

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty filed on May 8, 2025,

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 am. S.O. 1978, c. 88

B E T W E E N:

UNIVERSITY OF TORONTO

- and -

C [REDACTED] Z [REDACTED]

REASONS FOR DECISION

Date of Hearing: August 15, 2025, via Zoom

Members of the Panel:

Sarah Whitmore, Chair

Dr. Paul Kingston, Faculty Panel Member

Maria Dzevitski, Student Panel Member

Appearances:

Chloe Hendrie, Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Chew Chang, Representative for the Student, Chang Legal & Notary Public

Hearing Secretary:

Samanthe Huang, Quasi-Judicial Coordinator & Hearing Secretary, Office of Appeals, Discipline & Faculty Grievances

In Attendance:

C [REDACTED] Z [REDACTED]

Introduction

1. A hearing before the University Tribunal (the “Tribunal”) was convened on August 15, 2025 to consider the Charges (as defined below) against the Student, C█████ Z█████ (the “Student”).

The Charges

2. The charges against the Student (the “Charges”) are as follows:

1. On or about February 12, 2025, you knowingly had another person personate you at the Winter Midterm Test in CIN301Y1Y, contrary to section B.I.1(c) of the Code.
2. In the alternative, on or about February 12, 2025, you knowingly used or possessed an unauthorized aid or aids or obtained unauthorized assistance in the Winter Midterm Test in CIN301Y1Y, contrary to section B.I.1(b) of the Code.
3. In the further alternative, on or about February 12, 2025, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code in order to obtain academic credit or other academic advantage of any kind in connection with the Winter Midterm Test in CIN301Y1Y, contrary to section B.I.3(b) of the Code.

Particulars

3. The particulars of the offences charged are as follows:

1. At all material times, you were a student at the University of Toronto Faculty of Arts and Science.
2. In Fall 2024 and Winter 2025, you enrolled in CIN301Y1Y: Film Cultures II: Politics and Global Media (the “Course”).
3. On February 12, 2025, students in the Course wrote a midterm test in the Course (the “Midterm”), which was worth 25% of their final grade. The Midterm was written in person. Students were required to complete the Midterm on their own.
4. You did not attend the Midterm.
5. An individual attended the Midterm using your identification. That individual wrote the Midterm and submitted the Midterm in your name. The individual represented to the University that she was you.

6. You knowingly requested that individual to personate you at the Midterm and to use your identification in the manner set forth above. You paid the individual to write the Midterm for you.
7. By engaging in the conduct described above:
 - a) you knowingly had another individual personate you at the Midterm; and
 - b) you knowingly obtained unauthorized assistance at the Midterm from the individual.
8. You engaged in the conduct described above in order to obtain academic credit or other academic advantage.

Agreed Statement of Facts

4. The hearing preceded on the basis of an Agreed Statement of Facts (the “ASF”), which was marked as Exhibit 1. A summary of the agreed facts follows.
5. The Student was a student at the University of Toronto Faculty of Arts and Science at all material times. The Student first registered in Fall 2022. She has accumulated 19.5 credits, with a cumulative GPA of 3.12.
6. In Fall 2024 and Winter 2025, the Student enrolled in the full-year course CIN301Y1Y: Film Cultures II: Politics and Global Media (the “**Course**”), taught by Professor Bliss Cua Lim. Andi Gilker was the lead Teaching Assistant (“**TA**”) in the Winter 2025 term.
7. The Course syllabus included a section about academic integrity (on page 6). This section stated that conduct that violated the University’s academic integrity standards would “result in serious disciplinary action” and stated that all suspected cases of academic dishonesty would be investigated in accordance with the processes outlined in the Code. The syllabus contained hyperlinks to the University’s website on academic integrity and to the Code.

Midterm in the Course

8. Students in the Course were required to write a midterm test in each term. The Winter 2025 midterm test (the “**Midterm**”) was worth 25% of students’ final grade in the Course.

9. Students in the Course were also evaluated on their in-class attendance, which was measured by completion of in-class writing exercises. Students were also required to attend and participate in weekly tutorials (collectively worth 15% of their grade).

10. Ms. Gilker was the TA for the Student's tutorials in the Fall 2024 and Winter 2025 terms. The Student attended all of the weekly tutorial sessions in both terms.

