

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 -

X [REDACTED] M [REDACTED]

REASONS FOR DECISION

Date of Hearing: September 9, 2025, via Zoom

Members of the Panel:

Michael Hines, Chair
Professor Michael Evans, Faculty Panel Member
Ozanay Bozkaya, Student Panel Member

Appearances:

William Webb, Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Hearing Secretary:

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

Not in Attendance:

X [REDACTED] M [REDACTED]

Charges and Hearing

1. This panel of the University Tribunal held a hearing on September 9, 2025 to consider charges brought by the University of Toronto against X [REDACTED] M [REDACTED] ("the Student") under the *Code of Behaviour on Academic Matters, 2019* (the "Code").

Procedural Issues

2. The Student was charged with the Offences set out in paragraph 6, below (the "Charges"). Essentially, they relate to an allegation that the Student obtained unauthorized assistance in connection with the final exam in MAT246H1: Concepts in Abstract Mathematics ("MAT246") through communications during the exam with an outside source.
3. The Student did not appear at the hearing. However, the matter proceeded on an Agreed Statement of Facts ("ASF") that the Student had signed on April 15, 2025. Paragraphs 3 and 4 of that ASF read as follows:
 3. The Office of Appeals, Discipline, and Faculty Grievances sent the Student a letter with information about Downtown Legal Services, the Law Society Referral Service, and the hearing process. The Student has reviewed this letter, the University has given the Student an opportunity to obtain legal advice, and the Student has obtained legal advice about this matter. A copy of the letter from the Office of Appeals, Discipline, and Faculty Grievances to the Student is attached to the ASF at Tab B.
 4. The Student acknowledges that they have received a copy of the charges, waives the reading of the charges, and pleads guilty to all charges.
4. The University also provided the Panel with a copy of a Consent evidently signed by the Student on July 7, 2025, which reads in part "I do not wish to attend or participate further in these proceedings...I request that the Tribunal proceed in my absence, and I waive my right to any further notice of these proceedings."
5. In view of these acknowledgements, the University requested an Order that the Hearing proceed in the Student's absence. The Tribunal granted the requested Order. That Order is hereby confirmed.

Charges

6. The Student was charged as follows:
 1. On or about April 26, 2024, you knowingly used or possessed an unauthorized aid or aids or obtained unauthorized assistance in connection with the final exam in MAT246, contrary to section B.I.1(b) of the Code.

2. In the alternative, on or about April 26, 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 MAT246, contrary to section B.I.1(d) of the Code.

3. In the alternative, on or about April 26, 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 MAT246, contrary to section B.I.3(b) of the Code.

Evidence and Findings

7. As noted above, the Student did not attend the hearing and so provided no evidence in this hearing. Given the existence of the ASF, this did not impair the fact-finding process leading to the finding of guilt set out below. It did, however, prevent the Panel from forming any assessment of the Student or the impact on them of the events described below.
8. Put briefly, the Charges in this case arise out of the discovery by the University of a sophisticated scheme to cheat on the final exam in MAT246. The final exam in MAT246 was administered in person on April 26, 2024. It was worth 42% of the final grade in the course. The usual directions and warnings concerning academic dishonesty had been provided during the course and were repeated on the exam materials.
9. The scheme involved more than a half-dozen students using what the parties to the ASF referred to as “spy technology” such as button cameras and concealed smart watches. Through these hard-to-detect devices, the exam participants could communicate exam questions to and receive answers from an unauthorized source evidently located outside of Canada. This scheme was commercial in nature – the involved students paid their source for the information supplied.
10. Following a tipoff that the involved professor had received prior to the date of the exam, the scheme was discovered by invigilators through the observation of suspicious behaviours as the MAT246 exam was being written. As stated in paragraph 18 of the ASF regarding one of the involved students identified as “J.Z.”:

18. [X] invigilated the final exam in MAT246. During the first 30 minutes of the final exam, [X] saw J.Z. tilting their exam booklet in front of their chest and flipping through the pages without writing anything. After 30 minutes, [X] saw J.Z. writing vigorously. [X] saw J.Z. wearing a shirt with black buttons that were the same shape and colour as a button camera, but she did not notice any other features of the buttons to indicate that one of them was a camera.
11. Following the exam, a comparison was undertaken concerning the answers of the students who had written the exam. As stated in paragraph 20 of the ASF, this revealed that “that several students (Y.D., S.J., X.L., X.M., J.Z., and S.Z.) wrote answers that had striking similarities to D.H.’s answers, and that it was highly unlikely that the similarities were coincidental.” The exam materials upon which

these conclusions were based were filed as exhibits in this Hearing. The student "X.M." listed above was the Student in our case.

