

**TORONTO METROPOLITAN UNIVERSITY
POLICY OF SENATE**

ACADEMIC INTEGRITY

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Responsible Office:	Provost and Vice President Academic
Contact Office:	Academic Integrity Office

1. PURPOSE OF POLICY

- 1.1. The purpose of this policy is to guide the Toronto Metropolitan University (the “University”) community in understanding: i) what academic integrity and misconduct are for students; ii) the processes the University will follow when there is a suspicion of student academic misconduct; and iii) the academic penalties and other consequences that may be imposed if students are suspected of engaging or found to have engaged in academic misconduct.

2. APPLICATION AND SCOPE

- 2.1. This policy applies to all current and former University students (undergraduate, graduate, law and continuing education) and applies to all academic activities, whether on or off campuses, whether within or outside of a course.
- 2.2. Suspicions of research misconduct that may have occurred under the auspices of the University but are in no way directed towards academic advantage or benefit, are to be addressed under Policy 118: Scholarly, Research and Creative Activity (SRC) Integrity rather than this policy.
- 2.3. In some programs, students may be required to abide by the standards of a professional code of ethics or code of conduct as a condition of successful completion of a practicum or field placement. Where such professional codes substantively differ from or impose requirements at variance with this policy, violations of such codes are not to be pursued under this policy.

3. DEFINITIONS

3.1. Academic Misconduct

Any behaviour that undermines the university’s ability to evaluate fairly students’ academic achievements, or any behaviour that a student knew, or reasonably ought to have known, could gain them or others unearned academic advantage or benefit, counts as academic misconduct.

Included in academic misconduct are: Plagiarism, including self-plagiarism; contract cheating; cheating; misrepresentation of personal identity or performance; submission of false information; contributing to academic misconduct; damaging, tampering, or interfering with the scholarly environment; unauthorized use of intellectual property; misconduct in re-graded/re-submitted work. While this list characterizes the most common instances of academic misconduct, it is not intended to be exhaustive. A more comprehensive list of inclusions can be found in Appendix A.

3.2. Advocate

An individual sanctioned by one of the recognized Toronto Metropolitan University’s student bodies (e.g. the Toronto Metropolitan Students’ Union [TMSU], Toronto Metropolitan Association of Part-time Students [TMAPS]), or any other arm’s length student group sanctioned by Toronto Metropolitan University. An advocate is available at the request of a student to

advise and assist with submissions, appeals, and to act as a resource for the student at meetings/formal discussions and appeal hearings. Policy 60 Procedures includes a list of authorized advocates.

3.3. Balance of Probabilities

For a finding of misconduct to be supported, based on the information presented, it is more likely than not that the student engaged in academic misconduct. The onus is on the University to establish that misconduct has occurred.

3.4. Decision Maker

The person (eligible investigator) or panel authorized to make a decision regarding whether academic misconduct has taken place or not, and/or the appropriateness of the associated penalty.

3.5. Deferred (DEF)

An interim grade assigned during the investigation of academic misconduct. The DEF grade will be replaced by an official course grade upon resolution of the matter.

3.6. Designated Decision Maker (DDM)

A trained faculty member who can be assigned to act as the decision maker with respect to suspicions of academic misconduct. The DDMs make up the Designated Decision Makers' Council, of which there is a Chair, who assigns cases to individual DDMs.

3.7. Disciplinary Action (DA)

An academic standing for a graduate student to indicate academic misconduct. A DA will be placed on both the student's academic record and transcript and cannot be removed.

3.8. Disciplinary Action, with Suspension (DA-S)

An academic standing for a graduate student where they are removed from a program for a period of up to two (2) years, after which the student may request to re-enroll in the program. A DA-S will be placed on both the student's academic record and transcript and cannot be removed.

3.9. Disciplinary Notation (DN)

A notation placed on a student's academic record when they have been found to have engaged in academic misconduct. The DN is removed from the academic record upon graduation.

3.10. Disciplinary Suspension (DS)

An academic standing where a student is removed from a program for a specified period of one (1) term to two (2) years, after which the student will be automatically reinstated. A DS will be placed on both the academic record and transcript, but will be removed from the transcript upon graduation.

3.11. Disciplinary-Unsatisfactory (D-UNS)

A progress designation for a graduate student that is granted for unsatisfactory progress for reasons of academic misconduct related to non-course based graduate program requirements.

3.12. Disciplinary Withdrawal (DW)

An academic standing where a student is permanently withdrawn from a specific program and fully withdrawn from the University as a whole for a period of at least two (2) years. After serving the specified period, a student assigned a DW may apply to other programs/certificates at the University. A DW will be placed on both the student's academic record and transcript and cannot be removed.

3.13. Discussion

A meeting between a decision maker and student(s) suspected of academic misconduct. The meeting can be facilitated (FD) or non-facilitated (NFD).

