

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty filed on January 26, 2022,

AND IN THE MATTER OF the University of Toronto *Code of Behaviour on Academic Matters, 2019*,

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 -

I ████████ M ████████

REASONS FOR DECISION

Hearing Date: December 9, 2022 and February 10, 2023, via Zoom

Panel Members:

Christopher Wirth, Chair
Professor Vivienne Luk, Faculty Panel Member
Giselle Sami Dalili, Student Panel Member

Appearances:

Tina Lie, Assistant Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP
William Webb, Assistant Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Hearing Secretary:

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

Not in Attendance:

I ████████ M ████████

1. A Panel of the Trial Division of the University Tribunal was convened on December 9, 2022, by videoconference to consider charges brought by the University of Toronto (the “University”) against [REDACTED] M [REDACTED] (the “Student”) under the University’s *Code of Behaviour on Academic Matters, 2019* (the “Code”).

Preliminary Issue: Proceeding in the Absence of the Student

2. The hearing was scheduled to begin at 9:45 a.m. At that time, neither the Student, nor anyone on the Student’s behalf, were logged onto the Zoom link. The Panel adjourned the hearing until 10:00 a.m. to allow time for the Student to attend it. At that time, the Student was still not present and the University then requested that the Panel proceed with the hearing in the Student’s absence.
3. Pursuant to Rule 16 of the University Tribunal’s *Rules of Practice and Procedure* (“Rules”), a notice of an electronic hearing must include the date, time, place and purpose of the hearing; a reference to the statutory authority under which the hearing will be held; information about the manner in which the hearing will be held; and a statement that if a person does not attend the hearing, the Panel may proceed in the person’s absence. Rule 17 provides that where notice of an electronic hearing has been given to a person and that person does not attend the hearing, the Panel may proceed with the hearing in the party’s absence. The Rules conform to sections 6 and 7 of the *Statutory Powers Procedure Act* (the “SPPA”), which set out the notice requirements.
4. Pursuant to Rule 9, a notice of hearing may be served on a student by various means, including by emailing a copy of the document to the student’s email address contained in the University’s Repository of Student Information (“ROSI”).
5. The University’s *Policy on Official Correspondence with Students* dated September 1, 2006 expressly states that students are responsible for maintaining on ROSI a current and valid mailing address and University-issued email account, and that “[f]ailure to do so may result in a student missing important information and will not be considered an acceptable rationale for failing to receive official correspondence from the University.” Students are expected to monitor and retrieve their email on a frequent and consistent basis. Students

have the right to forward their University issued email account to another email account, but remain responsible for ensuring that all University email communications are received and read.

6. The onus of proof is on the University to establish that it provided the Student with reasonable notice of the hearing in accordance with these Rules.
7. In this case, the University provided evidence relevant to service by way of the evidence of two witnesses: Alexciya Blair (“Ms. Blair”), a Legal Assistant at the law firm of Paliare Roland Rosenberg Rothstein LLP and Andrew Wagg (“Mr. Wagg”), a Manager, Incident Response at Information Security, Information Technology Services at the University. These two witnesses provided their evidence by affidavit, which were accepted by the Panel pursuant to Rule 61 of the Rules.
8. The contents of the affidavits (without Exhibits) of these two witnesses are set out below:

a) Evidence of Ms. Blair

9. Ms. Blair’s affidavit provides as follows:
 1. I am a legal assistant at the law firm Paliare Roland Rosenberg Rothstein LLP. I work with William Webb, an associate at Paliare Roland, who acts as Assistant Discipline Counsel to the University of Toronto. As such, I have knowledge of the matters contained in this affidavit. Where I do not have direct knowledge of a matter contained in this affidavit, I state the source of my knowledge and I believe it to be true.
 - A. *Correspondence with UTSC*
 2. Our office received a file from the Office of the Dean & Vice-Principal Academic at the University of Toronto Scarborough that contained a copy of an email and letter from their office to ██████ M█████ (the “Student”). The letter states that the Student attended a dean’s designate meeting on October 26, 2021 to discuss the allegations that she forged documents in support of an award and plagiarized in an essay. Our office also received a copy of the meeting notes from the dean’s

designate meeting that took place on October 26, 2021. I have attached a copy of this email and letter, and the meeting notes to my affidavit as **Exhibit A**.

3. The Office of the Dean & Vice-Principal Academic also provided our office with a copy of the contact information for the student in the University's Repository of Student Information ("ROSI") and a copy of her academic record. I have attached a copy of the Student's contact information and academic record to my affidavit as **Exhibit B**.
4. The Student's academic record shows that she has not enrolled in courses at the University since the Winter 2022 semester.

B. Charges and Disclosure

5. On January 26, 2022, the Office of the Vice-Provost, Faculty and Academic Life served the charges in this matter on the Student by email to her official University email address. I have attached a copy of this email and the charges to my affidavit as **Exhibit C**.
6. On January 26, 2022, Robert Centa (as he then was), sent the Student an email to introduce himself as the prosecutor who was assigned to present the case against the Student at the University Tribunal. I have attached a copy of this email to my affidavit as **Exhibit D**.
7. On January 26, 2022, the Office of Appeals, Discipline and Faculty Grievances (the "ADFG Office") sent the Student a letter about the charges and a pamphlet for Downtown Legal Services. I have attached a copy of this email, letter, and pamphlet to my affidavit as **Exhibit E**.
8. On January 27, 2022, the Student responded to Mr. Centa (as he then was) and agreed to meet the next day to discuss the matter. A copy of this email is included in the thread at Exhibit D.
9. Mr. Webb has advised me that, on January 28, 2022, he, Mr. Centa (as he then was), and the Student had a call to discuss the charges.

10. On March 7, 2022, Mr. Webb emailed the Student links to a disclosure letter, a disclosure brief, and a drop box that contained further disclosure materials. On March 10, 2022, the Student responded to Mr. Webb's email. I have attached a copy of the email thread and the disclosure letter to my affidavit as **Exhibit F**.

C. *Hearing*

11. From March to July 2022, Mr. Webb and the Student exchanged several emails about scheduling a hearing.

12. On July 25, 2022, Mr. Webb emailed the Student with several additional dates for a hearing. On July 26, 2022, the Student responded "Fri. Dec 9 (9:45 a.m.)". Copies of these emails are attached to my affidavit at Exhibit F.

13. On July 26, 2022, Mr. Webb emailed the ADFG Office to request that a hearing be scheduled for December 9, 2022 at 9:45 am. On July 28, 2022, the ADFG Office issued a Notice of Electronic Hearing to take place via zoom on December 9, 2022 at 9:45 am. The ADFG Office served the notice on the Student by email to her official University email address. A copy of this email and the Notice of Electronic Hearing is attached to my affidavit as **Exhibit G**.

14. On November 17, 2022, Mr. Webb emailed the Student that he had uploaded additional disclosure to the disclosure drop box. Mr. Webb again provided the Student with the link and the password to the drop box. A copy of this email is attached to my affidavit at Exhibit F.

15. On November 29, 2022, Mr. Webb emailed the Student secured links to the affidavits of the University's witnesses. Mr. Webb stated that the University would rely on the affidavits at the hearing, and he asked the Student to let our office know whether she intended to cross-examine any of the affiants. I have attached a copy of this email to my affidavit as **Exhibit H**.

D. Further Attempts to Contact the Student

16. On November 30, 2022, at 3:42 PM, local Toronto time, Tina Lie, Assistant Discipline Counsel to the University of Toronto and a Partner at Paliare Roland, emailed the Student that she and Mr. Webb would like to discuss the case with her. Ms. Lie also attached a copy of the Notice of Electronic Hearing and cover email from the ADFG Office, and she reminded the Student that the hearing was scheduled for December 9, 2022 at 9:45 am. A copy of this email is included in the email thread at Exhibit H.
17. On December 2, 2022, the ADFG Office informed the parties that their office had a hard stop at around 5:00 or 5:30 pm on the date of the hearing. I have attached a copy of these emails to my affidavit as **Exhibit I**.
18. Mr. Webb has advised me that, on December 6, 2022:
 - (a) He called the Student at the alternate number listed in ROSI, but she did not pick up. He left a message asking the Student to contact him as soon as possible, and reminding the Student that her hearing was scheduled for this Friday December 9 at 9:45 am via Zoom.
 - (b) He tried to call the Student at the business number listed in ROSI, but he received a message stating that the number was no longer in service.
19. There are no other phone numbers for the Student listed in ROSI.

E. Student Web Services Activity Log

20. Acorn is a web-based tool that stores University of Toronto students' academic, personal, and financial records. Students can update their contact information in Acorn. To access their Acorn account, students need to input their UTORid and the password for that account. I have attached a copy of the "about Acorn" webpage to my affidavit as **Exhibit J**.

21. On December 7, 2022, the Office of the Dean & Vice-Principal Academic sent our office a copy of the Student Web Services Activity Log (“SWS Activity Log”) for the Student. The SWS Activity Log shows that the last time that someone accessed the Student’s Acorn account was on November 30, 2022, at 3:04 PM, Toronto time. I have attached a copy of the Student’s SWS Activity Log to my affidavit as **Exhibit K**.

