

**UNIVERSITY OF TORONTO
UNIVERSITY TRIBUNAL**

IN THE MATTER OF charges of academic dishonesty made on June 25, 2018,

AND IN THE MATTER OF the University of Toronto *Code of Behaviour on Academic Matters, 1995,*

AND IN THE MATTER OF the *University of Toronto Act, 1971, S.O. 1971, c. 56 as amended S.O. 1978, c. 88*

B E T W E E N:

UNIVERSITY OF TORONTO

and

O [REDACTED] R [REDACTED] (the “Student”)

REASONS FOR DECISION

Hearing Date: December 3, 2018

Members of the Panel:

Ms. Shantona Chaudhury, Chair
Professor Pascal van Lieshout, Faculty Panel Member
Ms. Alice Zhu, Student Panel Member

Appearances:

Ms. Tina Lie, Assistant Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Not in Attendance:

Mr. O [REDACTED] R [REDACTED], the Student

Hearing Secretary:

Tracey Gameiro, Associate Director, Appeals, Discipline & Faculty Grievances

1. On December 3, 2018, this Panel of the University Tribunal held a hearing to consider the charges brought by the University of Toronto (the “**University**”) against O [REDACTED] R [REDACTED] (the “**Student**”) under the *Code of Behaviour on Academic Matters, 1995* (the “*Code*”).

I- THE CHARGES AND PARTICULARS

2. The Charges against the Student were detailed in a letter to the Student dated June 25, 2018, as follows:

- a) On or about November 5, 2015, you knowingly represented as your own an idea or expression of an idea or work of another in an essay that you submitted in CCT109H5F (Contemporary Communication Technologies) (the “*Course*”), contrary to section B.I.1(d) of the *Code*.
- b) In the alternative, on or about November 5, 2015, you knowingly obtained unauthorized assistance in connection with an essay that you submitted in the *Course*, contrary to section B.I.1(b) of the *Code*.
- c) In the further alternative, on or about November 5, 2015, 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 an essay that you submitted in the *Course*, contrary to section B.I.3(b) of the *Code*.

3. At all material times the Student was an undergraduate at the University of Toronto Mississauga (“**UTM**”).

4. In Fall 2015, the Student enrolled in the Course, which was taught by Professor Brett Caraway.
5. On or about November 5, 2015, the Student submitted a comparative analysis essay (the “Essay”), which was worth 10% of your final grade in the Course.
6. The Student submitted the Essay:
 - (a) to obtain academic credit;
 - (b) knowing that it contained ideas, expressions of ideas and verbatim or nearly verbatim text from sources, including essays that had been submitted by other students in the Course, C.O. and J.E. (the “Sources”);
 - (c) knowing that it contained ideas or expressions of ideas which were not your own, but were the ideas or expressions of ideas of others, including the Sources; and
 - (d) knowing that you did not properly reference the ideas, the expressions of ideas and the verbatim or nearly verbatim text that you drew from the Sources.
7. The Student knowingly obtained unauthorized assistance in connection with the Essay from the Sources.
8. The Student knowingly submitted the Essay with the intention that the University of Toronto Mississauga rely on it as containing his own ideas or work in considering the appropriate academic credit to be assigned to his work.

II - NOTICE AND PROCEEDING WITH THE HEARING IN THE ABSENCE OF THE STUDENT

9. The Tribunal called the hearing to order at the scheduled 1:45 p.m. start time. The Student was not present and was not represented by counsel. Assistant Discipline Counsel advised that neither the Student nor a representative of the Student had responded to the Notice of Hearing. The

Tribunal waited for 15 minutes to allow time for the Student to appear. The Student did not appear by 2:00 p.m. or afterward.

10. Assistant Discipline Counsel asked the Tribunal to find that the Student had been provided with reasonable notice of the hearing, and that the hearing should proceed in the Student's absence.

The Law

11. Pursuant to section 7 of the *Statutory Powers Procedure Act* ("**SPPA**") and Rule 17 of the Tribunal's *Rules of Practice and Procedure* (the "**Rules**"), where reasonable notice of an oral hearing has been given and the party does not attend the hearing, the Tribunal may proceed in the absence of the party and the party is not entitled to any further notice in the proceeding.

12. Reasonable notice and service requirements are governed by section 6 of the *SPPA* and Rules 9, 13, and 14. Pursuant to Rule 9, a Notice of Hearing may be served on a student by various means, including by sending a copy of the document by courier to the student's Repository of Student Information ("**ROSI**") mailing address or by emailing a copy of the document to the student's ROSI email address.

