

**THE UNIVERSITY TRIBUNAL  
THE UNIVERSITY OF TORONTO**

**IN THE MATTER OF** charges of academic dishonesty filed on January 11, 2022,

**AND IN THE MATTER OF** the University of Toronto *Code of Behaviour on Academic Matters, 1995*,

**AND IN THE MATTER OF** the *University of Toronto Act, 1971*, S.O. 1971, c. 56 as amended S.O. 1978, c. 88

**B E T W E E N:**

**THE UNIVERSITY OF TORONTO**

**- AND -**

H [REDACTED] K [REDACTED]

**REASONS FOR DECISION**

**Hearing Date:** April 22, 2022, via Zoom

**Panel Members:**

Mr. Christopher Wirth, Chair  
Dr. Pascal van Lieshout, Faculty Panel Member  
Mr. Yazan Zamel, Student Panel Member

**Appearances:**

Ms. Tina Lie, Assistant Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP  
Mr. William Webb, Co-Counsel, Paliare Roland Rosenberg Rothstein LLP

**Hearing Secretary:**

Ms. Carmelle Salomon-Labbé, Associate Director, Office of Appeals, Discipline and Faculty Grievances

**Not In Attendance:**

Mr. H [REDACTED] K [REDACTED]

## Charges and Particulars

1. A Panel of the Trial Division of the University Tribunal was convened on April 22, 2022 by videoconference to consider charges brought by the University of Toronto (the “University”) against H [REDACTED] K [REDACTED] (the “Student”) under the University’s *Code of Behaviour on Academic Matters, 1995* (the “Code”). The charges alleged against the Student as filed by the Provost on January 11, 2022 are as follows:
  1. On or about December 14, 2020, you knowingly represented as your own an idea or expression of an idea or work of another in the final exam in CHM110H5 (the “Course”), contrary to section B.I.1(d) of the Code.
  2. In the alternative, on or about December 14, 2020, you knowingly obtained unauthorized assistance in connection with the final exam in the Course, contrary to section B.I.1(b) of the Code.
  3. In the further alternative, on or about December 14, 2020, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code in order to obtain academic credit or other academic advantage of any kind in connection with the final exam in the Course, contrary to section B.I.3(b) of the Code.
2. The particulars related to charges 1, 2 and 3 are as follows:
  1. At all material times you were a student enrolled at the University of Toronto Mississauga.
  2. In Fall 2020, you enrolled in CHM110H5 (Chemical Principles 1).
  3. Students in the Course were required to write a final exam, worth 24% of their final grades. The final exam was administered online. The questions were released on December 8, 2020 and students had until December 14, 2020 to submit their answers. The exam was open book, but students were not permitted to access any sources apart from the course materials.
  4. On or about December 14, 2020, you submitted your final exam in the Course.

5. You submitted your final exam:
  - (a) to obtain academic credit;
  - (b) knowing that it contained ideas, expressions of ideas or work which were not your own, but were the ideas, expressions of ideas or work of others, including the author of answers that were posted on Chegg.com, which is a website that allows subscribers to post questions on the site and to view questions and answers posted on the site (the “Chegg Source”); and
  - (c) knowing that you did not properly reference the ideas, expressions of ideas or work that you drew from the Chegg Source or from others.
6. You knew that the Chegg Source was not an authorized source to which you were allowed to refer in completing the final exam.
7. You knowingly obtained unauthorized assistance from the Chegg Source or from others.
8. You knowingly submitted your final exam with the intention that the University of Toronto Mississauga rely on it as containing your own ideas or work in considering the appropriate academic credit to be assigned to your work.

## **Service**

3. The Student was not in attendance at the outset of the hearing, and as a result, the Panel adjourned the hearing for 15 minutes to see if he would arrive in the interim and for Co-Counsel for the University to attempt to obtain information as to whether the Student intended to attend the hearing. When the hearing resumed, the Student was still not in attendance but Co-Counsel advised the Panel that he had been in communication with the Student who advised that he was aware of the hearing and did not intend to attend. The Panel was provided with an email exchange with the Student confirming this, which was entered into evidence as Exhibit #2. Given this, the Panel decided to proceed with the hearing in the Student’s absence.

