect to the Peer Review draft and the November 21 draft submitted in course GGR479H5F. The Student indicated at the meeting that he was not guilty of these allegations.

22. Dr. Johnston testified that significant portions of the content of the Peer Review draft corresponded verbatim or virtually verbatim to the text of three websites, none of which is cited in the draft or listed in the bibliography:

www.diamondfields.com/sNamibia.asp?reportID=88890 (the website identified by Mr. Kershaw); www.khulsey.com/jewelry/diamond_mines_nambia.html; and <http://science.howstuffworks.com/environmental/earth/geology/diamon1.htm/printable>.

Approximately 75% of the content of the Peer Review draft is identical or virtually identical to text found in these three websites.

23. In addition, two of the passages that correspond verbatim to these websites are cited to other journal articles. A passage which is found verbatim in the science.howstuffworks.com website is cited to “(Garnett, 2002)”. A passage which is found verbatim in the diamondfields website is cited to “(Jacob et al., 2006)”. Dr. Johnston confirmed that these passages were identical to text found in the websites, but he had not independently checked the cited journal articles to determine whether or not those passages are also found in the journals.

24. Contrary to the assignment requirements, the November 21 Draft submitted to Dr. Johnston was significantly different than the Peer Review Draft provided to Mr. Kershaw. A comparison of the two drafts indicates that less than 50% of the original text of the Peer Review draft remains in the November 21 draft. The November 21 draft no longer includes several of the lengthy passages of text found verbatim in the three websites, and in particular does not contain the passages found in the diamondfields website. However, the November 21 draft does continue to include a passage that is virtually identical to a section of the science.howstuffwork.com website. Again, this passage is unattributed to any source in the November 21, 2010 draft.

25. In his submissions to the Tribunal at the conclusion of the University’s evidence on these charges, the Student acknowledged that he used websites in preparing the Peer Review draft, but he stated that he did not recognize the science.howstuffworks.com website, so that website might have changed its name or he might have accessed a different but equally uncited website with the same content.

26. The Student also submitted that the University had not checked whether the cited journal sources in the Peer Review Draft corresponded to the preceding text. As indicated in paragraph 4 above, the Tribunal adjourned the hearing to allow the Student to consider whether, in light of this submission, he wished to amend or withdraw his plea with respect to these charges, or to give evidence. Upon resumption of the hearing, the

Student confirmed that he wished to confirm all of his guilty pleas, that he accepted that he had committed the offences set out in those charges, and that this submission was not intended to suggest otherwise.

27. The Tribunal finds that the Student knowingly included in the Peer Review Draft text and ideas that he copied from three website sources, and did not acknowledge or cite any of those sources in the Peer Review Draft.

28. The Tribunal also finds that the Student knowingly concocted sources in the Peer Review Draft. Two text passages from the Peer Review Draft that are found verbatim in the uncited websites are cited instead to two journal articles. While the Tribunal does not have evidence before it of the content of those journal articles, it is reasonable to infer from the extensive use of the websites in the Peer Review Draft and the close correspondence of the text of the websites and the Peer Review Draft that the passages are in fact taken from the websites, and not from the journal articles.

29. The Tribunal also finds that the Student revised the draft essay between the time he submitted it for peer review and the time he submitted it to the professor, contrary to the assignment requirements, and that these revisions were done for the purpose of concealing the fact that the original Peer Review draft contained plagiarism from unattributed websites.

Tribunal Decision

30. After reviewing the facts set out in the Agreed Statement of Facts relating to Charges 1 and 2, the evidence of witnesses relating to Charges 4, 5 and 7, and the documents contained in the Book of Documents relating to all of the Charges, the Tribunal concluded that the facts proven established the charges to which the Student had entered a plea of guilty. The Tribunal accepted the Student's guilty plea on Charges 1,2,4,5 and 7 and entered a finding of guilt with respect to those Charges. The University withdrew Charges 3 and 6.

Sanction

31. The University led evidence from Professor G. Scott Graham, Dean's Designate for Academic Offences, and provided the Tribunal with a Book of Documents Re: Sanction containing additional facts and documents it wished the Tribunal to consider in relation to its determination of sanction. These facts are as follows:

32. While enrolled in the course MGT 120H5S- Financial Accounting, in the Winter Term 2006, the Student was found to have an unauthorized aid (a calculator with course-relevant formulae written on the back) during the writing of the final examination. At a meeting with Professor Graham on June 14, 2006, the Student pleaded guilty to the academic offence of using or possessing an unauthorized aid, contrary to s. B.I.1.(b) of the Code. Professor Graham advised the Student that he recommended the assignment of zero for the final examination, and that subsequent academic offences would receive much more severe penalties. The Assistant Dean imposed a sanction of a mark of zero for the final examination. This resulted in the Student receiving a mark of 38% for the course. The Assistant Dean wrote to the Student stating "I trust that you have had time to reflect on the seriousness of these incidents and will not commit another academic offence again. Please be advised that any subsequent allegations of offence are usually referred directly to the Tribunal".

