



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: November 16 for November 23, 2017

AGENDA ITEM: 14a

ITEM IDENTIFICATION: University Tribunal, Information Reports, Fall 2017

JURISDICTIONAL INFORMATION:

The University Tribunal hears cases of academic discipline under the *Code of Behaviour on Academic Matters, 1995* (the “Code”)¹ 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 on the disposition of cases, without names, and in accordance with the *Code*.

GOVERNANCE PATH:

1. **Agenda Committee [for information] (November 14, 2017)**
2. Academic Board [for information] (November 23, 2017)

PREVIOUS ACTION TAKEN:

The last semi-annual report came to the Academic Board on May 29, 2017.

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

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 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.

DOCUMENTATION PROVIDED:

- Information Reports of Tribunal Decisions under the *Code of Behaviour on Academic Matters, 1995* (Fall 2017)

**TRIBUNAL DECISIONS UNDER THE
CODE OF BEHAVIOUR ON ACADEMIC MATTERS
(FALL 2017)**

FORGERY, PLAGIARISM AND CONCOCTION

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 forged a medical certificate and committed plagiarism, as well as concocted sources in relation to a paper in the course. The Panel found the Student guilty, and in imposing the sanctions noted the following: the offences were serious; they called into question the Student's character; the plagiarism also involved concocting sources; the forged medical note implicated a member of the medical profession; the Student did not acknowledge any wrongdoing, and blamed others for their behaviour; and the Student showed no remorse.

NOTE: THE STUDENT APPEALED THE FINDING OF GUILT AND THE SANCTIONS

The University brought a motion to dismiss the appeal for being frivolous, vexatious or without foundation. In allowing the appeal, the Chair stated the following: the Student failed to comply with multiple Tribunal directions, did not respond to communications and did not meet set timelines. The Chair further found that the Student almost took no steps to move the matter forward in a timely way, showed blatant disregard for the process and efforts of the Provost and ADFG, and also commenced two separate proceedings against a reporting service and a witness. The Chair concluded that the Student conducted the proceedings in a vexatious manner and dismissed the appeal.

FORGERY AND INTENT TO COMMIT AN OFFENCE

Expulsion; interim notation until Governing Council makes decision on expulsion; publication of the decision with the name of the Student withheld

The Student had been sanctioned in a previous Tribunal case, and he attempted to order transcripts and obtain letters of good standing before the notation had been recorded on his record. The Student pleaded guilty and agreed with the facts, but contested the sanction. In finding the Student guilty and in imposing the sanctions the Panel noted the following: the Student's actions were deliberate; the Student sought a delay in the imposition of the prior Tribunal's sanctions but then took advantage of this delay by seeking to circulate false documents; this

was the third time the Student has committed an academic offence; the Student pleaded guilty, attended the hearing, and suffered from mental distress at the time of the offence.

NOTE: THE STUDENT APPEALED THE SANCTIONS

The Discipline Appeals Board unanimously upheld the Tribunal decision. In doing so, the Board noted the following: the Tribunal took into account the circumstances of the Student's case, including his mental distress; in the vast majority of these types of cases there is a recommendation for expulsion; the Student had been shown leniency in the past by the Tribunal; this was a third offence; and the Student had not learned from previous interactions with the discipline process, in spite of the assurances they gave.

UNAUTHORIZED AID

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 used a cheat sheet in an examination, but was found not guilty of knowingly falsifying an exam. In finding the Student guilty and in imposing the sanctions the Panel noted the following: the Student participated in the hearing; the fact that the Student contested the charges is not to be held against them; it was a first offence; the offence was deliberate; there was a need for deterrence; the integrity of the exam process was important; there was significant detriment to the University; and there were no mitigating factors.

PLAGIARISM

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 plagiarized an essay. The Student did not attend the hearing, but the Panel was satisfied appropriate notice was provided, and proceeded in the Student's absence. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the Student had two prior admissions of guilt for academic offences and had been warned not to re-offend just weeks prior to the present offence; the Student had not taken responsibility; the Student did not participate; and the sanctions were consistent with other similar cases

FORGERY

Expulsion; up to five-year suspension; publication of the decision with the name of the Student withheld

The Student submitted a forged transcript when applying to another university. The Student did not attend, but the Panel found appropriate notice had been provided, and decided to proceed in the Student's absence. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the Student did not participate; there was no evidence of mitigating factors; expulsion was consistent with other cases; and the offence affected the integrity of the University's official records.

MULTIPLE UNAUTHORIZED AIDS

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

The Student submitted an assignment that contained work from a previous assignment, and also possessed a cell phone during an exam. The Student agreed with the facts and the proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: a jointly proposed sanction should only be rejected where it would bring the administration of justice into disrepute; it is not the role of the Panel to determine if these are the exact sanctions they would have imposed, but rather, they have to determine if they fall within a range of reasonable outcomes; and these sanctions were reasonable.

FALSIFICATIONS and FORGERIES

Three-year and eight month 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 forged or falsified information and documents related to petitions for accommodation, including purchasing medical certificates. The Student pleaded guilty and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the proposed sanctions were consistent with other cases; there was a prior offence; and the sanctions were within a reasonable range, and would not bring the administration of justice into disrepute by accepting them.

FORGERY

Expulsion; up to five-year suspension; publication of the decision with the name of the Student withheld

The Student submitted a forged transcript when applying to another university. The Student did not attend the hearing, but the Panel found that proper notice had been provided, and proceeded in the Student's absence. The Panel found the Student guilty, and in imposing the sanctions noted the following: the offence was serious; the integrity of the University's official records was important; forgery is difficult to detect; there was planning; the Student did not participate in the process; and there were no mitigating factors presented.

