

**THE UNIVERSITY TRIBUNAL  
THE UNIVERSITY OF TORONTO**

**IN THE MATTER OF** charges of academic dishonesty filed on July 28, 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:

**UNIVERSITY OF TORONTO**

- and -

M [REDACTED] T [REDACTED]

**REASONS FOR DECISION**

**Hearing Date:** October 25, 2022, via Zoom

**Members of the Panel:**

Ms. Ira Parghi, Chair

Professor Seamus Ross, Faculty Panel Member

Mr. Sterling Mancuso, Student Panel Member

**Appearances:**

Mr. William Webb, Assistant Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Mr. Justin Nathens, Downtown Legal Services, Representative for the Student

**Hearing Secretary:**

Mr. Christopher Lang, Director, Office of Appeals, Discipline and Faculty Grievances

**In Attendance:**

Ms. M [REDACTED] T [REDACTED]

## I. Introduction

1. The Trial Division of the University Tribunal was convened via videoconference on October 25, 2022 to consider charges brought against M█████ T█████ (the “Student”) by the University of Toronto (“the University”) pursuant to the *University of Toronto Code of Behaviour on Academic Matters, 1995* (the “Code”) on July 28, 2022. The charges involve allegations of academic dishonesty on three separate occasions. The charges alleged that the Student knowingly represented as their own an idea or expression of an idea, and/or the work of another, on or about October 20, 2021 in a mid-term test in the course PSY240H5F, on or about October 22, 2022 in a mid-term test in the course PSY270H5F, and on or about December 20, 2021 in the final exam in the course PSY240H5F.
2. The charges were as follows:
  1. On or about October 20, 2021, you knowingly represented as your own an idea or expression of an idea or work of another in the midterm test in PSY240H5F, contrary to section B.I.1(d) of the *Code*.
  2. In the alternative, on or about October 20, 2021, you knowingly possessed an aid or aids or obtained unauthorized assistance in connection with the midterm test in PSY240H5F, contrary to section B.I.1(b) of the *Code*.
  3. In the further alternative, on or about October 20, 2021, 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 midterm test in PSY240H5F, contrary to section B.I.3(b) of the *Code*.
  4. On or about October 22, 2021, you knowingly represented as your own an idea or expression of an idea or work of another in the midterm test in PSY270H5F, contrary to section B.I.1(d) of the *Code*.
  5. In the alternative, on or about October 22, 2021, you knowingly possessed an aid or aids or obtained unauthorized assistance in connection with the midterm test in PSY270H5F, contrary to section B.I.1(b) of the *Code*.
  6. In the further alternative, on or about October 22, 2021, 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 midterm test in PSY270H5F, contrary to section B.I.3(b) of the *Code*.
  7. On or about December 20, 2021, you knowingly represented as your own an idea or expression of an idea or work of another in the final exam in PSY240H5F, contrary to section B.I.1(d) of the *Code*.
  8. In the alternative, on or about December 20, 2021, you knowingly possessed an aid or aids or obtained unauthorized assistance in connection with the final exam in PSY240H5F, contrary to section B.I.1(b) of the *Code*.
  9. In the further alternative, on or about December 20, 2021, 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 PSY240H5F, contrary to section B.I.3(b) of the *Code*.
3. The particulars for the charges were as follows:
  1. At all material times you were a student enrolled at the University of Toronto Mississauga.

2. In Fall 2021, you enrolled in PSY240H5F: Introduction to Abnormal Psychology (“PSY240”) and PSY270H5F Cognition: The Machinery of the Mind (“PSY270”).