## The Evidence

4. The University entered into evidence an Agreed Statement of Facts which it had agreed to with the Student which (without the tabbed documents) provides as follows:

1. For the purposes of this hearing under the *Code of Behaviour on Academic Matters* (“Code”), the Provost of the University of Toronto and [the Student] have prepared this Agreed Statement of Facts (“ASF”) and a Joint Book of Documents (“JBD”). The Provost and the Student agree that:

(a) each document contained in the JBD may be admitted into evidence before the Tribunal for all purposes, including for the truth of the document’s contents, without further need to prove the document; and

(b) if a document indicates that it was sent or received by someone, that is *prima facie* proof that the document was sent and received as indicated.

2. This hearing arises out of charges of academic misconduct filed by the Provost on January 11, 2022. A copy of the charges is included in the JBD at **Tab 1**.

3. The Student acknowledges that he received a copy of the charges, waives the reading of the charges, and pleads guilty to all charges.

4. The Provost agrees that if the Tribunal returns a conviction on charge #1, the Provost will withdraw charges #2, and #3.

5. The Student accepts that he has been provided with reasonable notice of the hearing in this matter. A copy of the notice of hearing in this proceeding is included in the JBD at **Tab 2**.

### **A. The Student’s academic record**

6. At all material times, the Student was a student enrolled at the University of Toronto Mississauga. A copy of the Student’s academic record, dated January 24, 2022, is included in the JBD at **Tab 3**.

### **B. The Course**

7. In Fall 2020, the Student enrolled in CHM110H5 (Chemical Principles 1) (the “Course”), which was taught by Professor Judith Poe. A copy of the course syllabus is included in the JBD at **Tab 4**.
8. Students were evaluated on the basis of experiments (worth 20%), quizzes (worth 15%), two term tests (worth 10% each), laboratory simulations (worth 21%), and a final exam (worth 24%) (the “Exam”).
9. The syllabus contained a section on Academic Integrity (on page 3), which stated, among other things, that students were required to know the rules in the *Code*.

**C. *The Exam***

10. The Exam was administered online. The Exam was released on December 8, 2020 and students had until December 14, 2020 to submit their answers.
11. The Exam was open book, but students were not permitted to access any sources apart from the course materials. The front page of the Exam explicitly warned that use of any other sources would be considered an academic offence:
  4. This is an open-book examination. All of the factual material that you need to answer these questions is found in the textbook, the course manual, your lecture notes and the lecture slides. Of course the key ingredient is your grey matter, used to process that factual material.
  5. ALLOWED AIDS: The only aids allowed for this exam are the Course Manual, the course textbook, your lecture notes, the lecture slides and lecture videos, your non-programmable calculator, and the camera feature of your phone or tablet or scanner for taking pictures. Use of any other source of information and communication with any other persons will be considered an academic offense. I understand that the temptation to communicate will be strong. RESIST IT. Be sure to sign the Academic Integrity checklist found on the last page of this document. [Emphasis added]
12. The Exam required students to sign an academic integrity checklist, which stated:

I confirm that:

  - I have used only those aids listed on the first page of this test as allowed. I did not communicate with anyone during the test, either in person or electronically.
  - If I used the words of another (e.g., instructor or textbook), I have acknowledged this with quotation marks and proper citation.
  - If paraphrasing the work of others, I used my own words (not merely using synonyms or rearranging the sentence structure) and have cited the source of the idea.

- This is the final version of my test and not a draft.
- I have kept and will continue to keep my work to myself and did not/will not share answers or content with others, unless otherwise directed by my instructor.
- I understand the consequences of violating the University's academic integrity policies as outlined in the Code of Behaviour on Academic Matters.

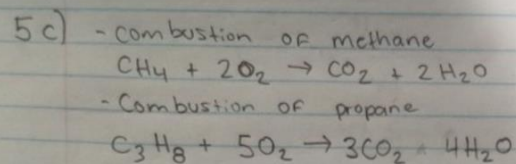
By signing this form I agree that the statements above are true.