13. The University's Policy on Official Correspondence with Students expressly states that students are responsible for maintaining a current and valid postal address and email account on ROSI. Students are expected to monitor and retrieve all mail, including emails, on a frequent and consistent basis.

14. The onus of proof is on the University to demonstrate that it provided a student with reasonable notice of the hearing.

The Evidence

15. Assistant Discipline Counsel led the following evidence in support of proceeding in the Student's absence: the Affidavit of Service of Ms. Krista Osbourne, Administrative Clerk and Hearing Secretary, Appeals, Discipline and Faculty Grievances, Office of the Governing Council, University of Toronto (the "**Office**"); the Affidavit of Attempted Service of Mr. Ray Patykewich, process server at Donaldson Law Clerk Services Inc.; and the Affidavit of Ms. Janice Patterson, legal assistant to Ms. Tina Lie at Paliare Roland Rosenberg Rothstein LLP.

16. This evidence indicated that numerous attempts were made to contact the Student regarding the allegations at issue in this proceeding.

(i) UTM's Attempts to Contact the Student Prior to the Charges Being Laid

17. From January to March 2017, the Office of the Dean at UTM tried to contact the Student by email to the email address that the Student had provided in ROSI (the "**ROSI email address**") and by telephone at the phone number that he had provided in ROSI (the "**ROSI phone number**") regarding the allegation of academic misconduct that is in issue in this proceeding. The Student did not respond to any of UTM's attempts to contact him. Accordingly, no meeting with the Dean's Designate was held.

18. On March 31, 2017, UTM sent the Student an email advising that, as a result of his unwillingness to participate in the process, UTM had placed two holds/conditions on his record that would affect him in the following ways: (a) he would be unable to request his transcript from the University of Toronto; and (b) he would be blocked from becoming "Registered" in any

subsequent academic sessions. The email informed the Student that the only way to have these conditions removed was to contact UTM to arrange a meeting.

(ii) The Office of the Vice-Provost's Attempt to Provide Notice

19. On June 25, 2018, the Office of the Vice-Provost, Faculty and Academic Life served the Charges in this matter on the Student by email at the ROSI email address.

(iii) The Office of Appeals, Discipline and Faculty Grievances' Attempts to Provide Notice

20. The Office made numerous attempts to notify the Student of the Charges and the hearing by email and by mail. The Office did not receive a response from the Student to any of this correspondence.

21. On June 26, 2018, the Office served the Student with a letter regarding the Charges that were filed against him, together with copies of the Charges, the *Code of Behaviour on Academic Matters*, the *Rules of Practice and Procedure*, and a pamphlet for Downtown Legal Services. These documents were served on the Student by email at the ROSI email address. The Office did not receive a "bounce back" message from the Student's email address indicating that this email could not be delivered.

22. The Office also sent a hard copy of the letter of June 26, 2018 and enclosures to the Student by courier at the mailing address that the Student had provided in ROSI (the "**ROSI mailing address**"). The courier attempted to deliver the package at this address twice. There was no answer on either occasion, and the package was returned to the Office as undelivered.

23. On October 9, 2018, the Office served the Student with the Notice of Hearing for a hearing on Monday, December 3, 2018 at 1:45 pm, together with copies of the letter of June 26, 2018 and enclosures (which included the Charges) by email at the ROSI email address. The Office did not receive a “bounce back” message to this email.

24. The Office also sent a hard copy of the letter of October 9, 2018 and the Notice of Hearing and other enclosures by courier to the Student at the ROSI mailing address. The courier who attempted to deliver the package to the Student advised that there was no answer at the residence. The Office asked the courier to reattempt service the next day. The courier duly attempted again to deliver the package to the Student at the ROSI mailing address on October 10, 2018. Again, there was no answer. Accordingly, the package was returned to the Office as undelivered.

25. On November 26, 2018, the Office sent an email to the Student at the ROSI email address to remind him of his hearing scheduled for Monday, December 3, 2018 at 1:45 pm, and asking him to advise if there would be any attendees from his side. The Office did not receive a “bounce back” message to this email.

