



UNIVERSITY *of* TORONTO
Student Rights & Responsibilities Series



I **Academic** *Integrity*

Including information on the rules, procedures, sanctions and appeals processes involved in cases of cheating, plagiarism and other academic misconduct

Academic Integrity at the University of Toronto

Honesty and fairness are considered fundamental values shared by students, staff and faculty at the University of Toronto. The University's policies and procedures that deal with cases of cheating, plagiarism and other forms of academic misconduct, are designed to protect the integrity of the institution and to maintain a community where competition is fair. As a result, U of T treats cases of academic misconduct very seriously. If it has been alleged that you committed an academic offence, you will find that the allegation is dealt with formally and seriously, and that the penalties can be severe if it is determined that you did cheat.

All of the policies and procedures surrounding academic offences are dealt within one policy: *The Code of Behaviour on Academic Matters* (the "Code"). This booklet on Academic Integrity is intended to supplement the *Code*, but not to take its place as the official document on these matters. Nor does this booklet take the place of legal counsel. The full text of the *Code of Behaviour on Academic Matters* can be found in your Faculty Calendar or online at www.utoronto.ca/govcncl/pap/policies/behaveac.html.

The purpose of this booklet is to:

- ▶ Outline clearly and simply what academic offences are, to help you avoid committing one unwittingly.
- ▶ Give you a sense of what to expect should you be suspected of committing an academic offence.
- ▶ Inform you of your rights and responsibilities with respect to the procedures under the *Code*.

As a student, you are responsible for ensuring the integrity of your work and for understanding what constitutes an academic offence. If you are not sure if your actions or methods are acceptable, always ask your instructor. Your instructor can explain, for example, the nuances of plagiarism and how to use secondary sources appropriately; he or she will also tell you what kinds of aids — calculators, dictionaries, etc. — are permitted in a test or exam.

Ignorance of the rules does not excuse cheating or plagiarism.

What are academic offences?

The *Code* defines academic offences in detail and in legal terms. In general, however, an academic offence is some form of cheating or an attempt to gain academic advantage through dishonest means. Examples of offences for which you can be penalized include (but are not limited to):

- possessing any unauthorized aid or device during a test or exam (e.g. cell phone)
- using any unauthorized aids on an exam or test (e.g., “cheat sheets”, etc.)
- plagiarism — representing someone else’s work as your own
- falsifying documents or grades
- purchasing an essay
- submitting someone else’s work as your own
- submitting the same essay or report in more than one course (without permission)
- looking at someone else’s answers or allowing someone to look at your answers during a test or exam, or at a finished assignment
- impersonating another person at an exam or test or having someone else impersonate you
- making up sources or facts for an essay or report
- submitting altered work for remarking
- abusing the petition system.

Administrators who handle cases of academic offences advise that it is best to be honest early in the process. Honesty may be taken into consideration in determining an appropriate sanction.

What if I didn’t know I was cheating?

You may be sanctioned for having committed an offence not only if you have intentionally committed it, but also if you ought to have known that you were committing an offence. Ignorance of the rules does not excuse cheating.

How can I avoid plagiarism if I am uncertain about the rules?

The University offers many resources to assist students in learning and applying the rules about documenting sources properly. Your instructor can help you with the expectations for your particular

discipline or area of study. Writing centres, located at colleges and faculties, provide group workshops and individual consultation. A list of writing centres, as well as on-line advice on avoiding plagiarism, is available at: www.utoronto.ca/writing

What if I helped someone else cheat?

You have committed an offence if you helped someone else commit one — for example, if you gave or sold someone an essay which he or she submitted as their own, or you let someone copy your answers on an exam, test or assignment. As a party to an offence, you could face the same penalties as the student suspected of cheating.

What if I've already graduated?

Even if you have already received your degree, you can be found to have committed an academic offence and be sanctioned. The University can revoke a student's degree.

What if I tried to cheat but wasn't successful?

You have still committed an academic offence and can be subject to the sanctions under the *Code*, whether your intentions were successful or not.

