



**FOR INFORMATION**

**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 20, 2016 for May 30, 2016

**AGENDA ITEM:** 13(c)

**ITEM IDENTIFICATION: University Tribunal, Individual Reports Spring, 2016**

**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] (May 30, 2016)

**PREVIOUS ACTION TAKEN:**

The last semi-annual report came to the Academic Board on November 19, 2015.

**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 2016)**

**FALSIFICATION AND CONCOCTION OF DATA PERTAINING TO RESEARCH**

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

The Student falsified data related to graduate research, and presented concocted data in meetings, on a Progress Report, and on a poster and grant application. Although the Student did not attend the hearing, he agreed in writing that it could proceed in his absence. The Student pleaded guilty and agreed with the facts put forward by the University, as well as with the proposed sanction. In finding the Student guilty and in imposing the agreed upon sanctions, the Panel noted the following: the Student admitted his misconduct to his supervisor and Dean's designate; there was no evidence to assist with whether there would be a likelihood of repetition; the seriousness of the offence – deliberate and repeated concoction of data – was a significant aggravating factor that struck at the heart of academic integrity; there was some evidence that the Student faced “personal issues” but provided no evidence regarding whether he sought help or whether these were related to the misconduct; it was the Student's first offence; there was detriment to the University in that the poster that contained fabricated work had the names of innocent parties, thereby affecting their reputation; the research was compromised and grant funds were wasted; there was a significant need for general deterrence; and the joint submission regarding the sanction was within the range of outcomes in similar cases.

**PLAGIARIZED AND CONCOCTED REFERENCES IN AN ESSAY**

**Three-year suspension; notation on transcript until graduation; 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 determined reasonable notice was provided, and decided to proceed in the Student's absence. In finding the Student guilty and imposing the sanctions, the Panel noted the following: the Student did not participate in the hearing; there were two prior offences so the likelihood of repetition was high; the Student submitted an essay only days after he met with the Dean's Designate about another act of plagiarism; the offence was serious; the Student concocted references to hide the plagiarism; the sanctions were consistent with other cases; and a notation

until graduation was needed for the purposes of specific deterrence given the Student's history of misconduct.

### **FORGING AND FALSIFYING A UNIVERSITY TRANSCRIPT**

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

The Student forged and falsified a University of Toronto transcript when applying to the University of London. The Student did not attend the hearing, but the Tribunal determined the Provost was entitled to proceed. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: there was blatant dishonesty; expulsion was consistent with other cases; the integrity of the University needed to be protected; there was a need for general deterrence; and the offence was serious.

### **PLAGIARIZED AN ESSAY**

**Three-year suspension; notation on transcript for four 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 determined reasonable notice was provided, and decided to proceed in the Student's absence. In finding the Student guilty and imposing the sanctions, the Panel noted the following: the Student had a prior incident of plagiarism; the prior incident took place shortly before the current instance of plagiarism; there were no mitigating circumstances as the Student did not attend; and the sanction was consistent with other cases.

### **FALSIFICATION OF VARIOUS DOCUMENTS**

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

The Student submitted a falsified Undergraduate Grant Application which included false personal statements as well as a falsified payment TD Canada Trust statement of account. The Panel found the Student guilty of knowingly forging or falsifying documents or evidence required by the University. In imposing the sanctions the Panel noted the following: the Student had previously been found guilty of two charges of use of an unauthorized aid during an examination and was suspended for two years; these offences were serious in that there was deliberation and the altering of third party documents; the Student exploited a system for needy students and accessed funds that would

have gone to others; the Student's conduct prior to and during the proceeding was egregious in that she did not acknowledge wrongdoing or remorse, she falsely accused a staff member of being racist, she claimed no-one explained the process to her even though she had been through the process before, and her behaviour fundamentally broke her relationship with the University; there was the need for specific and general deterrence; and, any mitigating circumstances did not outweigh the aggravating factors.

**PLAGIARIZED AND RECEIVED UNAUTHORIZED ASSISTANCE ON AN ASSIGNMENT**

**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 either collaborated with another student on an essay, or made their work available to one another to copy. The Student did not attend the hearing but the Panel determined reasonable notice was provided, and decided to proceed in the Student's absence. In finding the Student guilty and imposing the sanctions, the Panel noted the following: there was no prior record of academic misconduct; the Student was currently on academic suspension; and the sanction was consistent with other cases.

