

**FOR INFORMATION**

**PUBLIC**

**OPEN SESSION**

<b>TO:</b>	Academic Board
<b>SPONSOR: CONTACT INFO:</b>	Mr. Christopher Lang, Director, Office of Appeals, Discipline and Faculty Grievances, (416) 946-7663, <a href="mailto:christopher.lang@utoronto.ca">christopher.lang@utoronto.ca</a>
<b>PRESENTER: CONTACT INFO:</b>	See Sponsor
<b>DATE:</b>	November 7, 2024 for November 14, 2024
<b>AGENDA ITEM:</b>	7(b)

**ITEM IDENTIFICATION:**

Semi-Annual Report: University Tribunal, Individual Cases, Fall 2024

**JURISDICTIONAL INFORMATION:**

The University Tribunal hears cases of academic discipline under the *Code of Behaviour on Academic Matters, 2019* (the “Code”)<sup>1</sup> which are not disposed of under the terms of the Code by the Division.

Section 5.2.6 (b) of the *Terms of Reference* of the Academic Board provides for the Board to receive for information reports, without names, on the disposition of cases in accordance with the Code.

**GOVERNANCE PATH:**

1. Academic Board [for information] (November 14, 2024)

**PREVIOUS ACTION TAKEN:**

The last semi-annual report came to the Academic Board on May 23, 2024.

**HIGHLIGHTS:**

The purpose of the information package is to fulfill the requirements of the University Tribunal and, in so doing, inform the Board of the Tribunal’s work and the matters it considers, and the process it follows. It

<sup>1</sup> <http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>

is not intended to create a discussion regarding individual cases, their specifics or the sanctions imposed, as these were dealt with by an adjudicative body with a legally qualified chair, bound by due process and fairness, and based on the record of evidence and submissions put before it by the parties.

**FINANCIAL IMPLICATIONS:**

There are no financial implications.

**RECOMMENDATION:**

For information.

**DOCUMENTATION PROVIDED:**

- Information Reports of Tribunal Decisions under the *Code of Behaviour on Academic Matters, 2019* (Fall 2024)

**TRIBUNAL DECISIONS UNDER THE  
CODE OF BEHAVIOUR ON ACADEMIC MATTERS  
(FALL 2024)**

**CONCOCTED RESEARCH FOR A PHD THESIS**

**Cancellation and recall of degree; permanent notation on the Student's transcript; grade of zero in the course; publication of the decision with the Student's name withheld**

The Student fabricated data in their PhD thesis. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the Student jeopardized their thesis supervisor's academic reputation and the reputation of the University broadly; the Student tried to cover their tracks by deleting some of the data they created; they offered a fake explanation and did not admit their errors; it was hard to imagine a more serious offence; the Student's actions risked enormous detriment to the University; there was no evidence of any extenuating circumstances; the precedent case law was consistent with the proposed sanction in this case.

**RECEIVED UNAUTHORIZED ASSISTANCE FOR TWO EXAMS**

**Expulsion; suspension of up to five years from the date of the order or until Governing Council makes its decision, whichever comes first; corresponding notation on the Student's transcript; grade of zero in the courses; publication of the decision with the Student's name withheld**

The Student used and possessed unauthorized aids in final exams in two courses. In both exams, the Student was found to be wearing a miniature camera poking out of a buttonhole and connected to a cellphone, along with tiny earpieces. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the Student plead guilty to the offences at their Dean's Meeting, saying that they were being provided hints by a tutoring service they paid for; that there was no positive character evidence, or any direct evidence of extenuating circumstances; that the Student's prior commission of a similar academic offence, and the repetition of the offences weighed in favour of a significant sanction, and suggested a strong likelihood of a repetition of the offence; the offence involved a commercial element; and that consistent with prior Tribunal decisions, such offences require a strong deterrent to discourage others from committing the offence.

