

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty filed on May 8, 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 -

Y■■■■■ J■■

REASONS FOR DECISION

Hearing Date: September 22, 2025, via Zoom

Members of the Panel:

Alexandra Clark, Chair

Professor Irina D. Mihalache, Faculty Panel Member

Iva Zivaljevic, Student Panel Member

Appearances:

William Webb, Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Hearing Secretary:

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

Not in Attendance:

Y■■■■■ J■■

Charges

1. On September 22, 2025, this Panel of the University Tribunal held a hearing to consider the charges brought by the University of Toronto (the “University”) against Y■■■■ J■■ (the “Student”) under the *Code of Behaviour on Academic Matters, 2019* (the “Code”).
2. Those charges were originally set out in a letter to the Student dated May 8, 2025, as follows:
 - a) On or about December 10, 2024, you knowingly used or possessed an unauthorized aid or aids or obtained or provided unauthorized assistance in connection with the final exam in MGEC06H3, or attempted to do so, contrary to sections B.I.1(b), B.II.1, and/or B.II.2 of the Code (“Count 1”).
 - b) In the alternative, on or about December 10, 2024, you knowingly abetted, counseled, procured or conspired with any other person who would have committed or have been a party to an offence in connection with the final exam in MGEC06H3, contrary to section B.II.1(a)(v) of the Code (“Count 2”).
 - c) In the alternative, on or about December 10, 2024, you knowingly abetted, counseled, procured or conspired with another member to commit or be a party to an offence in connection with the final exam in MGEC06H3, contrary to section B.II.1(a)(iv) of the Code (“Count 3”).
 - d) In the alternative, on or about December 10, 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 MGEC06H3, contrary to section B.I.3(b) of the Code (“Count 4”).
3. The Student was enrolled at the University of Toronto Scarborough at the time of the events discussed in these reasons.
4. In terms of the Student’s participation in the hearing, Discipline Counsel tendered a document titled “Consent” which had been signed by the Student on August 19, 2025. In

that document, the Student stated that he did not wish to attend or participate further in the disciplinary proceedings against him, and requested that the Tribunal proceed with the hearing in his absence. He acknowledged that he had been advised of his right to obtain legal advice, and that he had obtained that advice or had waived his right to obtain that advice. He acknowledged that the Tribunal might depart from the Joint Submission on Penalty and that he was signing the document freely and voluntarily, knowing the potential consequences that he faced.

5. In light of the acknowledgements contained in this document as summarized above, we were persuaded that it was appropriate to continue with the hearing in the absence of the Student.

Evidence Tendered

6. At the outset of the hearing, the Provost tendered an Agreed Statement of Facts executed by the Student on August 19, 2025, and by Discipline Counsel on August 20, 2025 (the “ASF”) which was included in a Book of Documents (the “Book of Documents”). The summary of events set out below is drawn from the ASF and the Book of Documents.

The Course

7. In Fall 2024, the Student enrolled in MGEC06: Topics in Macroeconomic Theory, which was taught by Professor Masoud Anjomshoa. The syllabus contained a warning about academic integrity that stated: “Academic integrity is essential to the pursuit of learning and scholarship in a university. The University treats cases of cheating and plagiarism very seriously. The University of Toronto’s Code of Behaviour on Academic Matters [URL omitted] outlines the behaviours that constitute academic dishonesty and the processes for

addressing academic offences. 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 Code of Behavior on Academic Matters. Any student abetting or otherwise assisting in such misconduct will also be subject to academic penalties. [...]”.

8. The Student reviewed the syllabus at the start of the Fall 2024 term. Students in the course were required to write a final exam which was worth 35% of their final grade in the course. On December 9, 2024, the examination team found a post on social media that advertised cheating services for several final exams, including the final exam in MGEC06. The post stated that the service had arranged to have someone photograph the questions on final exams and that it was offering one-on-one services that included question photography and access to the exam paper.
9. The final exam was administered on December 10, 2024. The university assigned additional examination staff to invigilate the final exam because of the cheating service’s post on social media. Before the final exam started, the examination team made several announcements that using or possessing electronic aids during the final exam in MGEC06 was prohibited. The examination team also displayed a slide at the front of the room that stated that electronic aids were prohibited during the final exam in MGEC06. The Student heard and saw the announcements about academic integrity before the final exam in MGEC06.

