

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty filed on January 30, 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 -

Z██████ L██████

REASONS FOR DECISION

Hearing Date: November 17, 2025, via Zoom

Members of the Panel:

Omo Akintan, Chair

Dr. Paul Kingston, Faculty Panel Member

Iva Zivaljevic, Student Panel Member

Appearances:

William Webb, Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

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

Hearing Secretary:

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

In Attendance:

Z██████ L██████

Charges and Appearances

1. On November 17, 2025, the University Tribunal convened to hear the Provost's allegations that Z████ L████ (the "Student") violated the *Code of Behaviour on Academic Matters* ("Code"). The hearing was held virtually.
2. The Student was charged as follows:
 1. On or about April 16, 2024, you knowingly used or possessed an unauthorized aid or aids or obtained unauthorized assistance in connection with the final exam in MAT235, contrary to section B.I.1(b) of the Code.
 2. In the alternative, on or about April 16, 2024, you knowingly represented as your own an idea or expression of an idea or work of another in connection with the final exam in MAT235, contrary to section B.I.1(d) of the Code.
 3. In the alternative, on or about April 16, 2024, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code to obtain academic credit or other academic advantage of any kind in connection with the final exam in MAT235, contrary to section B.I.3(b) of the Code.
3. At the hearing, Discipline Counsel advised that if a finding was made on the first charge the second and third charges would be dropped.

Facts

4. The evidence related to the finding of offence in this case was tendered by way of Agreed Statement of Facts accompanied by a Joint Book of Documents which were introduced by the University at the Hearing.
5. The facts of this case are unusual in that they involved misconduct by several students related to either MAT246H1 and/or MAT235Y1.

6. In a nutshell, a number of students including Mr. L appear to have, seemingly independently, engaged a cheating service to assist them with live unauthorised assistance during the exam for one of the two math courses.
7. Mr. L was not one of the original two students who were caught cheating during the test in MAT235. However, an investigation by the instructor after receiving a tip about a cheating account that advertised cheating services for several exams and following the discovery of the cheating students, soliciting students who want “help” in math revealed similarities in the exams written by several students, including Mr. L. The similarities in the exams caused him to believe that students had cheated on the exam and he reported the misconduct.
8. The students involved in the scheme had different means of getting the unauthorised assistance during the exam. One student had her cellphone on her lap and was receiving chats on WeChat directing her on the instructions to the problems on the exam. Another had scraps of paper with exam solutions written on them while he was in the washroom.
9. It does not appear that the university learned how precisely Mr. L had cheated through the investigation.
10. Mr. L denied the allegations at the Dean’s Designate meeting on September 26, 2024.

11. Subsequent to that meeting, Mr. L admitted guilt. In a sworn affidavit, Mr. L admitted that he had been added to a WeChat group by an individual he had seen advertising exam answers on WeChat.
12. Mr. L transferred \$1,800 to the cheating agent for what he believed to be a “one-on-one” answer service. He learned through the university’s investigation that the individual service offered was a fabrication.
13. Mr. L also confessed in his affidavit to using a miniature earpiece to receive answers during the exam. The cheating agent had arranged for someone to read the answers aloud to him in real time. In addition, exam answers were shared with Mr. L via WeChat.
14. During the hearing, Discipline Counsel advised that Mr. L’s affidavit and provision of his chat exchange with the cheating agent had positively impacted the University’s cases against the other students. He indicated that some students who had previously denied wrongdoing admitted to it after being provided Mr. L’s affidavit. This hard evidence strengthened the case of what might otherwise have been a circumstantial evidence case.
15. Since confessing to his guilt, Mr. L has been fully cooperative and assistive of the University’s process.
16. Based on the evidence, including the student's admission, the Panel concluded that charge 1 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.

17. The University has withdrawn the alternatives: Charge 2 and Charge 3.

Penalty

18. While the parties did not make joint submissions on penalty, they nonetheless provided an Agreed Statement of Facts, outlining, in general terms, what had transpired during Mr. L's exam.

19. In addition, Mr. L gave *viva voce* evidence. In his testimony, he took full accountability for what had transpired, apologised and also indicated a desire to assist in steering other students away from the choices that he had made.

20. In determining penalty, the Panel is directed to consider the factors outlined in the seminal *University of Toronto and Mr. C* decision (Case No. 1976/77-3, November 5, 1976): reformation, deterrence and protection of the public. None of these three goals has priority over the other but the Panel may consider how the facts of each case may demand that one has more relevance over the other.

