



**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 10, 2021 for November 17, 2021

**AGENDA ITEM:** 8c

**ITEM IDENTIFICATION:** University Tribunal, Information Reports, Fall 2021

**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] (November 17, 2021)

**PREVIOUS ACTION TAKEN:**

The last semi-annual report came to the Academic Board on May 27, 2021.

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<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.

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**DOCUMENTATION PROVIDED:**

- Information Reports of Tribunal Decisions under the *Code of Behaviour on Academic Matters, 1995* (Fall 2021)

**TRIBUNAL DECISIONS UNDER THE**  
**CODE OF BEHAVIOUR ON ACADEMIC MATTERS**  
**(FALL 2021)**

**FORGED OR FALSIFIED DOCUMENT**

**Expulsion; five-year suspension; publication of the decision with the Student's name withheld.**

The Student paid \$40,000 for a forged University of Toronto degree certificate and submitted it as part of an application for employment. The Student pled guilty and agreed with the facts. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the offence was grave, the sanctions were consistent with those imposed in other similar cases and there was a need to impose the most severe penalty available.

**PLAGIARISM AND FORGED OR FALSIFIED DOCUMENTS**

**Suspension of just under five years; notation on the Student's transcript for just under six years or until graduation, whichever is later; grade of 0 in the course; publication of the decision with the Student's name withheld.**

The Student plagiarized a paper, altered a subsequent version of that paper, and falsified a screenshot. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student had two prior plagiarism offences, which did not deter them from re-offending; the Student did not participate at any stage of the academic discipline process so there was no evidence of remorse, the Student's character, or any mitigating or extenuating factors that would warrant a more lenient sanction; plagiarism undermines the teaching and learning missions of the University; plagiarism is a constant threat to the University, especially with the increased use of online sources; and forgery, alteration and falsification offences are at the most serious end of the spectrum because they include an element of deliberate and purposeful dishonesty and are rarely committed inadvertently or carelessly.

**FORGED OR FALSIFIED DOCUMENT**

**Expulsion; five-year suspension; publication of the decision with the Student's name withheld.**

The Student submitted a forged University of Toronto degree certificate for employment or other benefit. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student had no prior offences; this offence was an act of flagrant and deliberate dishonesty; credential fraud is a profoundly serious offence; fraudulent degrees purporting to come from the University undermine the University's

credibility and reputation and require the University to establish an elaborate system of checks and verifications; there was no evidence of any extenuating circumstances; and it is crucial for students to realize that misrepresenting their University status to outside parties in such a fundamental way will have extremely serious consequences.

### **FORGED OR FALSIFIED DOCUMENT**

**Expulsion; five-year suspension; publication of the decision with the Student's name withheld.**

The Student submitted a forged Confirmation of Enrolment Letter from the Office of the Registrar to the Canada Border Services Agency. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student had no prior offences; this offence was an act of flagrant and deliberate dishonesty; there was no evidence of any extenuating circumstances; fraudulent records purporting to come from the University undermine the University's credibility and reputation; the type of forgery committed by the Student can be easy to fabricate and difficult to detect by outside parties; the Student's use of a forged letter fundamentally broke trust with the University; and the Student's actions were harmful to the University and to the students who depend on a fair and efficient immigration system to live and study in Canada.

### **MULTIPLE PLAGIARISMS**

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

The Student submitted two essays and an exam that were copied from outside sources. The Student pled guilty and agreed with the facts as well as with the proposed sanctions. In accepting the Student's guilty plea and the agreed-upon sanctions, the Panel noted the following: there is a high threshold to reject a jointly proposed penalty; this was not the Student's first offence of plagiarism; plagiarism is a serious offence; the Student showed insight and took responsibility for her actions; the Student admitted guilt, expressed remorse, and faced personal challenges at the time of the offence; and the proposed sanctions were reasonable.

### **PLAGIARISM**

**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 Student's name withheld**

The Student submitted an assignment that was copied from outside sources without citation. In finding the Student guilty and in imposing the sanctions, the Panel noted the

following: the offence is serious and causes great detriment to the University and its students; there is a strong need to deter others from committing a similar offence; this type of offence poses a grave threat to the integrity of the University's processes for evaluating students, is profoundly unfair to other students, and jeopardizes the University's reputation; and the Student did not participate in the process or attend the hearing so there was no evidence of any mitigating factors that would prevent the Panel from imposing a serious penalty.

