



**FOR INFORMATION**

**PUBLIC**

**OPEN SESSION**

**TO:** Academic Board

**SPONSOR:** Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances

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**PRESENTER:** See Sponsor

**CONTACT INFO:**

**DATE:** May 25, 2015 for June 1, 2015

**AGENDA ITEM:** 14(c)

**ITEM IDENTIFICATION:** University Tribunal, Individual Reports Spring, 2015

**JURISDICTIONAL INFORMATION:**

The University Tribunal hears cases of academic discipline under the *Code of Behaviour on Academic Matters, 1995* (the “Code”)<sup>1</sup> which are not disposed of under the terms of the *Code* by the Division.

Section 5.2.6 (b) of the Terms of Reference of the Academic Board provides for the Board to receive for information reports, without names, on the disposition of cases in accordance with the *Code*.

**GOVERNANCE PATH:**

1. Academic Board [for information] (June 1, 2015)

**PREVIOUS ACTION TAKEN:**

The last semi-annual report came to the Academic Board on November 13, 2014.

**HIGHLIGHTS:**

The purpose of the information package is to fulfill the requirements of the University Tribunal and, in so doing, inform the Board of the Tribunal’s work and the matters it considers, and the process it follows. It is not intended to create a discussion regarding individual cases, their specifics or the sanctions imposed, as these were dealt with by an adjudicative body with a

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<sup>1</sup> <http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>

legally qualified chair, bound by due process and fairness, and based on the record of evidence and submissions put before it by the parties.

**FINANCIAL IMPLICATIONS:**

There are no financial implications.

**RECOMMENDATION:**

For information.

**TRIBUNAL DECISIONS UNDER THE  
CODE OF BEHAVIOUR ON ACADEMIC MATTERS  
(SPRING 2015)**

**FORGED AND FALSIFIED MULTIPLE DOCUMENTS**

**Expulsion; publication of the decision with the name of the Student withheld**

The Student pleaded guilty to forging multiple documents to help gain employment with the Canada Border Services Agency Student Employment Program. The Tribunal found the Student guilty, and in recommending expulsion noted the following: the conduct amounted to an extensive and elaborate fraud, designed to deceive a prospective employer; the actions could have deprived another student of an employment opportunity; there was significant reputational risk to the University, the general community and the employer; there were multiple forgeries as well as significant deception; although the Student admitted guilt, there was no evidence of remorse or rehabilitation; the actions fell on the most serious end of the spectrum; the actions needed to be condemned in the strongest of terms; and, third parties have to be able to rely on documents produced by the University.

**FABRICATION AND MISREPRESENTATION OF DATA AND RESEARCH IN A MASTERS THESIS**

**Cancellation and recall of degree; publication of the decision with the name of the Student withheld**

The Student pleaded guilty to fabricating and misrepresenting data and research in a thesis, overwrote some of the original files in order to prevent detection, and published an article with others, that contained the fabricated data. A revised version of the thesis was also published in an article for which the Student had four co-authors, and which also contained fabricated data. The Student agreed with the proposed sanctions. The Tribunal found the Student guilty, and in recommending the cancellation and recall of the degree noted the following: the offence was very serious, and was magnified by the publication in the peer-reviewed journal which would require rescinding, and therefore harm to the University's reputation; there was a need for deterrence; the proposed penalty was similar to other cases with similar facts; this penalty was in fact identical to another case; the conduct was only detected because the Student brought it forward; the Student cooperated throughout and participated in the process; and, the Student expressed remorse.

## **IMPERSONATION AT CONVOCATION**

**Expulsion; publication of the decision with the name of the Student withheld**

The Student impersonated another student at convocation, picked up the other student's diploma, and identified at various points in the process as the other student. The Student did not attend the hearing, but the Tribunal was satisfied that the Student received proper notice and therefore decided to proceed in the Student's absence. The Tribunal found the Student guilty, and in recommending expulsion, the Tribunal noted the following: the actions were deliberate, brazen and without explanation; the Student had two prior plagiarism offences; the Student was not eligible to graduate; the Student did not appear at the hearing; and, the Student's behaviour was outlandish.

## **IMPERSONATING ANOTHER STUDENT DURING A QUIZ**

**Expulsion; publication of the decision with the name of the Student withheld**

The Student impersonated another student during a quiz, and when questioned, identified themselves as the other student. The Student did not attend the hearing, but the panel was satisfied reasonable notice was given, and decided to proceed in the Student's absence. The Tribunal found the Student guilty of impersonation, and in recommending expulsion noted the following: expulsion has been recommended for a first offence in other cases; the Student had been caught cheating in another quiz; a five year suspension was substituted for expulsion usually only where the Student participated in the process and accepted some responsibility; impersonation was one of the most serious offences; there were no expressions of remorse; and there was no appreciation of the degree of wrongdoing.

## **STUDENT HAD SOMEONE IMPERSONATE THEM DURING A QUIZ**

**Expulsion; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student had another student impersonate them during a quiz. The Student did not attend the hearing, but the panel was satisfied reasonable notice was given, and decided to proceed in the Student's absence. The Tribunal found the Student guilty, and in recommending expulsion noted the following: expulsion has been recommended for a first offence in other cases; it was the Student's second offence; where a five year suspension was substituted for expulsion, it was usually because the Student participated in the process and accepted some

responsibility; impersonation was one of the most serious offences; there were no expressions of remorse; and there was no appreciation of the degree of wrongdoing.