### 1. The PSY240 Midterm

3. Students in PSY240 were required to write a midterm test, which was worth 30% of their final grade (the “PSY240 Midterm”). Students were not permitted to use any aids in the PSY240 Midterm.
4. On or about October 20, 2021, you submitted your PSY240 Midterm.
5. You submitted your PSY240 Midterm:
  - (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 authors of:
    - i. <https://adaa.org/understanding-anxiety/obsessive-compulsive-disorder-ocd/hoarding-basics>;
    - ii. <https://www.psychiatry.org/patients-families/ocd/what-is-obsessive-compulsive-disorder>;
    - iii. <https://www.mayoclinic.org/diseases-conditions/separation-anxiety-disorder/symptoms-causes/syc-20377455>;
    - iv. <https://www.mentalhelp.net/anxiety/and-illness/>;
    - v. <https://www.mayoclinic.org/diseases-conditions/intermittent-explosive-disorder/symptoms-causes/syc-20373921>;
    - vi. <https://positivepsychology.com/learned-helplessness-seligman-theory-depression-cure/>;
    - vii. <https://opentextbc.ca/introductiontopsychology/chapter/12-1-psychological-disorder-what-makes-a-behavior-abnormal/>;
    - viii. <https://www.goodtherapy.org/blog/depression-cant-be-cured-0209124/>;
    - ix. <https://www.mayoclinic.org/diseases-conditions/depression/expert-answers/clinical-depression/faq-20057770>;
    - x. <https://www.mayoclinic.org/diseases-conditions/depression/diagnosis-treatment/drc-20356013>;
    - xi. <https://mint.intuit.com/blog/relationships/chrometophobia-fear-of-money-4734/>;
    - xii. <https://optimistminds.com/soteriophobia/>;
    - xiii. <https://pubmed.ncbi.nlm.nih.gov/10761279/> (collectively, the “PSY240 Midterm Sources”); and
  - (c) knowing that you did not properly reference the ideas, expressions of ideas or work that you drew from the PSY240 Midterm Sources or from others.

6. You knew that the PSY240 Midterm Sources were not authorized aids to which you were allowed to refer in completing the PSY240 Midterm.
7. You knowingly obtained unauthorized assistance from the PSY240 Midterm Sources or from others.
8. You knowingly submitted your PSY240 Midterm with the intention that the University of Toronto rely on it as containing your own ideas or work in considering the appropriate academic credit to be assigned to your work.

## 2. The PSY270H5F Midterm

9. Students in PSY270 were required to write a midterm test, which was worth 28% of their final grade (the “PSY270 Midterm”). The PSY270 Midterm was an open-book test in which students were permitted to use their course notes and textbook, but students were not to make use of any external sources.
10. On or about October 22, 2021, you submitted your PSY270 Midterm.
11. You submitted your PSY270 Midterm:
  - (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 authors of:
    - i. <https://www.interaction-design.org/literature/topics/affordances;>
    - ii. <https://dictionary.apa.org/direct-perception;>
    - iii. <https://www.techopedia.com/definition/13111/processing-capacity;>
    - iv. <https://www.mindtools.com/pages/article/newLML411.html#:~:text=%20Cognitive%20load%22%20relates%20to%20the,t%20directly%20contribute%20to%20learning;>
    - v. [https://en.wikipedia.org/wiki/Multiple\\_trace\\_theory#:~:text=Multiple%20trace%20theory%20states%20that,unique%20set%20of%20numerical%20attributes;](https://en.wikipedia.org/wiki/Multiple_trace_theory#:~:text=Multiple%20trace%20theory%20states%20that,unique%20set%20of%20numerical%20attributes;)
    - vi. <https://www.verywellmind.com/what-is-the-hippocampus-2795231;>
    - vii. <https://www.sciencedirect.com/topics/psychology/systems-consolidation;>
    - viii. The PSY270 Fall 2020 UTM Midterm Answer key;
    - ix. The PSY270 Winter 2018 Term test 1 Answer Key (collectively, the “PSY270 Midterm Sources”); and
  - (c) knowing that you did not properly reference the ideas, expressions of ideas or work that you drew from the PSY270 Midterm Sources or from others.
12. You knew that the PSY270 Midterm Sources were not authorized aids to which you were allowed to refer in completing the PSY270 Midterm.
13. You knowingly obtained unauthorized assistance from the PSY270 Midterm Sources or from others.

14. You knowingly submitted your PSY270 Midterm with the intention that the University of Toronto rely on it as containing your own ideas or work in considering the appropriate academic credit to be assigned to your work.

