



**FILE: 1995/96-09**

November 8, 1996

Professor Carolyn Tuohy  
Acting Vice-President and Provost  
University of Toronto  
Simcoe Hall, Room 225ATB

Dear Professor Tuohy:

**Re: M.**

I am writing to report on the Tribunal's disposition of an alleged offence on the part of Mr. M., an Erindale College student.

At its hearings held on February 19, March 20 and March 26, 1996, the Trial Division of the University Tribunal considered the following charge against Mr. M.:

THAT on or about April 24, 1995, he intentionally used or possessed an unauthorized aid or aids or obtained unauthorized assistance in an academic examination, namely, the final examination in SUR 458S contrary to Section B.I.1.(b) of the Code of Behaviour on Academic Matters.

In particular, in the Spring of 1995 Mr. M. was a student in SUR 458S. On or about April 24, 1995, he wrote the final examination in SUR 458S, which was invigilated by Special Services. During the course of the examination Mr. M. was holding and/or using an unauthorized aid or aids, namely crib notes, which were found in his possession and confiscated from him.

Based on the evidence presented, the panel found Mr. M. guilty of the charge and imposed the following sanctions:

- assignment of a grade of zero for SUR 458S;
- a written reprimand from the Dean
- that the sanction imposed by the Tribunal be recorded on the student's academic record and transcript for a period of six months effective March 26, 1996;
- that the decision and sanctions imposed be reported to the Vice-President and Provost for publication in the University newspapers, with the name of the student withheld.

The panel gave the following reasons for its decision:

We agree with Counsel of the University that this is a very serious offence. It is serious in any type of course; it is particularly serious in an ethics course. In addition, it is particularly serious in a gentleman of the experience and maturity of Mr. M., who ought by virtue of that experience to have known what the consequences of this sort of behaviour could be. Having said that, we also recognize what we have been told in terms of the difficult circumstances of Mr. M.'s background. It is difficult to be able to pretend to understand the types of effects that that type of background can have on how one views oneself, those around oneself, and institutions. So, we are prepared to accept that there is relevance to the difficult circumstances that Mr. M. has quite clearly experienced in this life. We were not inclined to agree with the University's proposal for a suspension in this case. We believe that, for the most part, the necessary disciplinary sanction can be achieved through the sanction proposed by Mr. M.'s Counsel, that being a grade of zero for the course, with a letter of reprimand. We believe that, for the most part, the necessary disciplinary effect can be achieved in that way. Mr. M. is quite clearly, a very intelligent and, it would seem, accomplished person in his chosen field. He is married with children. He has come from difficult circumstances. He obviously has a very great deal to lose in the event that there is any subsequent finding, at this institution in particular, of similar misconduct. We do not believe that Mr. M. is likely to be a repeat offender against the *Code of Behaviour on Academic Matters* at the University.

The deadline for an appeal has expired. Neither the student nor the University has appealed the decision. The Tribunal has reported the case to the Vice-President and Provost for publication in the University newspapers, with the student's name withheld.

Sincerely,

“Margaret McKone”

Margaret McKone  
Acting Secretary,  
University Tribunal

cc: S. Girard