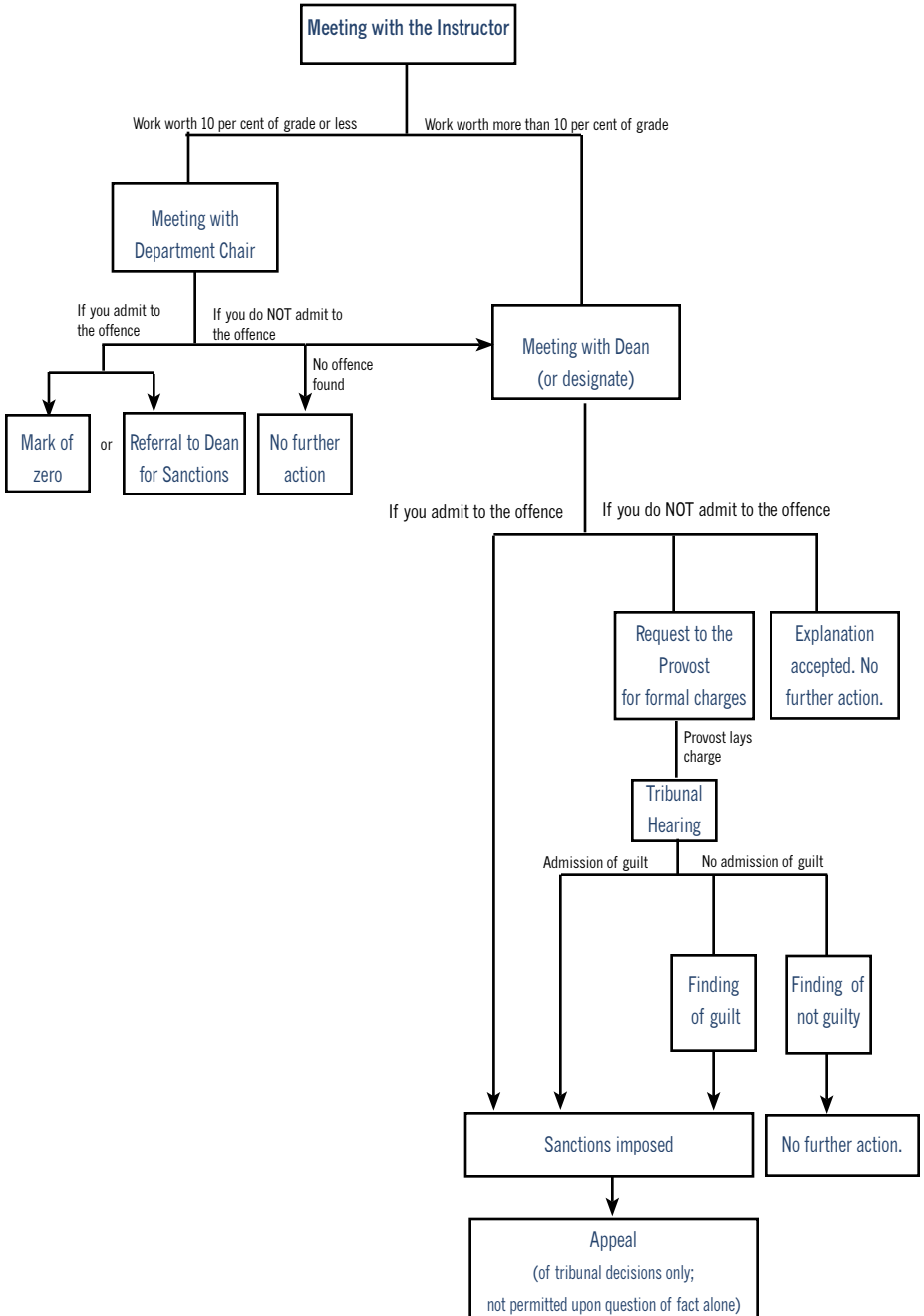
WRITING CENTRES,
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CONSULTATION.

How a Case Proceeds

From the moment your instructor approaches you and tells you that he or she has reason to believe you have committed an academic offence, he or she is required to follow a set of procedures clearly laid out in the *Code*. Depending on the nature of the offence you are suspected of, and your response at various stages of the process, the matter may or may not be dealt with through a formal hearing.

During the first stage, your department is responsible for responding to the allegation. If it is not resolved there, or involves a piece of term work worth more than 10%, your division (the Faculty in which you are registered) has responsibility for the matter. Within this stage, there are several steps to be followed. The number of steps will depend on the nature of the offence and the

Procedures under the Academic Code



practices of your Faculty. The third stage, if necessary, involves a hearing by the University Tribunal.

