

**UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made on February 22, 2016

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 -

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

REASONS FOR DECISION

Hearing Date: August 15, 2016

Panel Members:

Ms. Roslyn M. Tsao, Chair

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

Ms. Yusra Qazi, Student Panel Member

Appearances:

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

Ms. Ejona Xega, Law Student for the Student, Downtown Legal Services

Dr. Martha Harris, Academic Integrity Officer, Office of Student Academic Integrity (OSAI),
Faculty of Arts and Science

In Attendance:

Ms. M [REDACTED] K [REDACTED] the Student

Ms. Tracey Gameiro, Associate Director, Office of Appeals, Discipline and Faculty Grievances

Mr. Shaun Laubman, (Observer, New University Tribunal Chair)

Mr. Christopher Wirth, (Observer, New University Tribunal Chair)

Ms. Natasha Brien, (Observer, New Student University Tribunal Member)

Charges and Appearances

1. The Trial Division of the Tribunal heard this matter on August 15, 2016. The Student was charged on February 22, 2016 with 11 charges, including plagiarism and use of unauthorized assistance relating to the following courses/evaluations:
 - (a) FAH 319H1F ("FAH319") – research paper on or about August 9, 2015 (Charges 1 and 2);
 - (b) FAH 319 – final examination on August 13, 2015 (Charges 3 and 4);
 - (c) GGR 361H1F ("GGR361") – final examination on August 17, 2015 (Charge 6 and 7); and
 - (d) GGR 328H1F "(GGR328)" – final examination on December 16, 2015 (Charge 9 and 10).

The Student was also charged, in the alternative in each of the above courses, with engaging in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code.

2. The Student attended at the hearing with representation from Downtown Legal Services.
3. The Student and University tendered an Agreed Statement of Facts ("ASF") for a guilty plea.

Facts

4. The Student wrote three (3) final examinations in the courses in the fall term of 2015. In each case, the Office of Student Academic Integrity in the Faculty of Arts and Science ("OSAI") reviewed the Student's examination booklets. OSAI identified verbatim or nearly verbatim excerpts from a number of internet sources without proper citation.
5. The Student has admitted to the following in the ASF:

- (a) In FAH319, GGR361 and GGR328, she knowingly included uncited verbatim or near verbatim excerpts from external sources and represented them as her own in each of the respective final examinations; and
- (b) she committed plagiarism contrary to section B.1.1(d) of the *Code*; and
- (c) she 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*.

Decision of the Tribunal

- 6. Based on the ASF and the panel's review of the examination booklets in question along with the University's identification of the plagiarized source material, the Student is found guilty of plagiarism contrary to section B.I.1(d) of the Code relating to the final examinations in FAH319, GGR361 and GGR328, namely Charges 3, 6 and 9.
- 7. The University withdrew Charges 1, 2, 4, 5, 7, 8, 10 and 11.

Penalty

- 8. The Student and University submitted an Agreed Statement of Facts relating to Penalty ("ASFP") and a Joint Submission on Penalty ("JSP") for the following penalty:
 - (a) a zero in Courses FAH319, GGR361 and GGR328;
 - (b) a four (4) year suspension from the University commencing the date of the Order; and
 - (c) a five (5) year notation of the sanction on the Student's academic record and transcript until her graduation from the University.
- 9. The Student has two prior sanctions relating to academic misconduct since attending the University in 2011:

- (a) in 2011, the Student admitted to committing plagiarism in an assignment in INI115 and received a zero for the assignment and a course grade reduction of 25 marks; and
- (b) in 2014, the Student admitted to committing plagiarism in an assignment in EV2221 and received a final grade of zero in the course and an 8 month suspension from September 1, 2014 to April 30, 2015.
10. On each of these prior occasions of misconduct, the Student received a written sanction letter which warned her to avoid future plagiarism and a warning that any further offence would attract very serious consequences.
11. Unfortunately, the Student has appeared to not only ignore the sentiment in these Sanction letters but has also committed plagiarism for much more significant evaluations, being the final examinations of each course.
12. The University and Student's agent both highlighted the Student's cooperation and guilty plea which undoubtedly figured into the JSP which the Panel finds, in the circumstances, to be lenient. Without the JSP, the Panel would have been inclined to order a greater penalty.
13. After a cursory review of the C [REDACTED] factors (Case No. 1976/77-3, November 5, 1976), the Tribunal accepts the terms of penalty set out in the JSP.
14. An Order was signed at the hearing by the Panel to this effect.
15. 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 6th day of September, 2016



Roslyn Tsao, Co-Chair