### **MULTIPLE PLAGIARISMS AND FORGED OR FALSIFIED DOCUMENTS**

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

The Student submitted three forged or falsified Verification of Student Illness forms to defer three final examinations and plagiarized two assignments. The Student admitted guilt regarding the plagiarism charges, and was found not guilty on a charge of concoction. In finding the Student guilty of the other charges, and in imposing the sanctions, the Panel noted the following: submitting forged or falsified documents is a very serious and deliberate offence; not only was the University's trust in students harmed, but its placement in the broader community was also affected; general deterrence is an important factor in these types of cases; plagiarism strikes at the heart of academic integrity; this was the Student's first offence; and a strong message must be sent to other students that this type of misconduct will be treated seriously.

### **FORGED OR FALSIFIED DOCUMENT**

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

The Student wrote a false name and address on an examination booklet during a final examination. The Student pled guilty and agreed with the facts. The Panel found the Student guilty, and in imposing the sanctions, considered the following: there were no extenuating circumstances; the offence was serious; there is a need for general deterrence; the Student admitted guilt, expressed remorse, and attended the hearing; the Student took responsibility for their actions and had no prior offences; and the likelihood of repetition is low since the Student completed all requirements to graduate.

### **POSSESSION OF UNAUTHORIZED AID**

**Suspension of three years; notation on Student's transcript for just over 48 months; grade of 0 in the course; publication of the decision with the Student's name withheld**

During a make-up test the Student possessed index cards containing information relevant to the course. The Student pled guilty and agreed with the facts as well as with the proposed sanctions. In accepting the Student's guilty plea and the agreed-upon sanctions, the Panel noted the following: this was not the Student's first offence; the offence is serious; cheating on a test is unfair to other students; the Student demonstrated insight and remorse by pleading guilty and cooperating throughout the process; and the proposed penalty was appropriate and reasonable.

### **PLAGIARISM AND POSSESSION OF UNAUTHORIZED AID**

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

The Student possessed an iPhone during a final examination and plagiarized a short answer assignment in another final examination. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: there was evidence of actual repetition of the offence due to the short time between the two offences; plagiarism is an extremely serious offence that harms the institution and the academic process; plagiarism involves planning, deliberation, and conscious execution and is among the most serious of all forms of academic misconduct; possession of an unauthorized aid is a serious matter that can harm the academic process; and the imposed penalty must be severe enough to deter others from considering using unauthorized aids or plagiarizing academic work.

### **ALTERED OR FALSIFIED DOCUMENT**

**Suspension of two years; notation on the Student's transcript for three years; grade of 0 in the five courses; publication of the decision with the Student's name withheld**

The Student submitted a falsified Verification of Student Illness of Injury Form ("VOI") in support of his petition requests for late withdrawal from five courses and for a refund of fees. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: at the Dean's Meeting, the Student admitted to submitting a forged VOI; forgery is a serious and deliberate offence that undermines the integrity of those who provide medical notes; the Student's conduct implicated medical professionals, undermined the integrity of those charged with providing the medical notes and undermined the University's procedure for assessing and granting accommodations; the Tribunal must send a strong message to other students that such misconduct is considered a serious offence; and the Student did not participate so there was no evidence of good character, likelihood of repetition of the offence or of any mitigating or extenuating factors.

## **PLAGIARISM**

**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 Student's name withheld**

The Student submitted an assignment that was copied from outside sources without citation. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: the Student did not participate in the process or attend the hearing so there was no evidence of any mitigating or extenuating factors, good character, remorse or insight; the Student had no prior offences; the offence was deliberate and serious; and there is a need to treat students "fairly and equitably" and to achieve a degree of consistency in imposing sanctions.

## **NOTE: THE STUDENT APPEALED THE FINDING OF GUILT AND THE IMPOSED SANCTIONS – APPEAL DISMISSED**

The Student appealed to the Discipline Appeals Board ("DAB") on the following bases: that it was improper to proceed with the Tribunal hearing in the Student's absence; that the University needed to establish "beyond a reasonable doubt" that the Student had received the notice of hearing; and the sanction imposed by the Tribunal was unreasonable. The Student sought a new hearing. In dismissing the appeal, the DAB noted the following: the Tribunal did not make any error in concluding that it could proceed in the absence of the Student; once the Tribunal was satisfied that the Student had reasonable notice of the hearing, it had the authority to proceed in the absence of the Student; the Tribunal correctly noted that the University was required to demonstrate that the Student had reasonable notice on a civil standard of proof, namely, on a balance of probabilities; the sanction ordered was consistent with penalties imposed in similar cases; the Tribunal did not make an error in its decision, therefore, a new hearing was not warranted. The order of the Tribunal was affirmed, and the sanctions imposed by the Tribunal were kept in place.