### 3. The PSY240 Final

15. Students in PSY240 were required to write a final exam, which was worth 35% of their final grade (the “PSY240 Final”). Students were not permitted to use any aids in the PSY240 Final.
16. On or about December 20, 2021, you submitted your PSY240 Final.
17. You submitted your PSY240 Final:
  - (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 authors of:
    - i. <https://courses.lumenlearning.com/boundless-ap/chapter/stress-and-immunity/>;
    - ii. <https://www.verywellmind.com/the-stages-of-change-model-of-overcoming-addiction-21961>;
    - iii. <https://www.healthline.com/health/obesophobia>;
    - iv. <https://www.ncbi.nlm.nih.gov/books/NBK236261/>;
    - v. <https://my.clevelandclinic.org/health/diseases/9599-delusional-disorder>;
    - vi. <https://www.mayoclinic.org/diseases-conditions/schizoaffective-disorder/symptomscauses/syc-20354504>;
    - vii. [https://en.wikipedia.org/wiki/Dimensional\\_models\\_of\\_personality\\_disorders](https://en.wikipedia.org/wiki/Dimensional_models_of_personality_disorders) (collectively, the “PSY240 Final Sources”); and
  - (c) knowing that you did not properly reference the ideas, expressions of ideas or work that you drew from the PSY240 Final Sources or from others.
18. You knew that the PSY240 Final Sources were not authorized aids to which you were allowed to refer in completing the PSY240 Final.
19. You knowingly obtained unauthorized assistance from the PSY240 Final Sources or from others.
20. You knowingly submitted your PSY240 Final with the intention that the University of Toronto rely on it as containing your own ideas or work in considering the appropriate academic credit to be assigned to your work.

4. The Student attended the hearing. She was represented by Mr. Justin Nathens of Downtown Legal Services.

## II. Liability

5. The Provost of the University and the Student filed a Joint Book of Documents, which included an Agreed Statement of Facts (“ASF”) that was signed by the Student on October 13, 2022. The

University and the Student agreed that each of the documents attached to the ASF could 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 that, 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.

6. The relevant facts in this matter, as set forth in the ASF, are reproduced here (with references to underlying documentation removed):

*A. Background*

7. In Fall 2021, the student enrolled in PSY240H5F: Introduction to Abnormal Psychology ("PSY240"), which was taught by Simone Walker. The student admits that she received and reviewed a copy of the PSY240 syllabus at the start of the semester.
8. In Fall 2021, the student enrolled in PSY270H5F Cognition: The Machinery of the Mind ("PSY270"), which was taught by Christine Burton. The student admits that she received and reviewed a copy of the PSY270 syllabus at the start of the semester.

*B. Offence 1: The PSY240 Midterm*

9. Students in PSY240 were required to write a midterm, which was worth 30% of their final grade in the course (the "PSY240 Midterm"). The PSY240 Midterm was administered on October 20, 2021. The PSY240 Midterm stated that students were not permitted to use any aids, and students were required to confirm that they would adhere to the *Code*.
10. On October 20, 2021, the student submitted her PSY240 Midterm. The student confirmed that she adhered to the *Code* in writing her PSY240 Midterm.
11. Professor Walker reviewed the student's PSY240 Midterm and found that all of the student's short answer responses were copied from online sources without attribution, including:
  - (a) <https://adaa.org/understanding-anxiety/obsessive-compulsive-disorder-ocd/hoarding-basics>
  - (b) <https://www.psychiatry.org/patients-families/ocd/what-is-obsessive-compulsive-disorder>
  - (c) <https://www.mayoclinic.org/diseases-conditions/separation-anxiety-disorder/symptoms-causes/syc-20377455>
  - (d) <https://www.mentalhelp.net/anxiety/and-illness/>
  - (e) <https://www.mayoclinic.org/diseases-conditions/intermittent-explosive-disorder/symptoms-causes/syc-20373921>
  - (f) <https://positivepsychology.com/learned-helplessness-seligman-theory-depression-cure/>
  - (g) <https://opentextbc.ca/introductiontopsychology/chapter/12-1-psychological-disorder-what-makes-a-behavior-abnormal/>
  - (h) <https://www.goodtherapy.org/blog/depression-cant-be-cured-0209124/>
  - (i) <https://www.mayoclinic.org/diseases-conditions/depression/expert-answers/clinical-depression/faq-20057770>

- (j) <https://www.mayoclinic.org/diseases-conditions/depression/diagnosis-treatment/drc-20356013>
- (k) <https://mint.intuit.com/blog/relationships/chrometophobia-fear-of-money-4734/>
- (l) <https://optimistminds.com/soteriophobia/>
- (m) <https://pubmed.ncbi.nlm.nih.gov/10761279/> (collectively, the “PSY240 Midterm Sources”).

13. Professor Walker prepared an academic integrity report on plagiarism comparing the student’s PSY240 Midterm to the PSY240 Midterm Sources.