The Student used a button camera during the final exam

10. During the final exam, an invigilator saw the Student repeatedly touch his arm near his wrist. When the invigilator asked the Student about the matter, he repeatedly denied

possessing unauthorized aids and claimed that he had a medical device. The invigilator eventually found that the Student was wearing a button camera and carrying other electronic aids.

11. Later that day, the Student told the invigilator that someone had paid him to take and send them photographs of the final exam. The invigilator confiscated the electronic aids from the Student and took photographs of them. The invigilator subsequently prepared an Academic Integrity Report about the incident with the Student and the final exam in MGEC06. The Academic Integrity Report contains photographs of the aids that the Student possessed and used during the final exam. The button camera and the other aids possessed and used by the Student are sold together on the internet under the title of a “LTE/4G HD CAMERA PRO” kit.

The Dean’s designate meeting

12. On January 21, 2025, the Student attended a Dean’s designate meeting with Professor Lisa Harvey to discuss the allegations about his use of a camera in the final exam in MGEC06. At the start of the meeting, Professor Harvey gave the Student the Dean’s warning contained in the Code. During the meeting, the Student stated that he wore a button camera during the exam, but that he did not wear earpieces or receive any assistance.
13. The Student stated that a friend of a friend had asked him to wear the button camera, that he was not paid to wear the button camera, and that he wore the button camera as a favour. The Student stated that this person told him that having a button camera was not cheating, that this person did not want to tell him about the details, that he did not receive any assistance on the exam, and that he did not realize that using the button camera was cheating. At the end of the meeting, the Student pled guilty to possessing an unauthorized

aid during the final exam. Professor Harvey subsequently referred the matter to the Vice-Provost due to the seriousness of the allegations.

14. The Student now admits that:
 - a) he possessed and used a button camera during the final exam in MGEC06;
 - b) he planned to help a third party to provide unauthorized assistance to others by taking and sending them photographs of the final exam in MGEC06;
 - c) the third party paid him to take and send them photographs of the final exam in MGEC06;
 - d) he knew that this conduct was prohibited; and
 - e) he was dishonest about the offence at his Dean's designate meeting.
15. The Student now therefore admits that he knowingly possessed and used unauthorized aids in connection with the final exam in MGEC06, contrary to section B.I.1(b) of the Code.

The Panel's Finding of Guilt

16. Based on the facts and admissions summarized above, we were persuaded on a balance of probabilities that the Student had knowingly possessed and used unauthorized aids in connection with the final exam in MGE06, and we made a finding of guilt on Count 1. In light of this finding, the Provost withdrew Count 2, Count 3 and Count 4. The Panel next considered the issue of the appropriate sanction in light of the finding of guilt on Count 1.

Sanctions

17. The Provost next tendered a Joint Submission on Penalty that had been signed by the Student on August 19, 2025, and by Discipline Counsel on August 20, 2025 (the "Joint Submission on Penalty").

18. In the Joint Submission on Penalty, both the Provost and the Student agreed that, in all of the circumstances of the case, the appropriate penalty would be:
- a) a final grade of zero in MGEC06;
 - b) a suspension from the University for a period of 5 years from the date of the Tribunal's order; and
 - c) a notation on the Student's academic record and transcript for a period of 7 years from the date of the Tribunal's order.
19. The parties also agreed that this case should be reported to the Provost for publication of a notice of the University Tribunal's decision and of the sanction imposed, with the Student's name withheld. In addition, the Student has provided a signed undertaking that, going forward and at the conclusion of his suspension, he will not register for any courses or apply for admission to any programs at the University.
20. Discipline Counsel indicated that he did not have any additional evidence to tender regarding the appropriate sanctions in this case beyond the undertaking and the Joint Submission on Penalty.