33. While enrolled in the course GGR217H5S – the Global Water Cycle, in the Spring Term 2009, the Student collaborated with two other students on an assignment that was required to be done solo, and provided an unauthorized aid to one of the other students. The assignment was worth 10% of the course. At a meeting with the Dean's Designate on July 27, 2009, the Student pleaded guilty to the offence of providing and obtaining unauthorized assistance, contrary to s. B.II.1.(a)(ii) of the Code. The penalty assigned was an assigned final course mark of 3% (a mark chosen instead of a zero because a zero could be viewed as a student forgetting that he was enrolled in a course), an annotation on his transcript that his mark in the course was reduced due to academic misconduct for 12 months, and a three month suspension from September 1 to December 31, 2009. The Student was advised that this sanction was on the light side for a second

offence, and was again warned that any further allegations would likely be sent directly to Tribunal.

34. For the Charges before this Tribunal, the University and the Student agreed that the Student should receive a grade of zero in the two courses in question. The University sought in addition a suspension of 5 years starting on the date of the hearing, a recording of the sanction on the Student's academic record for a period of 7 years, and reporting of this case to the Provost for publication of a notice of the decision of the Tribunal and the sanction imposed in the University newspapers, with the name of the student withheld. The Student submitted that any period of suspension should be for a shorter period, and should begin as of the end of the Spring Term of 2011, as he had not taken any courses since that time. He also requested that there be no publication of his initials or name in the decision.

35. In oral submissions, counsel for the University submitted that the penalties it proposed were appropriate in all of the circumstances, and were generally consistent with prior Tribunal decisions in similar circumstances. The charges in question were a 3rd and 4th offence for the Student. While he has taken responsibility for his actions in most of the instances in the past, it has not stopped him from doing it again. The earlier progressive sanctions and warnings did not deter him from committing further academic offences. The University submitted that it was important to impose a very serious penalty for this conduct.

36. The Student submitted that he agreed that discipline was warranted, but that the University's proposal was too severe. He stated that he had been honest throughout the process, had not denied his actions, and accepted responsibility for what he had done. He stated that he was "learning the hard way" and regretted not staying on focus in his studies. He stated that he had not enrolled in classes since the Spring Term 2011 because he understood that he was not permitted to do so pending the outcome of the Tribunal process, and therefore that any suspension and annotation should be backdated to September 2011.

37. The Tribunal heard additional evidence from both the Student and Ms. Lucy Gaspini of the Office of the Dean on the issue of whether the Student was permitted to continue to attend classes following the Dean's Meeting of December, 2010. The Student testified that he had a general understanding that he was precluded from enrolling in any new courses (but could continue to take the course in the Spring 2011 Term that he had previously enrolled in). Ms Gaspini, who worked in the Office of the Dean and provided information and liaison to students about discipline matters, testified that she specifically advised the Student following the Dean's meeting on December 6, 2010 that he was permitted to continue taking courses while the discipline matters were not resolved before the Tribunal. The Student stated that he did not dispute Ms. Gaspini had told him this, and did remember speaking with her, but that he did not recall what was said on these occasions.

Decision of the Tribunal on Sanction

37. The Tribunal considered the factors that govern its decision on sanction as set out in *The University of Toronto and Mr. C*, dated November 5, 1976 at pp. 12 (file no. 1976/77-3).

38. The Student has repeatedly, and despite warnings and progressive discipline sanctions, committed serious acts of academic misconduct. The offences that are the subject of this proceeding are the third and fourth instances of academic offences committed by the Student.

39. Moreover, the Student does not appear to have learned from prior warnings and more lenient sanctions he was afforded. For example, the Student was disciplined in 2006 for improper collaboration with fellow students on an assignment, yet again in 2010 obtained unauthorized assistance from a classmate by improperly obtaining and using that classmate's data as the Student's own. The Student does not appear to have been deterred from further academic misconduct despite having been suspended from the University for three months in 2009.