13. On December 14, 2020, the Student submitted his Exam, and signed the academic integrity checklist (on page 17). A copy of the Student's Exam is included in the JBD at **Tab 5**.

**D. *Chegg.com***

14. Chegg.com is a subscription based website that allows students to post problems to the site ("Askers"), which are then answered by so-called "experts". Subscribers are also able to access the questions and answers posted by others on the site ("Viewers"). The webpage advertises that a "Chegg Study" subscription costs \$14.95/month and will allow subscribers to "take a photo of your question and get an answer in as little as 30 mins" from an "expert". A copy of the chegg.com/study webpage is included in the JBD at **Tab 6**.
15. When Professor Poe reviewed the exams, they found that an answer to Question 5(c) from the Exam had been posted on Chegg.com. Professor Poe found that there were substantial similarities between the Student's answers to Question 5(c) and the answer that had been posted on Chegg.com. Whereas Question 5(c) asks for a mass calculation, the Student and Chegg.com used a volume calculation and provided the same incorrect answer. A copy of the Chegg.com answer is included in the JBD at **Tab 7**.
16. A chart comparing the Student's answer and the Chegg.com answer to Question 5(c) is as follows:

### Student's Answers (Tab 6)



$V_T = 122 \text{ mL}$   
 $T = 25^\circ\text{C} = 298.15 \text{ K}$       mass % = ?  
 $P = 1 \text{ atm}$   
 $m_{\text{CO}_2} = 0.506 \text{ g}$

let  $V_{\text{CH}_4} = x$   
 let  $V_{\text{C}_3\text{H}_8} = (122 - x)$

①	$V_{\text{CO}_2}$ produced	②	Moles of $\text{CO}_2$
	by $\text{CH}_4$		
	$x$		$n_{\text{CO}_2} = \frac{0.506}{44.01 \text{ g/mol}}$
	by $\text{C}_3\text{H}_8$		
	$3(122 - x)$		$n_{\text{CO}_2} = 0.01497 = 0.015 \text{ mol}$
	$= 366 - 3x$		

③  $PV = nRT$   
 $1 \text{ atm} \cdot V = (0.015 \text{ mol}) \cdot (0.0821 \text{ L atm K}^{-1} \text{ mol}^{-1}) (298.15 \text{ K})$

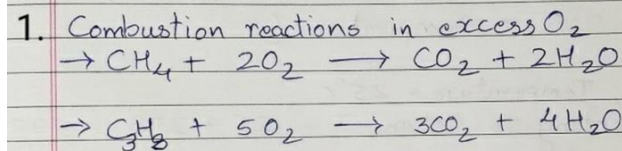
$V = 0.2815 \text{ L} = 281.5 \text{ mL}$

④  $V_{\text{CO}_2}^{\text{Produced}} = x + (366 - 3x) = 366 - 2x$   
 $281 \text{ mL} = 366 - 2x$   
 $2x = 85$

$x = 42.5 \text{ mL}$

$V_{\text{C}_3\text{H}_8} = 122 - 42.5 = 79.5$

### Chegg.com Answer (Tab 7)



Given, Volume of mixture = 122 ml

Let, volume of  $\text{CH}_4 = x \text{ ml}$

and, volume of  $\text{C}_3\text{H}_8 = (122 - x) \text{ ml}$

Now,  
 volume of  $\text{CO}_2$  produced by  $\text{CH}_4 = x \text{ ml}$

volume of  $\text{CO}_2$  produced by  $\text{C}_3\text{H}_8 = 3(122 - x) \text{ ml}$   
 $= 366 - 3x \text{ ml}$

2. Given, weight of  $\text{CO}_2$  produced = 0.506 g

so, Moles of  $\text{CO}_2 = \frac{\text{Weight of } \text{CO}_2}{\text{Molar mass of } \text{CO}_2}$

