

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty filed on November 1, 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 am. S.O. 1978, c. 88

B E T W E E N

THE UNIVERSITY OF TORONTO

-AND-

A [REDACTED] S [REDACTED] ([REDACTED])

REASONS FOR DECISION

Date of Hearing: July 24, 2017

Tribunal Members:

Mr. F. Paul Morrison, Chair
Dr. Joel Kirsh, Faculty Panel Member
Mr. Daniel Lazzam, Student Panel Member

Appearances:

Mr. Robert Centa, Assistant Discipline Counsel, Paliare Roland Barristers
Mr. Robert Sniderman, Law Student for the Student, Downtown Legal Services
Mr. A [REDACTED] S [REDACTED], the Student

In Attendance:

Professor Luc De Nil, Vice-Dean, Students, School of Graduate Studies
Ms. Krista Osbourne, Administrative Clerk and Hearing Secretary, Office of Appeals, Discipline, Faculty Grievances
Mr. Douglas Harrison, New Co-Chair (Observer)
Mr. Suraj Sharma, Media Production Technician, Information Commons, University of Toronto

Charges:

1. The Trial Division of the Tribunal held a hearing on July 24, 2017 to consider the following charges brought by the University of Toronto (the "University") against A [REDACTED] S [REDACTED] (the "Student") under the *Code of Behaviour on Academic Matters* (the "Code"):
 - 1) In July 2016, you knowingly represented as your own an idea or expression of an idea, and/or the work of another in your draft thesis titled "Epigenetic regulation of hepatic gluconeogenesis", which you submitted in accordance with the requirements for the degree of Master of Science in the Graduate Department of Laboratory Medicine & Pathobiology (the "Thesis") contrary to section B.1.1 (d) of the *Code*.
 - 2) In the alternative, you 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 in connection with the Thesis, contrary to section B.1.3(b) of the *Code*.
2. The Student was represented by legal counsel. He pleaded guilty to Charges 1 and 2 above. The University undertook that if a conviction were entered on Charge 1, Charge 2 would be withdrawn.

The Hearing

3. The Hearing proceeded by way of an Agreed Statement of Facts (the "Agreed Statement"). On consent, it was entered as an Exhibit at the Hearing. On consent, a Joint Book of Documents was also marked as an Exhibit and the Student agreed that each document could be admitted into evidence before the Tribunal for all purposes, including for the truth of each document's contents.
4. As reflected in the Agreed Statement, the following facts were established.
 - (a) In Fall 2013, Mr. S [REDACTED] was admitted to the University of Toronto in a Master of Science ("M.Sc") degree in the Department of Laboratory Medicine and Pathobiology. At all material times, Mr. S [REDACTED] remained a student in the School of Graduate Studies at the University.
 - (b) One of the requirements for completion of the M.Sc program is writing and defending an original academic thesis.
 - (c) Throughout his M.Sc, Mr. S [REDACTED] performed his thesis research in Dr. Maria Rozakis' lab, under her supervision. Dr. Rozakis was Mr. S [REDACTED]'s thesis supervisor and therefore responsible for chairing the committee to evaluate Mr. S [REDACTED]'s thesis.
 - (d) In July 2016, after almost three years in the M.Sc program, Mr. S [REDACTED] submitted his thesis to Dr. Rozakis. In his thesis, Mr. S [REDACTED] took verbatim or nearly verbatim text from multiple published and unpublished sources and used that text without quotation marks or any other appropriate citation.
 - (e) Mr. S [REDACTED]'s thesis contained passages that were taken verbatim or nearly verbatim without appropriate attribution from the following sources ("the Sources"):

- (i) "Obesity and the Regulation of Energy Balance" by Bruce M. Spiegelman and Jeffrey S. Flier;
 - (ii) "DNA Methylation, Insulin Resistance, and Blood Pressure in Offspring Determined by Maternal Periconceptional B Vitamin and Methionine Status" by Kevin D. Sinclair et al;
 - (iii) "The Role of Human Bromodomains in Chromatin Biology and Gene Transcription" by Roberto Sanchez and Ming-Ming Zhou;
 - (iv) Unpublished abstract by M. Rozakis;
 - (v) "Investigating the Role of PHIP1 in hepatic Gluconeogenesis" by Steve Balgobin;
 - (vi) "The Bromodomain Interaction Module" by Panagis Filippakopoulos and Stefan Knapp;
 - (vii) "Sex Bias in Neuroscience and Biomedical Research" by Annaliese K. Beery and Irving Zucker;
 - (viii) "The Deacetylase Sirt6 Activates the Acetyltransferase GCN5 and Suppresses Hepatic Gluconeogenesis" by John E. Dominy et al; and
 - (ix) Unpublished text by Rebecca Ford.
- (f) With respect to his thesis, Mr. S [REDACTED] admits that he knowingly:
- (i) included verbatim and nearly verbatim excerpts from the Sources;
 - (ii) failed to attribute those verbatim and nearly verbatim excerpts appropriately using quotation marks;
 - (iii) represented ideas and work found in the Sources as his own;
 - (iv) committed plagiarism contrary to section B.i.1(d) of the Code; and
 - (v) 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.

5. After reviewing the Agreed Statement and the Joint of Book of Documents, the Panel concluded that Charges 1) and 2) were proven and accepted the guilty pleas of the Student. A conviction was entered on Charge 1). In accordance with its undertaking, the University withdrew Charge 2).

Penalty

6. The University and the Student submitted a Joint Submission on Penalty (the "Joint Submission"). The Joint Submission submitted that the Panel should impose the following sanctions on the Student:
- (a) a final grade of zero in RST9999Y;


- (b) a suspension from the University for four years commencing from the date of the order;
 - (c) a notation of the sanction on his academic record and transcript for five years from the day the Tribunal makes its order; and
 - (d) that this case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction imposed with the name of the Student withheld.
7. The Panel was referred to case authority by counsel for the University and for the Student. The Panel accepts, as emphasized by the case authority, that the Tribunal is not obliged to accept a joint submission and that the Panel retains the obligation and responsibility to impose a fit sentence in accordance with the circumstances of the case. However, the Panel also accepts that a joint submission may be rejected by the Panel only in circumstances where to give effect to it would be contrary to the public interest or would bring the administration of justice into disrepute. Case authority has held that only truly unreasonable or "unconscionable" joint submissions should be rejected. Joint submissions promote early resolution of disputes and provide a level of certainty for the parties. They foster trust and cooperation, which are valued goals in the University setting.
8. The Panel recognizes that the Student was fully cooperative with the University in this case. It also recognizes that the Student has no prior record of academic offences. However, plagiarism in a graduate-level thesis is a serious offense and threatens the integrity of the University as an academic institution. The need to protect the academic values of the University and to send a message of deterrence is paramount.
9. Accordingly, the Panel accepted the Joint Submission and the penalty agreed upon therein.

Decision

10. The Tribunal issued the following Order:
- (a) **THAT** Mr. S [REDACTED] is guilty of one count of the academic offence of plagiarism, contrary to section Bl.1(d) of the *Code of Behaviour on Academic Matters*;
 - (b) **THAT** the following sanctions shall be imposed on Mr. S [REDACTED]:
 - (i) a final grade of zero in RST9999Y;
 - (ii) a suspension from the University for four years commencing from the date of the order; and
 - (iii) a notation of the sanction on his academic record and transcript for five years from the day the Tribunal makes its order.
 - (c) **THAT** this case shall 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.

The Order was made in Toronto, on July 24, 2017

Dated at Toronto, Ontario, this 2nd day of Aug., 2017



F. Paul Morrison, Chair