F. LinkedIn Activity

22. The email that the Student sent our office on July 26, 2022 contains a link to her profile on the professional networking website LinkedIn. The profile contains educational information that matches the Student’s academic history in ROSI. As of December 8, 2022, the Student’s LinkedIn profile had made several posts between December 4 and 8, 2022. I have attached a copy of the Student’s LinkedIn profile and its recent activity to my affidavit as **Exhibit L**.

23. To date, our office has not received any communications from the Student since the email that she sent our office on July 26, 2022, in which she confirmed that she was available for a hearing.

b) Evidence of Mr. Wagg

10. Mr. Wagg’s affidavit provides as follows:

1. I am Manager, Incident Response at Information Security, Information Technology Services at the University of Toronto (the “University”). As such, I have knowledge of the matters contained in this affidavit. Where I do not have direct knowledge of a matter contained in this affidavit, I state the source of my knowledge and I believe it to be true.

2. Information Technology Services provides many services to the University, including management of the email accounts used by students. To access an email account one needs to input both the user’s login id and the password for that account. The Microsoft 365 Exchange portal automatically records the last time

someone accessed a particular university-issued email account. This is denoted with the code “LastUserActionTime.” The LastUserActionTime log only updates when someone logs in to a university-issued email account.

3. On December 1, 2022, I checked the portal records to determine the last time someone accessed the email account [REDACTED].m[REDACTED]@mail.utoronto.ca. In order to view the LastUserActionTime log, I ran a PowerShell script.
 4. I determined that the last time someone accessed this e-mail account was on November 30, 2022, at 5:09 PM, local Toronto time.
11. The evidence establishes that the Student was aware that December 9, 2022 had been chosen as the date for the hearing. The University then did everything it could reasonably have done to contact the Student and did take the steps it was required to under the Rules. Accordingly, the Panel was satisfied it was more likely than not that the Student had made a deliberate choice to avoid and turn her back on any official communications from the University and not to attend the hearing. That choice has consequences.
 12. Therefore, in light of the evidence and the submissions of Assistant Discipline Counsel, the Panel was satisfied that the Student had been given reasonable notice of the time, date and place of the hearing and of the fact that it may proceed in her absence if she did not attend it, in compliance with the notice requirements of the SPPA and the Rules. Accordingly, the Panel decided to hear the case on its merits in the absence of the Student.

Charges and Particulars

13. The charges alleged against the Student as filed by the Provost on January 26, 2022 are as follows:

A. CHMB62H3

1. On March 8, 2021, you knowingly represented as your own an idea or the expression of an idea, and/or the work of another in a literature searching assignment titled “The Benefits of Vitamin B6: Harnessing Brain Health and Physical Health Through Increased Vitamin B6 Intake to Prevent Colorectal

Cancer, Heart Disease and Parkinson's disease (PD)“ (the “Assignment”) that you submitted in partial completion of the requirements in CHMB62H3, 2021(1) Introduction to Biochemistry (the “Course”) contrary to section B.I.1(d) of the *Code*.

2. In the alternative to the charge above, on or about March 8, 2021, in the Assignment, 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 the Course, contrary to section B.I.3(b) of the *Code*.

B. *King Faisal Prize*

3. On or about March 30, 2021, you knowingly forged or in any other way altered or falsified an academic record, and/or uttered, circulated or made use of such forged, altered or falsified record, namely, a document that purported to be a letter signed by Hira Ali with the re: line “Nominations for the King Faisal Prize for Medicine for Dr. [REDACTED] M [REDACTED]” (the “Prize in Medicine Nomination Letter”), contrary to section B.I.3(a) of the Code.
4. On or about March 30, 2021, you knowingly forged or in any other way altered or falsified an academic record, and/or uttered, circulated or made use of such forged, altered or falsified record, namely, a document that purported to be a letter signed by Hira Ali with the re: line “Nominations for the King Faisal Prize for Science for Dr. [REDACTED] M [REDACTED]” (the “Prize in Science Nomination Letter”), contrary to section B.I.3(a) of the Code.
5. On or about October 18, 2021, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of such forged, altered or falsified document, namely, an email from the email address ummatyfoundationcanada@gmail.com, which was sent by you or on your behalf to the Academic Integrity Office at the University of Toronto Scarborough, contrary to section B.I.1(a) of the Code.

6. In the alternative to each of the charges numbered 3 to 5 above, 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, contrary to section B.I.3(b) of the *Code*.
14. The particulars related to charges 1 and 2 are as follows:
- (a) At all material times, you were a registered student in the University of Toronto Scarborough.
 - (b) In Winter 2021, you registered in the Course, which was taught by Natashya Falcone.
 - (c) On or about March 8, 2021, you submitted the Assignment, which was worth 10% of the final grade in the Course.
 - (d) In the Assignment, you knowingly represented the work of other persons as your own, and you knowingly included ideas and expressions that were not your own, but were the ideas and expressions of other persons, which you did not acknowledge.
 - (e) You submitted the Assignment knowing that it contained ideas, the expression of ideas, and verbatim or nearly verbatim text from articles, textbooks, or other academic work that you did not cite appropriately, including but not limited to:
 - (i) Harvard T.H Chan School of Public Health. Vitamin B6.
<https://www.hsph.harvard.edu/nutritionsource/vitamin-b6/>
 - (f) For the purposes of obtaining academic credit and/or other academic advantage, you knowingly committed plagiarism in the Assignment.
15. The particulars related to charges 3, 4, 5 and 6 are as follows:

- (a) At all material times, you were a registered student in the University of Toronto Scarborough.

King Faisal Prize

- (b) In 2021, the King Faisal Prize advertised that it would accept nominations for various prizes from universities, scientific institutions and research centers, but not from individuals or political parties. The King Faisal Prize advertised that its laureates would receive a certificate, a commemorative 24-carat, 200-gram gold medallion, and a sum of SR 750,000 (US\$ 200,000).
- (c) On or about March 29, 2021, you emailed University of Toronto officials, faculty, and/or staff, including Hira Ali, a staff member at the University of Toronto, to request a nomination for the King Faisal Prize due to the work that you had purported to complete on “Gene Editing Technologies and Mathematics.”
- (d) On or about April 1, 2021, you submitted or had an application submitted on your behalf to the King Faisal Prize in medicine, which included a copy of the Prize in Medicine Nomination Letter. Your application contained other documents that state your application had the approval of the University of Toronto.
- (e) On or about April 1, 2021, you submitted or had an application submitted on your behalf to the King Faisal Prize in science, which included a copy of the Prize in Science Nomination Letter.
- (f) The Prize in Medicine Nomination Letter and the Prize in Science Nomination Letter were forged, altered or falsified. They were not prepared or signed by Hira Ali.
- (g) Your applications to the King Faisal Prize in medicine and the King Faisal Prize in science did not have the approval of the University of Toronto.

- (h) You submitted the Prize in Medicine Nomination Letter and the Prize in Science Nomination Letter or had the letters submitted on your behalf to the King Faisal Prize knowing that they had been forged, altered or falsified. You did so as part of applications to the King Faisal Prize and for the purposes of obtaining an academic advantage.
- (i) You knew that your applications to the King Faisal Prize in medicine and the King Faisal Prize in science contained false and/or misleading information. You submitted the applications or had them submitted to the King Faisal Prize for the purposes of obtaining an academic advantage.

The Ummaty Foundation Canada

- (j) On or about July 5, 2021, the Academic Integrity Office at the University of Toronto Scarborough requested that you meet with them to discuss allegations of academic misconduct.
- (k) On or about October 12, 2021, you sent an email to the Academic Integrity Office stating that “UMMATY Foundations” submitted a reference letter on your behalf to the King Faisal Prize.
- (l) On or about October 18, 2021, the Academic Integrity Office received an email from the email address ummatyfoundationcanada@gmail.com, which stated that UMMATY Foundations had sent a letter to the King Faisal Prize to support your application and that there was not any forgery of documents on your part.
- (m) The email from ummatyfoundationcanada@gmail.com to the Academic Integrity Office was forged, altered or falsified. It was not from the Ummaty Foundation Canada.
- (n) You sent the email from ummatyfoundationcanada@gmail.com to the Academic Integrity Office or had it sent on your behalf knowing that the Academic Integrity Office would rely on it.

- (o) You sent the email from ummatyfoundationcanada@gmail.com to the Academic Integrity Office or had it sent on your behalf knowing that it was forged, altered or falsified. You sent the email or had the email sent on your behalf to obtain an academic advantage.
- (p) You sent the email from ummatyfoundationcanada@gmail.com to the Academic Integrity Office or had it sent on your behalf knowing that doing so is a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation. You sent the email or had the email sent on your behalf to obtain an academic advantage.

16. Assistant Discipline Counsel advised the Panel that if a finding was made for Charges 1, 3, 4 and 5, the Provost would then withdraw Charges 2 and 6.

The Student's Position

17. Given that the Student was not present nor represented, she was deemed to have denied the charges. As a result, the hearing proceeded on the basis that the University bore the burden of proving the charges on the balance of probabilities.