### **PLAGIARISED A QUIZ AND AN ESSAY**

**Three-year suspension; four-year notation on transcript; a grade of 0 in two courses; and publication of the decision with the name of the Student withheld**

The Student did not attend the hearing, but the majority was satisfied that reasonable notice was given, and all agreed to proceed in the Student's absence. In finding the Student guilty of two counts of plagiarism, the Tribunal noted the following: there is no evidence of the Student's character; the Student did not participate in the process; one could infer that there was an effort to deceive in the way the plagiarism occurred; there were two offences; there was detriment to the University; and there was a need for deterrence.

### **PLAGIARISED TUTORIAL ASSIGNMENTS AND A WRITING ASSIGNMENT**

**Suspension of just under three years; notation on transcript until graduation; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student pleaded guilty, and agreed with the facts and the proposed sanction. In finding the Student guilty and in imposing the penalty, the Panel noted the following: there was a prior offence; the Student had mitigating personal factors; and the Student pleaded guilty and participated.

### **FORGED AND FALSIFIED MULTIPLE DOCUMENTS IN SUPPORT OF REQUESTS FOR EXAM DEFERRALS AND ACCOMMODATIONS**

**Five-year suspension; notation on transcript until graduation; grade of 0 in five courses; publication of the decision with the name of the Student withheld**

The Student pleaded guilty, agreed with the facts and the proposed sanction. The Panel found the Student guilty and in imposing the agreed upon sanctions noted the following: there is a high threshold to reject a jointly submitted sanction; there were two prior offences; the Student had health problems; the five-year suspension was consistent with jointly proposed sanctions in other cases; forging and falsifying of documents was very serious; and the Student pleaded guilty.

**POSSESSED AN UNAUTHORIZED CALCULATOR AND NOTES DURING A MIDTERM**

**Two-year suspension; notation on transcript for three years; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student did not attend, but the Tribunal was satisfied that reasonable notice was provided, and therefore decided to proceed in the absence of the Student. The Tribunal found the Student guilty, and in imposing the sanctions noted the following: it was a first offence; the Student did not engage with the process; there was no evidence of any mitigating factors; the misconduct was serious; and there was a need for deterrence.

**UNAUTHORIZED USE OF A LAPTOP DURING A MID-TERM TEST**

**Just under two-year suspension; notation on transcript for just under three years; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student attended the hearing and was found guilty. In imposing the sanctions the Tribunal noted the following: the Student attended the hearing; this was a first offence; the Student attempted to avoid detection; and the Student did not appear remorseful.

**PLAGIARISED AN ESSAY**

**Two-year suspension; notation on transcript for three years; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student did not attend, but the Panel determined there was reasonable notice, and proceeded in the Student's absence. The Panel found the Student guilty, and imposing the sanctions noted the following: this was a first offence; the Student did not attend or participate; and the Student was in first year and had not registered since the Winter 2014 term.

**OBTAINING UNAUTHORIZED ASSISTANCE ON ASSIGNMENTS**

**Six-month suspension; notation on transcript for two years; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student did not attend the hearing, but the Panel proceeded as it was satisfied the Student received adequate notice. The Panel found the Student guilty, and in imposing the sanctions noted the following: there was no evidence of plagiarism and the facts were not akin to plagiarism; the two incidents were considered as one offence; one incident involved simply not registering a partnership for an assignment where partnerships were actually permitted; two other students that were dealt with at the divisional level received much lesser sanctions than what was being sought here; and the Student did not participate in the process or acknowledge remorse which required a penalty higher than what was given to the other two students at the divisional level.

### **PLAGIARISED AN ESSAY**

**Two-year suspension; notation on transcript for three years; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student did not attend, but the Tribunal was satisfied that reasonable notice had been given. The Tribunal found the Student guilty, and imposing the sanctions noted the following: this was a first offence; they were similar to sanctions in other cases; the Student had not registered since January 2014; and the Student did not attend or participate.

### **POSSESSION OF AN UNAUTHORIZED AID (NOTES), FALSIFICATION OF DOCUMENTS AND RE-SUBMITTING WORK FOR CREDIT**

**Two-and-a-half year suspension; notation on transcript for two-and-a-half years but if the Student resumes studies it will remain for three-and-a-half years; grade of 0 in two courses; publication of the decision with the name of the Student withheld**

The Tribunal found the Student guilty of three offences. In imposing the sanctions the Tribunal noted the following: the Student had prior academic discipline; the Student was deceptive during an investigation; there was a disregard for honesty and integrity; the events have had a significant impact on the Student; it was unlikely the Student would knowingly re-offend in the future; there were medical issues for which the Student was getting treatment; and, the medical issues could not absolve the Student of blame.

### **MULTIPLE FORGERIES AND FALSIFICATIONS RELATED TO OBTAINING ACADEMIC ADVANTAGE IN SEVENTEEN COURSES**

**Five-year suspension; notation on transcript for seven years; grade of 0 in seventeen courses; publication of the decision with the name of the Student withheld**

The Student pleaded guilty and agreed with the facts and proposed sanction. There was both a Tribunal and Appeal decision. The Tribunal did not accept the jointly proposed sanction and recommended expulsion, but the Discipline Appeals Board overturned this and substituted a five-year suspension, which was in the joint sanction. In imposing a five-year suspension, the DAB noted the following: even though a recommendation for expulsion was reasonable, this does not permit the Panel to replace the jointly recommended sanction of five-years, which was also reasonable; there are good reasons for encouraging joint submissions on penalty and a high threshold to reject one; the Provost also benefitted from the joint submission; the Student did not attend the Tribunal hearing so was unable to address the concerns of the Panel; many of the facts might not have been proven but for the Student's guilty plea; the Tribunal did not do an analysis of why they found the jointly proposed submission to be unreasonable; and a five-year suspension was consistent with other previous decisions.