The process becomes increasingly formal as a case proceeds. Faculty and staff who handle cases strongly advise students to be honest **early** in the process. If you did indeed commit the offence, your sanctions are likely to be less severe if you admit to the offence earlier, rather than at a more formal level.

Step One: Meeting with Instructor

If your instructor believes you have committed an academic offence...

- He or she will tell you the reasons and invite you to discuss the matter.
- Nothing you say at this meeting can be used as evidence against you should the matter go to tribunal.
- Your instructor may decide, and so inform you, that no further action will be taken, unless fresh evidence appears, or
- Your instructor may inform the Chair of the Department responsible for the course.
- If you do not respond to your instructor's invitation to discuss the matter, your instructor will inform the Chair of the Department responsible for the course.
- You cannot drop the course involved in the allegation while it is under investigation by the department or faculty.

NOTE: A proctor or invigilator at an exam can also inform the Departmental Chair or Dean of a suspected offence and the proceedings will occur as if the Chair or Dean were the instructor.

Step Two: Departmental Chair

If the piece of work in question is worth 10 per cent or less of the final grade...

- The Chair of the Department can choose to deal with the matter or, at his or her discretion, can refer the matter directly to the Dean. You will be notified in writing if the Chair's decision is to refer the matter to the Dean.
- He or she will notify you in writing that he/she has been informed of the suspected offence and will provide you with a copy of the *Code of Behaviour on Academic Matters*.
- The meeting with the Chair, if one occurs, will be informal. Procedures may vary from Faculty to Faculty.

If you do not admit to the offence...

- The Chair may decide no offence has been committed and that no further action is required. You will be informed in writing and your work will be accepted for normal evaluation. If you had been prevented from withdrawing from the course by the withdrawal date, you will be allowed to withdraw after that date; **or**
- The Chair can refer the matter to the Dean if it is still suspected that you committed an offence.

If you admit to the offence...

- The Chair can assign a mark of zero for the assignment, **or**
- The Chair can refer the matter to the Dean if he or she believes a more severe sanction is warranted.

If the piece of work in question is worth more than 10 per cent of the final grade in the course...

- The matter will be referred by the instructor or Chair to the Dean of the Faculty.
- The Dean or his/her designate will notify you in writing of the allegation of an academic offence, will provide you with a copy of the *Code of Behaviour on Academic Matters* and will invite you to a meeting to discuss the matter.
- You are entitled to seek the advice of, or be accompanied by, counsel at this meeting. Counsel may be a family member, a counsellor or registrar, or lawyer.
- Also present at this meeting will be the Dean (or designate), the instructor or proctor/invigilator, and possibly an observer who takes notes.
- The Dean (or designate) runs the meeting and determines who speaks when. The meeting is somewhat formal.
- The Dean (or designate) will first check that you did receive the letter and a copy of the *Code*. You will be advised by the Dean that 1) you are entitled to seek advice, or to be accompanied by counsel and 2) that you are not obliged to make any statement or admission but that if you do, it may be used in evidence against you in a hearing (Tribunal).
- The Dean (or designate) will then inform you of the sanctions which may be imposed upon you.
- The meeting is considered investigatory. There may not be full disclosure of the evidence against you prior to the meeting. Evidence in support of the allegation may be presented orally to you or you may be shown the documentation.

- You will be given the opportunity to explain, although you do not have to say anything. However, this is an opportunity to offer your side of the story. Note that in establishing whether an offence has occurred, your intentions are not relevant. However, your intentions and/or circumstances may be relevant for determining sanctions.
- The Dean may inform you of her or his decision at the meeting or this may be done, in writing, after a brief period of time.

If you do not admit to the offence...

- If the Dean believes that the offence was committed, the Dean will request that the Provost lay a charge against you. If the Provost agrees to lay a charge, the case will then proceed to the Trial Division of the Tribunal (see the Tribunal, below).
- If the Dean is satisfied with your explanation, the case will be dismissed and your work will be graded.

If you admit to the offence...

- The Dean will impose sanctions (i.e. consequences). You will be informed in writing of the sanctions. No further action will be taken by the University if the Dean imposes a sanction; **or**
- If the Dean believes a greater sanction than he or she can impose is deserved, he or she will refer the matter to the Provost.
- If you are unhappy with the sanction, and feel that it is unjust, you may "refer" the matter to the Vice-Provost, Academic for consideration. You will be expected to provide written reasons for why you feel the sanction is unfair or inappropriate, and the Dean's Office will have the opportunity to respond to your concerns before the Vice-Provost makes a decision.