**PERSONATION AT A FINAL EXAM**

**Suspension of four years and eight months; notation on the Student's transcript for five years and eight months; grade of zero in the course; publication of the decision with the Student's name withheld**

The Student had someone personate them at a final examination. The Student pleaded guilty and agreed with the facts and the proposed sanctions. In finding the Student guilty and in

imposing the agreed-upon sanctions, the Panel noted the following: the Student's father had devised the scheme and the Student had succumbed to pressure placed upon them to allow someone to impersonate them; the Student had no prior academic offences; the Student was under a high degree of stress at the time of the offence; and that the detriment to the University occasioned by impersonation offences, and corresponding need for general deterrence, merited a serious sanction.

#### **POSSESSED UNAUTHORIZED AID AT FINAL EXAM**

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

The Student was found to be wearing a miniature buttonhole camera during a final examination to send images of the exam to a tutor whom they paid to provide answers. The Student pleaded guilty to using and possessing an unauthorized aid, and agreed with the facts and the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: the sanction proposed was neither unconscionable or unreasonable and was consistent with previous decisions of the University Tribunal; while the form of cheating committed by the Student was egregious and may warrant an order of expulsion, the Student confessed to their actions and was cooperative during the disciplinary process; they also took particular note of the Student's undertaking to never re-apply or re-enroll at the University.

#### **USED FORGED DOCUMENTS**

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

The Student submitted a forged Verification of Student Illness or Injury Form and a forged letter, in order to submit work after the course deadline in two courses. The Student pleaded guilty and agreed with the facts and the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: while forgery is a serious academic offence, the Student's admission of guilt and cooperation with the proceeding was a mitigating factor; the Student had committed a prior offence the year before; and having regard to the mitigating and aggravating factors in the case, the Panel was satisfied that the recommended sanctions were appropriate.

#### **USED A FORGED DOCUMENT**

**Suspension of three years; notation on the Student's transcript until graduation; publication of the decision with the Student's name withheld**

The Student made false representations in the application they submitted to receive a Senior Doctoral Fellowship. The Student pleaded guilty to forgery and agreed with the facts and the proposed sanctions. The Panel accepted the guilty plea and noted the following in imposing the agreed-upon sanctions: the Student cooperated with the process and expressed remorse; the need to deter others was important in this case, as the Student

compromised the integrity of the University and its programs; and that in the circumstances, the joint submission was reasonable.

### **CONCOCTED DATA FOR A RESEARCH REPORT**

**Suspension of five years; notation on the Student's transcript for 6 years; grade of 0 in the course; publication of the decision with the Student's name withheld**

The student was found guilty of concocting the research inputs, methodologies, data, and results they submitted in connection with a research report; in finding the Student guilty and imposing the sanctions, the Panel noted: the Student broke the honour code that is essential to modern learning; the offence was serious and the Student committed them knowingly and deliberately; the assignment was worth 100% of the Student's grade; the Student had one prior offence; and there were no mitigating factors.

### **PLAGIARISED A PAPER AND RECEIVED UNAUTHORIZED ASSISTANCE ON AN EXAM**

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

The Student plagiarised an essay. In addition, the Student wrote a deferred exam which was different from the original exam in the class; however, they wrote answers that were on the original exam and not responsive to questions on the deferred exam, indicating they received unauthorized assistance. The Student pleaded guilty and agreed with the facts and the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: the Panel was required to accept the joint submission unless to do so would bring the administration of justice into disrepute or would be contrary to the public interest; as such, the Panel was satisfied that it was appropriate to accept the penalty as it was within the reasonable range of penalty as established by prior decisions of the Tribunal.

### **PLAGIARIZED TWO PAPERS AND USED AN UNAUTHORIZED AID IN A TAKE HOME EXAM**

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

The Student was found guilty of plagiarizing two essays in two different courses and using an unauthorized aid during a take home final exam in another. In finding the Student guilty and imposing the sanctions, the Panel noted that: the evidence is clear and convincing: the similarity in ideas and words cannot be the result of chance; the Student did not attend the hearing, so there was no evidence of mitigating factors; the Student committed the second and third offences after having notice of the first; and the need for deterrence is high, especially in the case of repeat offenders.

### **PERSONATION AT A FINAL EXAM**

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

The Student paid another person to personate them at a final examination. The Student pleaded guilty and agreed with the facts and the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: the Student had a prior history of serious academic misconduct; the semester after their transcript notation was removed, they engaged in misconduct again; paying someone to personate them makes a serious offence worse; while the Panel believed the sanction proposed was lenient, it was neither unreasonable nor unconscionable.