Overview

18. In addition to the previously identified affidavits, the University tendered the evidence of three witnesses, Tsuimy Shao ("Ms. Shao"), a PhD student in the Department of Chemistry at the University, Professor James Donaldson ("Professor Donaldson"), a Professor of Chemistry in the Department of Physical and Environmental Sciences and was the Vice Dean, Recruitment, Enrolment and Student Success from 2020 to 2022 at the University and Hira Ali ("Ms. Ali"), an Internship Program Assistant in the Department of Physical and Environmental Sciences and was a Student Services Assistant in the Office of the Registrar, who provided their evidence by affidavit, which was accepted by the Panel pursuant to Rule 61 of the Rules.

19. After careful deliberation, and having considered all the evidence, the Panel found that on the balance of probabilities the evidence was sufficiently clear, cogent and convincing to

discharge the burden of proof on the University and found that the Student had committed academic misconduct.

The Evidence

20. The contents of the affidavits (without Exhibits) of these three witnesses are set out below:

a) Evidence of Ms. Shao

21. Ms. Shao's affidavit provides as follows:

1. I am a PhD student in the Department of Chemistry at the University of Toronto. I have worked as a teaching assistant at the University of Toronto since September 2019. As such, I have personal knowledge of the matters set out in this affidavit. Where I do not have personal knowledge of a matter, I state the source of my information and I believe it to be true.

A. The course

2. In Winter 2021, I was a teaching assistant for the course CHMB62H3: Introduction to Biochemistry (the "course"). The course was taught by Natashya Falcone, who was a doctoral researcher and course instructor at the University of Toronto in Winter 2021. The course is a second-year undergraduate course that provides students with an introduction to the molecular structures of living systems.

3. [REDACTED] M [REDACTED] (the "student") was a student in the course.

4. The syllabus contained a section on academic integrity, which provided a link to the Code of Behaviour on Academic Matters and stated that potential academic offences included "[u]sing someone else's ideas or words without appropriate acknowledgement." I have attached a copy of the syllabus to my affidavit as **Exhibit A**.

B. *The literature searching assignment*

5. Students were required to complete a literature searching assignment, worth 10% of their final grade in the course. The syllabus stated that students would be required to submit their assignments through a Turnitin program imbedded into the Quercus course page, and that Turnitin would be used to detect plagiarism.
6. The assignment instructions stated that students were required to provide citations for all ideas/statements that are not common knowledge to a second-year undergraduate student studying biochemistry, to cite in-text using superscript numbers, to paraphrase rather than use direct quotes, to follow the American Chemical Society (“ACS”) Style Guide, and to use reliable and appropriate academic sources. I have attached a copy of the assignment instructions to my affidavit as **Exhibit B**.
7. The assignment instructions stated that students could access a copy of the ACS style guide on Blackboard, the University’s learning management system. I have attached an excerpt of the ACS style guide that was available to students on Blackboard to my affidavit as **Exhibit C**.
8. The assignment instructions stated that students would peer review each other’s assignments and provide feedback.
9. Students were also given an assignment rubric that stated they would be evaluated based on their references, including their paraphrasing and their compliance with the ACS Style Guide. I have attached a copy of the rubric to my affidavit as **Exhibit D**.
10. On February 14, 2021, the student messaged Instructor Falcone and I on Canvas to ask whether her proposed title was acceptable, who would mark her assignment after she received peer feedback, and whether the page limit included appendices, figures, and tables. Instructor Falcone told the student that her title was a good start and that her teaching assistant would mark the assignment. I have attached a copy of Instructor Falcone’s message to my affidavit as **Exhibit E**.

11. On February 16, 2021, I responded to the student, noting that Instructor Falcone had already responded to her, and that she could find out information about the literature assignment in the instructions. I have attached a copy of all messages between me and the student on Canvas to my affidavit as **Exhibit F**.
12. On February 21, 2021, the student sent me a draft of her assignment and asked me: “Can you please give me feedback on the attached assignment before I hand it in?” The next day, I replied to the student: “Today’s deadline for the literature assignment is only for the draft. You will feedback from 2-3 of your fellow classmates during the upcoming week.” I have attached a copy of the student’s draft assignment to my affidavit as **Exhibit G**.
13. On March 1, 2021, one the students’ classmates sent the student feedback about the assignment. I have attached a copy of the feedback to my affidavit as **Exhibit H**.
14. On March 8, 2021, the student submitted an assignment titled, “The Benefits of Vitamin B6: Harnessing Brain Health and Physical Health Through Increased Vitamin B6 Intake to Prevent Colorectal Cancer, Heart Disease and Parkinson's disease (PD)” (the “Assignment”). I have attached a copy of the student’s Assignment to my affidavit as **Exhibit I**.
15. The Turnitin similarity report for the Assignment came back with a similarity score of 77%. I have attached a screen shot of the Turnitin score to my affidavit as **Exhibit J**.
16. On its webpage about how to similarity scores, Turnitin states that it “actually does not check for plagiarism in your work. What we actually do is check your submissions against our database, and if there are instances where your writing is similar to, or matches against, one of our sources, we will flag this for your instructor to review.” I have attached a copy of this webpage to my affidavit as **Exhibit K**.
17. The Turnitin report showed that the student’s Assignment was similar to an article from Harvard T.H Chan, School of Public Health, titled “Vitamin B6” (the “Harvard

Article”). I have attached a copy of the Harvard Article to my affidavit as **Exhibit L**.

18. On March 11, 2021, the student messaged me about her Assignment. The student stated in part:

It has come to my attention that you accused me of plagiarizing and reported without informing me. I do not appreciate that. Maybe I think 77% like an expert.

This assignment was peer-reviewed and the reviewer did not accuse me and this is what she reported:

[...] Overall, well done! I enjoyed how you talked about various research studies in the literature that examined the benefits/ harms of vitamin B6 on human health. All your information was very up-to-date with the literature and provided great support to your topic. One thing I would finally suggest is to add in-text citations to the paragraphs, as I found the information to not be common knowledge. But. Other than that all the grammar and sentence fragments were well written. Good luck with the final paper and great work!

[Emphasis Added]

19. I had not previously mentioned the issue of plagiarism in the Assignment with the student, but I understand that students can view the Turnitin similarity score after they submit an assignment.
20. The following day, on March 12, 2021, I responded to the student as follows: “Your assignment was flagged on tumitin and as per protocol, it was brought to the instructor’s attention for further investigation. There are no accusations that have been made nor any conclusions as tumitin is not a perfect system. Your assignment mark will just not be uploaded until the investigation is complete.”

C. *Plagiarism in the Assignment*

21. Because Turnitin is not a perfect system, I compared the student’s Assignment to the Harvard Article. The student’s Assignment cites the Harvard Article in its

references section and occasionally provides in-text citations to the Harvard Article. That was not my concern.

22. I was concerned that the student's Assignment copies several paragraphs of text verbatim and near verbatim from the Harvard Article without appropriate in-text citations or quotation marks. The student's failure to appropriately cite ideas and put quotation marks around verbatim and near verbatim text is concerning because the syllabus, the assignment instructions, the rubric, and the ACS style guide provided guidance about these issues. The student also received feedback from a peer that warned her she should add in-text citations. I have attached a chart comparing the student's Assignment to the Harvard Article to my affidavit as **Exhibit M**.
23. On March 22, 2021, Instructor Falcone and I met with the student to discuss our concerns about plagiarism in the Assignment.

b) Evidence of Professor Donaldson

22. Professor Donaldson's affidavit provides as follows:
 1. I am a Professor of Chemistry in the Department of Physical and Environmental Sciences at the University of Toronto Scarborough ("UTSC"). I served as Vice Dean, Recruitment, Enrolment and Student Success at UTSC from 2020 to 2022. The Registrar's Office reported through me to the Dean at that time. As such, I have personal knowledge of the matters set out in this affidavit. Where I do not have personal knowledge of a matter, I state the source of my information and I believe it to be true.
 2. [REDACTED] M [REDACTED] (the "Student") first enrolled in UTSC in Fall 2020. I have attached a copy of the Student's academic record to my affidavit as **Exhibit A**.
 3. [REDACTED].m [REDACTED]@[mail.utoronto.ca](mailto:[REDACTED]@mail.utoronto.ca) is the Student's official University email account. I have attached a copy of the Student's contact information in the Repository of Student Information ("ROSI") to my affidavit as **Exhibit B**.

A. *The King Faisal Prize*

4. On February 18, 2021, the Office of the Vice-Principal Academic & Dean at UTSC sent a call for nominations for members to serve on an advisory committee to appoint a new Vice-Dean Faculty Affairs, Equity & Success. The email contained a memorandum about the call for nominations that was addressed to faculty, staff, and students, but the email itself was only sent to faculty and admin staff.
5. The Student replied to the Office of the Vice-Principal Academic & Dean's email on March 29, 2021. I do not know how the Student obtained a copy of this email.
6. In her reply email, the Student requested a nomination to the King Faisal Prize due to the work that she had purported to complete on "Gene Editing Technologies and Mathematics." The Student sent her email to the Office of the Vice-Principal Academic & Dean at UTSC, the general UTSC faculty email, the general UTSC administrative staff email, UTSC Awards, Hira Ali (a Student Services Assistant in the Office of the Registrar), Maryam Ali (a Manager of Operations & Project Management in the Office of the Vice-Principal Academic & Dean) and Saleha Khan (a Petition's Assistant in the Office of the Registrar). I have attached a copy of the Student's email to my affidavit as **Exhibit C**.
7. On March 29, 2021, Danielle Moed, Coordinator, Student Development Arts & Science Co-op, informed the Student that she would not be able to complete a nomination because she was not familiar with the Student's work. I have attached a copy of this email to my affidavit as **Exhibit D**. To the best of my knowledge, no one else responded to the Student's email.
8. The King Faisal Foundation advertises that the King Faisal Prize recognizes the outstanding works of individuals and institutions in five major categories: Service to Islam, Islamic Studies, Arabic Language and Literature, Medicine, and Science. Its aim is to benefit Muslims in their present and future, inspire them to participate in all aspects of civilization, as well as enrich human knowledge and develop mankind.