MULTIPLE PLAGIARISMS

Three-year suspension; notation on the Student's record until graduation; grade of 0 in two courses; publication of the decision with the name of the Student withheld

The Student plagiarized on an assignment in two different courses. The Student agreed with the facts, proposed sanctions and pleaded guilty. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the Student pleaded at an early opportunity and admitted to the offences, which were viewed as mitigating circumstances; there was a need for general deterrence; and academic dishonesty was a serious matter that required general deterrence.

FORGERY

Expulsion; up to five-year suspension; publication of the decision with the name of the Student withheld

The Student included a forged transcript in a scholarship application. The Student did not attend the hearing, but the Panel determined proper notice was provided and decided to proceed in the Student's absence. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: transcript forgery is difficult to detect; the offence was serious due to the importance of the integrity of the University's official records; forgery is difficult to detect; there was deliberation; expulsion was consistent with other cases; and the Student did not participate nor present any mitigating factors.

FORGERY/FALSIFICATION

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 forged or falsified information in a document submitted to support an exam deferral. The Student pleaded guilty and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the sanctions were reasonable under the circumstances where the offence was serious, and the Student had been sanctioned in the past, and the fact the Student cooperated and was close to graduation.

FORGERY

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 submitted a test for re-marking that included a forged extra sheet they claimed was missing during the first round of marking. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: this was a first offence; the Student displayed limited remorse; the University had to use significant resources; this was consistent with other cases; and the offence was deliberate.

FORGERY AND PLAGIARISM

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

The Student altered a test and submitted it for remarking, and also plagiarized on a paper. The Student pleaded guilty and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the Student admitted guilt by taking responsibility; they demonstrated remorse; there was a concern regarding repetition of misconduct; there was deliberation; and the Student attempted to blame others when covering up the offence.

PLAGIARISM

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 plagiarized an essay. The Student did not attend the hearing, but the Panel decided appropriate notice had been provided. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: this was a first offence; it was consistent with other cases; and it was appropriate given sanctioning principles as outlined in the leading Tribunal case on sanctions.

PLAGIARISM

Four-year suspension; notation on transcript for five years; a grade of 0 for the thesis; publication of the decision with the name of the Student withheld

The Student plagiarized a Master's thesis. The Student pleaded guilty and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the offence was serious; the Student cooperated; there were no prior academic offences; and the sanctions fell within a reasonable range.

FORGERY

Expulsion; up to five-year suspension or until Governing Council makes its decision on expulsion, whichever is earlier; a corresponding notation; publication of the decision with the name of the Student withheld

The Student forged a transcript when applying to a graduate program at another university. The Student did not attend the hearing, but the Panel was satisfied appropriate notice had been provided. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the offence was serious; the offence threatened the reputation of the University and students who are honest; the Student did not participate; the offence demonstrated a lack of integrity; and there was a need for general deterrence.

FORGERY AND ACADEMIC DISHONESTY

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

The Student forged a medical certificate when applying to defer an exam, and also signed up for courses while suspended from the University. The Student pleaded guilty and agreed with the facts and the proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: there were two prior offences; accepting the jointly proposed sanction would not bring the administration of justice into disrepute; and it was appropriate considering all of the circumstances.

MULTIPLE PLAGIARISMS

Expulsion; up to five-year suspension pending a decision from Governing Council; grade of 0 in two courses; permanent notation on the transcript; publication of the decision with the name of the Student withheld

The Student plagiarized two essays, as well as a research statement, when applying for a scholarship. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student had no prior record; the plagiarism was significant and pervasive; the Student was a graduate Student; the plagiarism in the scholarship application was taken from another student in the same lab; the Student blamed others for not noticing the plagiarism sooner; and the sanctions were consistent with other cases.

PLAGIARISM AND UNAUTHORIZED AID

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

The Student plagiarized parts of a paper, and obtained unauthorized assistance on a paper in another course. The Student pleaded guilty, and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student had one prior offence; and the proposed sanctions pertaining to the suspension, the grade of 0, and the publication were reasonable. The Panel, however, inquired regarding the notation requested, which originally was to be until graduation. They expressed some concern that should the Student not return to the University, the notation would, in effect, become permanent. The parties agreed and the notation was changed to address this concern.

FORGERY

Expulsion; up to five-year suspension or until Governing Council makes its decision, whichever is earlier; a corresponding notation on the

transcript; publication of the decision with the name of the Student withheld

The Student forged a degree that they provided to a prospective employer. The Student did not attend, but the Panel determined that reasonable notice had been provided. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the offence was serious; it undermined the credibility of the University and other students who legitimately earned their degrees; there was premeditation; and the Student did not respond to any University communications.

MULTIPLE FORGERIES

Expulsion; up to five-year suspension; permanent notation on the transcript; publication of the decision with the name of the Student withheld

The Student forged an academic history as well as a transcript. The Student pleaded guilty and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the offences were serious; they demonstrated a lack of personal and academic integrity; they threatened the reputation of the University and the students who were honest and diligent; there were no exceptional circumstances; and there is a high standard for rejecting jointly proposed sanctions.

PLAGIARISM

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

The Student plagiarized a final paper in a course. The Student pleaded guilty and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the Student is currently serving a suspension for prior misconduct; these charges stemmed shortly after the prior misconduct; the offence was serious; the Student cooperated and accepted responsibility; and the sanctions were reasonable taking into account all of the circumstances.

UNAUTHORIZED AID

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

The Student used a cheat sheet during an examination. The Student pleaded guilty and agreed with the facts and proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the offence was serious; this was not the Student's first offence as there were two prior incidents of misconduct; the Student cooperated and demonstrated insight and remorse; and taking into account similar cases and all of the above, the proposed sanctions were appropriate.