12. Based upon the foregoing, allegations were made against several students, including the Student in this case, that they had obtained unauthorized assistance from a third party or a cheating service in connection with the final exam in MAT246.
13. During the dean's designate meetings, only one of the accused students acknowledged their guilt. The others, including the Student at issue here, denied any wrongdoing. Paragraph 22 of the ASF states:

On June 27, 2024, X.M. attended a dean's designate meeting to discuss the MAT246 allegations. At the start of the meeting, Professor John Coleman, a dean's designate for academic integrity, gave X.M. the dean's warning in the Code. During the meeting, X.M. stated that they studied together with another student in the library, and that they checked their study notes on their smartphone during the final exam. X.M. denied obtaining unauthorized assistance from a third party or a cheating service on the final exam in MAT246.

14. As stated, one of the accused students (referred to below as the "Co-operating Student") admitted their guilt and provided insights as to how the scheme operated. This occurred at a dean's designate meeting to discuss the allegations that the Co-operating Student had obtained unauthorized assistance from a third party or a cheating service in connection with the final exam in MAT235 and the final exam in MAT246 in Winter 2024.
15. At the start of that meeting, Professor Graeme Hirst, a dean's designate for academic integrity, gave the Co-operating Student the dean's warning in the Code. The Co-operating Student then admitted that they paid a third party for answers to the final exam in MAT235 and the final exam in MAT246. The Co-operating Student explained that the third party told them that other students paid for the service, and that other students sent pictures of each final exam to the third party. The Co-operating Student stated that they had received answers via their smartwatch for the final exam in MAT246, and had received answers via their cellphone for the final exam in MAT235. The Co-operating Student explained that the answers did not come in all at once because the third party needed time to write the answers.
16. The Panel was provided with a copy of the meeting notes from this meeting.
17. The Co-operating Student subsequently sent the division pictures of the answers to the final exam in MAT235 and the final exam in MAT246 that they had received from the third party during the final exams. These photographs assisted the University further in connecting the Student in our case to that scheme.
18. We understand that between the date of the Student's initial denial to the dean's designate and the date that the ASF was signed, the University provided the

Student with disclosure of the evidence it had acquired. The Student ultimately agreed in the ASF to the following:

27. The Student admits to the following facts in relation to the final exam in MAT246: they used and possessed electronic aids on the final exam; they obtained unauthorized assistance from a third party or a cheating service on the final exam; they paid for the unauthorized assistance on the final exam; they performed no meaningful academic work on the final exam; they knew that they were prohibited from using or possessing an aid or aids or obtaining assistance on the final exam; and they were dishonest about the allegations at their dean's designate meeting.

28. The Student admits that they knowingly used and possessed unauthorized aids and obtained unauthorized assistance in connection with the final exam in MAT246, contrary to section B.I.1(b) of the Code.

19. Based on this evidence, the Panel found the Student guilty of the first of the charges set out in paragraph 6, above, namely that the Student knowingly used or possessed an unauthorized aid or aids or obtained unauthorized assistance in connection with the final exam in MAT246, contrary to section B.I.1(b) of the Code.
20. Pursuant to an agreement noted in the ASF, upon the making by the Panel of this finding, the University withdrew the second and third charges.