I have attached a copy of King Faisal Foundation’s webpage about the King Faisal Prize to my affidavit as **Exhibit E**.

9. On April 1, 2021, Soliman AlMezied (“AlMezied”), Scientific Consultant at the King Faisal Prize, emailed Rhonda Martin, Executive Assistant to the Vice-Principal Academic & Dean, to inquire whether certain nominations that the King Faisal Prize had received were legitimate. Zahra Bhanji, Assistant Dean, Office of the Vice-Principal Academic & Dean, was copied on this email. AlMezied stated that the King Faisal Prize had received documents from a person claiming to be affiliated with the University, including:
 - (a) A document that purported to be a letter signed by Hira Ali with the re: line “Nominations for the King Faisal Prize for Medicine for Dr. I [REDACTED] M [REDACTED]”, dated March 30, 2021 (the “Prize in Medicine Nomination Letter”); and
 - (b) A document that purported to be a letter signed by Hira Ali with the re: line “Nominations for the King Faisal Prize for Science for Dr. I [REDACTED] M [REDACTED]”, dated March 30, 2021 (the “Prize in Science Nomination Letter”)

(collectively, the “Nomination Letters”).
10. AlMezied attached copies of the Nomination Letters to the email that he sent to the University. I have attached copies of the email from AlMezied and the Nomination Letters to my affidavit as **Exhibit F**.
11. Dr. Bhanji sent AlMezied’s email to Curtis Cole, the former Registrar and Assistant Dean (Enrolment Management) at UTSC, and I to investigate. We reached out to Fiorella Sabadin, Associate Registrar and Director of Student Services at UTSC, to see whether Ms. Ali wrote the Nomination Letters. Ms. Sabadin informed us that Ms. Ali did not write the Nomination Letters.

12. On April 28, 2021, I emailed Al Mezied to confirm that UTSC neither wrote, nor sent the Nomination Letters to the King Faisal Prize. I also asked AlMezied about the origin of the letters in question. A copy of my email is included at Exhibit F.

B. Meeting requests

13. On May 3 and 11, 2021, Dr. Cole requested that the Student meet with him to discuss her application to the King Faisal Prize. I have attached a copy of the emails to my affidavit as **Exhibit G**. Dr. Cole has since retired from the University.
14. I understood from Dr. Cole that he did not receive a response to his emails.

C. The Application to the King Faisal Prize

15. On June 8, 2021, AlMezied responded to my email of April 28, 2021. In this email, AlMezied confirmed that the Nomination Letters were part of an application package received from the email address: [REDACTED].m[REDACTED]@mail.utoronto.ca. AlMezied attached the email that the King Faisal Prize received, which included the application that was submitted to the King Faisal Prize in medicine. I have attached a copy of AlMezied's email and the attachments to my affidavit as **Exhibit H**.
16. The email from [REDACTED].m[REDACTED]@mail.utoronto.ca, which was attached to AlMezied's email, was sent to Info@kingfaisalprize.org on April 1, 2022. The body of the email included a UTSC logo and stated:

As the Professor and Founder of the Al-Ihsan Institute of Canada through which I have taught to students nationally and internationally, I am writing to indicate strong interest in the King Faisal International Prize for Medicine and trust that I have the merits for it by the permission of Allah because this work on Gene Editing Technologies was published and nominated by the University of Toronto.

I hope that I will be a successful winner because I have conducted and published an original and outstanding study on the announced prize topic of Gene Editing Technologies Cas 9 CRISPR, resulting in significant benefit to humanity and to Muslims at greatest because it is available for free in preview (please see the link provided below) and numerous individuals

have viewed it, and meeting more than one of the KFP prize’s objectives as determined by the respective Selection Committee. I wish myself every success in my initiatives. Please see the attached documents. Please confirm that you have received them. Thank you.

[Emphasis Added]

17. The application email provided an “about the author” section, which stated:

Professor I [REDACTED] M [REDACTED] was born on February, 2nd 1989, in Zanzibar. She received her bachelor’s degree from Brock University (2011) and got accept to an M.D. from Xavier University and completed her placement in medical program at the University of Toronto in 2006 at the Faculty of Medicine. She is currently pursuing another internship program at the University of Toronto pursuing her passion of Medicine, teaching and life long learning.

Professor I [REDACTED]’s [REDACTED] M [REDACTED]’s outstanding contribution to the fields of Gene Editing Technologies were published in numerous publications and will be presented in a prestigious university in Canada. She is an elected President of UMMATY Foundation and she is the chief executive officer (CEO) and Founder of the Institute of Medicine and Scientific Research Medical Institute and Medical Supplies which she had presented to the Unison Health Community staff in Canada.

She hopes to be awarded the KFIP prize, in recognition of the considerable impact her highly original works have had on the development of a book on Gene Editing Technologies and its applications in medicine. She also developed and worked on the idea of I.H.M covid-19 vaccine. Her discovery of the I.H.M therapeutics have been instrumental to subsequent discoveries and potential cure of COVID-19 pandemic.

[Emphasis Added]

18. The signature line of the application email stated:



I [REDACTED] M [REDACTED]
Independent Scientist, Author, Professional Health Coach • Working towards
MD/PhD (In progress)
[REDACTED] [REDACTED] [REDACTED]@mail.utoronto.ca
Physical and Natural Sciences, University of Toronto
[https://\[REDACTED\]](https://[REDACTED])
[Linked in https://www.linkedin.com/in/\[REDACTED\]](https://www.linkedin.com/in/[REDACTED])

19. The email contained the following nine attachments:
- (a) Attachment 1: a document that included the UTSC logo, entitled “Gene Editing Technologies Crispr CAS 9, 1st edition” purportedly authored by Professor [REDACTED] [REDACTED] M [REDACTED], University of Toronto”;
 - (b) Attachment 2: a cover page that included the UTSC logo and stamp, that stated “CAS 9, CRISPR Professor [REDACTED] M [REDACTED]”;
 - (c) Attachment 3: a cover page that included the UTSC logo and stamp, that stated “CAS 9, CRISPR Professor [REDACTED] M [REDACTED]”;
 - (d) Attachment 4: the Prize in Medicine Nomination Letter;
 - (e) Attachment 5: a copy of the Student’s passport
 - (f) Attachment 6: a copy of the front of Student’s University of Toronto student card;
 - (g) Attachment 7: a Curriculum Vitae for “Doctor [REDACTED] M [REDACTED], Professor”, which included the Student’s contact information and indicated that she was in a:
 - (i) “SCSPE1660 Specialist Program in Physical and Mathematical Sciences Honours, Bachelor of Science, University of Toronto, Ontario, Canada” from 2020-2024; and
 - (ii) “Placement in Medical Profession at the University of Toronto Faculty of Medicine” in 2006;
 - (h) Attachment 8: a completed application form for the King Faisal Prize; and
 - (i) Attachment 9: a letter from the Student to the King Faisal Price, which included the UTSC logo and stamp.

20. The application form (Attachment 8) states that King Faisal Prize laureates would receive a certificate, a commemorative 24-carat, 200-gram gold medallion, and a sum of USD \$200,000. The application form also states that the King Faisal Prize would accept nominations for various prizes from universities, scientific institutions and research centers, but not from individuals or political parties. The application form also contains a section on “Nominee’s General Information”, which uses PDF form fields that are difficult to read. I have attached a document that contains the text from these form fields to my affidavit as **Exhibit I**.
21. The application contains several documents that state or suggest the student’s academic work was published and nominated by the University of Toronto. In particular:
- (a) The application email states: “[...] this work on Gene Editing Technologies was published and nominated by the University of Toronto.”
 - (b) The application contains a copy of the Prize in Medicine Nomination Letter (Attachment 4), which states that the University of Toronto nominated “Dr. [REDACTED] M [REDACTED]”: “This is to nominate the above-named individual at the University of Toronto for the King Faisal Prize. This is due to the nominee’s achievements in the field of Medicine and her published works in the topic of Gene Editing Technologies.”
 - (c) The application contains a Curriculum Vitae (attachment 7) that states the Student was in a “Placement in Medical Profession at the University of Toronto Faculty of Medicine” in 2006 and that she has published the following “textbook”: “Al-Ustadh. [REDACTED] [REDACTED] M [REDACTED]. Gene Editing Technologies Cas 9 CRISPR. 1st Edition. Volume 1. Toronto Canada: Scribd Publications, 2021. P 1-147. ISBN: [REDACTED] The “textbook” is available for \$15.99 at Chapters Indigo, \$12.99 at Barnes and Noble, and for free for those who have a subscription to SCRIBD (an e-book subscription service that charges \$12.99 per month). The cover of these “textbooks” is the same cover page that [REDACTED] M [REDACTED] submitted in her

application to the King Faisal Prize (Attachments 2 and 3), which contain an image of the UTSC logo and stamp. I have attached a copy of these Chapters Indigo, Barnes and Noble, and SCRIBD webpages to my affidavit as **Exhibit J**.