Submissions Regarding Appropriate Sanctions

21. Discipline Counsel next submitted a Book of Authorities, including a chart summarizing the sanctions imposed in the cases submitted. We found that these authorities provided a useful summary of the sanctions that are normally imposed by the Tribunal in cases involving findings that a student has paid to have someone assist them in a test or final exam by using a hidden camera, cell phone and/or earpiece to obtain that assistance. While these cases all involved unauthorized assistance with a test or exam, and the present case

involves the use of unauthorized aids but not unauthorized assistance, we nevertheless found these precedents helpful.

22. Discipline Counsel began his submissions by reviewing the authorities concerning the appropriate test to apply when considering a joint position regarding sanctions. He pointed, in particular, to the decision of the Discipline Appeals Board in the case of *University of Toronto and M.A.* (Case No. 837, December 22, 2016). We note the guidance provided in paragraphs 24 and 25 of that decision, where the Board stated that:

...a joint submission may be rejected by a panel only in circumstances where to give effect to it would be contrary to the public interest or would bring the administration of justice into disrepute.

This test, in a university setting, means that the joint submission must be measured against the understood and entrenched set of values and behaviours which members of the University community are expected to uphold. Only if the joint submission is fundamentally offensive to these values, may it be rejected.

23. We followed this guidance in our assessment of the proposed sanctions in this matter.
24. Discipline Counsel next turned to the sanctioning factors to be considered in this case. We are conscious that the Tribunal, in determining the appropriate sanction in a given case, should generally consider the factors set out in the decision of the *University of Toronto and Mr. C.* (Case No. 1976/77-3, November 5, 1976), namely (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 offence; and (f) the need to deter others from committing a similar offence.
25. In this case, Discipline Counsel noted that Student's misconduct was of an extremely serious nature and that he had been dishonest in his meeting with the Dean's designate. As

to possible extenuating circumstances, he pointed out that the Student had eventually admitted his wrongdoing, that he had cooperated with the discipline process by entering into the ASF and the Joint Submission on Penalty, and that he had signed an undertaking not to re-apply to the University. The Student also had no prior academic offences on his record.

26. Discipline Counsel then reviewed a number of recent cases which involved the use of miniature cameras, hidden cell phones, and/or earpieces (which we will refer to collectively as “spy technology”) during exams. In particular, he noted that in several recent cases involving spy technology to cheat on an exam, where the student involved has admitted to their conduct at an early stage, has cooperated with the discipline process, and has taken responsibility for their wrongdoing, the sanctions imposed have been a five-year suspension, a six or seven-year notation and a mark of zero in the affected course.
27. As examples, he pointed to two decisions that, in his submission, were the most similar to the Student’s case. The first is *University of Toronto and X.S.* (Case No. 1559, February 16, 2024 and November 15, 2024) (“X.S.”) which provides an example where a camera and earpieces were used in an exam, and a proposed joint position of a five-year suspension, seven-year notation and a final grade of zero was accepted as appropriate. Likewise, in the case of the *University of Toronto and T.D.* (Case No. 1560, June 3, 2024) (“T.D.”), the sanctions imposed were a five-year suspension, a seven-year notation, and a mark of zero in the course. In the case of T.D., as in this case, the student provided a voluntary undertaking to withdraw from the University and to never re-apply for admission.
28. The Book of Documents tendered by the Provost contained a further thirteen cases involving cheating on a test or exam using spy technology. In nine of these cases, as