*C. Offence 2: The PSY270 Midterm*

14. Students in PSY270 were required to write a midterm, which was worth 28% of their final grade (the “PSY270 Midterm”). The PSY270 Midterm was administered on October 22, 2021. The PSY270 Midterm was an open-book test in which students were permitted to use their course notes and textbook, but the professor provided clear written instructions on Quercus, as well as verbally during lecture, that students were not to make use of any external sources.

15. On October 22, 2021, the student submitted her PSY270 Midterm.

16. Professor Burton reviewed the student’s PSY270 Midterm and found that all of the student’s short answer responses were copied from online sources without attribution, including:

- (a) <https://www.interaction-design.org/literature/topics/affordances>
- (b) <https://dictionary.apa.org/direct-perception>
- (c) <https://www.techopedia.com/definition/13111/processing-capacity>
- (d) <https://www.mindtools.com/pages/article/newLML401.html#:~:text=%22Cognitive%20load%22%20relates%20to%20the,t%20directly%20contribute%20to%20learning>
- (e) [https://en.wikipedia.org/wiki/Multiple\\_trace\\_theory#:~:text=Multiple%20trace%20theory%20states%20that,unique%20set%20of%20numerical%20attributes](https://en.wikipedia.org/wiki/Multiple_trace_theory#:~:text=Multiple%20trace%20theory%20states%20that,unique%20set%20of%20numerical%20attributes)
- (f) <https://www.verywellmind.com/what-is-the-hippocampus-2795231>
- (g) <https://www.sciencedirect.com/topics/psychology/systems-consolidation> (collectively, the “PSY270 Midterm Sources”).

18. Professor Burton prepared an academic integrity report on plagiarism comparing the student’s PSY270 Midterm to the PSY270 Midterm Sources.

19. Professor Burton’s academic integrity report states that, in addition to the PSY270 Midterm Sources, the student copied some of her PSY270 Midterm answers from the Fall 2020 and Winter 2018 PSY270 midterm answer keys without attribution. The student copied these answers from Course Hero, which contained copies of PSY270 answer keys from prior years, without attribution. Course Hero is an online learning platform that advertises it offers millions of course-specific study resources. The student does not have copies of these Course Hero documents but admits that she accessed and copied these answers from Course Hero without attribution during the PSY270 Midterm.

*D. Instructor meetings*

20. On November 2, 2021, the student met with Professor Burton to discuss the allegations that she committed academic offences (plagiarism and use of unauthorized aids) in connection with her PSY270 Midterm.
21. On November 5, 2021, the student met with Professor Walker to discuss the allegations that she committed academic offences (plagiarism and use of unauthorized aids) in connection with her PSY240 Midterm.

*E. Offence 3: The PSY240 Final*

22. Students in PSY240 were required to write a final exam, which was worth 35% of their final grade (the “PSY240 Final”). The PSY240 Final was administered on December 20, 2021. The PSY240 Final stated that students were not permitted to use any aids, and students were required to confirm that they would adhere to the *Code*.
23. On December 20, 2021, the student submitted her PSY240 Final. The student confirmed that she adhered to the *Code* in writing her PSY240 Final.
24. Professor Walker reviewed the student’s PSY240 Final and found that most of the student’s short answer responses were copied from online sources without attribution, including:
  - (a) <https://courses.lumenlearning.com/boundless-ap/chapter/stress-and-immunity/>
  - (b) <https://www.verywellmind.com/the-stages-of-change-model-of-overcoming-addiction-21961>
  - (c) <https://www.healthline.com/health/obesophobia>
  - (d) <https://www.ncbi.nlm.nih.gov/books/NBK236261/>
  - (e) <https://my.clevelandclinic.org/health/diseases/9599-delusional-disorder>
  - (f) <https://www.mayoclinic.org/diseases-conditions/schizoaffective-disorder/symptomscauses/syc-20354504>
  - (g) [https://en.wikipedia.org/wiki/Dimensional\\_models\\_of\\_personality\\_disorders](https://en.wikipedia.org/wiki/Dimensional_models_of_personality_disorders)
  - (h) [https://en.wikipedia.org/wiki/Dimensional\\_models\\_of\\_personality\\_disorders](https://en.wikipedia.org/wiki/Dimensional_models_of_personality_disorders) (collectively, the “PSY240 Final Sources”).