$\left\{ \text{Molar mass of } \text{CO}_2 = 44 \text{ g/mol} \right\}$

so, Moles of  $\text{CO}_2 = \frac{0.506 \text{ g}}{44 \text{ g/mol}} = 0.0115 \text{ mol}$

Student's Answers (Tab 6)

$$\begin{aligned} \textcircled{5} \quad \% \text{CH}_4 &= \frac{V_{\text{CH}_4}}{V_T} \times 100 \\ &= \frac{42.5 \text{ mL}}{122 \text{ mL}} \times 100 \\ &= \textcircled{34.84\%} \end{aligned}$$

$$\begin{aligned} \% \text{C}_3\text{H}_8 &= \frac{V_{\text{C}_3\text{H}_8}}{V_T} \times 100 \\ &= \frac{79.5 \text{ mL}}{122 \text{ mL}} \times 100 \\ &= \textcircled{65.16\%} \end{aligned}$$

∴ The mass composition of the mixture is 34.84% methane and 65.16% propane.

Chegg.com Answer (Tab 7)

Ideal Gas Equation,  $PV = nRT$

where,  $P$  = pressure of gas (~~Pascal~~ <sup>atm</sup>)

$V$  = Volume of gas (Litre)

$n$  = Moles of gas (mol)

$R$  = Gas constant =  $0.0821 \text{ Latm K}^{-1} \text{ mol}^{-1}$

$T$  = Temperature (K)

Given, Temperature =  $25^\circ\text{C}$

Converting to Kelvin,  $T = 25 + 273 = 298 \text{ K}$

Substituting the values in gas equation

$$1 \text{ atm} \times V = 0.0115 \text{ mol} \times 0.0821 \text{ Latm K}^{-1} \text{ mol}^{-1} \times 298 \text{ K}$$

$$V = 0.281 \text{ L}$$

$1 \text{ L} = 1000 \text{ mL}$ ; Therefore,  $0.281 \text{ L} = \underline{281 \text{ mL}}$

$$\begin{aligned} \text{Total volume of CO}_2 \text{ produced} &= x \text{ mL} + (366 - 3x) \text{ mL} \\ &= (x + 366 - 3x) \text{ mL} \\ &= (366 - 2x) \text{ mL} \end{aligned}$$

$$3. \text{ Therefore, } 281 \text{ mL} = (366 - 2x) \text{ mL}$$

$$2x = 85 \text{ mL}$$

$$x = \underline{42.5 \text{ mL}}$$



## Student's Answers (Tab 6)

## Chegg.com Answer (Tab 7)

$$\% \text{ of } \text{CH}_4 = \frac{\text{Volume of } \text{CH}_4 \times 100}{\text{Total volume}}$$

$$= \frac{42.5}{122} \times 100 = \underline{34.84\%}$$

$$\% \text{ of } \text{C}_3\text{H}_8 = \frac{\text{Volume of } \text{C}_3\text{H}_8 \times 100}{\text{Total volume}}$$

$$= \frac{(122 - 42.5) \times 100}{122} = \underline{65.16\%}$$

Ans: - The mass % composition of the original mixture is 34.84% of  $\text{CH}_4$  and (methane) and 65.16% of propane

**E. Meeting with the Dean's Designate**

17. On May 25, 2021, the Student met with Michael Georges, Dean's Designate for Academic Offences at the University of Toronto Mississauga. Professor Georges read him the required warnings from the *Code of Behaviour on Academic Matters*.
18. During the meeting, the Student admitted that he had obtained unauthorized assistance in the Exam from Chegg.com. The Student stated that he was not thinking straight during the Course.

**F. Admissions and acknowledgements**

19. The Student admits that:
  - (a) he knowingly accessed Chegg.com during the Exam, and in doing so:
    - (i) he paid for a Chegg.com subscription;
    - (ii) he viewed answers that had been posted to Chegg.com;
    - (iii) he used the answers that had been posted to Chegg.com in his answer to Question 5(c) on the Exam;
  - (b) he knowingly represented as his own an idea or expression of an idea or work of another (the author of the Chegg.com answer) in the Exam;
  - (c) he committed plagiarism in the Exam; and
  - (d) he obtained unauthorized assistance in the Exam.
20. The Student acknowledges that he is signing this ASF freely and voluntarily, knowing of the potential consequences he faces, and that he has been given the opportunity to seek the advice of counsel before doing so.
21. The Student acknowledges that the Provost has made no representations to him regarding what penalty she will seek in this proceeding.