(iv) Attempt at Personal Service

26. An attempt was also made to serve the Student with the Charges and Notice of Hearing personally. On November 16, 2018, Mr. Ray Patykewich of Donaldson Law Clerk Services Inc. attempted to serve these documents, along with a cover letter from Assistant Discipline Counsel, on the Student at the ROSI mailing address. A woman answered the door and told Mr. Patykewich that the Student had moved out about six months ago. Mr. Patykewich’s evidence was that he formed the impression that the woman might not have been telling the truth.

(v) Assistant Discipline Counsel's Attempts to Provide Notice

27. Assistant Discipline Counsel also made numerous attempts to contact the Student regarding the Charges against him, but never received a response.

28. On July 5, 2018, Assistant Discipline Counsel sent an email to the Student at the ROSI email address. She advised that important correspondence would be sent to this email account. Assistant Discipline Counsel did not receive a "bounce back" message indicating that her email could not be delivered. The Student did not respond to Assistant Discipline Counsel's email.

29. On September 21, 2018, Assistant Discipline Counsel's assistant, Ms. Patterson, sent the Student a letter from Assistant Discipline Counsel, which in turn enclosed a letter and disclosure brief relating to this matter, as well as another copy of the Charges and a copy of the University's *Policy on Official Correspondence with Student*. These documents were emailed to the Student at the ROSI email address. Ms. Patterson did not receive a "bounce back" message indicating that her email could not be delivered.

30. Ms. Patterson also sent a hard copy of these documents to the ROSI mailing address. She received confirmation that the package was successfully delivered to that address on September 21, 2018 and was left in the mailbox.

31. On September 25 and October 8, 2018, Assistant Discipline Counsel sent emails to the Student at the ROSI email address regarding the scheduling of the hearing. Assistant Discipline Counsel did not receive a "bounce back" message. The Student did not respond to her emails.

32. On September 27, 2018, Ms. Patterson tried calling the Student at the ROSI phone number. There was no answer. The phone rang approximately five times and then there was a pause which seemed to indicate that the call was being forwarded to another number. The phone then rang approximately five times again. There was then an automated message that indicated that Ms. Patterson had reached the mailbox for another phone number. Ms. Patterson left a brief message, asking the Student to check his University of Toronto email and asking him to call her back. Ms. Patterson then called the other phone number. That call also went unanswered and appeared to go to the same voicemail box. Ms. Patterson did not leave another message. She did not receive a response to her voicemail message.

33. On November 23, 2018, Assistant Discipline Counsel sent the Student an email at the ROSI email address, attaching an affidavit on which she intended to rely at the hearing. Assistant Discipline Counsel did not receive a “bounce back” message. The Student did not respond to her email.

The Student's Accessing of his ROSI Email Account and Student Web Services

34. On November 14, 2018, Assistant Discipline Counsel sent an email to Mike Wiseman, Associate Director, Information Security, Information Technology Services, at the University of Toronto, requesting information about the last time that someone accessed the Student's ROSI email account and if the account was being forwarded to another address. Mr. Wiseman responded that the last login to the email account was on November 10, 2017 at 10:50 am and there was no forwarding set up.

35. The Student's Student Web Services ("SWS") Activity Log indicates that the Student last logged into SWS on June 2, 2017.

Decision of the Panel

36. In light of the above evidence, the Tribunal found that the University had provided the Student with reasonable notice of the hearing and the Charges against him, in accordance with Rules 9, 13 and 14 of the *Rules* and section 6 of the *SPPA*.

37. While there is no evidence confirming that the Student had *actual* notice of the hearing, the University has no obligation to prove actual notice: the question before the Panel is whether the University took reasonable steps to notify the Student of the Charges against him and of the hearing. The University is entitled to rely on its Policy on Official Correspondence with Students. Students who do not comply with the Policy by either failing to provide accurate and up-to-date contact information, or by failing to monitor and retrieve their mail and email on a frequent and consistent basis, run the risk that important steps will be taken in their absence.

38. Here, the University attempted to serve the Student personally, by courier at the ROSI mailing address and by email at the ROSI email address. We are satisfied that these efforts constitute reasonable steps to notify the Student in accordance with the *Rules* and the *SPPA*. Indeed, the University's efforts exceed what was required of it.

39. The Tribunal therefore determined that it would proceed to hear the case on its merits in the absence of the Student, and the hearing proceeded on the basis that the Student was deemed to deny the Charges made against him.