11. The Midterm was administered on Wednesday February 12, 2025, from 12:00 pm to 3:00 pm. Professor Lim, Ms. Gilker, and two other TAs were present to administer and invigilate the Midterm.

12. The Student did not herself attend the Midterm on February 12, 2025, nor did she write the Midterm. Rather, she arranged for another person (the "Personator") to attend and write the Midterm in her place.

13. Professor Lim prepared and distributed several versions of the Midterm question package at the Midterm. The Personator received and completed Version D of the Midterm on behalf of the Student.

14. During the Midterm, Ms. Gilker and the other invigilating TAs observed the Personator looking around frequently while she was writing the test.

15. At the end of the Midterm, the Personator approached Ms. Gilker to hand in the Midterm. Ms. Gilker did not recognize the Personator as someone she had seen in Course lectures or tutorials before. Ms. Gilker asked the Personator for her TCard and compared the student ID number on the TCard with the student ID number on the submitted Midterm. After Ms. Gilker confirmed the numbers matched, the Personator left the Midterm room. A copy of the Midterm that was submitted by the Personator on behalf of the Student is attached to the ASF at **Tab F**.

16. After the Personator left the Midterm, Ms. Gilker recognized the name on the submitted Midterm as being the Student's. Ms. Gilker knew the Student from her tutorial sessions because, as noted, the Student was in Ms. Gilker's tutorial section. Ms. Gilker observed that the Personator who handed in the Midterm did not look like the Student. Specifically, the Personator seemed

slightly older and had a different body shape, skin tone, comportment, and fashion style than what Ms. Gilker had observed of the Student previously.

17. As a result, Ms. Gilker suspected that someone other than the Student had written and submitted the Midterm on the Student's behalf. Ms. Gilker reported her suspicion to Professor Lim.

18. Professor Lim compared the handwriting in the Midterm submitted on behalf of the Student with the handwriting in 12 in-class writing exercises submitted by the Student. Professor Lim observed that the handwriting in the Midterm appeared to be substantially different from the Student's handwriting in her in-class writing exercises.

19. The Student met with Professor Lim and Ms. Gilker on February 13, 2025 to discuss their concerns about the Midterm.

The Dean's Designate Meeting

20. On March 10, 2025, the Student met with Professor Siobhan O'Flynn, a Dean's Designate for Academic Integrity at the Faculty of Arts and Science, and Alyssa Hughes, an Academic Integrity Specialist in the Office of Student Academic Integrity ("SAI"), to discuss the allegations that the Student had another person write the Midterm on her behalf. An individual named Lily Chen attended the meeting with the Student as a support person.

21. The Student acknowledges that Professor O'Flynn provided her with Dean's warning in the Code. The Student further acknowledges that she was aware that she did not have to say anything at the meeting.

22. During the meeting, the Student admitted that she had someone personate her during the Midterm and that, by doing so, she had committed a breach of academic integrity. She told Professor O'Flynn that she had paid someone \$800 CAD to write the Midterm for her.

23. The Student provided the following explanation:

1. she felt a lot of pressure from her parents to study and graduate in June on time, and was worried she would not be able to complete the test;
 2. around the time of the Midterm, her grandfather's health had taken a "sudden decline" and she "received an offer from the university [she] wish[es] to attend";
 3. the "person" added her on WeChat and, before the Midterm, posted an advertisement offering help on the Midterm. The Student initially thought the person would "just have notes" and she sent the person her "info";
 4. the Student struggled to study for the Midterm because of her "mental disease";
 5. the Student made an "impulsive decision to have her write [her] exam". She stated that she made the decision "very quickly" on Sunday (before the Midterm on Wednesday) and told the person the date and time of the Midterm;
 6. she paid \$800 CAD by WeChat to have the person write the Midterm for her; and
 7. after the Midterm, the person blocked the Student on WeChat and "disappeared". The Student stated that she subsequently "deleted her information" from WeChat. The Student did not know who this person was and has never met them.
24. The Student's explanation was not admitted for the truth of its contents, but to reflect the information she provided to Professor O'Flynn at their meeting.
25. On March 12, 2025, SAI sent the Student a letter via email to the Student's University email address. The letter stated that, given the severity of the alleged offence, the Student's case would be forwarded to the Vice-Provost for review.
26. On March 25, 2025, the Student sent an email to the general email address for the Vice-Provost's Office. In her email, the Student reiterated her admission to the allegation that she had someone personate her at the Midterm and requested leniency in the sanction imposed.