21. The Provost sought to have the following sanctions imposed on the Student:

- a) a final grade of zero in MAT235 in Winter 2024;
- b) a suspension from the University of Toronto for 5 years from the date of the University Tribunal's Order; and
- c) a notation of the sanction on the Student's academic record and transcript for 6 years from the date of the University Tribunal's Order.

22. Applying the factors outlined in the seminal *University of Toronto and Mr. C* decision (Case No. 1976/77-3, November 5, 1976):

- a) ***The Character of the Student:*** The student engaged in a premeditated act of serious dishonesty and compounded it by denying the allegations at the Dean's Designate meeting. That said, the student has been recently very cooperative with the university and expressed deep remorse during the hearing. He also had neither a prior nor a concurrent charge for other misconduct. In his testimony he indicated that he had learned from his mistake and hoped to be able to use his lesson to deter other students from similarly misconducting themselves. This is an indication of remorse, and we hope that the student will find a way to make good on his offer to help deter others.
- b) ***The likelihood of repetition of the offence:*** As indicated above, the student has expressed remorse. He expressed it in his affidavit and in his testimony. Having sat through this hearing and having experienced the consequences of academic misconduct one would hope that the likelihood of repetition is small.
- c) ***The nature of the offence committed:*** The most notable aspect of this offence is the amount of premeditation required. To pull this off, the student: engaged a third-party seller for exam assistance, worked with the seller to arrange a way for him to receive live answers during the exam; paid \$1,800 for the service; and wore a miniature earpiece to the exam.

The sequence of events leading to this act of cheating and the fact that there was a commercial element (he paid the cheating agent) are most concerning.

- d) ***Any extenuating circumstances:*** The student testified to being under a high degree of academic pressure. He also testified that he has major depressive disorder and is receiving care for that. Mr. L also referenced his immigration status and expressed concern that a long suspension might negatively impact his ability to stay in Canada.

The Tribunal is sympathetic to the fact that the student felt pressure to perform well. However, the student tendered no evidence to support his testimony about his mental health at the time. We are unable to place any substantial weight on a self professed diagnosis as a mitigating factor.

- e) ***The detriment to the university caused by the misconduct:***

Misconduct of this kind is very difficult to detect. As technology gets more sophisticated, that task will become even more difficult. Universities have an interest in protecting the integrity of the credits, grades and degrees they confer. Had the student succeeded in misleading the instructor, he may have received a grade which misrepresented his level of proficiency and the University would have unwittingly been party to misleading others, including potential employers or other institutions to which the student may apply with his transcript.

- f) ***The need for general deterrence:*** Given the difficulty of detecting these types of misconduct, the consequences upon detection need to be severe enough to deter others from committing similar misconduct.

23. There is no dispute between the parties that a 5-year suspension is typical in these cases. In fact, the cases suggest that expulsion would be a reasonable consequence in this case. However, a review of the case law in which the student admits guilt and cooperates in the proceeding, indicates that the outcome is typically reduced to a 5-year suspension. In that respect, the penalty sought by the university, in this case, is squarely within the typical range. In the five-year suspension cases, what seems to vary is the length of the notation on the students' record. In cases in which the students have been fully cooperative, as the student has been in the case before this Tribunal, the period of the notation has ranged from a notation until graduation to a permanent notation. While the range is seemingly wide, the typical notation is 5 – 6 years in duration.

24. The facts in this case are similar to the facts in a number of the cases included in the Book of Authorities. In fact, the Book of Authorities includes a summary of two cases of students involved in the same cheating scheme as Mr. L. In both cases the suspension was for 5 years; with a 6-year notation on the student's file; and a grade of 0 in the course.

25. The Panel does not see a basis for deviating from the penalty sought by the Provost. It seems entirely reasonable in the circumstance and consistent with the available caselaw.

26. For the stated reasons, the Tribunal orders that the Student is guilty of knowingly using and possessing unauthorized aids and obtaining unauthorized assistance in connection with the final exam in MAT235, contrary to section B.I.1(b) of the Code.

27. The following sanctions shall be imposed on the Student:

- a) a final grade of zero in MAT235 in Winter 2024;
- b) a suspension from the University of Toronto for 5 years from the date of the University Tribunal's Order; and
- c) a notation of the sanction on the Student's academic record and transcript for 6 years from the date of the University Tribunal's Order.

28. This case shall also be reported to the Provost for publication of a notice of the decision of the University Tribunal and the sanctions imposed, with the name of the Student withheld.

Dated at Toronto this 10th day of December, 2025.

Original signed by:

Omo Akintan, Chair
On Behalf of the Panel