**PERSONATION DURING AN ONLINE ASSESSMENT**

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

The Student had a friend personate them during an online assessment. The Student pleaded guilty and agreed with the facts. In finding the Student guilty and in imposing the sanctions, the Panel noted the following: the evidence arising from the video of the Zoom interview confirmed the Student's admission; there was no evidence regarding the Student's character; deterrence was the most significant factor in making their decision, given the seriousness of the offence; the sanction was consistent with prior cases; and there was no reason to deviate from the usual length of suspension in this case.

**USED MULTIPLE FORGED DOCUMENTS RELATED TO DEFERRAL REQUESTS**

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

The Student submitted three forged Verification of Student Illness or Injury Forms and submitted them in order to defer final exams in three courses. The Student pleaded guilty and agreed with the facts and the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: the Student was forthright and apologetic; while the Student repeated the conduct, they showed insight into their behaviour; the proposed penalty fell in the middle of the range of similar cases; therefore, giving effect to the joint submission would not bring the administration of justice into disrepute.

**USED A FORGED DOCUMENT TO PREVENT REMOVAL FROM COURSES**

**Suspension of five years; permanent notation on the Student's transcript; publication of the decision with the Student's name withheld**

The Student submitted a forged Acorn screenshot that falsely indicated they had made a payment towards their tuition. The Student pleaded guilty and agreed with the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the

Panel noted the following: the Student demonstrated insight and remorse at the hearing; there were no extenuating circumstances raised by the Student; forgery is a very serious offence; and the joint submission was reasonable having regard to the circumstances and the prior caselaw.

#### **POSSESSED UNAUTHORIZED AID AT FINAL EXAM**

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

The Student pleaded guilty to using and possessing an unauthorized aid. The Student admitted to paying an agency to provide them with answers to a final exam, that they sent images of the exam to the agency, possessed a cellphone, and received answers to the exam via miniature earpieces. The Student agreed with the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: the use of a camera and earpieces in an exam, particularly when coupled with paid assistance, is an egregious violation of the Code; the Student admitted guilt and cooperated; the sanctions proposed are within the bounds of those imposed in comparable cases; and the test to depart from a joint submission is very high.

#### **OBTAINED UNAUTHORIZED ASSISTANCE ON MULTIPLE ASSIGNMENTS**

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

The Student pleaded guilty to obtaining unauthorized assistance on a term test in one class; to obtaining unauthorized assistance on an assignment in another class; and obtaining unauthorized assistance on two assignments in a third class. On each assignment, the Student admitted that they did not work independently, as required. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: but for the Student's cooperation, the Student could have faced a penalty that included expulsion from the University; and that a panel ought to impose a joint submission unless to do so would be fundamentally contrary to the interests of justice.

#### **PLAGIARISM ON AN ASSIGNMENT AND USE OF AN UNAUTHORIZED AID IN AN EXAM**

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

The Student was found guilty of submitting an assignment that contained unattributed work that was not their own. They also made use of a cell phone in an exam. In finding the Student guilty and imposing the sanctions, the Panel noted the following: the Student did not participate in the disciplinary process, so the Panel had no information as to the Student's perspective on any of the issues or any information concerning factors that might tend to explain their actions; the Student had one prior incident of academic misconduct to which they admitted only two days prior to the plagiarism offence; there is a

real risk of repetition; both offences are very serious; and that considering the case law provided to them and the number and nature of offences, the sanction proposed by the University was appropriate.

**USED AN UNAUTHORIZED AID IN A MIDTERM EXAM**

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

The Student pleaded guilty to using and possessing an unauthorized aid. The Student admitted to using a phone to take and send pictures of the midterm exam to a tutor, whom they paid to provide them answers to questions on the exam. The Student agreed with the proposed sanctions. In finding the Student guilty and in imposing the agreed-upon sanctions, the Panel noted the following: the Student admitted guilt and expressed remorse; it was their first offence; paying for unauthorized assistance is very serious and it must have serious consequences to send a strong message of deterrence to the student population; and the sanctions proposed were consistent with previous decisions.