Admissions and acknowledgements

27. In respect of the Final Exam, the student admits that she:
1. did not attend the Midterm on February 12, 2025 and did no work herself during the Midterm;
 2. had the Personator attend the Midterm in her place as if the Personator was the Student;

3. paid \$800 CAD for the Personator to personate her during the Midterm, and to write and submit the Midterm on her behalf as if the Personator was the Student; and
 4. engaged in the foregoing conduct despite knowing that she was not permitted to have anyone personate her in the Midterm and that she was required to attend and write the Midterm independently, without assistance from anyone.
28. The Student admits that by engaging in the conduct described above, she knowingly:
1. had someone personate her during the Midterm in the Course, contrary to section B.I.1(c) of the Code;
 2. obtained unauthorized assistance on the Midterm in the Course from the individual who wrote the Midterm as if they were the Student, contrary to section B.I.1(b) of the Code; and
 3. engaged in a form of cheating, academic dishonesty or misconduct, or made a misrepresentation in respect of the Midterm in the Course in order to obtain an academic advantage, contrary to section B.I.3(b) of the Code.

Findings on Charges

29. Following deliberations and based on the ASF and the Student's admissions, the Panel concluded that charge #1 (as outlined in paragraph 2 above) had been proven with clear and convincing evidence on a balance of probabilities, and accepted the guilty plea of the Student in respect of that charge.

30. The Panel was advised that if the Tribunal convicts the Student on charges #1, the Provost will withdraw charges #2 and #3. Accordingly, the Panel made no findings with respect to the second and third charges and treated them as withdrawn.

Penalty

31. The Provost and the Student submitted that, in all the circumstances of the case, the University Tribunal should impose the following sanctions on the Student:

1. a final grade of zero in the Course;
2. a suspension from the University of Toronto for five years, beginning on May 1, 2025;
3. a notation of the sanction on the Student's academic record and transcript for a period of six years, beginning on the date of the Tribunal's Order; and
4. this case shall be reported to the Provost for publication of a notice of the Tribunal's decision and the sanction imposed, with the Student's name withheld.

32. Counsel for the University provided submissions on the legal test for accepting a joint submission and referenced the Provost's Guidelines on Sanctions in Appendix "B" of the Code, the factors outlined in *University of Toronto and Mr. C* (Case No. 1976/77-3, November 5, 1976) (the "Mr. C factors").

33. In *University of Toronto and M.A.* (Case No. 837, December 22, 2016) ("M.A."), a decision of the Discipline Appeals Board, the Board held that a joint submission on penalty "may be rejected by a panel only in circumstances where to give effect to it would be contrary to the public interest or would bring the administration of justice into dispute" (para. 25).

34. Neither party relied on any evidence in connection with the submissions on penalty. Instead, both parties relied on the ASF and prior cases to support the position that the penalty sought in the JSP was appropriate.

35. While the Panel is not bound by any prior Tribunal decision, prior decisions are helpful guidance in assessing appropriate sanctions and the Tribunal should strive to treat like cases alike with the goal of fostering consistency.

36. On review of the cases relied on by the parties and the facts of the present case, the Panel finds that the facts of the prior cases, where a five-year suspension was imposed, support the position that an almost five-year suspension from the University is appropriate in this case. The cases demonstrates that a five-year suspension is within the range of suspensions that have been imposed in other similar cases.

37. The panel also considered the foundational decision of *University of Toronto and Mr. C* (Case No. 1976/77-3, November 5, 1976) in assessing the sanction sought by the University. In particular, the panel turned its mind to the following factors:

- a) The character of the person charged;
- b) The likelihood of a repetition of the offence;
- c) The nature of the offence committed;
- d) Any extenuating circumstances surrounding the commission of the offence;
- e) The detriment to the University occasioned by the offence; and
- f) The need to deter others from committing a similar offence.

38. On the Student's character, the University acknowledged that the Student's decision to enter into the ASF and to make the admissions that she did, at an early time in the process, saved the University time and expense. The Student's admissions of guilt also demonstrate that she has taken responsibility for her actions. These are all positive factors in assessing the Student's character.