40. The charges at issue in this proceeding involve plagiarism in relation to assignments prepared for two different courses. In addition, he concocted references. These are serious academic offences that undermine the trust between University and student, threaten the integrity of grades issued by the University, and constitute unfairness to other students who comply with the Code. Honesty and integrity are fundamental to the University's academic program, and the relationship of the student to the University. Plagiarism and the concoction of references are offences that offend these fundamental principles, and that in general merit strong and severe sanctions.

41. There are no extenuating or mitigating circumstances surrounding the commission of the offences.

42. The Tribunal has also taken into account that the Student has largely cooperated with the University throughout this process, by appearing at meetings and this proceeding, agreeing to certain relevant facts in the Agreement of Facts, and by pleading guilty to the charges. The Student attended at the hearing, expressed remorse to the Tribunal and in large measure acknowledged responsibility for his actions including by pleading guilty to the charges.

43. The Tribunal has considered the range of suspensions and annotations on the record imposed by the Tribunal in other similar cases in order to promote a measure of uniformity and proportionality for sanctions imposed for offences committed in similar circumstances. In *Re Beyhum*, the student appeared and pleaded guilty to a charge of using an unauthorized aid. She had committed two previous offences of plagiarism. She received a three year suspension that was recorded for 4 years on her record and transcript. In *Re Delinis*, the student pleaded guilty to a charge of plagiarism and concocted references. He had committed two previous offences of plagiarism. The penalty was a final grade of zero in the course, a four years suspension from the University, and a 5 year annotation. In *Re Petrossi*, the student pleaded guilty to two instances of plagiarism and had committed a prior offence of plagiarism. The Tribunal

ordered a four year suspension and four year annotation on her record for two instances of plagiarism. A five year suspension and seven year annotation was ordered for plagiarism and concoction in *Re Pourmahram* where the student had three prior offences of plagiarism. In *Re Ali*, the Tribunal also ordered a five year suspension and seven year notation for a count of plagiarism with three prior offences of plagiarism, and where the student did not appear at the hearing.

44. The University took reasonable steps to inform the Student that he could continue to take courses pending this Tribunal hearing, and the Student knew or ought to have known that he could do so, and did not enrol in September 2011 of his own accord. The Tribunal does not consider it appropriate to backdate a period of suspension from the date that the Student ceased to take courses in these circumstances, particularly given the seriousness of the Student's conduct in this case. However, the Tribunal has taken into account, as one of the factors relevant to the overall length of the suspension and annotation, the fact that the Student has been absent from the University since the end of the Spring Term 2011.

46. In all of the circumstances, the Tribunal has determined that the appropriate sanction is a grade of zero in the two courses in question, a period of suspension from the University for four years from the date of the hearing, an annotation recording the sanction in the Student's record and transcript for a period of six years from the date of the hearing, and publication of the notice of the decision with the name of the student withheld. The Tribunal declines to make any additional order with respect to the use of the Student's initials in the decision or in publication and is of the view that there is no basis for the University in this case to depart from its normal practice re non-identification measures.

Order

47. The Tribunal orders:

1. THAT the Student is guilty of:
 - a. two counts of knowingly committing plagiarism contrary to section B.I.1(d) of the Code;
 - b. one count of knowingly obtaining unauthorized assistance in connection with academic work contrary to section B.I.1(b) of the Code;
 - c. one count of submitting work containing a reference to a source which has been concocted contrary to section B.I.1(f) of the Code; and
 - d. one count of engaging 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.
2. THAT the Tribunal imposes the following sanctions on the Student:
 - a. he shall receive a final grade of zero in the following courses:
 - (i) GGR316H5F in the 2010 Fall term; and
 - (ii) GGR479H5F in the 2010 Fall term;
 - b. he shall be suspended from the University from November 28, 2012 until November 27, 2016;

c. the sanction shall be recorded on his academic record and transcript for a period of six years from November 28, 2012 until November 27, 2018; and

3. THAT this case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction or sanctions imposed, with the name of the Student withheld.

Dated this 13th day of February, 2013



Sarah T. Kraicer, Co-Chair

APPENDIX A

THE UNIVERSITY TRIBUNAL OF THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty filed on March 10, 2011.

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

6
No. 6

AND IN THE MATTER OF the *University of Toronto Act*, 1977, S.O. 1977, c. 166 as amended S.O. 1978, c. 88

THE UNIVERSITY TRIBUNAL
UNIVERSITY OF TORONTO

BETWEEN:

[Redacted] W [Redacted]
This Exhibit is produced by [Redacted]

THE UNIVERSITY OF TORONTO

this 28th day of Nov., 2012

- AND -

[Redacted] W [Redacted] (994 747 477)

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 L [Redacted] W [Redacted] ("Mr. W [Redacted] W [Redacted]") have prepared this Agreed Statement of Facts ("ASF"). The Provost and Mr. W [Redacted] agree that:

(a) each document referenced in the ASF 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. W [REDACTED] admits that he received a copy of the charges filed by the Provost. The charges are included in the Book of Documents ("BD") at Tab 2.