III - LIABILITY

Nature of the Evidence

40. The University tendered the affidavit of Professor Brett Caraway affirmed November 23, 2018 into evidence. Professor Caraway is an Assistant Professor at the Institute of Communication, Culture, Information, and Technology (“**ICCIT**”) at UTM, and taught the course in which the Student is alleged to have committed academic misconduct. Professor Caraway was not present at the hearing, but Assistant Discipline Counsel confirmed that he was available by telephone to answer questions from the Panel if necessary. This did indeed prove necessary, and Professor Caraway gave evidence by telephone. This evidence will be discussed below.

41. Although the University did not initially call any witnesses, the Panel had certain questions during the hearing that could not be answered by Professor Caraway. Ms. Lisa Devereaux, Manager, Academic Integrity and Affairs at UTM, who was present at the hearing, was therefore sworn as a witness, and gave evidence. This evidence will be discussed below.

Substance of the Evidence

(i) The Alleged Academic Misconduct

42. In Fall 2015, Professor Caraway taught CCT109H5F, Contemporary Communication Technologies in which the Student was enrolled.

43. At the beginning of the Course, Professor Caraway emphasized to students the importance of academic integrity. The course syllabus included the following passages at pages 5-6:

Academic Integrity

From the Code of Behaviour on Academic Matters:

“It shall be an offence for a student knowingly:

(d) to represent as one’s own any idea or expression of an idea or work of another in any academic examination or term test or in connection with any other form of academic work, i.e. to commit plagiarism. Wherever in the Code an offence is described as depending on “knowing”, the offence shall likewise be deemed to have been committed if the person ought reasonably to have known.”

From the U of T Mississauga Academic Calendar:

Honesty and fairness are considered fundamental to the University’s mission, and, as a result, all those who violate those principles are dealt with as if they were damaging the integrity of the University itself. The University of Toronto treats academic offences very seriously. Students should note that copying, plagiarizing, or other forms of academic misconduct will not be tolerated. Any student caught engaging in such activities will be subject to academic discipline ranging from a mark of zero on the assignment, test or examination to dismissal from the University as outlined in the UTM calendar. Any student abetting or otherwise assisting in such misconduct will also be subject to academic penalties.

Students are assumed to be informed about plagiarism and are expected to read the handout, How Not to Plagiarize (<http://www.writing.utoronto.ca/advice/using-sources/how-not-to-plagiarize>) written by Margaret Procter. It is a valuable and succinct source of information on the topic. You are also supposed to be familiar, and considered as being familiar, with the Code of Behaviour on Academic Matters (see UTM Calendar: Codes and Policies or <http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>) and Code of Student Conduct (<http://www.governingcouncil.utoronto.ca/policies/studentc.htm>), which spell out your rights, your duties and provide all the details on grading regulations and academic offences at the University of Toronto.

You have the right to arrange for representation from downtown legal services (DLS), a representative from the UTM Students’ Union (UTMSU), and/or other forms of support if you are charged with an academic offense.

Normally, students will be required to submit their course essays to Turnitin.com for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the Turnitin.com reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University’s use of the Turnitin.com service are described on the Turnitin.com web site.

44. Students in the Course were required to submit a comparative analysis essay, worth 10% of their final grades, by October 28, 2015. They were required to submit their essays to Turnitin.com, a service that compares the submitted work with works contained in the

Turnitin.com database and available online. Students were notified, on page 3 of the course syllabus, that this was an individual assignment and that they were not permitted to work with other person(s) to complete the assignment.

45. The Student submitted his essay, entitled “Comparative analysis essay” (the “**Essay**”) to Turnitin.com a week after the deadline, on November 5, 2015. The Turnitin.com report identified a 53% similarity index with student papers that had been submitted to the University of Toronto. Professor Caraway retrieved two student papers that had returned the match on Turnitin.com. They were:

- (a) a comparative analysis essay that was submitted to Turnitin.com by another student, C.O. in the Course on October 28, 2015, entitled “Relationship Between Journalism and User Generated Content” (“Paper A”); and
- (b) a comparative analysis essay that was submitted to Turnitin.com by another student, J.E. in the Course on October 28, 2015, entitled “User Generated Content” (the “Paper B”).

46. The evidence established that the Student’s Essay consisted essentially of the first paragraph of Paper A and the last paragraph of Paper B. The Student’s Essay was 365 words in length. According to the course syllabus, the required length of the essay assignment was 1250 words.