39. In considering whether the Student is likely to re-offend, the fact that this was the Student's first offence weighs against an increased likelihood that the Student will re-offend. This also suggests that the conduct was out of character for the Student. In addition, the Student has already earned 19.5 credits and therefore is only 0.5 credits away from graduating. This reality also makes it less likely that the Student will re-offend.

40. With respect to the nature of the offence, the detriment to the University, and the need to deter others, as the University noted, impersonation is considered one of the most egregious offences. Further, paying to obtain unauthorized assistance is recognized as an aggravating factor as it suggests pre-meditation by the student and arguably a greater degree of sophistication and coordination for the offence. Here, the Student made a significant payment of \$800 to the impersonator to have them attend and complete the midterm on the Student's behalf.

41. The University has an interest in protecting the credibility and authenticity of grades and credits bestowed upon students. Where a student is successful in completing the offence of

personation then the University also becomes an unwitting party to misleading others about the student's credits.

42. Impersonation is also very hard to detect. Had Ms. Gilker not been suspicious of the impersonator (and had she not taken steps to investigate her suspicions), the offence would have gone undetected. Given the seriousness of the offence, it is important to send a strong message that this type of misconduct cannot be tolerated.

43. As a result, impersonation offences usually attract the highest penalties of a five-year suspension or expulsion. A five-year suspension instead of an expulsion is usually granted when there are mitigating circumstances. The admission of an offence is considered a significant mitigating factor. As noted, here, the Student made admissions very early on in the process and cooperated with the University throughout.

44. Finally, with respect to any extenuating circumstances related to the misconduct at issue, the Student raised some personal hardships that she was experiencing at the time of the midterm at the Dean's Designate Meeting, including that her grandfather had fallen ill around the time of the midterm and the pressure she felt from her family to succeed academically. However, there was no evidence provided to support the existence or relevance of these personal hardships, other than the Student's statements made to the Dean's Designate. The statements to the Dean's Designate were not introduced for the truth of their contents through an ASF on Penalty. In any event, if the Student was experiencing personal hardships, there were other options available to the Student such as seeking a further accommodation from the University.

45. On the issue of when the suspension should begin, the Panel notes that in the case of *University of Toronto and Mr. D.S.* (Case No. 451, August 24, 2007), the Discipline Appeals Board held that sanctions should commence on the date of the Tribunal's Order unless exceptional circumstances exist, which provide a principled reason to back date a suspension to some earlier date (paras. 53-54).

46. Through the JSP, the parties in this case sought to backdate the suspension to May 1, 2025. The Panel agrees with the parties that exceptional circumstances exist in this case that provide a principled reason to backdate the suspension as follows. The Student made an early admission of guilt (as early as March 10, 2025) and she has already been away from the

University for three months, not having enrolled in any courses in the Summer Term. Most importantly, because the Student is only 0.5 credits away from graduation, if the suspension were to start on the date of the Tribunal's Order, she would not be able to convocate until June 2031 (as there is no convocation in the Winter Term in 2030). However, if the suspension begins on May 1, 2025, the Student could enroll in a course in the Summer Term in 2030 and convocate in Fall 2030. As a result, by back dating the suspension by three months, the Student has the opportunity to convocate a term and a half earlier.

47. Having regard to the above, after reading the ASF and the JSP, and hearing submissions made by the parties, the Panel agrees that the recommended sanctions are reasonable and appropriate as follows:

- a) The Student is guilty of one count of knowingly having another person personate her at an academic examination or term test or in connection with any other form of academic work, contrary to section B.I.1(c) of the *Code of Behaviour on Academic Matters*.
- b) The following sanctions shall be imposed on the Student:
 - i. a final grade of zero in CIN301Y1Y;
 - ii. a five-year suspension from the University of Toronto, commencing on May 1, 2025; and
 - iii. a notation of the sanction on the Student's academic record and transcript for a period of six years, beginning on the date of the Tribunal's Order.
- c) This case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction or sanctions imposed, with the name of the Student withheld.

Dated at Toronto, this 14 day of November, 2025,

Original signed by:

Sarah Whitmore, Chair
On behalf of the Panel