(d) The application contains a letter (Attachment 9) that states: “This letter includes the approval of the University of Toronto. Numerous professors at the University of Toronto had been invited to take part in collaboration to produce this work particular in the departments of Medicine and Molecular Genetics.”

22. The application contains several documents that refer to the Student as “Professor” or “Dr.” in close proximity to the UTSC logo or stamp. In particular:

Attachment	Screenshot
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Attachment 1

GENE EDITING TECHNOLOGIES CRISPR

CAS 9

1ST EDITION

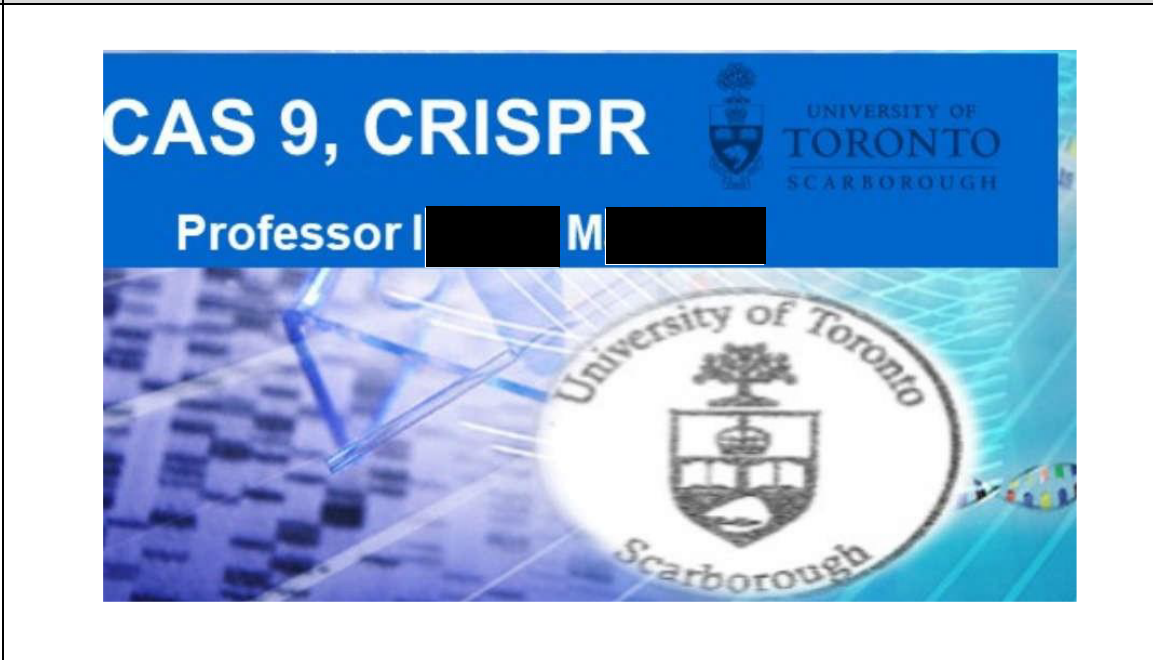
Professor I [REDACTED] M [REDACTED]

University of Toronto

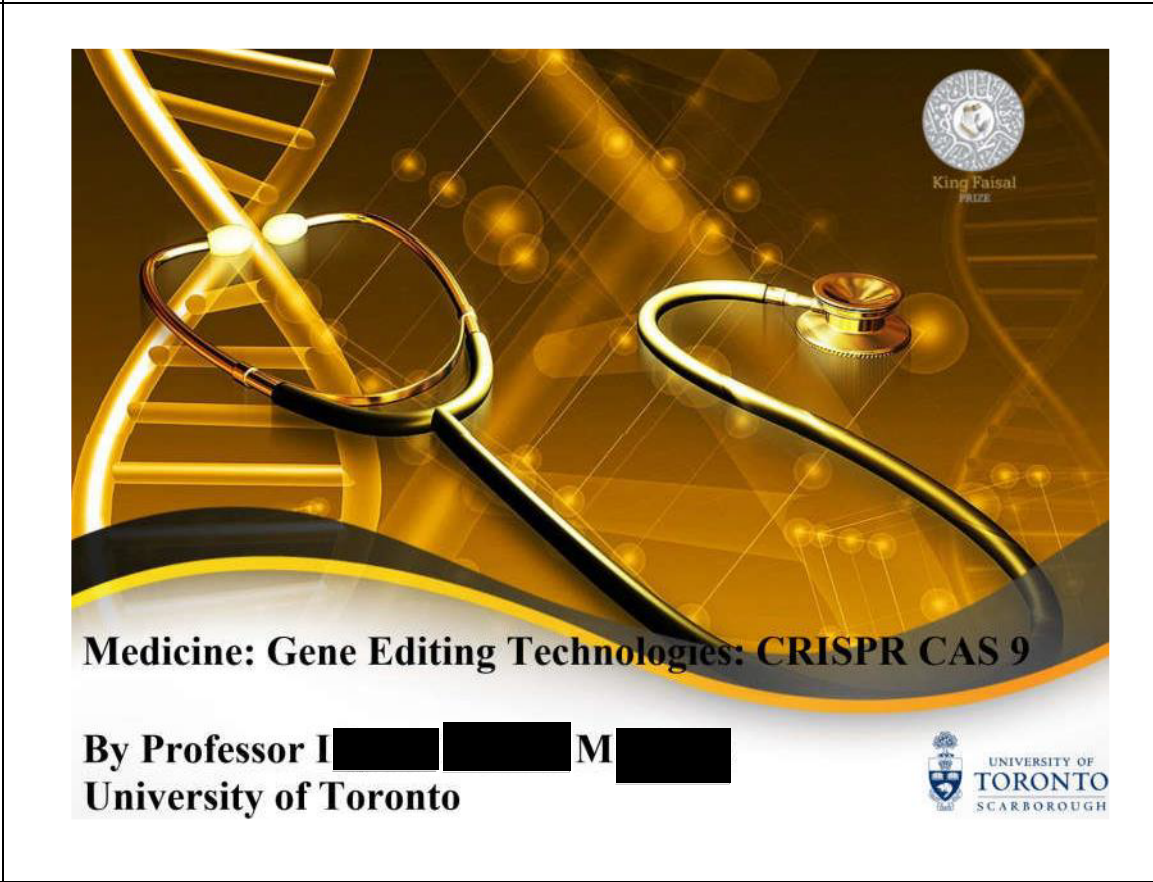


Attachment	Screenshot
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Attachment 3



Attachment 9



Attachment

Screenshot

Attachment 9



Dr. [REDACTED] M. [REDACTED]
Toronto, Ontario, [REDACTED]
Canada, North America
Home phone: [REDACTED]
[REDACTED]@mail.utoronto.ca
Designated Institution Number:
[REDACTED]

King Faisal Prize
P.O.Box 22476
Riyadh 11495
Kingdom of Saudi Arabia
Tel: +966 11 465 2255
Fax: +966 11 465 8685
Email:info@kingfaisalprize.org

Dear the King Faisal Prize Selection Committee,

I am writing to express my commitment for the King Faisal Prize to present in the field of specialization as appropriate, as per guidelines outlined in the King Faisal Prize if accepted for the prize. This letter of specialization accepts the commitment to present Medicine in a specialized field related to Gene Editing Technologies: CRISPR CAS 9.



This letter includes the approval of the University of Toronto. Numerous professors at the University of Toronto had been invited to take part in collaboration to produce this work particular in the departments of Medicine and Molecular Genetics.

No doubt, the contributions that Muslims made to the field of Medicine are tremendous. This exciting topic reflects the current area of international human health concern. Genome editing technologies have demonstrated a plethora of benefits to the biological sciences. CRISPR- Cas9, a beneficial gene editing tool, has become a robust strategy for making alterations to the genome of organisms and a potent weapon in the treatment of Covid-19 and cancer tumor. It has revealed an *excellent clinical potential for cancer therapy by discovering novel targets and has provided the researchers with the perception about how tumors respond to drug therapy.* The CRISPR-Cas9 system is a genome-editing tool that has had a significant impact on biological research in recent years, and also shows promise for the treatment of patients with genetic disorders, Covid-19, cancers and cardiovascular disease and so forth.

Sincerely,
Dr. I [REDACTED] M [REDACTED]
[REDACTED]



23. The Student is not a professor at UTSC. She has not done work on Gene Editing Technologies in connection with UTSC. She did not have authority to use the UTSC logo and stamp in this manner. Nor was any of her work ever nominated by the University.
24. According to the Student's University of Toronto academic record, the Student did not complete a "placement in [sic] medical program at the University of Toronto in 2006 at the Faculty of Medicine." The Student has never been enrolled in the medical program at the Faculty of Medicine.
25. As part of her application to UTSC, the Student submitted a copy of her secondary school transcript, which states that she was enrolled in secondary school in the Toronto District School Board from 2004 to 2007. This transcript states that the Student completed a co-op placement as part of a grade 11 biology course in 2006, but the transcript does not state where she completed the placement. I have attached a copy of the Student's secondary school transcript to my affidavit as **Exhibit K**.
26. A LinkedIn page with the Student's full name contains a cover letter and resume in the Student's name with her address, phone number, and official University of Toronto email address. The cover letter and resume state that she participated in the "University of Toronto Summer Mentorship Program (Medicine)" at Toronto General Hospital in 2006. I have attached a copy of the LinkedIn page, resume, and cover letter to my affidavit as **Exhibit L**.