3.14. Eligible Investigator

A person authorized to investigate suspicions of academic misconduct, and can be any one of the following:

- Toronto Metropolitan employees holding an academic position at the University, which includes Designated Decision Makers (DDMs, see below)
- course instructors employed by the University
- the Registrar (or designate)
- the Vice-Provost and Dean, Yeates School of Graduate Studies (YSGS) (or designate)

3.15. Expulsion

An academic standing involving permanent removal of a student from the University.

3.16. Failure in a Pass-Fail Course (FLD)

Failure to meet the minimum acceptable standards for a course graded on a pass/fail basis. Failures in such courses will not be included in calculating the grade point average but will be counted as a failed course to determine academic standing for approved department/school standing variations and for graduation.

3.17. Natural Justice

This is composed of four (4) principles: the right to know the case against you; the right to an impartial and unbiased decision maker; the opportunity to be heard; the right to a decision and the rationale for that decision.

3.18. Penalty – Assigned

A penalty that does not have to be approved by a higher-level decision maker (e.g. AIC or SAC).

3.19. Penalty – Recommended

A penalty that has been recommended by a decision maker that must be assigned by a higher-level decision maker.

3.20. Progressive Discipline

Increases the penalties/consequences assigned with repeated violations.

3.21. Respondent

Is the person who replies to the appeal or penalty hearing.

3.22. Support Person

An individual who attends a discussion or hearing solely for the purpose of support; they play no official role in any aspect of the academic integrity process.

4. PRINCIPLES**4.1. Senate Policy Framework**

The values stipulated in the University's Senate Policy Framework are applicable and fundamental to this policy.

4.2. Fundamental Values of Academic Integrity

This policy is premised on the commitment of the University to foster and uphold the highest standards of *academic integrity*, the fundamental values of which are *honesty, trust, fairness, respect, responsibility, courage*¹. These values are central to the development and sharing of knowledge. All members of the University community, including faculty, students, graduate assistants (GAs), and staff, have a responsibility to adhere to and uphold them in their teaching, learning, evaluation, research, and creative activity. This includes a responsibility to take action if they have reasonable grounds for thinking that academic misconduct has occurred.

¹ *International Centre for Academic Integrity (2013)*

4.3. Educational Emphasis

One of the central values motivating this policy is that of education. The University recognizes it has a role in fostering academic integrity by providing students and faculty with information and learning opportunities about the nature and importance of academic integrity. Those involved in applying this policy are to keep this emphasis in mind at all stages of the processes described in this policy and the accompanying Procedures.

4.4. Fair Process

The University recognizes that it is a serious matter for students to be involved in an academic misconduct investigation and is therefore committed to handling these matters in a respectful, timely, and thoughtful manner. The University will apply the policy in a non-adversarial, investigative manner that is consistent with the principles of natural justice, including the right to know the case against you; to be heard and the right to a timely and fair decision based on the merits of each individual case.

Within the decision-making processes associated with the implementation of this policy, as well as any related procedures, all decision makers will make

reasonable efforts to acquire all the information needed to make a fair decision and will do so in an unbiased manner.

4.5. Awareness of Academic Integrity

All members of the University community have a responsibility to inform themselves about academic integrity and misconduct, including the contents of this policy. Anyone with concerns or questions about academic integrity should consult with the Academic Integrity Office (AIO) or, in the case of students unsure about a particular matter, the appropriate instructor or academic supervisor. The AIO provides educational material and information about this policy for the use of faculty, staff, and students.

4.6. Academic Integrity and Graduate Education

In graduate education it is essential that an environment exist where faculty and students have the utmost regard for academic integrity.

Graduate students often engage in research with a large degree of independence. Therefore, they are expected to and must pursue their academic and research activities in a manner that is consistent with the highest standards of ethical and scholarly practice.

4.7. Accommodation

All processes and procedures associated with this policy are to be carried out in accord with relevant law and University policy concerning the accommodation of students (see Policy 159: Academic Accommodation of Students with Disabilities).

5. UNIVERSITY RESOURCES

- 5.1** The mandate of the Academic Integrity Office (AIO) is to ensure that this policy and the accompanying Procedures are carried out in a fair and transparent way, and to provide educational resources to the Toronto Metropolitan community regarding academic integrity and misconduct. The AIO provides guidance and support to students and decision makers and ensures that both parties are aware of their rights and responsibilities. The AIO is neutral with respect to all cases and is neither an advocate for students or faculty nor a decision maker in the process of deciding whether misconduct occurred. The Director of the Academic Integrity Office participates in procedural determinations in certain circumstances (see Procedures 2.4.4).
- 5.2** Members of the Toronto Metropolitan community may consult with the AIO regarding any academic misconduct procedure or concern.
- 5.3** The Office of the Ombudsperson (which is confidential, impartial, and independent) may also be consulted at any time.
- 5.4** Faculty involved with suspicions of student academic misconduct may consult the Policy 60 Faculty Advisor (appointed by the Vice-Provost Academic), whose role is to provide advice, support, and guidance on issues related to academic integrity and the preparation of materials for discussions and hearings under this policy.

- 5.5** Students involved at any stage of the formal processes regarding academic misconduct may consult, as appropriate, with an advocate (as defined in Section 3.2).