3. Mr. W [REDACTED] admits that he has received the Notice of Hearing issued in connection with these charges and that he has received reasonable notice of this hearing. A copy of the notice of hearing is included in the BD at Tab 1.

4. Mr. W [REDACTED] waives the reading of the charges filed against him, and pleads guilty to charges 1 and 2.

5. The Provost agrees that if the Tribunal convicts Mr. W [REDACTED] on charges 1 and 2, the Provost will withdraw charge 3.

6. At all material times, Mr. W [REDACTED] was a registered student at the University of Toronto. A copy of Mr. W [REDACTED]'s academic record is included in the BD at Tab 3.

B. The Course: GGR 316

7. In the Fall 2010 term, Mr. W [REDACTED] enrolled in GGR 316 – Landforms, which was taught by Dan Fitzgerald ("Course").

8. A copy of the syllabus for the Course ("Syllabus") is included in the BD at Tab 4. Mr. W [REDACTED] admits that he received a copy of the Syllabus. The Syllabus stated, in part, as follows:

Lab assignments will include: in-lab work as well as field work conducted on or within walking distance from campus.

Please read University policy on plagiarism. They can be found at (www.utoronto.ca/govcncl/pap/policies/behaveac).

9. One of the course requirements was completion of a lab assignment worth 10% of the final course grade. Students were required to complete field work, worth 5%, and to submit a one page report with an attached spreadsheet of field collected data and calculated values, worth an additional 5%. A copy of the Lab #2 instructions is included in the BD at Tab 5.

10. Mr. W [REDACTED] submitted his Lab 2 - Sawmill Creek, a copy of which is included in the BD at Tab 6 ("Lab 2").

11. Mr. W [REDACTED] did not attend to conduct the field work at Sawmill Creek. Instead, he obtained the data collected by a classmate, Inderpal Bhamra, and submitted a spread sheet ~~and lab report~~ based on Mr. Bhamra's data. A copy of the report Lab 2: Sawmill Creek submitted by Mr. Bhamra is included in the BD at Tab 7.

12. Mr. W [REDACTED] did not perform the required calculations for his Lab 2; rather, he submitted the calculations provided to him by Mr. Bhamra as if they were his own.

13. Mr. W [REDACTED]'s marks in GGR 316 are included in the BD at Tab 8.

14. Mr. W [REDACTED] admits that in submitting Lab 2 for academic credit in GGR 316 he knowingly:

- (a) obtained unauthorized assistance from a fellow student, contrary to section B.I.1.(b) of the *Code*;
- (b) represented the ideas of another person, the expression of the ideas of another person, and the work of another person as his own;

- (c) committed plagiarism contrary to section B.I.1(d) of the *Code*; and
- (d) 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 December 6, 2010, Mr. W [REDACTED] met with Prof. Scott Graham, the Dean's designate for academic integrity. Mr. W [REDACTED] admits that Prof. Graham provided the warning that was required to be given to him under the *Code*.

16. Mr. W [REDACTED] admitted to Prof. Graham that he had violated the code by obtaining unauthorized assistance in connection with Lab 2 and signed an admission of guilt form, which is included in the BD at Tab 9.

D. *Acknowledgments*

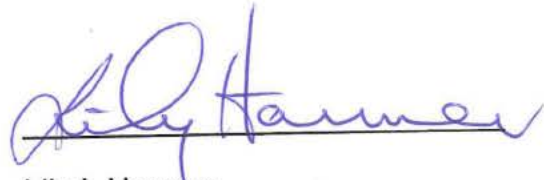
17. Mr. W [REDACTED] acknowledges that:

- (a) the Provost has advised Mr. W [REDACTED] of his right to obtain legal counsel and that Mr. W [REDACTED] has ^{not done} declined to do so; and
- (b) he is signing this ASF freely and voluntarily, knowing of the potential consequences he faces.

Signed on November 28, 2012.

[REDACTED]
L [REDACTED] W [REDACTED]

Signed on November 28, 2012.

A handwritten signature in blue ink, appearing to read "Lily Harmer", written over a horizontal line.

Lily I. Harmer
Assistant Discipline Counsel
University of Toronto