D. Meeting requests

27. In July 2021, at my request, the Registrar's Office placed an administrative hold on the Student's account because she did not respond to Dr. Cole's meeting requests.
28. In the meantime, the Office of the Vice-Principal Academic & Dean received a report that alleged the Student plagiarized in an assignment in CHMB62H3: Introduction to Biochemistry (the "Assignment") from an article ("the Harvard Article").

29. On July 5, 2021, the Office of the Vice-Principal Academic & Dean requested that the Student meet to discuss the allegations of academic misconduct against them. The Office of the Vice-Principal Academic & Dean and the Student exchanged emails, but she did not attend the meeting that had been scheduled for July 14, 2021. Approximately two weeks later, on July 30, 2021, the Student informed the Office of the Vice-Principal Academic & Dean that she did not attend the meeting because she was in the hospital. I have attached a copy of these emails to my affidavit as **Exhibit M**.

30. On October 12, 2021, the Student emailed the Office of the Vice-Principal Academic & Dean, stating that she wanted to resolve the issue. She wrote:

I wanted to resolve this issue. I have drafts of the paper that came high in turnitin.com. I emailed the draft to the T.A prior to submitting the paper. I was also in the hospital with denied internet access. I wrote my papers on my notebook without accessing the instructions to the papers due to denied internet access. Two students were allowed to meet with the chair and my meeting was cancelled, which I thought was not fair. I was not able to attend the second meeting to resolve the issue because I was in the hospital

UMMATY Foundations submitted the reference letter for me to the King Faisal International Prize.

31. I have attached a copy of this email to my affidavit as **Exhibit N**.

32. On October 18, 2021, the Office of the Vice-Principal Academic & Dean emailed the Student to reschedule the meeting. Later that day, at 5:26 pm, the Student emailed the Office of the Vice-Principal Academic & Dean to request that the meeting be scheduled for a different date. I have attached a copy of this email exchange to my affidavit as **Exhibit O**.

E. The UMMATY Foundations email

33. Less than two hours later, on October 18, 2021, at 6:51 pm, the Office of the Vice-Principal Academic & Dean received an email from ummatyfoundationcanada@gmail.com (the “UMMATY Email”). I have attached a copy of the UMMATY Email to my affidavit as **Exhibit P**. Below is a screen shot of the email that the Office of the Vice-Principal Academic & Dean received:



Dear UofT Academic Integrity Team,

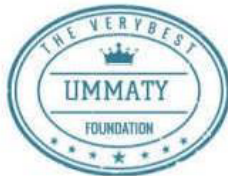
We are a non-profit organization that has known I [REDACTED] M. [REDACTED] for more than five years. This is to inform you that we sent a letter to the King Faisal International Prize to support I [REDACTED] application. There has not been any forgery of documents on I [REDACTED]'s part. She will also continue to receive nomination letters from UMMATY Foundations with our highest recommendation due to her contributions. If you have any questions regarding this matter, please do not hesitate to contact us.

Thank you.

UMMATY Team.



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34. I searched for UMMATY Foundations, Ummaty Foundation Canada, and ummatyfoundationcanada@gmail.com on Google, but I did not find any direct results for these organizations or for this email address. I searched “UMMATY” and the Student’s name on Google, but I could not find any results for the student. I performed a reverse image search on Google for the logo in the ummatyfoundationcanada@gmail.com email, but I did not find any results.
35. During my searches, I found an international Muslim humanitarian organization called “Ummaty” at <https://ummaty.org>. The organization states that it has one of its headquarters in Canada, and that its contact email address is contact@ummaty.org. The logo on ummaty.org is also different than the logo in

the ummatyfoundationcanada@gmail.com email. I have attached a copy of the Ummaty contact us webpage to my affidavit as **Exhibit Q**.

36. In my experience, anyone can set up a Gmail email account if the account name is not already taken. ummatyfoundationcanada@gmail.com is a Gmail email account.
37. During my searches, I found a Facebook page for an organization called “Ummaty Foundation” that has 47 followers and was created on June 2, 2021.¹ I found accounts on Instagram that were called “ummaty__ foundation”² and “ummaty_foundation_”.³ None of these social media page lists the Student as president of the foundation, nor do these pages contain any email addresses. I have attached a copy of screen shots of these pages to my affidavit as **Exhibit R**.
38. Based on my investigation, I concluded that the “UMMATY Email” was not sent from any of these organizations, and that “UMMATY Foundations”, “Ummaty Foundation Canada”, and ummatyfoundationcanada@gmail.com have no apparent presence on the internet.

F. The Dean’s Designate meeting

39. On October 26, 2021, the Office of the Vice-Principal Academic & Dean emailed the Student to see whether she was also willing to discuss the plagiarism allegations at the Dean’s meeting that was scheduled for later that day. I have attached a copy of this email to my affidavit as **Exhibit S**.
40. Later that day, I met with the Student via videoconference (Zoom) to discuss the allegations of academic misconduct. Nisha Panchal, an academic integrity specialist, attended the meeting and took detailed notes. I have attached a copy of these notes to my affidavit as **Exhibit T**. I have reviewed the notes and they are in accord with my recollection of the meeting.

¹ https://m.facebook.com/Ummaty-Foundation-107368394895721/?ref=page_internal.

² https://www.instagram.com/ummaty__foundation/?hl=en.

³ https://www.instagram.com/ummaty_foundation_/?hl=en.

41. At the start of the meeting, I gave the Student the caution that I am required to provide under the Code. I informed the Student that she was entitled to seek advice, or to be accompanied by counsel at the meeting, before making, and is not obliged to make, any statement or admission, but that if she made any statement or admission in the meeting, it may be used or receivable in evidence against her in the hearing of any charge with respect to the alleged offence in question. I advised the Student, without further comment or discussion, of the sanctions that may be imposed under section C.i.(b), and that I am not obliged to impose a sanction but may instead request that the Provost lay a charge against the Student.
42. After giving the caution, I explained that the King Faisal Prize sent UTSC a reference letter that endorsed the Student, and that this reference letter had a forged signature of a UTSC staff member. The Student claimed that she asked for a letter from a different organization, that the King Faisal Prize had received a letter in support of her application, and that she did not know how this letter got there. The Student then stated she had nothing more to say about these allegations.
43. We then discussed the allegation that the Student plagiarized in her CHMB62H3 Assignment. I showed the Student multiple instances where her Assignment was virtually identical to the Harvard Article, with no change or minor changes, without using quotation marks or appropriate citations. The Student stated that: she tried to paraphrase, her work was not identical to the Harvard article, her paper had a references section, her professor took the issue too seriously, she should have taken more time to paraphrase, and she needed more time to work on the assignment.
44. When I explained that she took ideas and words and presented them as her own, the Student said that this is not what she intended and that she cited the Harvard Article. I explained that I had concerns about the fact that the Student did not use quotation marks or in-text citations. The Student replied that she thought her Assignment was original, but that her professor disagreed. The Student stated that she had learned her lesson and that she took an effective writing course that summer.

45. When I asked the Student whether she was prepared to admit to the academic offence, the Student said that she had nothing more to say. I then asked the Student whether she believed what she did in the Assignment was correct, and she said “yes”.
46. After the meeting, the Student sent UTSC an email that stated:

Hello,

I wished to solve this issue in this meeting.

As I mentioned, I emailed a rough draft of the paper to the T.A prior to handing in the assignment for feedback to avoid these allegations. I also had a meeting with Professor Natasha and the T.A which lasted for more than an hour so that I could solve this. Turnitin is not a perfect system, the percentage came out about 40% high but I had paraphrased and used citations. My intentions while studying at UofT was to enroll only in laboratory Science classes and not writing classes. Perhaps, I should find out more how I can keep up with my goals of being in laboratory Science classes and maintaining excellent grades with all integrity while at the University of Toronto. I decided not to take courses with a writing component instead of a laboratory component which require the collection of one's own data.

I learned my lesson, I took Effective Writing in the Summer and I had to academic integrity issues. The Biochemistry assignment was my first writing assignment at UofT.