6. SUSPICIONS OF ACADEMIC MISCONDUCT

6.1. Preliminary Investigation

- 6.1.1. The formal processes to investigate suspicions of academic misconduct may be initiated by any eligible investigator. All others, including but not limited to, students, graduate assistants (GAs), other staff, associate members of the Yeates School of Graduate Studies (YSGS), and external examiners, who become aware of possible misconduct should report the basis for their concern to an appropriate eligible investigator.
- 6.1.2. An eligible investigator conducts a preliminary inquiry. The purpose is to see whether there is a sufficient basis to support a reasonable belief that misconduct may have occurred.
- 6.1.3. This preliminary inquiry is conducted prior to contacting the student and will be completed in such a fashion that the student's identity is kept confidential.
- 6.1.4. If the eligible investigator is not a faculty member (e.g. the Registrar), and they conclude that there is a sufficient basis to support a reasonable belief that misconduct may have occurred, they will continue as the decision maker.
- 6.1.5. If the eligible investigator is a faculty member and they conclude that there is a sufficient basis to support a reasonable belief that misconduct may have occurred, they have two (2) options:

OPTION A: The faculty member may continue with the matter as the decision maker; or

OPTION B: If the faculty member is a member of CUPE 1 or CUPE 2 and does not wish or is unable to pursue the matter, they may request that a Designated Decision Maker (DDM) be assigned. In appropriate circumstances, where the faculty member is not a CUPE 1 or CUPE 2 member, the Chair of DDMC (or designate) together with the Director of AIO (or designate) may determine that a DDM will be assigned (e.g. see Policy 60, Section 20).

6.2. Discussion (FD/NFD)

- 6.2.1. If the eligible investigator has formed a reasonable belief that misconduct has occurred; a discussion between a decision maker and the student will be arranged via the Academic Integrity Office (AIO).
- 6.2.2. The purpose of a discussion is to allow the decision maker to present to the student(s) the basis for their suspicion; for the student(s) to offer their perspective, to answer questions, and articulate their perspective on the facts; and for there to be a fair

- and transparent discussion. Discussions are to be carried out in a spirit of inquiry, and to be neither accusatory nor adversarial.
- 6.2.3. The decision maker can elect to hold a Facilitated Discussion (FD) or a Non-Facilitated Discussion (NFD).
 - 6.2.4. An FD will be held:
 - if the student prefers an FD to an NFD; the student has a right to an FD
 - in cases of suspected misconduct in supervised research/non-course program requirements
 - in cases involving graduate students
 - where decision makers opt to have a group discussion where multiple students are under a related suspicion
 - 6.2.5. Students must be notified of a suspicion of academic misconduct in a confidential and timely manner. The notification of a suspicion to the student must include a detailed summary of the basis for the suspicion to enable the student to prepare for the discussion; it is insufficient simply to specify the category of misconduct. Any evidence available to the AIO that can be transmitted electronically to the student, in advance of the discussion, shall also be sent to the student, by the AIO (if appropriate). In the case of an NFD, any evidence available to the decision maker that can be transmitted electronically to the student, in advance of the discussion, shall be provided (if appropriate) to the student (by the decision maker). Evidence may be presented to the student at the discussion; however, every effort will be made to provide as much information as possible in advance of the discussion.
 - 6.2.6. In an FD, the facilitator will ensure that the discussion is respectful, investigative, non-adversarial, and educational (where possible), and that both parties are given an opportunity to voice their perspective.
 - 6.2.7. Students may not drop a course in which there is a suspicion of academic misconduct.
 - 6.2.8. Suspicions of misconduct relating to supervised research/non-course program requirements require special procedures to be followed—see Procedures 1.5. Suspicions of misconduct relating to falsified documents in the Admissions process, discussion, or hearing require special procedures to be followed – see Procedures 13.
 - 6.2.9. No findings related to the suspected misconduct shall be made or communicated prior to, or during a discussion.
 - 6.2.10. The decision maker is not to notify the student of the outcome or discuss the matter with the student while the student awaits the formal decision.
 - 6.2.11. If a student fails to attend a discussion and fails to notify the AIO or decision maker (in the case of an NFD) in a timely way to re-schedule, the decision maker may proceed without the student's input. If the decision maker fails to attend the discussion and fails to notify the AIO in a timely way, the matter shall be dismissed and “no finding of misconduct” registered via the AIO.

