

THE UNIVERSITY TRIBUNAL  
THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty filed on January 11, 2024,

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

BETWEEN :

THE UNIVERSITY OF TORONTO

- and -

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REASONS FOR DECISION ON SANCTION

**Hearing Dates:** July 23, 2024, September 9, 2024, August 11, 2025, via Zoom

**Members of the Panel:**

Cheryl Woodin, Chair

Dr. Maria Rozakis-Adcock, Faculty Panel Member

Dylan Dingwell, Student Panel Member

**Appearances:**

Tina Lie, Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Sonia Patel, Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

**Hearing Secretary:**

Karen Bellinger, Associate Director, Office of Appeals, Discipline and Faculty Grievances

**Not In Attendance:**

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## Introduction

1. The Trial Division of the University Tribunal was convened on July 23, 2024 and September 9, 2024, to consider charges brought by the University of Toronto (the "University") against L ■■■ J ■■■ (the "Student") under the University of Toronto *Code of Behaviour on Academic Matters, 2019* (the "Code").
2. The Student was not in attendance and did not send a lawyer or other representative to attend on their behalf. The hearing proceeded in the absence of the Student and issued a decision dated April 24, 2025 which found L ■■■ J ■■■:
  - (a) guilty of knowingly representing as one's own an idea or expression of an idea or work of another in connection with a term paper in CCT110H5S ("CCT110"), contrary to section B.I.1(d) of the *Code*;
  - (b) guilty of knowingly representing as one's own an idea or expression of an idea or work of another in connection with a response assignment in VCC290H5F ("VCC290"), contrary to section B.I.1(d) of the *Code*;
  - (c) guilty of knowingly representing as one's own an idea or expression of an idea or work of another in connection with an annotated bibliography in VCC392H5F ("VCC392"), contrary to section B.I.1(d) of the *Code*;
3. The Trial Division of the University Tribunal was then convened on August 11, 2025, to address the penalty arising from the offences as found.
4. The Student did not attend the penalty hearing and was not represented. Discipline Counsel advised that neither the Student nor a representative of the Student had responded to the Notice of Virtual Hearing. .

5. The Panel was satisfied that the Student had been given reasonable notice of the hearing in compliance with the Act and the Rules and proceeded with the hearing in the absence of the Student.
6. The Panel determined that the following sanctions shall be imposed:
  - (a) L■■■■ J■■■■ shall receive a final grade of zero in CCT110 in Winter 2022;
  - (b) L■■■■ J■■■■ shall receive a final grade of zero in VCC290 in Fall 2022;
  - (c) L■■■■ J■■■■ shall receive a final grade of zero in VCC392 in Fall 2022;
  - (d) L■■■■ J■■■■ shall be suspended from the University of Toronto for a period of three years, to begin on July 23, 2024; and
  - (e) this sanction shall be recorded on L■■■■ J■■■■ academic record and transcript for a period of four years, beginning July 23, 2024, until July 23, 2028.
7. The Panel also determined that the case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanctions imposed, with the name of the student withheld.
8. This decision outlines the reasons supporting penalty as determined by the Panel on the basis of the evidence and submissions presented by Discipline Counsel.

### **Decision of the Tribunal on Sanction**

9. The Panel begins, as it must, with a consideration of the six factors which are potentially relevant to a determination of sanction as set out in the decision in *University of Toronto and Mr. C.* (Case No. 1976/1977-3, November 5, 1976) at para 12 and then considers how those factors should be weighed.

10. Sitting as a member of the Appellate Division of this Tribunal some 46 years ago, in *University of Toronto and Mr. C.* (Case No. 1976/1977-3, November 5, 1976) at para 12, former Supreme Court of Canada Justice Sopinka set out the principles and factors to be considered when imposing sanctions on students guilty of academic offences:

“What then are the principles that this Tribunal should follow in dealing with an appeal from sentence? First, in my opinion, punishment is not intended to be retribution to get even, as it were, with the student for what he has done. It must serve as a useful function. The classical components of enlightened punishment are reformation, deterrence, and protection of the public. In applying these criteria, a tribunal should consider all of the following:

- (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;
- (f) the need to deter others from committing a similar offence.”<sup>1</sup>

11. With respect to the character of the person charged, factors (a) and (d), it must be recognized that the Student plagiarized in three different circumstances but also that she did plead guilty to each of those offences, though after doing so she stopped responding to the disciplinary process and so we have only her original admissions but no further insight into her remorse. The fact that she did not attend these proceedings also means we have no evidence of extenuating circumstances surrounding the commission of the offences to consider as possible mitigating factors.