### **University's Submissions**

5. Co-Counsel submitted that the evidence, along with the Student's admissions, support a finding on the balance of probabilities that the Student committed the academic offences as alleged.

### **Standard of Proof**

6. The onus is on the University to establish, based upon clear and convincing evidence on a balance of probabilities, that the academic offences charged have been committed.

### **Decision of the Tribunal**

7. Based on the evidence, the submissions of the Co-Counsel for the University and the Panel's review of the Agreed Statement of Facts, the Book of Documents and Exhibit #2, the Student was found guilty of one count of knowingly representing as his own an idea or expression of an idea or work of another in the final exam in CHM110H5, contrary to section B.I.1(d) of the Code as alleged in Charge 1 filed by the Provost on January 11, 2022. Given this finding, the University withdrew Charges 2 and 3.

### **Reasons for Decision**

8. Although the Exam was open book, the Student was not permitted to access any sources apart from the course materials. The front page of the Exam explicitly warned that use of any other sources would be considered an academic offence and clearly stated which aids were allowed and also contained a lengthy statement on academic integrity which clearly instructed the students that it was an individual Exam, and that they could not communicate with anyone during it, either in person or electronically, which were all examples of actions which would violate academic integrity.
9. The Exam also required students to sign an academic integrity checklist, which stated:

I confirm that:

- I have used only those aids listed on the first page of this test as allowed. I did not communicate with anyone during the test, either in person or electronically.
- If I used the words of another (e.g., instructor or textbook), I have acknowledged this with quotation marks and proper citation.
- If paraphrasing the work of others, I used my own words (not merely using synonyms or rearranging the sentence structure) and have cited the source of the idea.
- This is the final version of my test and not a draft.
- I have kept and will continue to keep my work to myself and did not/will not share answers or content with others, unless otherwise directed by my instructor.
- I understand the consequences of violating the University's academic integrity policies as outlined in the Code of Behaviour on Academic Matters.

By signing this form I agree that the statements above are true.

10. On December 14, 2020, the Student submitted his Exam, and signed the academic integrity checklist.
11. Despite this, the Student admitted that:
  - (a) he knowingly accessed Chegg.com during the Exam, and in doing so:
    - (i) he paid for a Chegg.com subscription;
    - (ii) he viewed answers that had been posted to Chegg.com;
    - (iii) he used the answers that had been posted to Chegg.com in his answer to Question 5(c) on the Exam;
  - (b) he knowingly represented as his own an idea or expression of an idea or work of another (the author of the Chegg.com answer) in the Exam;
  - (c) he committed plagiarism in the Exam; and
  - (d) he obtained unauthorized assistance in the Exam.

12. As such, the Panel was satisfied on the balance of probabilities that the Student committed the academic offence of knowingly representing as his own an idea or expression of an idea or work of another in the final exam in CHM110H5, contrary to section B.I.1(d) of the Code as alleged in Charge 1 filed by the Provost on January 11, 2022.

## **Sanction**

### **The University's Evidence**

13. The University and the Student entered into an Agreed Statement of Facts on Penalty which provides as follows:
  1. For the purposes of this hearing under the *Code of Behaviour on Academic Matters* ("Code"), the Provost of the University of Toronto and [the Student] have prepared this Agreed Statement of Facts on Penalty ("ASFP"). The Provost and the Student agree that:
    - (a) each document attached to this ASFP may be admitted into evidence before the Tribunal for all purposes, including for the truth of the document's contents, without further need to prove the document; and
    - (b) if a document indicates that it was sent or received by someone, that is *prima facie* proof that the document was sent and received as indicated.
  2. The University of Toronto Mississauga ("UTM") maintains a database of allegations of academic misconduct that have been made against students. There is a Discipline Case Report for each allegation in the database, which records the details relating to the allegation and the outcome.
    - A. *Prior offence 1: unauthorized assistance in MAT135H5S***
  3. In Winter 2020, the Student registered in MAT135H5S ("MAT135").
  4. On March 29, 2020, the Student submitted an assignment in MAT135, which was worth 2% of his final grade in the course.