26. Professor Walker prepared an academic integrity report on plagiarism comparing the student’s PSY240 Final to the PSY240 Final Sources.

*F. The Dean’s Designate meeting*

27. On February 8, 2022, the student met with Dean’s Designate Michael Georges to discuss her PSY270 Midterm, her PSY240 Midterm, and her PSY240 Final. The student acknowledges that Professor Georges provided her with the required warnings under the *Code*. During the meeting, Professor Georges went over parts of the PSY270 Midterm report, the PSY240 Midterm report, and the PSY240 Final report with the student. After going over each report, the student admitted to plagiarism in her PSY270 Midterm, her PSY240 Midterm, and her PSY240 Final.

*G. Admissions and acknowledgements*

28. The student admits that:
    - (a) she plagiarized and obtained unauthorized assistance from the PSY240 Midterm Sources in her PSY240 Midterm;
    - (b) she plagiarized and obtained unauthorized assistance from the PSY270 Midterm Sources and Course Hero in her PSY270 Midterm; and
    - (c) she plagiarized and obtained unauthorized assistance from the PSY240 Final Sources in her PSY240 Final.
  29. The student admits that, in the PSY240 Midterm, the PSY270 Midterm, and the PSY240 Final, she knew or ought to have known that:
    - (a) she was representing the ideas of another author, the expression of the ideas of the author, and the work of the author as her own, contrary to section B.I.1(d) of the *Code*;
    - (b) she used or possessed an unauthorized aid or aids or obtained unauthorized assistance, contrary to section B.I.1(b) of the *Code*; and
    - (c) she 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, contrary to section B.I.3(b) of the *Code*.
  30. The student acknowledges that she is signing this ASF freely and voluntarily, knowing of the potential consequences she faces, and does so with the advice of counsel or having waived the right to obtain counsel.
  31. The student acknowledges that the Provost has made no representations to her regarding what penalty she will seek in this proceeding.
7. The onus on the University was to establish on a balance of probabilities, through clear and convincing evidence, that the Student had committed an academic offence.
  8. As noted above, the Student was charged with three counts of knowingly representing as her own an idea or expression of an idea or the work of another, under section B.I.1(d) of the Code. The Student was also charged, in the alternative, with three counts of knowingly possessing an aid or aids or obtaining unauthorized assistance, under section B.I.1(b) of the Code. Additionally, the student was charged, in the further alternative, with three counts of knowingly engaging in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code to obtain academic credit or other academic advantage of any kind, under section B.I.3(b) of the Code.
  9. Upon review of the ASF (including the Student's admissions contained in the ASF) and the documents attached to the ASF, and upon hearing the submissions of counsel, the Tribunal was satisfied on the balance of probabilities that, on all three occasions at issue – the mid-term test in PSY240H5F on October 20, 2021; the mid-term test in PSY270H5F on October 22, 2021; and the final exam in PSY240H5F on December 20, 2021 – the Student knowingly represented as her own an idea or expression of an idea, and/or the work of another. The Tribunal therefore accepted the Student's guilty plea in respect of the three counts of the offence under section B.I.1(d) of the Code.
  10. In light of the Tribunal's finding on this charge, the second set of charges, relating to possession of aids or obtaining of unauthorized assistance contrary to section B.I.1(b) of the Code in respect of the two mid-term tests and the final exam, was withdrawn by the University. Additionally, the third

set of charges, relating to other forms of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code contrary to section B.I.3(b) of the Code in respect of the two mid-term tests and the final exam, was withdrawn by the University.

### III. Penalty

11. The Joint Book of Documents filed by the Provost of the University and the Student included an Agreed Statement of Facts on Penalty (“ASF-Penalty”) that was signed by the Student on October 13, 2022. The University and the Student agreed that each of the documents attached to the ASF-Penalty could 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 that, 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.

12. The facts in this matter relevant to penalty, as set forth in the ASF-Penalty, are reproduced here (with references to underlying documentation removed):

2. The Academic Integrity Unit at the University of Toronto Mississauga 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. First Offence: Plagiarism

3. In Fall 2020, the student enrolled in ANT102H5F. On November 29, 2020, the student submitted her final paper in ANT102H5F, which was worth 20% of her final grade.

