



FOR INFORMATION

OPEN SESSION

TO: Academic Board

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

CONTACT INFO: christopher.lang@utoronto.ca

PRESENTER: See Sponsor

CONTACT INFO:

DATE: November 11, 2020 for November 18, 2020

AGENDA ITEM: 9c

ITEM IDENTIFICATION: University Tribunal, Information Reports, Fall 2020

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

GOVERNANCE PATH:

1. Academic Board [for information] (November 18, 2020)

PREVIOUS ACTION TAKEN:

The last semi-annual report came to the Academic Board on May 28, 2020.

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 2020)

TRIBUNAL DECISIONS UNDER THE
CODE OF BEHAVIOUR ON ACADEMIC MATTERS
(FALL 2020)

MULTIPLE FORGED ACADEMIC RECORDS

Expulsion; up to a five-year suspension; cancellation and removal from transcript of five transfer credits; publication of decision and sanctions with the Student's name withheld

The Student submitted a forged transcript as well as forged course outlines, from another university, in order to obtain admission to the University and receive transfer credits. The Panel found the Student guilty, and in imposing the sanctions, noted the following: forging/falsifying of academic records is one of the most serious offences; the offences undermine the integrity of the University and potentially deprive another student of a benefit; forgery can be difficult to detect; there was planning and deliberation, occurring over many months; expulsion is the typical sanction for these types of offences, except in the most exceptional of circumstances; and the Student admitted had they not been caught, they would have continued through to graduation.

FORGED NON-ACADEMIC DOCUMENT

Suspension of two years; notation on the Student's 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 forged Verification of Student Illness or Injury form in order to receive an academic accommodation when submitting an assignment. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student did not participate in the hearing, and therefore there was no evidence regarding their character; the Student did not have any prior offences; the offence was serious, was done deliberately and was detrimental to the University; the offence undermined the integrity of the University's accommodation process; and, the sanctions were consistent with other similar cases.

MULTIPLE INSTANCES OF UNAUTHORIZED ASSISTANCE

Expulsion; up to a five-year suspension; grade of 0 in the course; publication of the decision with the name of the Student withheld

The Student obtained unauthorized assistance with two lab assignments. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student was prepared to exploit the relationship with the teaching assistant who provided the assistance; the Student repeated the misconduct and lied when confronted

by the University; there was not a momentary lapse of judgement; the Student ultimately admitted their conduct and expressed remorse; the Student originally conspired with other students to avoid a sanction; the Student saw a difference between cheating on a lab assignment versus on an exam, which suggested they would reoffend if they did not believe the misconduct was "serious;" there was a strong need to deter others, especially those who might believe it is fine to conspire with teaching assistants in order to obtain a benefit; and, the sanctions were consistent with those imposed in similar cases.

POSSESSION OF AN UNAUTHORIZED AID

Suspension of slightly more than two years; notation on Student's transcript for four years; grade of 0 in the course; publication of the decision with the name of the Student withheld

The Student possessed a cheat sheet during a final examination. The Panel found the Student guilty, after which they retained legal counsel and agreed with the proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: the Student had two prior offences; normally a three-year suspension would be imposed, but given the adjournment of the penalty phase, along with a brief delay during COVID, it was reasonable to slightly adjust the end date of the suspension; the sanctions were consistent with similar cases; and, there was a high threshold to reject jointly proposed sanctions.

MULTIPLE USE OR POSSESSION OF UNAUTHORIZED AIDS

Suspension of slightly more than three years; notation on Student's transcript for approximately three-and-a-half years or until graduation, whichever occurs first; grade of 0 in four courses; publication of the decision with the name of the Student withheld

The Student accessed the internet on six occasions, during multiple tests and 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 offences were serious; the misconduct took place repeatedly over several months; the Student had no prior offences and admitted guilt early on in the process; the Student cooperated, including agreeing with the facts and proposed sanctions, thereby demonstrating insight and remorse; the Student testified that they had learned from their mistakes and that they had put in place certain steps to ensure such misconduct did not occur in the future; and, there is a high threshold to reject jointly proposed sanctions.

