

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made on August 16, 2012,

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

AND IN THE MATTER OF the *University of Toronto Act, 1971, S.O. 1971, c. 45 as amended S.O. 1978, c. 88*

BETWEEN:

THE UNIVERSITY OF TORONTO

-and -

O [REDACTED] E [REDACTED]

Date of Hearing: February 22, 2013

Tribunal Members:

Ms. Rodica David Q.C., Barrister and Solicitor, Chair

Professor Louis Florence, Department of Management, University of Toronto Mississauga,
Faculty Panel Member

Ms. Saneea Tanvir, Student Panel Member

Appearances:

Ms. Lily Harmer, Assistant Discipline Counsel for the University, Paliare Roland Barristers

Professor David Cochrane, Department of Political Science, University of Toronto

In Attendance:

Professor Wayne Dowler, Dean's Designate, University of Toronto Scarborough

Ms. Natalie Ramtahal, Coordinator, Appeals, Discipline and Faculty Grievances

Not In Attendance:

Ms. O [REDACTED] E [REDACTED] the Student

Proof of Service

1. The student had a very short lived attendance at the University of Toronto. The Affidavit of Betty-Ann Campbell, Exhibit 1 sets out numerous and persistent efforts of personnel of the University and the office of the counsel for the University to contact the student. Notices of the charges and the date of the hearing were properly served in accordance with Section 6 of the Statutory Powers Procedure Act and Parts 3 and 4 of the Rules of Practice and Procedure of the University, as appears from Exhibits O, P, Q, R and S of Ms. Campbell's Affidavit. The identity of the student was confirmed by the evidence of Professor Chris Cochrane who identified the student from the photograph contained at Exhibit S of Ms. Campbell's Affidavit.
2. The Tribunal proceeded in the absence of the student in accordance with Section 7 of the Statutory Powers Procedure Act and Part 4 of the Rules of Practice and Procedure of the University.

The Charges (Exhibit 3)

3. The University proceeded on Charges 1 and 2 which states as follows:
 - 1) On or about March 17, 2011, you knowingly represented the ideas of another person as your own work, or knowingly represented the expression of the ideas of another person as your own work, in an essay submitted in the University of Toronto course POLA51H3 (Course"), contrary to section B.I.1(d) of the Code.
 - 2) On or about March 17, 2011, you knowingly submitted an essay containing purported references to sources that had been concocted to obtain academic credit in the Course, contrary to section B.I.1(f) of the Code.
4. The alternative at Charge 3 was withdrawn.

The Evidence

5. Professor Chris Cochrane gave evidence on behalf of the University. He is an assistant professor at the university in the political science department. In the spring of 2011, he taught a course entitled POLA51H3S Critical Issues in Canadian Democracy; the course syllabus is Exhibit 4. It is also available electronically through various means.
6. The syllabus clearly sets out the requirements of essay writing. Paragraph 2.3.5 describes in detail the University's policy on cheating and plagiarism. This was emphasized at the beginning of the first class in the course. Exhibit 5 sets out the Writing Guide for the tutorial in the course and is provided to the teaching assistant who conducts the tutorial.

This provides a detailed explanation of what practices constitute plagiarism and are not permitted.

7. The student is reminded in Essay Questions (exhibit 6) and the notice of a further session at Exhibit 7 of the requirements for essay writing.
8. The student submitted her essay both in hard copy (Exhibit 8) and electronically (Exhibit 9). Exhibit 8 was examined by the teaching assistant.
9. Exhibit 9 was tested with turnitin.com, which indicated a 51% similarity index, 38% from internet sources and 51% similar to other student papers. Professor Cochrane gave an internet demonstration on how he used turnitin.com. Exhibit 10 is the essay highlighted and cross-referenced to the original works.
10. Detailed evidence was given by Professor Cochrane on the similarities between the essay submitted by the student and outside sources not referenced in the essay. The first line of the essay is almost identical to an excerpt from studymode.com (Exhibit 11). As is common, the essay was progressively plagiaristic. The first main area of concern for Professor Cochrane appears at page 3 of Exhibits 9 and 10 – 6 highlighted lines in the middle of the page – a 2 sentence verbatim excerpt from a paper at diffen.com (Exhibit 12) which can be found through tripAtlas.com. The paper at Exhibit 12 has footnotes which references excerpts from Wikipedia (Exhibit 13), portions of which are contained in the student's essay. The source given by the student attributed to this excerpt is unknown "Cathy 55", and obviously concocted. Page 4 of the essay is primarily plagiarized and page 5 is entirely plagiarized. On page 5 the source is stated as "Collins 1999", a source that does not appear to exist and also clearly concocted. In any event, none of the alleged sources are in the format required of citations.
11. After testing the essay through turnitin.com, Professor Cochrane attempted to meet with the student, but was not successful and she did not attend to write the exam.

The Verdict

12. The University has presented clear and convincing evidence on both charges. It is clear that the majority of the essay submitted by the student was plagiarized from a number of sources, contrary to section B.I.1(d) and that she concocted sources contrary to section B.I.3(b). The student is guilty of both charges.

The Sanction

13. The University asks for the following sanctions:

- 1) The Student shall receive a final grade of zero (0) in the course POLA51H3: Critical Issues of Canadian Democracy;
 - 2) The Student shall be immediately suspended from the University for a period of two (2) years, beginning on the date of this Order;
 - 3) A notation shall be made on the Student's academic record and transcript to the effect that the Student has been sanctioned for academic misconduct for a period of three (3) years; and,
 - 4) That this 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.
14. This was a first offence for this student. However, as stated in numerous case authorities, it is a very serious offence, and increasing in frequency because of the easy availability of sources through the internet. Deterrence of such behavior is critical to maintaining the reputation of the University. The detriment to the University is obvious. There is no evidence of any extenuating circumstances. She has ignored the entire process and chose not to appear. In fact it appears that she has left Canada.
15. A two year suspension for a first offence has been imposed in a number of previous cases.
16. We therefore have no hesitation in accepting the sanctions as requested by the university.

An Order with the penalty was signed by the Panel at the hearing.

Dated at Toronto, this 18th day of March, 2013.



Rodica David, Q.C., Co-Chair