



**FOR INFORMATION**

**OPEN SESSION**

**TO:** Academic Board

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

**CONTACT INFO:** [christopher.lang@utoronto.ca](mailto:christopher.lang@utoronto.ca)

**PRESENTER:** See Sponsor

**CONTACT INFO:**

**DATE:** November 15, 2018 for November 22, 2018

**AGENDA ITEM:** 7c

**ITEM IDENTIFICATION:** University Tribunal, Information Reports, Fall 2018

**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 on the disposition of cases, without names, and in accordance with the *Code*.

**GOVERNANCE PATH:**

1. Agenda Committee [for information] (November 13, 2018)
2. **Academic Board [for information] (November 22, 2018)**

**PREVIOUS ACTION TAKEN:**

The last semi-annual report came to the Academic Board on May 31, 2018.

---

<sup>1</sup> <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 2018)

**TRIBUNAL DECISIONS UNDER THE**  
**CODE OF BEHAVIOUR ON ACADEMIC MATTERS**  
**(FALL 2018)**

**MULTIPLE FORGERIES OF AN ACADEMIC RECORD**

**Expulsion; up to five-year suspension from date of the order or until Governing Council makes its decision, whichever comes first; corresponding notation; publication of the decision with name of the Student withheld**

The Student forged and falsified a letter purportedly from a University official, as well as a transcript in support of an application to a foreign university. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the importance of the University as an educational institution and degree-granting body; the need for the public to be able to rely on the accuracy of degree certificates issued by the University; and that forgery of an academic record is an offence of utmost seriousness because it undermines the credibility of the University and of other students who legitimately earn their degrees.

**UNAUTHORIZED ASSISTANCE**

**Degree suspended for three years; notation of four years; publication of the decision with the name of the Student withheld**

The Student, a T.A., provided unauthorized assistance to a student by writing the majority of her assignments. 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 or be contrary to the public interest; and that the more serious sanction of degree revocation was not appropriate given this was the Student's first offence, they admitted guilt early in the process and acknowledged their misconduct.

**MULTIPLE FORGED DOCUMENTS**

**Grade of zero in the course; three-year suspension; notation on transcript for four years; publication of decision with the name of the Student withheld**

The Student submitted an altered version of a previously submitted essay for re-grading, holding it out to be the original work. The Student then falsified a Turnitin Digital Receipt to conceal this first offence. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: such conduct erodes the

trust underlying the teaching relationship; use of a forged or falsified document is a serious academic offence; forgery may be difficult to detect and thus deterrence is a significant consideration; forgery is the product of planning and knowing participation; given the Student did not participate in the discipline process, there was no evidence of any mitigating circumstances; and these were the Student's first offences.

### **FORGERY OF AN ACADEMIC RECORD**

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

The Student forged and falsified a transcript in support of an application to York University. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student had committed two prior forgery offences, which indicated rehabilitation was unlikely given the fact these prior sanctions failed to deter the Student from committing this subsequent more serious offence; and general deterrence and protection of the public are paramount requiring the Panel to recommend expulsion to preclude the Student from re-enrolment and clearly signal that the University continues to exercise oversight over students after they have graduated; and the proposed sanction was consistent with prior cases.

### **FORGERY OF AN ACADEMIC RECORD**

**Expulsion; up to five-year suspension from the date of the order, or until the Governing Council makes its decision on expulsion, whichever comes first; corresponding notation; publication of the decision with name of the Student withheld**

The Student forged and falsified a transcript in support of an application to York University. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student did not participate in the disciplinary process; there was no mitigating evidence, including that related to remorse or of accepting any responsibility; the forgery attempted to defraud another academic institution; forgery is one of the most serious offences; the public and academic institutions rely on the University's records and forged transcripts undermine the credibility of the institution, students and alumni; and the sanctions are consistent with other cases.