Thank you,

██████████ M██████████

Independent Scientist, Author, Professional Health Coach ▪ Working towards MD/PhD (In progress)

47. I have attached a copy of the Student’s email to my affidavit as **Exhibit U**.
48. The allegations were subsequently forwarded to the Provost’s office.

c) Evidence of Ms. Ali

23. Ms. Ali’s affidavit provides as follows:

1. I was a Student Services Assistant in the Office of the Registrar at the University of Toronto Scarborough (“UTSC”). I am currently an Internship Program Assistant in the Department of Physical & Environmental Sciences. As such, I have personal knowledge of the matters set out in this affidavit. Where I do not have personal knowledge of a matter, I state the source of my information and I believe it to be true.
2. The Office of the Registrar helps UTSC undergraduate students with registration, financial aid, scholarships and awards, exams, graduation, petitions and student cards.
3. On January 6, 2021, [REDACTED] M [REDACTED] (the “student”) requested a proof of enrolment letter. Later that day, I sent the student a proof of enrolment letter (the “Enrolment Letter”). The Enrolment Letter states in part: “This is to certify that the above-named individual is currently registered as full-time for the 2021 Winter session at the University of Toronto Scarborough”. I have attached a copy of these emails and the Enrolment Letter to my affidavit as **Exhibit A**.
4. The Enrolment Letter contains a copy of my signature and a stamp of UTSC.
5. On March 29, 2021, the student emailed several people at UTSC, including me, the Office of Vice-Principal & Dean UTSC, the general UTSC faculty email, the general UTSC administrative staff email, and UTSC Awards a request for a nomination to the King Faisal Prize. The student’s email stated in part: “I am wondering if I can have a nomination kindly sent for me to KFI (<https://kingfaisalprize.org/invitations-to-nominate/>) due to the work that I did on Gene Editing Technologies and Mathematics.” I have attached a copy of the student’s email to my affidavit as **Exhibit B**.
6. I did not respond to the student’s request for a nomination.
7. On April 5, 2021, Fiorella Sabadin, Associate Registrar and Director of Student Services at UTSC, informed me that the King Faisal Prize received two letters contained my signature. One letter stated, “Nominations for the King Faisal Prize

for Medicine for Dr. [REDACTED] M [REDACTED]" and the other letter stated, "Nominations for the King Faisal Prize for Science for Dr. [REDACTED] M [REDACTED]" (the "Nomination Letters"). Ms. Sabadin sent me a copy of the letters and asked me whether I wrote them. Later that day, I informed Ms. Sabadin that I did not write the letters. I have attached a copy of my correspondence with Ms. Sabadin and the Nomination Letters to my affidavit as **Exhibit C**.

8. I have attached a chart comparing the Enrolment Letter that I sent to the student on January 6, 2021, to the Nomination Letters to my affidavit as **Exhibit D**.
9. I did not write, approve, sign, or circulate the Nomination Letters. I had not seen them until Ms. Sabadin asked me whether I wrote them on April 5, 2021.

24. This concluded the University's evidence.

University's Submissions

25. Assistant Discipline Counsel submitted that the evidence of Ms. Shao, Professor Donaldson and Ms. Ali, supports a finding on the balance of probabilities that the Student committed the academic offences as alleged.
26. In that regard, it was submitted that the evidence in its totality demonstrated that the Student in her CHMB62H3 Assignment relied upon a Harvard article for it without using appropriate citations and that the Student also forged, altered or falsified and circulated the Prize in Medicine Nomination Letter and the Prize in Science Nomination Letter (the "Nomination Letters") as well as an email from the email address ummatvfoundationcanada@gmail.com to the Academic Integrity Office at the University.

Standard of Proof

27. 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

28. Based on the evidence and the submissions by counsel for the University, the Student was found guilty of:
- (a) One count of the academic offence to knowingly represent as one's own any idea or expression of an idea or work of another in any academic examination or term test or in connection with any other form of academic work, contrary to section B.I.1(d) of the Code as alleged in Charge 1 filed by the Provost on January 26, 2022;
 - (b) Two counts of the academic offence to knowingly forge or in any other way alter or falsify any academic record, or to utter, circulate or make use of any such forged, altered or falsified record, contrary to section B.I.3(a) of the Code as alleged in Charges 3 and 4 filed by the Provost on January 26, 2022; and
 - (c) One count of the academic offence to knowingly forge or in any other way alter or falsify any document or evidence required by the University, or to utter, circulate or make use of any such forged, altered or falsified document, contrary to section B.I.1(a) of the Code as alleged in Charge 5 filed by the Provost on January 26, 2022.
29. Given these findings, the University withdrew Charges 2 and 6.

Reasons for Decision

30. The Panel accepted the unchallenged evidence of Ms. Shao, Professor Donaldson and Ms. Ali, finding that their evidence was credible and reliable.
31. The evidence of Ms. Shao clearly demonstrated that the Student was made aware by the section in the syllabus on academic integrity that when writing the CHMB62H3 Assignment, she was not permitted to use someone else's ideas or words without appropriate acknowledgement, to commit to academic integrity and to be familiar with the *Code of Behaviour on Academic Matters*.

32. Despite this, the evidence clearly established that the Student knowingly represented as her own an idea or expression of an idea or work of another without appropriate citations, in particular, the Harvard article, in her CHMB62H3 Assignment.
33. As such, the Panel was satisfied on the balance of probabilities that the Student relied upon the ideas and expression of ideas by others whom she did not cite and as such, the Student committed the academic offence of knowingly representing as her own an idea or expression of an idea or work of another in the Assignment she submitted in CHMB62H3, contrary to section B.I.1(d) of the Code as alleged in Charge 1 filed by the Provost on January 26, 2022.
34. The evidence of Professor Donaldson and Ms. Ali also clearly established that the Student forged, altered or falsified and circulated the Nomination Letters as well as an email from the email address ummatvfoundationcanada@gmail.com to the Academic Integrity Office at the University.
35. As such, the Panel was satisfied on the balance of probabilities that:
 - (a) The Student sent the forged Nomination Letters for the King Faisal Prize and as such, the Student committed the academic offence of knowingly forging or in any other way altering or falsifying the Nomination Letters and to circulating the Nomination Letters, contrary to section B.I.3(a) of the Code as alleged in Charges 3 and 4 filed by the Provost on January 26, 2022; and
 - (b) The Student emailed the Academic Integrity Office at the University using an email address for an organization that does not exist called UNMATY Foundation Canada in support of her application for the King Faisal Prize and as such, the Student committed the academic offence of knowingly forging or in any other way altering or falsifying the email to the University, contrary to section B.I.1(a) of the Code as alleged in Charge 5 filed by the Provost on January 26, 2022.

Adjournment

36. Shortly after the Panel rendered its decision and just after the University commenced its submissions on sanction, the Student joined the hearing. She was advised as to what had transpired and that she should consider retaining legal counsel. On consent of the Student and the University, the Panel adjourned the hearing until 9:45 a.m. on February 10, 2023, in order to give the Student time to retain legal counsel.

Sanction

37. The hearing resumed at 9:45 a.m. on February 10, 2023 to address the issue of sanction. The Student was not in attendance at that time and so the Panel adjourned the hearing for 15 minutes to see if the Student would arrive. After having waited 15 minutes, the Panel noted that the Student was still not in attendance.

38. A further Affidavit of Ms. Blair was provided by the University. The contents of the affidavit (without Exhibits) is set out below:

1. I am a legal assistant at the law firm Paliare Roland Rosenberg Rothstein LLP. I work with William Webb, an associate at Paliare Roland, who acts as Assistant Discipline Counsel to the University of Toronto. As such, I have knowledge of the matters contained in this affidavit. Where I do not have direct knowledge of a matter contained in this affidavit, I state the source of my knowledge and I believe it to be true.

2. On December 9, 2022, Mr. Webb emailed [REDACTED] M [REDACTED] (the “Student”) a summary of what happened at the hearing of the academic charges against her earlier that day and urged her to retain counsel. Mr. Webb has advised me that the contents of his email are true. Mr. Webb stated in part:

You logged into the hearing during the sanction portion of the hearing, and indicated that you would like an adjournment to retain counsel. The Provost agreed to your adjournment request to obtain counsel for the sanction portion of the hearing. You indicated that you thought that you would be able to retain counsel by February 2023, and we agreed to reconvene to deal with the sanction portion of the hearing on February 10, 2023 at 9:45 am.

We urge you to retain counsel as soon as possible. Downtown Legal Services provides free legal services to University of Toronto students. You can find out more information at their website here: <https://downtownlegalservices.ca/>. Their intake office re-opens on January 9, 2023. We urge you to contact them as soon as their intake office re-opens. Alternatively, we can provide you with the contact information for lawyers who work in this area that charge fees for their services. Please let us know whether you would like referrals.

3. On January 8, 2023, Mr. Webb emailed the Student to remind her that Downtown Legal Services' ("DLS") intake office would open the next day. I have attached a copy of these emails to my affidavit as **Exhibit A**.
4. On January 11, 2023, the Student copied Mr. Webb on an email to DLS. The first email in the thread was from DLS to the Student on October 13, 2021. In this email, DLS advised the Student that it could not help at the time due to limited resources, and provided the Student with information about other legal resources. The next email in the thread was from the Student to DLS on January 11, 2023. In this email, the Student stated in full: "I am not in a position to pay for a lawyer, is there a possible of obtaining legal services out if [sic] charge? Thank you."
5. On January 17, 2023, Mr. Webb emailed the Student as follows: "Based on the email chain below, DLS advised you that it was unable to help you due to limited resources in October 2021, which was over one year ago. Given that it is now January 2023, I urge you to call DLS again to see whether they now have resources to take on your case." I have attached a copy of this email to my affidavit as **Exhibit B**.
6. On February 9, 2023, the ADFG Office emailed the parties to remind them about the continuation of the hearing. Mr. Webb asked the ADFG Office to confirm the date of the continuation hearing, and the ADFG Office confirmed that the hearing would take place on Friday, February 10th, 2023 at 9:45 a.m. I have attached a copy of these email to my affidavit as **Exhibit C**.
7. To date, our office has received no further communications from the Student.