47. There was no evidence before the Panel as to how the Student obtained access to Paper A or Paper B.

(ii) Efforts to contact the Student regarding the alleged academic misconduct

48. Professor Caraway's affidavit indicated that on November 30, 2015, he sent the Student an email through Blackboard (the online tool that he used to communicate with students in the Course), requesting a meeting to discuss the Essay. The Student did not respond to this email.

49. Professor Caraway's affidavit further indicated that on September 22, 2016, Professor Caraway emailed the Student again to let him know that he had not been assigned a grade for the Course due to an unresolved academic misconduct concern, and to request a meeting. Again, the Student did not respond to Professor Caraway's email.

50. Professor Caraway's affidavit also indicated that the matter was subsequently forwarded to the UTM Office of the Dean in December 2016.

51. The Panel expressed some concern with the length of time between the date of Professor Caraway's first email (November 30, 2015) and his second email (September 22, 2016), as well as the lengthy delay between the date of the alleged offence (November 5, 2015) and the date it was first reported by the Director of the ICCIT (who is the equivalent of a Department Chair) to the Office of the Dean.

52. Professor Caraway was contacted by telephone in order to address these questions, and was duly sworn in as a witness in these proceedings. Professor Caraway testified that he had no specific memory of the events at issue in this case, but explained his normal procedure. First, he would send an initial email to the student letting him/her know that his/her grade had been withheld because of a concern with the assignment. Then, Professor Caraway would make announcements in class explaining that if a student had turned in the assignment but had not yet received a grade, s/he should have received an email from him and s/he needed to make an appointment to meet

with him. Professor Caraway testified that he did recall making this announcement in the Course in late 2015. Professor Caraway also requested that the Teaching Assistants make a similar announcement in their sections. Professor Caraway would give students until the end of the term at the latest to book an appointment and meet with him. Professor Caraway explained that he keeps notes of his meetings with students, and he has no record of a meeting with the Student in question. This indicates to him that no such meeting took place.

53. If the matter remained unresolved at the end of term, Professor Caraway would pass on his concern to the Director of the ICCIT. The Director would reach out to the student and try and get him/her to meet in order to address the concerns. At that point it would be the Director's decision whether to escalate the matter.

54. Professor Caraway had no recollection of events relating to this case after the Course ended in December 2015, but acknowledged that he sent a second email to the Student on September 22, 2016.

55. Ms. Lisa Devereaux, Manager, Academic Integrity and Affairs at UTM, was sworn in to provide evidence on when the Dean's Office was first informed of the Student's alleged academic misconduct

56. Ms. Devereaux testified that on November 8, 2016, the Dean's Office received a request from the Director of the ICCIT, Anthony Wensley, for a Grade Withheld Pending Review ("GWR") notation to be placed on the Student's transcript with respect to the Course. The Dean's Office did not receive any documentation or evidence until December 6, 2016. The Dean's Office first contacted the Student on January 23, 2017.

Decision of the Panel

57. The onus is on the University to establish on the balance of probabilities, using clear and convincing evidence, that the academic offence charged has been committed by the Student.

58. On the basis of the evidence before it, the Panel is satisfied that the University has met its burden of proof with respect to Charge 1 and that the Student is guilty of academic misconduct as follows:

On or about November 5, 2015, you knowingly represented as your own an idea or expression of an idea or work of another in an essay that you submitted in CCT109H5F (Contemporary Communication Technologies) (the “Course”), contrary to section B.I.1(d) of the *Code*.

59. In the present case, the Student’s Essay was clearly copied from two other papers that had been submitted in the Course a week earlier. As noted above, the Essay essentially consisted of the first paragraph of Paper A and the last paragraph of Paper B. The similarities between the papers are undeniable.

60. The Panel notes that the term “knowingly” in the charge is deemed to have been met “if the person ought reasonably to have known” that they were committing an offence under the *Code*. Actual knowledge is unnecessary.

61. Assistant Discipline Counsel advised that in light of the Panel’s finding of guilt on Charge 1, the Provost withdrew Charges 2 and 3.

62. The Panel remains concerned about the delay of approximately one year between the date of the alleged misconduct and the date the Dean’s office first received notification of it. However,

in our view this delay did not result in procedural unfairness. There is no evidence that the delay prejudiced the Student's ability to defend himself against the Charges. The delay, while unfortunate, does not change the fact that the Student's guilt has been clearly and convincingly established.