5. On August 31, 2020, the Student admitted to the offence of obtaining unauthorized assistance in the assignment. The admission form states: "I understand that a subsequent allegation of academic misconduct will be treated as a second offence and sanctioned accordingly." A copy of the signed admission form is attached to this ASFP at **Tab 1**.

6. The case was resolved at the divisional level. The Student received a sanction of a grade of zero on the assignment. A copy of the Discipline Case Report for this offence is attached to this ASFP at **Tab 2**.

**B. *Prior offence 2: unauthorized assistance in MAT135H5S***

7. In April 2020, the Student submitted his final exam in MAT135, which was worth 40% of his final grade in the course.

8. On January 5, 2021, the Student met with the Dean's Designate at UTM. During the meeting, the Student admitted to obtaining unauthorized assistance to complete the final exam in MAT135. The case was resolved at the divisional level. The Student received a sanction of a grade of zero in the course and a transcript notation for 12 months. A copy of the Discipline Case Report for this offence is attached to this ASFP at **Tab 3**.

**C. *Prior offence 3: plagiarism in CHM110H5F***

9. In Fall 2020, the Student enrolled in CHM110H5F ("CHM110").

10. On October 7, 2020, the Student submitted an assignment worth 10% of his final grade in the course.

11. On January 5, 2021, the Student met with the Dean's Designate at UTM. During the meeting, the Student admitted to submitting the same work in two different courses without the approval of the instructor in connection with the assignment. The case was resolved at the divisional level. The Student received a sanction of a grade of zero in CHM110, an eight month suspension from May 1 to December 31, 2021 and a transcript notation for 12 months. A copy of the Discipline Case Report for this offence is attached to this ASFP at **Tab 4**.

12. On January 5, 2021, the Office of the Dean at UTM sent the Student a letter confirming the sanctions imposed in connection with the final exam in MAT135 and the assignment in CHM110. The letter stated in part:

As you are now aware, obtaining unauthorized assistance is considered a serious offence under the *Code of Behaviour on Academic Matters (Code)* and would normally be severely sanctioned. It is essential for you to know that I reviewed the case again, including the Dean's Designate's record of his meeting with you in which you admit you contravened the Code. I appreciate that you were forthcoming with the truth and remorseful of your actions. Moreover, I believe that you have learned a valuable lesson and that there will be no repetition of similar behaviour in the future. It is imperative that you understand that the penalty recommended by my designate was appropriate, and more lenient than what is envisaged in the Provost's Guidelines (Appendix "C").[...]

[...]

I trust that you have had time to reflect on the seriousness of this incident and will not commit another academic offence. Please be advised that any subsequent allegations of offence are usually referred directly to the Tribunal for investigation. I hope that you will do everything in your power to make a success of your academic career at the University of Toronto Mississauga.

13. A copy of the resolution letter is attached to this ASFP at **Tab 5**.

**D. Acknowledgements**

14. The Student acknowledges that he is signing this ASFP freely and voluntarily, knowing of the potential consequences he faces, and that he has been given the opportunity to seek the advice of counsel before doing so.
14. The University and the Student further entered into a Joint Submission on Penalty which provides as follows:
    1. For the purposes of this hearing under the *Code of Behaviour on Academic Matters ("Code")*, the Provost of the University of Toronto (the "Provost") and [the Student] have prepared this Joint Submission on Penalty ("JSP").
    2. The Provost and the Student submit that, in all the circumstances of his case, it is appropriate that the University Tribunal impose the following sanctions on the Student:
      - (a) final grade of zero in the course CHM110H5 in Fall 2020;

- (b) the Student will be suspended from the University of Toronto for a period of 3 years, commencing on May 1, 2022 and ending on April 30, 2025; and
  - (c) this sanction will be recorded on the Student's academic record and transcript from the date of the Tribunal's order until graduation.
- 3. The parties agree that it is appropriate for this case to be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction imposed in the University of Toronto newspapers, with the name of the Student withheld.