4. On February 22, 2021, the Academic Integrity Unit emailed the student about her final paper. The Academic Integrity Unit noted that substantial sections of her final paper appeared to be copied from published sources without proper acknowledgment. The Academic Integrity Unit gave the student the opportunity to admit to plagiarism and accept the following sanction:

(a) a mark of zero on the final paper, and

(b) a 12-month notation on the student’s academic record and transcript from March 12, 2021, to March 12, 2022.

5. The Academic Integrity Unit’s email contained the following warning: “Please note that should a subsequent allegation of misconduct be brought to my attention, it will be taken into account that this is not your first allegation and the consequences may be more severe.”

6. Later that day, the student responded to the Academic Integrity Unit by admitting to plagiarizing in her final paper and accepting the proposed sanction.

7. The University of Toronto Mississauga subsequently imposed this sanction on the student.

8. The student acknowledges that she is signing this ASF freely and voluntarily, knowing of the potential consequences she faces, and does so with the advice of counsel or having waived the right to obtain counsel.

9. The student acknowledges that the Provost has made no representations to her regarding what penalty she will seek in this proceeding.

13. The Joint Book of Documents filed by the Provost of the University and the Student included a Joint Submission on Penalty (“JSP”). The JSP was signed by the Student on October 18, 2022. The JSP requested that the sanction in this matter be as follows:
- (a) A final grade of zero in PSY240H5F in Fall 2021;
  - (b) A final grade of zero in PSY270H5F in Fall 2021;
  - (c) A suspension from the University for three years and eight months commencing on January 1, 2023; and
  - (d) A notation of the offence on the student’s academic [record] and [transcript] for five years from the date of Tribunal’s order. (NOTE: It was discovered post-hearing that the language in the JSP and Order erroneously referred to the student’s “academic and record” instead of “academic record and transcript”. The corrected language is reflected here.)
14. The JSP also indicated that 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.
15. The JSP contained an acknowledgement from the Student that she had signed the JSP freely and voluntarily, knowing of the potential consequences she faced and knowing that the Tribunal is not bound by the JSP and has the discretion to impose a different penalty, including a more severe one.
16. The Student provided affidavit evidence on the issue of penalty. The affidavit outlined various personal difficulties that the Student was experiencing at the time she committed the offences. The personal difficulties she was experiencing were a consequence of the COVID pandemic. They included mental health issues, isolation, difficulty sleeping, tension headaches, and difficulty focusing on her studies. She nonetheless wished to succeed academically. This resulted in her committing the offences at issue. In her affidavit, the Student admitted to plagiarizing and obtaining unauthorized assistance in all three of the exams and voiced regret and remorse for her actions. Since committing the offences, she has been using online resources to help her develop coping strategies for her mental health issue, which have resulted in an improvement of her health. She is confident that she will be able to use the coping strategies she has learned to prevent similar situations involving academic dishonesty from recurring in the future.
17. Both counsel for the University and representative for the Student made oral submissions with respect to penalty.
18. When a JSP is filed, as here, the Tribunal is not bound to follow it when determining the sanction in the case before it. However, the case law is clear that a JSP should be disregarded by the Tribunal only where giving effect to the sanction would be contrary to the public interest or would bring the administration of justice into disrepute (*see, e.g., University of Toronto and Y.W.* (Case No. 1155, July 26, 2021), *University of Toronto and P.H.Q.* (Case No. 982, May 8, 2019)).
19. In the circumstances of this case, for the reasons outlined below, the Tribunal had no concern that proceeding in accordance with the JSP would be contrary to the public interest or bring the administration of justice into disrepute.
20. The Tribunal considered the principles and factors relevant to sanction as articulated in *University of Toronto and Mr. C.* (Case No. 1976/77-3, November 5, 1976). The Tribunal determined that

these factors supported the imposition of the JSP. In this regard, the Tribunal observed the following:

- a. *The nature of the offence and the detriment to the University occasioned by the offence.* The offence is serious in nature and causes great detriment to the University and its students. A number of Tribunal decisions (e.g. *University of Toronto and Y.G.* (Case No. 802, September 28, 2015)) have observed that plagiarism corrodes academic integrity at the University and undermines the relationship of trust between the University and its students. For these reasons, plagiarism is considered in the cases to be a very serious offence that warrants a serious penalty. The plagiarism involved here was deliberate and extensive.
- b. *The need to deter others from committing a similar offence.* There is a strong need to deter others from committing a similar offence, for many of the reasons noted above. 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.
- c. *The likelihood of a repetition of the offence.* The Student has committed plagiarism four times in total. The latter three of those offences formed the subject matter of this hearing. The first offence took place in February 2021 and resulted in the Student being issued a warning. The second and third offences took place in October 2021 and led to the Student meeting with both of the course professors in the month of November 2021. In December 2021, the Student committed the fourth offence. The Tribunal was concerned by the multiple instances of plagiarism. The Tribunal was also concerned that the second and third offences took place after the Student had received a warning in respect of the first offence, and that the fourth offence took place the month after the Student met with the course professors in respect of the prior two offences. Although the Tribunal appreciates that the Student has voiced regret and remorse over her actions, the Tribunal does have some concern about possible future repetition. In the Tribunal's view, a significant period of suspension is therefore appropriate.
- d. *The character of the Student.* The Tribunal was concerned by the number of occasions of plagiarism and by their timing relative to one another and to the Student's receipt of a warning and meetings with her professors. However, the Tribunal also noted certain considerations that mitigated against a more severe penalty. The Student accepted responsibility for, and demonstrated insight into, her behaviour by pleading guilty early in the process, at the Dean's meeting in February 2022. She cooperated with the University's academic discipline process, including by attending the hearing before the Tribunal. Her affidavit evidence articulated her regret and remorse for her actions and indicated that she has been seeking help for her mental health issues through on-line resources.
- e. *Extenuating circumstances.* At the time she committed the offences, the Student was experiencing personal difficulties due to the COVID pandemic, including mental health issues.

21. The Tribunal was satisfied that these various factors were appropriately reflected in the JSP.

22. In support of the three year and eight-month suspension contained in the JSP, the Tribunal was directed by the parties to a number of prior decisions of the Tribunal in which students who had committed multiple prior or concurrent offences were suspended for three to five years.

23. Cases in which a three-year suspension was imposed (*e.g. University of Toronto and Q.H.* (Case No. 1003, February 22, 2019), *University of Toronto and S.S.* (Case No. 910, June 8, 2017), and *University of Toronto and D.L.* (Case No. 1090, March 4, 2021)) generally have been ones in which the students had fewer offences than in this case.
24. Cases in which a five-year suspension was imposed (*e.g. University of Toronto and S.P.* (Case No. 654, August 9, 2012) and *University of Toronto and I.S.* (Case No. 1212, November 3, 2021)) generally involved multiple prior offences, like this case, but involved more offences and, in some cases, no evidence of mitigation. For example, in *University of Toronto and S.P.*, the Student had committed four prior offences, one of which resulted in a 12-month suspension; one term after returning from the suspension the Student committed another offence. Additionally, there were no challenging personal circumstances that gave rise to the offences at issue.
25. Cases in which a four-year suspension was imposed (*e.g. University of Toronto and K.P.* (Case No. 660, February 6, 2012) and *University of Toronto and O.E.* (Case No. 923, August 30, 2017)) were factually closer to this case: they involved multiple prior offences and warnings, and students who had cooperated with the University's academic discipline process, and mitigating circumstances.
26. The Tribunal determined that the JSP proposed here fell within the well-defined range of penalties established by the jurisprudence for cases like this one.
27. The Tribunal also determined that, in all of the circumstances, the appropriate penalty was the one submitted by the parties in the JSP.

#### **IV. Order**

28. At the conclusion of the hearing, the Tribunal made the following order:
  1. [The Student] is guilty of three counts of knowingly representing the ideas of another author, the expression of the ideas of the author, and the work of the author as her own, contrary to section B.I.1(d) of the Code of Behaviour on Academic Matters;
  2. The following sanctions shall be imposed on [the Student]:
    - i. A final grade of zero in PSY240H5F in Fall 2021;
    - ii. A final grade of zero in PSY270H5F in Fall 2021;
    - iii. A suspension from the University for three years and eight months commencing on January 1, 2023; and
    - iv. A notation of the offence on the student's academic record and transcript for five years from the date of Tribunal's order. (NOTE: As indicated above, this is the corrected language for the order.)
  3. This case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanctions imposed, with the name of the student withheld.

Dated at Toronto, this 16th day of December, 2022.

Original signed by:

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Ira Parghi, Chair  
On behalf of the Panel