summarized above, the penalties were a five-year suspension, a six or seven-year notation and a mark of zero in the affected course. The specific cases were: *University of Toronto and Q.C.* (Case No. 1505, November 24, 2023), *University of Toronto and S.H.* (Case No. 1597, October 16, 2024), *University of Toronto and Q.L.* (Case No. 1695, February 24, 2025), *University of Toronto and Z.C.* (Case No. 1549, September 24, 2024), *University of Toronto and J.Z.* (Case No. 1653, February 18, 2025), *University of Toronto and W.L.* (Case No. 1739, February 18, 2025), *University of Toronto and Z.C.* (Case No. 1674, June 5, 2025), *University of Toronto and J.Z.* (Case No. 1558, July 8, 2025), and *University of Toronto and X.Z.* (Case No. 1541, April 18, 2024). These cases were generally notable for an early admission of guilt by the relevant student and for the student's cooperation with the disciplinary process which included agreeing to facts and to proposed sanctions.

29. The Provost also tendered four spy technology cases where the sanction imposed was expulsion, namely: *University of Toronto and S.Y.* (Case No. 1539, May 17, 2024), *University of Toronto and Z.H.* (Case No. 1651, December 9, 2024), *University of Toronto and J.Z.* (Case No. 1545, December 18, 2024) and *University of Toronto and H.X.* (Case No. 1598, March 3, 2025). A review of these cases, however, discloses that they all involved students who had committed prior academic offences before being found guilty of unauthorized assistance using spy technology, and that these students had not cooperated with the disciplinary process by agreeing to both facts and proposed sanctions.

Decision Regarding Sanction

30. In this case, we were persuaded that the sanctions proposed in the Joint Submission on Penalty would not be contrary to the public interest nor would they bring the administration of justice into disrepute, and we agreed to impose them.

31. In considering the appropriate sanctions in this case, we agree with the observations of the Panel in the case of X.S. when they wrote, in paragraphs 14 and 15 of that decision:

Regarding the nature of the offence, detriment to the University, and need to deter others, this Panel stresses that buttonhole camera and spyware cases are amongst the most severe forms of misconduct currently before the Tribunal. The use of this spyware technology is a form of premeditated cheating that includes the most offensive elements of cases where students purchase assignments and where students engage in personation. This behaviour undermines the integrity of the University and must be deterred. These cases warrant the most severe of sanctions.

If the Panel were to impose its own penalty, it likely would have recommended expulsion. However, the Panel appreciates that the parties have provided a joint submission on penalty. The joint submission provided by the parties is in line with cases where there has been both spyware or personation and a joint submission on penalty. The Panel is therefore satisfied that accepting this joint submission does not bring the administration of justice into disrepute.

32. In this case, like the panel in X.S., we felt that the presence of an agreed statement of facts and joint submission on penalty were significant mitigating factors, and we also considered the Student's early admission of guilt and acceptance of responsibility for his actions.
33. We noted that in this case, unlike in all of the spy technology cases tendered by the Provost, the Student apparently did not use the spy technology for this own immediate benefit on the exam. Rather, he admits that he attempted to photograph the exam paper in exchange for an unspecified payment, which would presumably assist others to cheat. Discipline Counsel submitted that the fact that the Student used the spy technology to help others to cheat rather than to cheat himself did not take his proposed sanctions outside of the range established in the nine other spy technology cases involving an early plea and no prior offences. While we are concerned that the Student sought to profit from his dishonest actions, we note that he has provided an undertaking not to re-apply to the University, and

we therefore agree that the range of sanctions established in the other spy technology cases remains appropriate in this case.

34. At the conclusion of the hearing, and for the reasons outlined above, we therefore signed an order imposing the following sanctions on the Student:
- a) a final grade of zero in the Course;
 - b) a suspension from the University of Toronto for a period of five years to commence on September 22, 2025; and
 - c) a notation of the sanction on his academic record and transcript for a period of seven years to commence on September 22, 2025.
35. We acknowledged that the Student has provided an undertaking not to apply for re-admission to the University, which is not a sanction that we are able to impose on him. We also added the standard requirement that this case 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 25th day of November, 2025

Original signed by:

Alexandra Clark, Chair
On behalf of the Panel