**UNAUTHORIZED ASSISTANCE ON AN ASSIGNMENT**

**Three-year suspension; notation on transcript for four years or graduation, whichever is earlier; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student constructed answers on an assignment using information obtained from other student(s) in the course. The Student agreed with the facts, submission on sanction and pleaded guilty. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: this was the Student's third offence; the offence was serious; and there was a high standard to reject a jointly proposed sanction.

**MULTIPLE FORGERIES, MISREPRESENTATION REGARDING MULTIPLE PIECES OF ACADEMIC WORK**

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

The Student forged multiple medical documents in order to receive an academic accommodation, he misrepresented that he had received a grade for two quizzes

in order to receive an academic advantage, and he misrepresented that he had submitted two answer booklets in an examination, in order to receive an academic advantage. The Student did not attend the hearing, but the Tribunal determined he had received appropriate notice as per the *Rules*. The Panel found the Student guilty, and in imposing the sanctions noted the following: there was concern regarding the likelihood of repetition; there was detriment to the University; the Student did not participate in the process; there was no indication of remorse; the offences spanned multiple occasions and took place over one year; the forging of medical notes undermined legitimate medical requests; and, expulsion had been recommended in similar cases.

### **UNAUTHORIZED ASSISTANCE ON AN ESSAY**

**Two-year suspension; notation on transcript from date of hearing until two years post re-enrolment; 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 determined reasonable notice was provided, and decided to proceed in the Student's absence. In finding the Student guilty and imposing the sanctions, the Panel noted the following: the Student had no prior offences; there was a need for specific deterrence; and the Student was currently on academic suspension, and therefore absent from the University.

### **PERSONATION IN AN EXAMINATION, AND ALTERING/FALSIFICATION OF A T-CARD**

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

The Student had someone impersonate her in an examination and provided her T-Card to assist with carrying out the personation. The Panel found the Student guilty and in imposing the sanctions noted the following: the offence was serious, planned and calculated; the Student proceeded with the offence even after she was made aware that the University was concerned about her identity at an earlier examination; the Student did not acknowledge guilt but allowed the University to be misled including at the hearing; there was no remorse nor was there any evidence of mitigating factors that would have explained or lessened her culpability, including the fact that no evidence was called respecting penalty; this was a first offence; personation was a serious offence that threatened the evaluation process; personation was difficult to catch, and in this case was only caught because of an anonymous tip; there was a commercial nature in paying the individual who personated her; there was serious detriment to the University;

there was a need for deterrence; and an expulsion recommendation was consistent with other Tribunal cases.

### **PLAGIARIZED TWO ESSAYS**

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

The Student attended and pleaded guilty. The Tribunal found the Student guilty, and in imposing the sanctions noted the following: the Student attended the hearing; there were no prior offences; the plagiarism was extensive; the Student submitted the second plagiarized paper shortly after meeting with the Professor regarding the first essay; and there were no mitigating circumstances.

### **FORGED AND FALSIFIED AN ACADEMIC RECORD ON MULTIPLE OCCASIONS, OBTAINED UNAUTHORIZED ASSISTANCE ON AN ASSIGNMENT, AND PLAGIARIZED AN ASSIGNMENT**

**Five-year suspension; permanent notation on transcript; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student hacked into the University's computer system to change a grade and he hacked into the account of another student and copied that student's work in order to use it for an assignment. The Student participated through legal counsel and did not dispute the facts, and agreed with the proposed sanctions. In finding the Student guilty and in agreeing with the proposed sanctions, the Tribunal noted the following: the threshold to reject a jointly proposed sanction was high; the Student had already been suspended under the Code of Student Conduct for gaining access to the University's computer system; and the Student agreed to permanently withdraw from the University and not seek readmission in the future.

### **FORGING AND FALSIFYING A UNIVERSITY TRANSCRIPT**

**Recall and cancellation of degree; cancellation of a transfer credit; publication of the decision with the name of the Student withheld**

The Student submitted a forged and falsified transcript from the University of British Columbia when she applied to the University of Toronto. Although the Student did not attend the hearing, she requested in writing that it proceed in her absence. The Student pleaded guilty and agreed with the facts put forward. In finding her guilty and in imposing the sanctions, the Panel noted the following: the conduct was planned and deliberate; the falsifications were

extensive and carefully done; the Student's conduct was caught only because of a third party; the Student took some responsibility; the misconduct allowed the Student entry into the University and to receive a degree; this was the Student's first offence; the detriment to the University was serious; there was a need to deter others; and, degree recall and cancellation was consistent with other cases.