Sanction

21. The sanction aspect of the hearing was facilitated by the fact that the University and the Student had, prior to the commencement of the hearing, agreed upon a joint submission on penalty ("JSP") that would be operative in the event of a finding of misconduct. According to an Agreed Statement of Facts on Penalty, the Student acknowledged that the Provost had advised the Student of their right to obtain legal advice, and the Student had obtained that advice.
22. The parties also filed an undertaking signed by the Student in which the Student agreed and undertook that, going forward, they would not register for any courses at the University and/or apply for admission to any programs at the University (the "Undertaking").
23. In assessing the JSP, it is material to note that the Student had, in the Fall 2022 semester, previously engaged in academic misconduct, having admitted to obtaining unauthorized assistance in the completion of an assignment in AST101H1: The Sun and Its Neighbours. As a consequence, the Student was sent an email dated March 27, 2023 that contained, among other statements, the following statement:

Please be advised that all your current and future academic work must follow the rules and regulations of the University. I sincerely hope that you have learned from this experience and appreciate the importance of conducting yourself with integrity as you progress through your studies. Please note that if, in the future, you are

involved in another instance of academic misconduct, it will be taken into account that it is not your first offence, and the consequences may be more severe.

24. Assessing the Student's conduct in this case against the usual criteria, we observe:

(a) Character: because the Student chose not to attend the hearing, we have no direct evidence before of us of the Student's character. We note, however, that while the Student ultimately acknowledged their wrongdoing and entered into ASFs and a JSP, they had committed a similar offence shortly before the one before us. Moreover, in our case, the Student initially dishonestly refused to acknowledge their guilt at the first opportunity to the dean's designate;

(b) Likelihood of Repetition: given the evidence about the Student's prior offence, there is a real risk of the same offences currently under review being repeated absent a significant sanction;

(c) Nature of Offence: the deliberate, premeditated reliance on unauthorized forms of assistance in an examination is a very serious offence. It strikes at the heart of the University's core values of honesty and integrity. It has the potential to affect other students adversely by allowing cheaters to obtain grades higher than they actually merit by presenting the knowledge of others as their own. It harms the reputation of the University as a whole. The Code itself makes all this very clear. Consequently, those who commit this offence merit serious sanctions;

(d) Extenuating Circumstances: there is no evidence of any extenuating circumstances in this case;

(e) Detriment to the University: as noted above, offences of the kind committed in this case strike at the heart of the University's core values of honesty and integrity. They cannot be tolerated;

(f) Deterrence: serious sanctions are required to discourage others from committing similar offences.

25. In similar cases, the Tribunal has found that expulsion was an appropriate sanction (see, for example, *University of Toronto and J.M.* (Case No. 1573, October 30, 2024)). The striking features of this case involve the methodology and context within which the offence took place. Specifically, the Student sought to make use of sophisticated "spyware" (an agreed upon term) provided to them as part of trans-national commercial enterprise. This very troubling feature would invite the most severe response from the University. Indeed, Discipline Counsel asserted without refutation that, in the absence of the ASF, the JSP and the Student's undertaking never to re-apply to the University, the penalty of expulsion would have been sought.

26. The Panel also recognizes the deference that is, for reasons expressed in many previous cases, customarily accorded to JSPs (see, for example, *University of Toronto and M.A.* (Case No. 837, December 22, 2016)). Accordingly, for our

purposes, it is sufficient for the Panel to observe that the JSP in our case would not be contrary to the public interest, nor would it bring the administration of justice into disrepute. This determination is in no small part based upon the Undertaking noted above.

27. Accordingly, the terms of the JSP are reflected in paragraph 28, below, and are adopted by the Panel as the appropriate penalty in this case.
28. Based upon the foregoing, and after reading the evidence submitted and hearing submissions from Discipline Counsel, the Tribunal orders that:
 - (a) The hearing may proceed in the absence of the Student;
 - (b) The Student is guilty of knowingly using and possessing unauthorized aids and obtaining unauthorized assistance in connection with the final exam in MAT246H1, contrary to section B.I.1(b) of the Code;
 - (c) The following sanctions shall be imposed on the Student:
 - (i) a final grade of zero in MAT246H1 in Winter 2024;
 - (ii) a suspension from the University of Toronto for 5 years from the date of the University Tribunal's Order; and
 - (iii) 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; and
 - (d) This case shall 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 29th day of December, 2025.

Original signed by:

Michael Hines, Chair

On Behalf of the Panel