6.3. After the Discussion (F/D or NFD)

- 6.3.1. After the discussion, the decision maker will decide, based on the information available and applying a “balance of probabilities” standard of proof, whether academic misconduct has occurred.
- 6.3.2. Whether or not there is a finding of academic misconduct, a decision maker may assign educational requirements such as educational workshops and/or online quizzes.
- 6.3.3. If it is found that misconduct has occurred, the decision maker will determine an appropriate penalty or consequence as per the Penalty Guidelines maintained by the AIO.
- 6.3.4. If it is found that misconduct has not occurred, no further proceedings related to the suspicion as set out in the notice to the student may be initiated. Any work in question will be assessed/re-assessed/re-graded in accordance with the processes outlined in Policy 162: Grade Reassessment and Grade Recalculation. Notwithstanding the above, in exceptional cases further information that becomes known may be so serious as to require review.
- 6.3.5. The student will receive, via the AIO, a discussion decision letter outlining:
 - whether or not there has been a finding of misconduct
 - the reason(s) for the decision
 - information regarding any penalties, consequences, or educational requirements assigned, as well as appeals procedures

7. PENALTIES

7.1. Penalties that may be Assigned by an Initial Decision Maker, Academic Integrity Council (AIC), or Senate Appeals Committee (SAC)

- 7.1.1. The minimum penalty for undergraduate or continuing education students is a grade reduction on any academic work, ranging in severity up to and including a grade of “zero” (0) on the work.
- 7.1.2. The minimum penalty for misconduct with respect to work submitted in a course by a graduate student is a grade of “zero” (0) on the work.
- 7.1.3. The minimum penalty for misconduct with respect to non-course program requirements by a graduate student is a grade of “D-UNS.”
- 7.1.4. Where the component of academic work is worth 10% or less of the final course grade, an additional penalty (i.e. in addition to a grade of “zero” (0) on the work) may be assigned. The additional penalty cannot exceed 10% of the final course grade. Students must be given prior notice that such a penalty will be assigned (e.g. on the course outline, on the assignment handout, etc.).
- 7.1.5. A grade of “F” or “FLD” in the course may be assigned.
- 7.1.6. Temporary or permanent removal from a co-op program option, placement, internship, or practicum in which the student is currently enrolled may be assigned.

- 7.1.7. For academic misconduct outside of a course, the minimum consequence is a DN on the academic record, but an initial decision maker may *recommend* additional penalties as outlined in Policy 60, Section 7.2.
- 7.1.8. Once classes have begun, for academic misconduct relating to the admissions process, the minimum consequence is a DN on the academic record, but an initial decision maker can revoke the student's offer of admission, and/or recommend additional penalties as outlined in Policy 60, Section 7.2.

NOTE: The determination regarding whether academic misconduct occurred in a course or outside a course is dependent on whether there is a graded component or not.

7.2. Penalties that may be Recommended by the Initial Decision Maker, Recommended or Assigned by the AIC, Registrar's Appeals Committee (RAC), Graduate Admissions Appeals Committee (GAAC), or Assigned by the SAC

7.2.1. Disciplinary Suspension (DS)

- 7.2.1.1. While an initial decision maker may recommend a DS, it may only be assigned by the AIC, RAC, or SAC.
- 7.2.1.2. The length of the suspension, between one (1) term and two (2) years, and when the suspension will commence, is *recommended* by the initial decision maker, or Program Director, or Chair/Director and assigned by the AIC, RAC, or SAC.
- 7.2.1.3. Graduate students cannot be assigned a DS.

7.2.2. Disciplinary Action (DA), Disciplinary Action, with Suspension (DA-S)

- 7.2.2.1. While an initial decision maker may recommend a DA, or a DA-S for a graduate student, it may only be assigned by the AIC, GAAC, or SAC.
- 7.2.2.2. For a DA-S the length of removal from a program can be up to two (2) years. When the removal will commence is recommended by the initial decision maker or Graduate Program Director and assigned by the AIC, GAAC, or SAC.
- 7.2.2.3. Undergraduate students cannot be assigned a DA or a DA-S.

7.2.3. Disciplinary Withdrawal (DW)

- 7.2.3.1. While a DW may be recommended by an initial decision maker, the AIC, RAC, or GAAC, it may only be assigned by the SAC.

- 7.2.3.2. An initial decision maker, Program Director (or designate), AIC, RAC, or GAAC may recommend that the length of the DW be longer than two (2) years; however, the SAC will make a final decision as to how long the withdrawal period will be.

7.2.4. **Expulsion**

- 7.2.4.1. Expulsion may be recommended by the initial decision maker or by the AIC, RAC, or GAAC.
- 7.2.4.2. Expulsion can only be assigned by the SAC.
- 7.2.4.3. An Expulsion is effective immediately upon the Senate Appeals Committee decision.

7.2.5. **Revocation of a Degree, Diploma, or Certificate**

- 7.2.5.1. Revocation of a Degree, Diploma, or Certificate may be recommended by the initial decision maker, the Program Director, Chair/Director, the relevant Dean (or designate), the AIC, RAC, or GAAC, but only assigned by the SAC.

8. **OTHER CONSEQUENCES**

A consequence of a student being found to have engaged in academic misconduct is the placing of a DN on the student's academic record. Whether or not there is a finding of academic misconduct, a decision maker may assign educational requirements, such as educational workshops and/or online quizzes. There may be other consequences as a result of a suspicion or finding of misconduct. See Procedures 6.