**POSSESSED AND USED AN UNAUTHORIZED AID IN AN EXAMINATION, FALSIFIED A DOCUMENT OR EVIDENCE REQUIRED BY THE UNIVERSITY BY DESTROYING THE UNAUTHORIZED**

**Two-year suspension; notation on transcript for three years or until graduation, whichever is first; grade of 0 in the course; publication of the decision with the name of the Student withheld**

The Student was caught with a cheat sheet in an examination, and then ran out of the examination room with the aid, destroying it before coming back to the examination room. The Student attended the hearing. In finding the Student guilty the Panel noted the following: it was the Student's first offence; his reaction when confronted in the examination was extremely inappropriate; the offence was serious; and there was no evidence of remorse or that the Student accepted responsibility.

**NOT GUILTY: STUDENT ALLEGED TO HAVE ASSISTED THE ABOVE STUDENT BY PROVIDING AN UNAUTHORIZED AID**

The Student attended the hearing and was represented. In finding the Student not guilty, the Panel noted the following: there was no direct evidence linking the Student to the unauthorized aid; there was no opportunity to deliver the aid to the other Student; the Student wrote the exam in a different room, and there was no evidence that the Student left the exam room to deliver the aid to the other Student, who was writing an exam in another building.

**PLAGIARIZED AN ESSAY**

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

The Student received assistance from a professional essay service to write an essay. The Student did not attend the hearing but the Panel determined reasonable notice was provided, and decided to proceed in the Student's absence. In finding the Student guilty and imposing the sanctions, the Panel



noted the following: the Student is a first-time offender; although some parts of the essay were written by the Student, the Student engaged a commercial essay-writing company; the offence was serious; the Student did not participate in the hearing; there was detriment to the University; and there was a need to deter others.

### **USING UNAUTHORIZED ASSISTANCE FOR TWO ESSAYS**

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

The Student plagiarized an essay and was in possession of a cheat sheet during a quiz. The Student did not attend the hearing but the Panel determined reasonable notice was provided, and decided to proceed in the Student's absence. In finding the Student guilty and imposing the sanctions, the Panel noted the following: the Student only accepted limited responsibility; there was a prior offence of plagiarism therefore there was a likelihood of repetition and therefore a need for deterrence; there were multiple offences; there was planning and deliberation; the offences were serious and caused detriment to the University; and, the sanctions were consistent with other cases.

### **NOTE: THE UNIVERSITY APPEALED THE FINDING OF NOT GUILTY IN TERMS OF ONE OF THE CHARGES IN THE ABOVE CASE**

The Discipline Appeals Board dismissed the appeal based on the rule against multiple convictions arising out of the same circumstances, as the Student had already been found guilty of one of the other charges. However, the DAB vacated part of the reasoning of the Trial Division where the Tribunal had ruled that plagiarism required an element of theft in order for the offence to be made out.

### **PLAGIARIZED FOUR ASSIGNMENTS**

**Four-year suspension; notation on transcript for five years; grade of 0 in two courses; publication of the decision with the name of the Student withheld**

The Student plagiarized on a quiz, and copied material for an infographic and two assignments. The Student did not attend the hearing but the Panel determined reasonable notice was provided, and decided to proceed in the Student's absence. In finding the Student guilty and imposing the sanctions, the Panel noted the following: the Student had a prior incident of plagiarism; the

prior incident was less than four months earlier than the plagiarism that was before the Panel; the plagiarism related to two courses over two terms and multiple assignments; there was a deliberate attempt to hide detection; and there was a high need for deterrence given the likelihood of repetition of another offence.

**PLAGIARISM, IMPERSONATION OF A PROFESSOR, UNAUTHORIZED ASSISTANCE**

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

The Student plagiarized computer code for a project, impersonated a professor to obtain a copy of an examination, and copied from another student during an examination. The Panel found the Student guilty and in imposing the sanctions noted the following: the Student implicated another student in the personation of the professor; the Student stole the user IDs of three students to commit the personation; the Student did not demonstrate remorse; there were three separate offences; the offences were not a simple error in judgement; the personation offence took great deliberation and planning; the offences were serious; there was a need for general deterrence; there was a lack of insight from the Student; and, there was no evidence of mitigating circumstances.