PLAGIARISM AND ATTEMPT TO COMMIT AN OFFENCE

Suspension of three years; notation on the Student's transcript for four years; grade of 0 in the course; publication of the decision with the name of the Student withheld

The Student plagiarised an essay, and also attempted forgery by ordering a stamp and seal online, that mirrored the stamp and seal from their Registrar's Office. The Student agreed with the facts related to the plagiarism offence, as well as with the proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: there is high threshold for rejecting jointly proposed sanctions; the offences were serious, especially the attempted forgery offence; the detrimental effect of the attempted forgery offence was significant, given the University relies on its official stamp and seal, and therefore there was a strong need for deterrence; and, the attempted forgery offence was premeditated and deliberate.

MULTIPLE PERSONATIONS AND MULTIPLE INSTANCES OF PROVIDING UNAUTHORIZED ASSISTANCE

Expulsion; five-year suspensions; grade of 0 in the course; publication of decision with the name of the Student withheld

The Student had someone impersonate him twice for in-class writing assignments, and on seven occasions while being a TA, provided unauthorized assistance to other students in connection with lab work or other assignments. The Student pleaded guilty and agreed with the proposed sanctions. In finding the Student guilty, and in accepting the agreed-upon sanctions, the Panel noted the following: there was no prior offence; the offences were repeated with multiple students over a period of time; there was no momentary lapse in judgement; the Student eventually agreed to the facts and cooperated, but initially lied to the Dean's designate; the offences are serious and were committed knowingly, including in their capacity as a teaching assistant; there was a gross breach of trust; there was a strong need for general deterrence, including for anyone working as a teaching assistant; the sanctions were consistent with other cases; and, there is a high threshold to reject jointly proposed sanctions.

FALSIFIED EVIDENCE

Suspension of two years; notation on the Student's transcript for three years; publication of the decision with the name of the Student withheld

The Student falsified information regarding their work history when applying for work-study positions in two University labs. 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: there is a high threshold to reject jointly proposed sanctions; the Student had a prior offence; the Student took

responsibility, apologized and demonstrated remorse; the Student was not likely to reoffend; but for the diligence of the two professors, the misconduct might have gone undiscovered; and, there was a need to deter others.

MULTIPLE PLAGIARISMS

Suspension of approximately two-and-a-half years; notation on the Student's transcript for approximately three-and-a-half years; grade of 0 in two courses; publication of the decision with the name of the Student withheld

The Student plagiarized three essays. In finding the Student guilty, and in imposing the sanctions, the Panel stated the following: there were no prior offences; the Student did not participate, so there was no evidence regarding their character or mitigating factors; the plagiarisms were not accidental or inadvertent; there was significant detriment to the University; and there was a strong need for deterrence.

MULTIPLE PLAGIARISMS

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

The Student plagiarized two essays. 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 is a high threshold to reject jointly proposed sanctions; the offences were serious; the Student had a prior offence; the Student was experiencing significant personal issues which were mitigating factors; and, there was an early admission of guilt and cooperation with the University.

FORGERY

Suspension of two years; notation on the Student's 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 forged Verification of Illness and Injury form in support of late withdrawal without academic penalty. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: there was no evidence regarding the character of the Student or any mitigating factors as they did not participate; this was a first offence; the offence was serious, deliberate and detrimental to the University; the offence undermined the integrity of those who provide medical notes; there was a need for general deterrence; and, the sanctions were consistent with other similar cases.

MULTIPLE FORGERIES

Suspension of four years; notation on the Student's transcript for five years; publication of the decision with the name of the Student withheld.

The Student knew that forged reference letters and a forged transcript were submitted on his behalf in an application for graduate school. The Student agreed with some of the facts as well as the proposed sanctions. In finding the Student guilty, and in imposing the agreed-upon sanctions, the Panel noted the following: there is a high threshold for rejecting jointly proposed sanctions; the offences were serious; there was a need for specific and general deterrence; the Student cooperated somewhat, and showed some insight and remorse at the sanction phase; and, the sanctions were consistent with those imposed in similar cases.