### **Acknowledgements**

- 4. The Student acknowledges that:
  - (a) the Provost has advised him of his right to obtain legal counsel and that he has been given the opportunity to obtain such counsel; and
  - (b) he is signing this JSP freely and voluntarily, knowing of the potential consequences he faces.
- 15. The Book of Documents by the University provided to the Panel contained a number of prior decisions of this Tribunal and a chart summarizing them.
- 16. Co-Counsel for the University reviewed with the Panel the principles relevant to joint submissions on penalty and the chart summarizing the sanctions which have been given to students by this Tribunal in prior similar cases.
- 17. Co-Counsel also reviewed with the Tribunal the principles relative to sanction as set out in *The University of Toronto and Mr. C.* (Case No. 1976/77-3, November 5, 1976) ("Mr. C."), namely:
  - (a) The character of the Student;
  - (b) The likelihood of a repetition of the offence;
  - (c) The nature of the offence committed;
  - (d) Any extenuating circumstances;



- (e) The detriment to the University caused by the misconduct; and
  - (f) The need for general deterrence.
18. In this regard, Co-Counsel submitted that the Student's conduct was serious and deliberate, however, the Student had admitted his conduct at the meeting with the Dean's designate, had demonstrated remorse, had entered into an Agreed Statement of Facts and Joint Submission on Penalty with the University, and his conduct mostly occurred during the early days of the pandemic. This was the Student's fourth offence and so a significant sanction was warranted. It was also highly concerning that two of those offences occurred after the Student had already received a warning. The proposed penalty was also in the range of the sanctions imposed by this Tribunal in similar circumstances.

### **Sanction Decision**

19. After deliberations, the Panel accepted the Joint Submission on Penalty and ordered that the following sanctions shall be imposed on the Student:
- (a) a final grade of zero in the course CHM110H5 in Fall 2020;
  - (b) the Student will be suspended from the University of Toronto for a period of 3 years, commencing on May 1, 2022 and ending on April 30, 2025;
  - (c) this sanction will be recorded on the Student's academic record and transcript from the date of the Tribunal's order until graduation; and
  - (d) that this case be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction imposed in the University of Toronto newspapers, with the name of the Student withheld.
20. An Order was signed at the hearing by the Panel to this effect.

### **Reasons for Sanction**

21. The Panel considered the factors and principles relevant to sanction in *Mr. C*, supra, as set out above.
22. In addition to these factors, the Panel considered the other decisions of this Tribunal involving similar misconduct as contained in the University's Book of Documents and the sanctions imposed. However, the Panel remained cognizant of the fact that no two cases are identical and that it is not bound by past decisions of this Tribunal. However, the Tribunal does try to develop a consistent body of cases so that students are treated fairly and consistently in similar circumstances. As a result, the Panel was satisfied that the Joint Submission on Penalty was appropriate and reasonable in the circumstances.
23. By cheating on the Exam, the Student undermined the grades-based system of evaluation and broke the honour code that is essential to modern learning. In that regard, the pandemic and the resulting required online learning provides more opportunities for students to cheat, requiring the University to go to considerable lengths to detect and uncover students' misconduct.
24. As this Tribunal has stated in other decisions, in today's online world, it is easy for students to find new ways to access unauthorized assistance and so any sanction must denounce cheating on tests and deter others in order to protect the academic integrity of the University. Students must understand that this kind of misconduct will have serious repercussions, so that they will be dissuaded from the temptation to consider cheating.

Dated at Toronto, this 20<sup>th</sup> day of June 2022

Original signed by:

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Mr. Christopher Wirth, Chair  
On behalf of the Panel