9. **PROGRESSIVE DISCIPLINE**

- 9.1. Students found to have engaged in academic misconduct will have a Disciplinary Notation (DN) placed on their academic record. This is used to track findings of academic misconduct. Although the DN is not a penalty, a consequence of a DN is that a student cannot be on a Dean's List or be nominated for other internal awards or scholarships in the academic year that the misconduct occurred.
- 9.2. The principle of Progressive Discipline increases the penalties/consequences assigned with repeated violations. Therefore, when a student is found to have engaged in academic misconduct their academic record will be reviewed by Student Records to check whether any other DN exists. If there is a prior DN, they will notify the AIO and a penalty hearing may be convened to consider additional penalties (see Procedures 7).
- 9.3. Once a decision to convene a penalty hearing is made, the AIO will notify the student of the hearing, including the type and length of the penalty recommended.

10. REPRESENTATION, SUPPORT, AND WITNESSES AT DISCUSSIONS AND HEARINGS

10.1. At discussions:

- Students may be accompanied by an advocate (as defined in Section 3.2), but not by legal counsel; students are expected to be present and speak for themselves especially with respect to matters of fact
- Students may also be accompanied by a support person
- Students and decision makers may bring witnesses

10.2. At AIC hearings:

- Students may be accompanied by an advocate (as defined in Section 3.2), but not by legal counsel; students are expected to be present and speak for themselves especially with respect to matters of fact
- Students and respondents may be accompanied by a support person
- Students and respondents may bring witnesses

10.3. At RAC/GAAC hearings:

- Students may be accompanied by an advocate (as defined in Section 3.2), but not by legal counsel; students are expected to be present and speak for themselves especially with respect to matters of fact
- Students and respondents may be accompanied by a support person
- Students and respondents may bring witnesses

10.4. At SAC hearings:

- Students may be accompanied by an advocate (as defined in Section 3.2), or legal counsel (i.e. a lawyer); students are expected to be present and speak for themselves especially with respect to matters of fact
- The respondent may be represented by legal counsel (i.e. a lawyer)
- Students and respondents may be accompanied by a support person
- Students and respondents may bring witnesses

11. APPEALS AND PENALTY HEARINGS

11.1. The Academic Integrity Council (AIC), the Registrar's Appeals Committee (RAC), Graduate Admissions Appeals Committee (GAAC), and Senate Appeals Committee (SAC) are responsible for appeals and penalty hearings regarding academic misconduct arising under this policy.

11.2. With the exception of appeals relating to the submission of falsified documents, students must appeal first to the AIC and may only appeal further to the SAC on the grounds provided in Policy 60, Section 15.1.

- 11.3. Appeals related to the submission of falsified documents in the admissions process (see Procedures 13) are made to RAC (for undergraduate) or to GAAC (for graduate students).

12. APPEALS COMMITTEES

- 12.1. A member of the Academic Integrity Office or Secretary of Senate (or designate) will be present at hearings for the purpose of providing advice on procedural issues and/or responding to questions concerning students' academic records.
 - 12.1.1. **Academic Integrity Council (AIC)**

The AIO shall establish an Academic Integrity Council, comprised of faculty and student representatives from each of the Faculties. The AIC will conduct appeal and penalty hearings subsequent to an initial finding of misconduct. AIC panels shall consist of two (2) faculty members and one (1) student.
 - 12.1.2. **Registrar's Appeals Committee (RAC)**

The Registrar shall establish an Appeals Committee comprised of a minimum of three (3) members of the Registrar's Office for appeals outside of a course that are deemed to be the responsibility of the Registrar's Office. The Registrar will be a permanent member of this committee and will appoint a designate and/or other members to panels as needed based on the issue.
 - 12.1.3. **Graduate Admissions Appeals Committee (GAAC)**

The Vice-Provost and Dean YSGS shall establish an Appeals Committee comprised of a minimum of three (3) members of the Graduate Admissions Office for appeals outside of a course that are deemed to be the responsibility of the Graduate Admissions Office. The Vice-Provost and Dean YSGS will be a permanent member of this committee and will appoint a designate and/or other members to panels as needed based on the issue.
 - 12.1.4. **Senate Appeals Committee (SAC)**

The Senate Appeals Committee is established by the Senate By- Law. It shall consider appeals of the decisions of the AIC or other hearings as specified within this policy (e.g. see Procedures 13.1). See the specific grounds for appeals from AIC, RAC, or GAAC to SAC in Policy 60, Section 15.1. SAC panels shall consist of two (2) faculty members and one (1) student.

13. APPEALS – GENERAL REGULATIONS

- 13.1. Appeals are initiated by students.
- 13.2. Students have ten (10) business days from the date of issue of the discussion decision letter to submit an appeal to the AIC/RAC/GAAC.