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THE STORY.

Step Three: The Tribunal

Your case can be referred to the Provost if...

- You do not admit guilt and the evidence suggests an offence has been committed, **or**
- The sanction the Dean wants to impose is beyond his or her power, **or**
- You have committed a previous offence, **or**
- You are suspected simultaneously of two or more different offences involving more than one incident.

If a formal charge is laid...

- The Provost notifies you in writing that you are being charged with having committed an academic offence, outlines the particulars of the offence, and indicates that the matter is being referred to the Trial Division of the University Tribunal.
- The Secretary of the Tribunal then sets up a hearing and notifies you in writing of the date, place and time. The hearings are held during the evenings and are usually set at least several weeks following the issuing of the charge by the Provost to allow you adequate time to prepare.
- You have the right to legal representation at the hearing, but it is your responsibility to retain counsel. You should seek legal advice as soon as possible after the laying of a charge. Many students who have been charged under the *Code* have sought legal counsel and have been represented at their Tribunal hearings by representatives from Downtown Legal Services.
- The hearing is carried out according to a piece of provincial legislation — *The Statutory Powers and Procedures Act, R.S.O.1990, c.S.22*. Copies of this legislation are available on-line via the Ontario government at www.e-laws.gov.on.ca
- If you do not attend the tribunal hearing, it will proceed in your absence.
- The hearing is heard by a three person panel — a student, a faculty member and a co-chair of the Tribunal. Co-chairs are lawyers who are independent of the University.
- Also present at the hearing are the lawyer who will be prosecuting the case (the University Discipline Counsel), the Secretary of the Tribunal, and any witnesses that you or the University wish to call to give evidence.
- Tribunal hearings are recorded by a tape recorder or by a stenographic reporter.

- At the hearing, the Chair or Secretary reads the charges against you and asks you whether you are guilty of these charges.

Deliberations pertaining to guilt

If you plead guilty...

- Discipline Counsel briefly outlines the details of the charges for the panel.
- You are given an opportunity to dispute any of the details provided and to provide any additional evidence.
- The panel then deliberates in private to satisfy itself that the plea is accurate.

If you plead innocent...

- The University Discipline Counsel proceeds to outline the case against you and, if necessary, calls witnesses. You or your representative may also question the University's witnesses.
- The onus of proof is on the University Discipline Counsel who must show clear and convincing evidence that you committed the offence.
- Following the presentation of the case by the University Discipline Counsel, you or your counsel have the opportunity to present your case. You may also call witnesses to provide evidence. You are not required to testify.
- Following the presentations, the panel deliberates in private to determine if an offence has in fact been committed.

Deliberations pertaining to penalties

If the panel determines you have committed an offence, it then hears submissions from the University Discipline Counsel as to what an appropriate penalty would be in the circumstances.

Factors usually considered are the following:

- character of the student
- likelihood that the offence will be repeated
- nature of the offence
- detriment to the University
- record of previous offences
- general deterrence

It is customary for the University Discipline Counsel to present

the panel with decisions of Tribunal panels arising from previous similar cases. The Secretary of the Tribunal keeps a record of past cases in a binder. You can borrow a copy of this binder for up to three business days provided you leave a \$45. deposit.

You are also provided with an opportunity to tell the panel what you consider an appropriate penalty and to provide information in support of any of the above factors, as well as an extenuating circumstances which may have led to the commission of the offence.

Following the panel's deliberation, the Chair may announce the decision. The Secretary of the Tribunal will notify you in writing of the decision, sanctions and the reasons for both.

Sanctions

The severity of the penalties imposed on students for commission of an academic offence range according to the factors listed above (character, nature of the offence, etc.) , whether you have admitted to the offence or not, and at what level (divisional or the Tribunal) your case was heard.

Sanctions at the Divisional Level

If you admit guilt, the Dean may impose one or more of...