12. With respect to the likelihood of repetition, factor (b), the University submits that three offences were committed in succession. The first occurred in CCT110 in March 2022. The

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<sup>1</sup> *University of Toronto and N.A.* (Case No. 1186, September 21, 2021), pg. 7, para. 23

Student was made aware of concerns regarding this event shortly thereafter but did not respond. Six months later, the Student committed an offence in VCC290 in September 2022 and was made aware of this concern when meeting with course instructor less than two weeks later. It was only two weeks after that when the Student committed the offence in VCC392.

13. This chronology demonstrates that the Student was possibly aware of the University's concern with her conduct after the first offence, but certainly aware after the second, and nonetheless committed a third offence. This course of conduct demonstrates a basis for concern about the likelihood of repetition, which is relevant to determining an appropriate penalty. The University submits, on evidence, that it supports a more serious sanction.
14. All of this occurred in the context of guidance provided to the Student about sanctions offered through the University of Toronto *Code of Behaviour on Academic Matters*, effective July 1, 2019, Appendix C, p. 20, Provost's Guide on Sanctions. While this Appendix document is not binding, it does communicate to students what they may expect if they commit academic offences. The Student committed three academic offences with knowledge of what might occur if she did.
15. Lastly, the Panel considers the nature of the offence, the detriment it causes to the University, and the concept of general deterrence, all as factors relevant to sentencing. These are factors (c), (e) and (f).
16. Plagiarism is a serious offence. The T.P. case, decided in 2024, is instructive here. In this case, the Student had not committed any prior academic offences but had committed three concurrent offences. The Student did not participate in the disciplinary process. The Panel described how these facts engage this group of factors in the following way:

"The detriment to the University occasioned by the offences is considerable. It cannot be overstated how serious the offence of plagiarism is in an academic setting. It allows students to obtain credit for work that is not their own to the detriment of not just the University but of their fellow students. It results in gross unfairness to students who produce their own work and can ultimately undermine the reputation of the University.

The need for deterrence is high, especially in the case of repeat offenders. Students must know that multiple cases of academic misconduct attract a higher penalty.

The threshold penalty of a two-year suspension would not account for the multiple offences in quick succession. A three-year suspension is in line with the previous cases and adequately address the serious nature of the three offences at issue."<sup>2</sup>

17. The same reasoning applies here.
18. The Panel next considers the relevance of other cases which have fact patterns that are similar to this one. These do not function as precedents in the sense that they must be followed but the disciplinary process is intended to produce a consistent approach so that students are treated fairly.
19. The University's Counsel digested and reviewed with this Panel a series of cases that established the consistency of the penalties sought for the Student.
20. In each case, more than one offence has been committed. In some cases, there were no prior offences though in others there were. All resulted in same sanction sought by the University here.
21. In the most similar case, the student had committed three concurrent first offences, did not participate in the proceedings and had committed no prior offences. In addition, the nature of offences (plagiarism and unauthorized aid) are similar in nature to case before us.

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<sup>2</sup> *University of Toronto and T.P.* (Case No. 1513, August 27, 2024), pg. 13, paras. 54-56

22. In other cases, there were only two offences, though a similar penalty was ordered. In one case, only a single offence was committed but there had been a prior offence. In another, there were multiple offences with one prior offence, but the Student had participated in creating an agreed statement of facts
23. Here, the Student did not have a prior history of offences but committed three first offences. She admitted wrongdoing, but did not participate in this process. The fact pattern of the Student's offences therefore invokes both positive and negative responses to the sentencing factors.
24. There are cases where the penalty has been more or less severe, but the constellation of similar but not identical fact patterns with the same penalty as is proposed by the University here establishes that the proposed penalty will be consistent with similar cases and therefore fair.

#### **Timing of Sanction and Notation**

25. The University proposed to begin the sanction and notation as of July 23, 2024, which was the first hearing date in these proceedings, rather than the date of the Order, which is when a sanction and notation would typically begin to run.
26. The University points out that the Student had admitted to each of the three offences in June 2023, but that this hearing proceeded on the basis of a theory that the Student had paid to have work completed. That theory was rejected by this Panel on the basis of insufficient evidence. Had the University not proceeded with that theory the proceedings would have been resolved against the Student much sooner than they were. The Student has also not been enrolled at the University during these proceedings either. The Panel was indeed presented with evidence that the Student was last enrolled in Winter 2024.

27. This is a thoughtful and fair proposal by the University. The Panel agrees that the start date for sanctions and notation of sanctions should be July 23, 2024 (and not the date of the Order).

Dated at Toronto this 4th day of December 2025.

Original signed by:

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Cheryl Woodin, Chair  
On behalf of the Panel