- 13.3. In specified circumstances (see Policy 60, Section 15.1) a further appeal may be made to the SAC. Students have ten (10) business days from the date of issue of the appeal decision letter to submit an appeal to the SAC.
- 13.4. Students have ten (10) business days from the date of issue of the letter of Revocation of Offer of Admission or Revocation of Degree, Diploma, or Certificate as a result of falsification of documents in the admissions process (see Procedures 13.1) to submit an appeal to RAC (for undergraduate) or GAAC (for graduate students).
- 13.5. If an appeal is not filed by the deadline, the decision will stand.
- 13.6. Appeal hearings are not open to the public due to privacy and confidentiality issues.
- 13.7. Appeal hearings are not to be audio or video recorded. No minutes are taken. The decision letter is the only official record of the hearing.
- 13.8. An AIC, RAC, GAAC, or SAC panel may confirm, increase, or decrease the penalty assigned by the initial decision maker, or the penalty recommended to it.
- 13.9. Students may remain in class and may enroll in courses while their case is under appeal. A student will not, however, be able to register in a course where a pre-requisite is the course that is under appeal.

14. APPEALS TO THE AIC, RAC, or GAAC

- 14.1. A student found to have engaged in academic misconduct may appeal the finding of misconduct and, in some cases, the penalty assigned.
- 14.2. A student assigned the *minimum penalty* on an assignment, test, or exam, or assigned a course grade reduction (as allowed in Policy 60, Section 7.1.4), *may appeal the finding of misconduct but not the penalty* to the AIC. The “minimum penalty” is a grade reduction on a specific piece of work, including a grade of “zero” (see Policy 60, Section 7.1).
- 14.3. The DN that is placed on the student’s record after a finding of misconduct may not be appealed, nor may an appeal panel order its removal.
- 14.4. If the assigned penalty is a grade of “F” or “FLD” in the course, or if there is a recommendation for a penalty of DS, DA, DA-S, DW, Expulsion, or Revocation, a student may appeal the penalty alone (which means they accept the finding), or may appeal the penalty in conjunction with the finding. When both penalty and finding are appealed, they will be heard together.
- 14.5. The possible outcomes of an appeal to the AIC, RAC, or GAAC are:

- 14.5.1. grant or deny the appeal, in whole or in part
 - 14.5.2. confirm or alter (increase or decrease) an earlier penalty
 - 14.5.3. uphold or overturn a recommendation for a DS, DA, DA-S, DW, Expulsion, or Revocation
- 14.6. If an appeal is granted (i.e. a finding of misconduct is overturned), the penalty and the DN will be removed, and any related work shall be assessed/re-assessed/re-graded as appropriate (see Policy 162: Grade Reassessment and Grade Recalculation). Consequences (see Procedures 6) may still be applicable.

15. APPEALS TO THE SAC

- 15.1. A student may appeal a decision made by the AIC, RAC, or GAAC to the SAC. The right to this second level of appeal is limited and the onus is on the student to make a case for why the appeal should be heard based on one or more of the following four (4) grounds:
- 15.1.1. New Evidence: there is new evidence submitted with the Senate package that was not presented at the AIC, RAC, or GAAC hearing and which has a reasonable possibility of affecting the decision. The appeal should state what the evidence is and briefly give reasons as to how and/or why it might affect the finding;
 - 15.1.2. Substantial Procedural Error: when it is believed there has been a substantial error in how Policy 60: Academic Integrity was applied, which could have affected the decision reached by the AIC, RAC, or GAAC. The appeal should state what the procedural error was and give reasons regarding how and/or why it may have affected the finding and/or reasons why its correction would reasonably be expected to do so;
 - 15.1.3. Evidence Not Previously Considered: evidence submitted as part of the AIC, RAC, or GAAC package or was stated verbally at the AIC, RAC, or GAAC hearing that was not considered by the panel. The appeal should identify the evidence not considered, provide the rationale for why it is believed this evidence was not considered, and give reasons why consideration of it would be reasonably likely to affect the finding and/or alter the penalty assigned;
 - 15.1.4. Higher Penalty: if a higher penalty has been assigned by the AIC, RAC, or GAAC than that recommended or assigned by the initial decision maker.
- 15.2. If, in receiving the appeal, the Senate Office believes that the grounds have not been met (as per Policy 60, Section 15.1) to warrant an appeal submission, a Senate Appeals Review Panel (SARP) will be convened. The SARP, comprised of two faculty members and a student from SAC, plus the Secretary of Senate (or designate), and the Director of AIO (or designate), both acting as resource persons, will determine whether the student has satisfied the onus stipulated in Policy 60, Section 15.1. The decision of the SARP is final. The Secretary of Senate will inform the student whether an appeal to SAC will proceed or not.

- 15.3. The possible outcomes of an appeal to the SAC are:
 - 15.3.1. grant or deny the appeal, in whole or in part
 - 15.3.2. confirm or alter (increase or decrease) an earlier penalty
 - 15.3.3. uphold or overturn a recommendation for a DW, Expulsion, or Revocation
- 15.4. If an appeal is granted (i.e. a finding of misconduct is overturned), the penalty, and the DN will be removed, and the work shall be assessed/re-assessed/re-graded as appropriate (see Policy 162: Grade Reassessment and Grade Recalculation). Consequences (see Procedures 6) may still be applicable.
- 15.5. All decisions of the SAC are final and may not be appealed.