V - SANCTION

63. The University sought the following sanction:

- a) a final grade of zero in the course CCT109H5F;
- b) a suspension from the University of Toronto from the date of this order for a period of two years, ending on December 2, 2020; and
- c) a notation of the sanction on the Student's academic record and transcript from the date of this order for a period of three years, ending on December 2, 2021; and
- d) that this case be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction imposed, with Mr. R [REDACTED] name withheld.

64. The University did not lead any additional evidence with respect to sanction.

Submissions of Assistant Discipline Counsel

65. Assistant Discipline Counsel submitted that the sanction sought was appropriate in light of the six factors relevant to sanction set out in the case of *University of Toronto and Mr. C* (Case No. 1976/77-3, November 5, 1976):

- 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 offense;
- f) The need to deter others from committing a similar offence.

66. With respect to factors a) and d), Assistant Discipline Counsel noted that the Student has not participated in this proceeding at all, either at the instructor level, the Dean's level, or the Tribunal level. This means that there is therefore no evidence before the Tribunal of insight or remorse on the Student's behalf; no indication that he is inclined to take responsibility for his actions and learn from his mistakes; and no evidence of extenuating circumstances surrounding the commission of the offence that would render a lenient sentence appropriate. Assistant Discipline Counsel noted that the onus is on the Student to provide such evidence, and none was provided here. With respect to factor b), Assistant Discipline Counsel acknowledged that this was a first offence, but argued that the Student's complete lack of participation in these proceedings means that there is no evidence that the Student has recognized his misconduct and that this will not happen again.

67. With respect to factors c), e), and f), Assistant Discipline Counsel argued that, as this Tribunal held in the case of *University of Toronto v. B.S.*, (Case 697, Reasons for Sanction, August 8, 2013), plagiarism is a serious offence that strikes at the heart of the integrity of academic work and cannot be tolerated by an academic institution (para 14). The seriousness of the offence means that, absent mitigating factors, the sanction must reflect the harm caused and convey the seriousness of the misconduct to others (para 18).

68. Assistant Discipline Counsel also referred to a number of recent cases in which this Tribunal has imposed a sanction similar or identical to the one sought here for a first offence of plagiarism where the Student has not attended the hearing. Assistant Discipline Counsel

acknowledged that the Tribunal is in no way bound by these cases or by any presumption as to sanction.

Decision of the Panel

69. The determination of an appropriate penalty for academic misconduct is within the discretion of the Tribunal and will depend on an application of the relevant factors and principles to the particular circumstances of the case. As the Discipline Appeal Board wrote in *University of Toronto v. D.S.*, (Case No. 451; August 28, 2007) [**D.S.**] at para. 45: “[t]here is no matrix, formula, or chart, in which a Tribunal can determine that one particular act, must receive one particular sanction.” At the same time, as the Discipline Appeal Board also stated in *D.S.* at para. 46, “[i]t is important that students are treated fairly and equitably when receiving a sanction, and that there is general consistency in the approach of Tribunals in imposing them.”

70. Having considered the submissions of Assistant Discipline Counsel, the authorities provided, and the principles applicable to sanction outlined above, the Panel agreed that the sanction sought by the University was appropriate in the circumstances. Plagiarism is a serious offence that undermines the relationship of trust, learning, and teaching between students and the University. It warrants a strong penalty that will hopefully serve as a general deterrent to others. Given the Student’s non-participation in the proceedings at all levels, there was no evidence whatsoever before this Tribunal of remorse, understanding, mitigation or extenuating circumstances that could justify a more lenient sentence under factors a), b), or d). In the absence of such evidence, the sanction sought by the University was fair and appropriate.

VI - ORDER OF THE TRIBUNAL

71. For the above reasons, the Panel made the following Order on December 3, 2018:

THAT the hearing may proceed in the Student's absence;

THAT the Student is guilty of one count of knowingly representing an idea or expression of an idea or work of another as his own, contrary to section B.I.1.(d) of the *Code*;

THAT the following sanctions shall be imposed on the Student:

- a) a final grade of zero in the course CCT109H5F;
- b) a suspension from the University of Toronto from the date of this order for a period of two years, ending on December 2, 2020; and
- c) a notation of the sanction on his academic record and transcript from the date of this order for a period of three years, ending on December 2, 2021; and

THAT this case be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction imposed, with the Student's name withheld.

Dated at Toronto this 4th day of March, 2019



Shantona Chaudhury, Co-Chair