- oral and/or written reprimand
- oral and/or written reprimand and, with permission of instructor, resubmission of the piece of work (only for minor offences)
- assignment of a grade of zero or failure for the piece of work
- a reduction of the final grade in the course
- denial of privileges to use any University facility, including library and computer facilities
- a monetary fine to cover the costs of replacing damaged property or misused supplies
- assignment of a grade of zero or a failure for the course
- suspension from attendance in a course or courses, a program, an academic division or the University for a period of 12 months or less. (You will be permitted to withdraw without academic penalty from the courses in which you have not committed an offence.)

Any sanction imposed can be recorded on your transcript for as long as the Dean feels appropriate.

Sanctions at the Tribunal Level

The Tribunal can impose one or more of the above sanctions. In addition, the Tribunal can impose any of the following sanctions...

- Suspension from a course, courses, a program, an academic unit or division or the University for a period of up to five years. (You will be permitted to withdraw without academic penalty from the courses in which you have not committed an offence.)
- A recommendation to the Governing Council of the University for expulsion. You will be denied any further registration at the University in any program and your academic record and transcript will record this permanently.
- A recommendation to Governing Council for cancellation, recall or suspension of one or more degrees, diplomas or certificates you have been awarded or for cancellation of academic standing or credits you obtained when you were a student at U of T.
- The Tribunal may report any case to the Provost who may publish a notice of the decision in University newspapers (with your name withheld).

Appeals

If you are convicted at a trial of the Tribunal, you can appeal to the Discipline Appeals Board only on a question which is not one of fact alone. You may also appeal the sanctions imposed at a trial. The Provost, similarly, may appeal if you are acquitted at trial.

An appeal must be filed, in writing, with the Secretary of the Discipline Appeals Board of the Governing Council, within 21 days after you are notified of the decision of the Tribunal.

The Discipline Appeals Board can dismiss the appeal as frivolous, order a new hearing or affirm, reverse, quash, vary or modify the verdict, or sanction.

Frequently Asked Questions

What if I think the sanctions imposed by the Dean are unfair?

You may refer the matter to the Provost, in writing, outlining the reasons you think the sanctions were too severe. You may wish to refer to the “Provost’s Guidelines” on sanctions found at the back of the *Code of Behaviour* or advise the Provost of any mitigating circumstances in your personal life at the time the offence occurred. Please note, however, that the overturning of a Dean’s sanction is very rare.

What if the Dean did not follow the procedures properly?

If your case is going to a hearing, the Tribunal will not normally examine the Dean’s procedures and any failure by the Dean to carry out the procedures properly will not normally be considered reason to invalidate anything that happened at that level — unless the Chair of the hearing thinks that the Dean’s actions resulted in a substantial wrong or detriment to you.

Can I still get my degree while a case is going on?

The University will not award you any degree, diploma or certificate until the final decision on your case has been made. You will, however, be allowed to use University facilities, unless there is a valid reason to bar you, and continue to be registered, take courses, etc.

Can I withdraw from a course while my case is in progress?

You will not be allowed to withdraw from the course in which you are suspected of committing the offence until the final decision on your case has been made. If a sanction is imposed, you will not be permitted to withdraw to avoid the sanction. You may withdraw from courses unrelated to the alleged offence.

How will the case be noted on my record?

Divisional Sanctions: Until the final decision on your case has been made, the Dean may make a note on your academic record and transcript indicating that your standing in a course and/or your academic status is under review. (This is normally noted with GWR - grade withheld pending review.)

If sanctions are imposed, a record of your case and the sanctions imposed will be kept by your Faculty; other academic units have access to that information. Sanctions can be noted on your academic record and transcript. Normally, the sanction of suspen-

sion or a notation specifying academic misconduct as the reason for a grade of zero for a course is recorded for five years.

Tribunal Sanctions: The Tribunal panel decides how long sanctions are recorded on the academic record and transcript.

Sample Cases

Plagiarism

A senior-year student submitted an essay in which his instructor detected large amounts of text from a secondary source which was not acknowledged. The student was notified that his instructor suspected plagiarism and the student admitted that he had “made a mistake”. He had been rushed in completing the essay and, although secondary sources were not required for the essay, he had taken some notes from one and mistakenly incorporated those notes into the essay without quoting them or providing any reference to this source. He acknowledged that what he did was wrong. The essay was worth 30 per cent of the final grade in the course. The case was referred to the Dean, who imposed a sanction of:

- a grade of zero for the essay.
- a further reduction in the student's final grade in the course by 30 marks.
- a notation on the student's academic record for one year.