### **PLAGIARISM**

**Grade of zero in the course; three-year suspension; notation on transcript until the later of five years or graduation; publication of decision with the name of the Student withheld**

The Student plagiarized an essay. 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: joint submissions on penalty should only be rejected where they are unreasonable or unconscionable; the Student's admission of guilt and cooperation were mitigating circumstances; the Student's chronic condition which required hospitalization was an extenuating circumstance; the offence was very serious, and because it is an increasingly common one, general deterrence is important; this was the Student's third offence; and the sanction, although in the low range, was consistent with other cases and is warranted given the extenuating circumstances.

### **FORGERIES OF ACADEMIC RECORDS**

**Cancellation and recall of one degree; five-year suspension of second degree; permanent notation; publication of decision with name of the Student withheld**

In applications to over forty employers, the Student forged and falsified a Preliminary Grade Report, their Academic History, university correspondence changing Dean's List and award recipients to include their own name, their resume, and academic achievements on their LinkedIn profile. 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: joint submissions on penalty should only be departed from where they are so far outside the range of appropriate outcomes that to accept them would bring the administration of justice into disrepute; the Student participated in the process, pled guilty and had no prior disciplinary history; the conduct was planned, deliberate and repeated; the integrity of the grading and award-granting processes were undermined; the conduct prejudiced other students; a strong deterrent against similar conduct by others or repeated misconduct by the Student was warranted.

### **FORGERIES OF ACADEMIC RECORDS**

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

The Student falsified an application for admission as a transfer student to the University, as well as a transcript and letter in support of that application. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: falsification of an academic record threatens the integrity of the University's admission process and tarnishes its reputation; falsification of academic accomplishments may result in a student obtaining an undeserved benefit, thereby

depriving another student of that benefit; forgery is serious and difficult to detect, making deterrence important; forgery is the result of deliberate and knowing participation; having failed to participate there was no evidence of mitigating circumstances from the Student; and the sanction is consistent with that ordered in similar cases.

### **FORGERY OF AN ACADEMIC RECORD**

**Five-year suspension; ten-year notation; publication of the decision with name of the Student withheld**

The Student falsified a transcript in an application to another university. 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: forgery of a transcript is one of the most serious offences because it involves deliberate dishonesty, undermines the credibility of the University, its students and alumni and jeopardizes the credibility of the admissions process at another university; because it is difficult to detect, general deterrence is important for forgery offences; and, while expulsion is a common penalty in such cases, the Student admitted guilt, cooperated, and in similar cases a lengthy suspension and transcript notation have been appropriate.

### **PLAGIARISM – PURCHASED PAPER**

**Grade of zero in the course; five-year suspension; notation on transcript until graduation; publication of decision with the name of the Student withheld**

The Student plagiarized an essay which they admitted to purchasing. 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: the Tribunal should accept joint submissions on penalty unless exceptional circumstances apply; purchased essay plagiarism is a very serious offence; the presumptive penalty for purchased essay cases is expulsion; the Student participated and cooperated fully; this was not the Student's first offence; but for the mitigating factors of the Student's trying personal circumstances and medical challenges, a five-year suspension may have been viewed as inadequate; and without the Student's confession about having purchased the essay it would have been challenging to prove anything other than plagiarism.

### **FORGERIES OF ACADEMIC RECORDS (Kevin SETO)**

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

The Student forged a degree certificate and falsified a transcript. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the offence was a deliberate attempt to obtain a benefit; the offence is amongst the most serious and undermines the credibility and standing of the institution and of peers attempting to legitimately use their degrees; and given the failure of the Student to participate, there was no evidence of mitigating circumstances.

**FORGERY OF AN ACADEMIC RECORD**

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

The Student falsified a transcript in an application for admission to another university. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: there were no mitigating factors; reformation is of limited relevance given the Student made limited progress towards attaining a degree while enrolled and is no longer enrolled; the offence undermined the integrity of the University and threatens the credibility of those who legitimately earned a degree; the penalty must recognize the potential prejudice to the University to whom the forged academic record is submitted; strong denunciation of the conduct is required to protect the credibility and academic quality of the institutions who rely upon the forged academic records; and the sanction is consistent with outcomes in similar cases.