## **FORGED OR FALSIFIED DOCUMENT**

**Expulsion; five-year suspension; publication of the decision with the Student's name withheld.**

The Student submitted a forged University of Toronto degree to a potential employer. In finding the Student guilty, and in imposing the sanctions, the Panel noted the following: forgery of an academic record is one of the most serious offences a student can commit; the Student did not participate in the academic discipline process or in the proceeding, therefore there was no evidence of the Student's character, extenuating circumstances, remorse or insight; the Student exhibited dishonesty and unethical

character; there is a likelihood of repetition of the offence; and maintaining the integrity of the University's academic records and deterring students from engaging in forgery of degree certificates cannot be overemphasized.

**MULTIPLE PLAGIARISMS, USE OF UNAUTHORIZED AID, AND MULTIPLE FORGED OR FALSIFIED DOCUMENTS**

**Expulsion; five-year suspension; publication of the decision with the Student's name withheld.**

The Student plagiarized two assignments, obtained unauthorized assistance in connection with a test, and submitted five forged or falsified medical certificates in support of a petition to lift a three-year suspension. The Student pled guilty and agreed with the facts as well as with the proposed sanctions. In accepting the Student's guilty plea and agreed-upon sanctions, the Panel noted the following: there was a concern about the likelihood of repetition of the conduct due to the Student's prior offence and the eight offences that were committed over a short period of time; no mitigating circumstances were identified; plagiarism and unauthorized assistance are very serious offences that undermine the teaching and learning experience of the University; a strong message of general deterrence is warranted; forgery is among the most serious offences; and the offence of forgery was aggravated by the fact that the medical certificates were purchased.

**MULTIPLE PLAGIARISMS**

**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 Student's name withheld**

The Student submitted a test and a final examination that contained answers that were similar to those posted on a subscription website. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the Student's non-participation in the hearing is not an aggravating factor that can be used to increase sanction; there is no evidence that the Student was a subscriber of the website, therefore, the commercial nature of the website cannot be used as an aggravating factor; the offences took place in the initial weeks of the Covid-19 pandemic and it is reasonable to assume that this had a negative effect on the Student; given the nature of the offence and absence of any mitigating factors, a substantial sanction is appropriate; and plagiarism strikes at the very heart of academic integrity and therefore attracts a significant sanction.



## **PLAGIARISM**

**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 Student's name withheld**

The Student submitted a mid-term essay which contained numerous verbatim and nearly verbatim passages taken from a variety of sources, none of which were cited. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the Student had committed a prior plagiarism offence just a few months before this offence; without a significant sanction there is a real risk of repetition of the same offence; plagiarism is a very serious offence that strikes at the heart of the University's core values of honesty and integrity; a serious sanction is merited to discourage others from committing similar offences; and there was no evidence of extenuating circumstances.

## **PLAGIARISM AND OBTAINING UNAUTHORIZED ASSISTANCE**

**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 Student's name withheld**

The Student plagiarized and obtained unauthorized assistance in a test by using another student's login information, accessing that student's answer, and submitting the answer as if it were their own answer. The Student pled guilty and agreed with the facts as well as with the proposed sanctions. In accepting the Student's guilty plea and the agreed-upon sanctions, the Panel noted the following: the Student did not have any prior offences; the Student had extenuating circumstances at the time of the offence; this case involved an unplanned act of panic rather than a planned and premeditated effort; it is not the role of the Panel to decide on the penalty it might have imposed but it must determine whether the proposed penalty falls within a reasonable range of outcomes; based on the evidence, the proposed sanction fell within the range of reasonable outcomes; and postponing the suspension to allow the Student to complete other courses required to complete her degree was reasonable.

## **PERSONATION**

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

The Student hired a person to write her midterm examination. The Student pled guilty and agreed with the facts as well as with the proposed sanctions. In accepting the Student's guilty plea and the agreed-upon sanctions, the Panel noted the following: the Student admitted to the offence very early on; the Student provided a candid

explanation; the Student's admission of guilt demonstrated insight; it was a serious and deliberate offence; and the proposed penalty balances the interests of the University in maintaining the integrity of the University, and the Student's interests.