The student was about to graduate but, as a result of the sanctions, did not. He subsequently referred the sanctions to the Provost, on the grounds that the sanctions were too severe. The Provost disagreed. The sanction imposed was the one recommended as a minimum for plagiarism, which the Provost felt was fair considering the student was an upper-level student and, as such, was expected to know how to document sources and avoid plagiarism.

Second Offence

A student was found to have submitted a plagiarized essay for credit in the spring term of a second-year course. This was a second offence for this student. The first offence had occurred in the fall term of the same academic year. Although appearing remorseful at the time of the first offence, the student had clearly not learned from that experience. In the meeting with the Dean the

student admitted to the second offence but blamed others rather than taking responsibility for the plagiarism. The Dean imposed the following sanctions:

- a mark of zero in the course; suspension for one year; and a notation on the transcript for three years.

Cheating on an Exam

The invigilators during an exam suspected two students of cheating. They confiscated the students' scrap paper and determined that the students had been trading answers. In meetings with the Dean, one student attempted to minimize her role and place the blame on the other student. However, she later admitted to obtaining and providing unauthorized assistance together with the other student. The second student, on the other hand, immediately admitted to the offence.

In deciding upon sanctions to be imposed, the Dean told the first student: "I have taken into consideration the fact that you did not speak honestly when given the opportunity to do so but, only upon further discussion admitted to cheating on the exam." The student received sanctions of:

- a grade of zero in the course.
- a note on her academic transcript for 18 months stating "Censured for Academic Misconduct".

The second student also received a grade of zero in the course but the note on his academic transcript was limited to one year.

Falsified Documents (1)

In applying to a U.S. university, a U of T student submitted a forged document. He changed the title of his Statement of Results to say "Transcript of Academic Record" and altered a mark of 34 in a course to a mark of 74. He also submitted a copy of his Request for Transcript of Academic Record to indicate that the document he forged had been processed by the Office of the Faculty Registrar and forged the signature of the Faculty Registrar.

The student's case was the subject of a hearing by the University Tribunal. The Tribunal imposed the following sanctions:

- expulsion from the University.

Falsified Documents (2)

A student submitted a petition to the Faculty's petition committee asking for special consideration on the grounds of ill health. In support of his petition, the student submitted a medical report from his physician which contained false information concerning the length of his illness. He claimed to have been ill with pneumonia for a period of over one month; it was determined that his illness lasted only about two weeks. The case went to a hearing by the University Tribunal where the student admitted guilt. The Tribunal imposed sanctions of:

- a grade of zero in the course.
- a notation on his academic transcript for a period of two years.

Unauthorized Aids

A student was found with a cell phone on her desk after the start of an exam. When the invigilator confiscated it, the student said she was just using it as a clock. The student was called in for a meeting with the Dean: merely possessing an unauthorized aid in a test or exam is an offence. The Dean explained that the Faculty could not be responsible for monitoring and assessing what each student was or was not doing with a phone and thus the rule was that no aids are permitted for any reason. The student admitted she had a phone in the exam and received a six month annotation on her transcript saying "cautioned for possessing an unauthorized aid in faculty exam."

Useful Contacts

First and foremost, you should seek advice and assistance from your home Faculty, Division or College. Your Registrar's Office can tell you what resources may be available to you. Other sources of information, advice and assistance are:

Downtown Legal Services

655 Spadina Avenue

416-934-4535

416-934-4536

law.dls@utoronto.ca

www.dls.utoronto.ca

— legal assistance; staffed by U of T Law students.

Judicial Affairs Officer, Office of the Governing Council

Room 106, Simcoe Hall, 27 King's College Circle

416-946-7663

416-978-8182

www.utoronto.ca/govcncl

The University Ombudsperson

222 College St., Suite 161

416-978-4874

ombuds.person@utoronto.ca

www.utoronto.ca/ombudsperson

— provides confidential advice and assistance if you have exhausted all procedural avenues open to you in a complaint against the University.

Student Rights & Responsibilities Series

The Student Rights & Responsibilities series is published by the University of Toronto to help students understand the rules and the resources available to them. Other titles in this series:

- ▶ **Your Grades:** Including information on petitions, appeals, extensions, exemptions, and re-checks.
- ▶ **Student Conduct:** Including information for students on the *Code of Student Conduct*.



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