39. Given this, Assistant Discipline Counsel asked the Panel to proceed with the hearing in the Student's absence. As the Student had been in attendance at the hearing on December 9, 2022 and had consented to its adjournment until February 10, 2023 at 9:45 a.m., the Panel was satisfied that the Student had actual notice of the continuation of the hearing and decided to proceed in her absence.

The University's Evidence on Sanction

40. The University had no further evidence.

The University's Submissions

41. The University provided the Panel with a Book of Authorities containing a number of prior decisions of this Tribunal and a chart summarizing them.
42. Counsel for the University submitted that the proper sanctions to be imposed on the Student should be:
- (a) a final grade of zero in CHMB62H3;
 - (b) a recommendation from the President of the University to Governing Council that the Student be expelled from the University;
 - (c) an immediate suspension from the University for a period of up to five years from the date of this order or until Governing Council makes its decision on expulsion, whichever comes first, and that a corresponding notation be placed on the Student's academic record and transcript; and
 - (d) that this case 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.
43. Assistant Discipline Counsel reviewed with the Panel the chart summarizing the sanctions which have been given to students by this Tribunal in prior similar cases.

44. Assistant Discipline Counsel then 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.
45. In this regard, Assistant Discipline Counsel submitted that as the Student did not attend the hearing and as such there is no evidence of remorse or insight or whether the Student has taken responsibility and learned from her mistakes consequently, there is no evidence as to her character or any extenuating circumstances and so that is a neutral factor.
46. Further, with respect to the Student’s character, there is no evidence from the Student and as a result there is little information on this, however, the Student did deny having committed plagiarism at her meeting with the Dean and denied circulating two forged letters in order to obtain an international prize which would have had a significant monetary component of \$200,000.00 US and other elements to it. She then circulated a false email to the Dean’s office all of which is highly troubling.
47. With respect to mitigation as the Student did not attend the hearing there was no evidence from her and so there is no evidence with respect to mitigation before the Panel apart from the fact that she had no prior academic misconduct.
48. With respect to likelihood of repetition, Assistant Discipline Counsel noted that the Student did not have any prior discipline history, but that there was a strong likelihood of repetition of the conduct given that she had in this case falsified and forged two letters and an email.

Further, she did not only deny her conduct, but she went to significant lengths to cover it up and to make excuses. This all suggests that there is a likelihood of repetition of the conduct by the Student.

49. With respect to the nature of the offence, the *University of Toronto and J.O.* (Case No. 870, October 31, 2016) is one which dealt with forged letters for an internal prize. There the student denied the conduct and did not take responsibility and as well engaged in extensive plagiarism in an assignment.
50. Here, the Student engaged in a significant amount of false work in order to attempt to obtain a substantial prize. She created nine attachments including a manuscript and claimed to be a professor. Her conduct was deliberate, intentional and very serious. Her email to the Academic Integrity Office was calculated and very concerning.
51. With respect to the detriment to the University, the Student's conduct was directed towards an external organization and constituted forgery in addition to the plagiarism which she engaged in with respect to her Assignment. Her conduct was deliberate and not careless.
52. With respect to deterrence, it is important that students be deterred from creating false recommendation letters. Academic integrity is seriously undermined by plagiarism and there is significant detriment to the University as these type of documents are relied upon by third parties and therefore this conduct needs to be deterred.
53. Assistant Discipline Counsel reviewed with the Panel comparisons between the letters in this case and how they had been altered and forged by the Student. The Student's conduct in this regard shows why deterrence is equally applicable to detriment to the University in this case.
54. The Student in this case forged letters in order to obtain a monetary benefit and consistent with other cases from this Tribunal those circumstances require expulsion as the Student's conduct was egregious.
55. In the submission of Assistant Discipline Counsel, where the Student has engaged in conduct such as this including forgery, expulsion can only be avoided by significant

mitigating factors, but none are present here and therefore the appropriate sanction is to recommend expulsion.

56. Assistant Discipline Counsel also reviewed with the Panel the chart of prior decisions and reviewed in detail several of those prior decisions of the Tribunal to demonstrate that the proposed penalty was consistent with decisions of this Tribunal in similar circumstances.

Sanction Decision

57. After deliberations, the Panel ordered that the following sanctions shall be imposed on the Student:

- (a) a final grade of zero in CHMB62H3;
- (b) a recommendation from the President of the University to Governing Council that the Student be expelled from the University;
- (c) an immediate suspension from the University for a period of up to five years from the date of this order or until Governing Council makes its decision on expulsion, whichever comes first, and that a corresponding notation be placed on the Student's academic record and transcript; and
- (d) that this case 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.

58. An Order was signed at the hearing by the Panel to this effect.

Reasons for Sanction

59. The Panel considered the submissions of Assistant Discipline Counsel and the factors and principles relevant to sanction in *Mr. C*, supra, as set out above.

60. In addition to these factors, the Panel considered the chart of prior decisions and the other decisions of this Tribunal involving similar misconduct as contained in the University's Book of Authorities 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.

61. By knowingly representing as her own an idea or expression of an idea or work of another in the Assignment she submitted in CHMB62H3, the Student undermined the grades-based system of evaluation and broke the honour code that is essential to modern learning.
62. Students must understand that this kind of misconduct will have serious repercussions so that they will be dissuaded from the temptation to consider cheating.
63. The Panel accepted the University's submission that by knowingly representing as her own an idea or expression of an idea or work of another in her Assignment, the Student committed a serious form of academic misconduct.
64. The Student's other offences were even more serious as forgery is among the most serious offences, but this should not overshadow that plagiarism is also a serious offence, a conclusion echoed in many decisions of this Tribunal, and in the Code. As discussed below, the Student committed each of the offences knowingly and deliberately, not through carelessness or inadvertence. The offences were the result of the Student's calculated conduct.
65. As noted above, the forgery here was a grave offence. The Student forged letters to the King Faisal Prize from Hira Ali on University letterhead, recommending her for a substantial scholarship, holding herself out to be a Doctor and a Professor. In doing so, she misled the King Faisal Prize. The Student's forgery could have resulted in a significant financial gain to her.
66. In different ways, the University is vulnerable to, and suffers detriment from, the forgery and plagiarism offences that the Student committed here particularly as the forgery was directed towards a third party in the University's name.
67. As this Tribunal held in the *University of Toronto and M.K.* (Case No. 491, November 5, 2008), at para. 43, "such conduct will and must meet with the most severe reaction when uncovered."

68. The plagiarism offence also caused harm to the University. This Tribunal has frequently observed that plagiarism is an offence that strikes at the heart of the academic integrity of the University. That is all the more so where the plagiarism is deliberate and conscious, rather than careless.
69. This factor weighs heavily in favour of a recommendation of expulsion.
70. The need to deter others from committing similar offences also weighs heavily in the circumstances of this case. In the Tribunal's view, a strong message must be conveyed to the University community that serious offences such as these will not be tolerated, and that those who commit them will face serious sanctions.
71. It is critical for the University that students be dissuaded from committing forgery. Forgery is often difficult to detect, thus requiring a strong deterrent when it is discovered.
72. The integrity of the University is seriously undermined by plagiarism. The University's academic program is eroded when students' work product is not their own. Turnitin and other tools facilitate the detection of plagiarism, but they must be backstopped by meaningful penalties, particularly in cases where a student has committed more than one act of plagiarism.
73. The Panel is persuaded that a severe sanction is required where a student is guilty of both forgery and plagiarism to deter others who may contemplate similar misconduct.
74. This factor also weighs in favour of a recommendation of expulsion.
75. As indicated, forgery is among the most serious academic offences. The usual penalty is a recommendation of expulsion, although in some cases a five-year suspension has been imposed. As the Tribunal observed in the *University of Toronto and M.S.* (Case No. 498, February 3, 2010), at para. 30, "it is clear that forgery is treated as one of the most serious offences in the University environment and most cases result in expulsion."
76. Where forgery has been found, a student normally only avoids a recommendation of expulsion where there are significant mitigating factors, or where there is a joint recommendation on sanction, or both. There is no joint recommendation on sanction here,

and as discussed above, no real mitigating circumstances, which in our view, outweigh the effect of the other factors here. See the *University of Toronto and L.M.* (Case No. 808, February 1, 2016), at paras. 78-79.

77. Lastly, the addition of another serious offence, in this case, plagiarism, on top of forgery weighs in favour of a recommendation of expulsion. See the *University of Toronto and S.G.* (Case No. 711, May 11, 2015).
78. In the circumstances, the Tribunal's view is that the factors heavily weigh in favour of expulsion. The seriousness of the offences and the need for deterrence are particularly compelling in this case.
79. Accordingly, the Tribunal finds that a recommendation that the Student be expelled (along with the additional terms sought by the University) is the appropriate sanction.

Dated at Toronto, this 19th day of April 2023



Christopher Wirth, Chair
On behalf of the Panel