16. PENALTY HEARINGS

- 16.1. Penalty hearings are generated either by:
 - 16.1.1. a decision maker or decision-making panel, recommending a more severe penalty than they are authorized to assign (e.g. a recommended penalty of suspension by an initial decision maker - see Policy 60, Section 7 for penalties that decision makers are authorized to assign); or
 - 16.1.2. Progressive Discipline regarding repeated misconduct (see Policy 60, Section 9).
- 16.2. Students must be notified of the penalty hearing and the penalty recommended.
- 16.3. Penalty hearings are not open to the public due to privacy and confidentiality issues.
- 16.4. Penalty hearings are not to be audio or video recorded. No minutes are taken. The decision letter is the only official record of the hearing.
- 16.5. Students may remain in class and may enroll in courses while the outcome of a penalty hearing is pending.

17. CONFLICT OF INTEREST AND PERCEPTION OF BIAS

Appeal and penalty hearings must be, and be perceived to be, fair. Therefore:

- 17.1. No member of a hearing panel shall have had any prior involvement with the case under appeal.
- 17.2. No member of a panel shall have had any prior participation (as eligible investigator, decision maker, or other decision-making panel) in any other

academic misconduct matter where this student was suspected of academic misconduct.

17.3. No panel members shall be selected from the student's home department.

18. VERIFICATION

The University or any eligible investigator may verify documents submitted under this policy and its Procedures at any stage of the proceedings.

19. PROTECTION OF PRIVACY

Any evidence involving personal information relating to individuals other than the student who is the subject of the investigation or proceeding, must be accompanied by the consent of those individuals authorizing the University to collect, verify, or share that information.

20. ALLEGATIONS OF PREJUDICE, DISCRIMINATION, OR HARASSMENT

20.1. If there are concerns or allegations of prejudice, discrimination, or harassment related to a suspicion that a student has engaged in academic misconduct, the student must consult with Human Rights Services (HRS).

20.2. A student may share a concern or allegation of prejudice before, during, or after a discussion (FD/NFD). Normally, such concerns or allegations of prejudice, discrimination, or harassment will be dealt with before a discussion occurs and no decision regarding misconduct will be made until the processes under HRS are completed. A student may also make a claim of prejudice, discrimination, or harassment during the appeal process.

20.3. In cases where a finding of discrimination is made, the initial decision maker will be an appointed DDM and not the person against whom the student has registered a concern or allegation regarding prejudice, discrimination, or harassment. In cases where there is no finding of discrimination, the person against whom the concern or allegation of prejudice, discrimination, or harassment was made, can request a DDM be appointed (as per Policy 60, Section 6.15).

21. NOTIFICATIONS

All communications relating to suspicions of academic misconduct will be sent to the student via their Toronto Metropolitan email account, which is the University's official means of communication with students.

22. STATISTICS

The Academic Integrity Office will maintain statistics on Academic Misconduct, reporting these, in a non-identifying manner, annually to Senate.

RELATED PROCEDURES:

Procedures: Academic Integrity

RELATED POLICIES:

Policy 118: Scholarly, Research and Creative Activity (SRC) Integrity

Policy 159: Academic Accommodation of Students with Disabilities

Policy 162: Grade Reassessment and Grade Recalculation

APPENDIX A - ACADEMIC MISCONDUCT (See Policy 60, Section 3.1)

1. **Plagiarism** includes but is not limited to:
 - 1.1. claiming, submitting, or presenting the words, ideas, artistry, drawings, images, or data of another person, including information found on the Internet and unpublished materials, as if they are one's own, without appropriate referencing
 - 1.2. claiming, submitting, or presenting someone else's work, ideas, opinions, or theories as if they are one's own, without proper referencing
 - 1.3. claiming, submitting, or presenting another person's substantial compositional contributions, assistance, edits, or changes to an assignment as one's own
 - 1.4. claiming, submitting, or presenting collaborative work as if it were created solely by oneself or one's group
 - 1.5. minimally paraphrasing someone else's work by changing only a few words, and/or not citing the original source
2. **Self-plagiarism** refers to the practice of submitting the same work, in whole or in part, for credit in two or more courses, or in the same course more than once, without the prior written permission of the instructor. Self-plagiarism can also include presenting one's own previously published work as though it were new.
3. **Cheating** includes but is not limited to:
 - 3.1. having ready access to and/or using aids or devices (including wireless communication devices) not expressly allowed by the instructor during an examination, test, quiz, or other evaluation
 - 3.2. copying another person's answer(s) on a test, exam, quiz, lab report, or other work to be evaluated
 - 3.3. copying another person's answers, with or without their permission, to individually assigned projects
 - 3.4. consulting with another person or with unauthorized materials outside of an examination room during the examination period (e.g. discussing an exam or consulting materials during an emergency evacuation or when permitted to use a washroom)
 - 3.5. improperly submitting an answer to a test or examination question completed, in whole or part, outside the examination room unless expressly permitted by the instructor
 - 3.6. resubmitting altered test or examination work after it has already been evaluated
 - 3.7. presenting falsified or fabricated material, including research results
 - 3.8. improperly obtaining, through deceit, theft, bribery, collusion, or otherwise, access to examination paper(s) or set of questions, or other confidential information
 - 3.9. collaborating on work to be evaluated where such collaboration has been expressly forbidden by the instructor
4. **Contract Cheating** occurs when a third party completes work, with or without payment, for a student, who then submits the work as their own, where such input is not permitted.
5. **Misrepresentation of Personal Identity or Performance** includes but is not limited to:

- 5.1. submitting stolen or purchased assignments, research or creative work
 - 5.2. impersonating someone or having someone impersonate you in person, in writing, or electronically (both the impersonator and the individual impersonated, if aware of the impersonation, may be subject to a penalty)
 - 5.3. falsely identifying oneself or misrepresenting one's personal performance outside of a particular course, in a course in which one is not officially enrolled, or in the admissions process (e.g. submission of portfolios, essays, transcripts, or documents)
 - 5.4. withholding or altering academic information, portfolios, essays, transcripts, or documents, including during the admissions process
6. **Submission of False Information** includes but is not limited to:
- 6.1. submitting altered, forged, or falsified medical or other certificates, or documents for academic consideration, or making false claims for such consideration, including in or as part of an academic appeal, or the academic misconduct process
 - 6.2. submitting false academic credentials to the University
 - 6.3. altering, in any way, official documents issued by the University
 - 6.4. submitting falsified letters of reference
7. **Contributing to Academic Misconduct** includes but is not limited to:
- 7.1. offering, giving, sharing, or selling essays, questions, and/or answers to tests or exams, quizzes, or other assignments unless authorized to do so
 - 7.2. allowing work to be copied during an examination, test, or for any other assignment
8. **Damaging, Tampering, or Interfering with the Scholarly Environment** includes but is not limited to:
- 8.1. obstructing and/or disturbing the academic activities of others
 - 8.2. altering the academic work of others in order to gain academic advantage
 - 8.3. tampering with experiments or laboratory assignments
 - 8.4. altering or destroying artistic or creative works such as drawings or films
 - 8.5. removing, altering, misusing or destroying University property to obstruct the work of others
 - 8.6. unauthorized access to, stealing, or tampering with any course-related material
 - 8.7. unauthorized access to, or tampering with, library materials, including hiding them in a place where they will not readily be found by other members of the Toronto Metropolitan community
9. **Applicability of Research-Related Activities**
- For purposes of this policy, "supervised research" is treated as a separate category to accord with the *Tri-Agency Framework: Responsible Conduct of Research*, and includes academic milestones such as Comprehensive Examinations, Major Research Papers, Research or Thesis Proposals, Theses and Dissertations, as well as the research and associated writing carried out towards any of these at either the undergraduate or graduate level. (See Procedures 1.5 regarding the process to be followed in addressing suspicions of misconduct in these areas.) Suspicions of research misconduct that may have occurred under the auspices of Toronto Metropolitan University, but are in no way directed towards academic advantage or benefit, are to be addressed under Policy 118:

Scholarly, Research and Creative Activity (SRC) Integrity rather than Policy 60: Academic Integrity.

10. Unauthorized Use of Intellectual Property

Use of the intellectual property of others for distribution, sale or profit without the authorization of the owner of that material. This includes slides and presentation materials used in a class wherever the owner of those materials has not authorized further use.

11. Misconduct of Re-graded/Re-submitted Work

All of the provisions of this policy will apply to work that is re-assessed (See Policy 162: Grade Reassessment and Grade Recalculation).

12. Violations of Specific Departmental or Course Requirements

Instructors may, in order to encourage Academic Integrity, include additional specific requirements as long as these are consistent with this policy. Any additional requirements must be published in the course outline (see also Policy 60, Section 7.1.4).

APPENDIX B - GLOSSARY OF ABBREVIATED TERMS

AIC	Academic Integrity Council
AIO	Academic Integrity Office
ARUCC	Association of Registrars of Universities and Colleges of Canada
CE	The G. Raymond Chang School of Continuing Education
TMAPS	Toronto Metropolitan Association of Part-time Students
DA	Disciplinary Action
DA-S	Disciplinary Action, with Suspension
DDM	Designated Decision Maker
DDMC	Designated Decision Makers' Council
DEF	Deferred (grade)
HRS	Human Rights Services
DN	Disciplinary Notation
DS	Disciplinary Suspension
DW	Disciplinary Withdrawal
FD	Facilitated Discussion
FLD	Failed in a pass/fail course
GA	Graduate Assistant
GAAC	Graduate Admissions Appeals Committee
GPD	Graduate Program Director
INC	Incomplete (grade)
NFD	Non-Facilitated Discussion
OVPRI	Office of the Vice President Research and Innovation
PD	Program Director
TMSU	Toronto Metropolitan Students' Union
SAC	Senate Appeals Committee
SARP	Senate Appeals Review Panel
TA	Teaching Assistant
D-UNS	Disciplinary-Unsatisfactory
RAC	Registrar's Appeals Committee
VPRI	Vice President Research and Innovation
YSGS	Yeates School of Graduate Studies