

Discipline Appeal Committee**[REDACTED]****Appellant****v****James Gauld****Respondent****Daniel Walker: Counsel for the Appellant****Claire Bebbington: Counsel for the Respondent****Discipline Appeal Committee (DAC)****Professor David Tanovich (Chair)****Professor Michael Potter****Ed King (Student Member)****DECISION****Agreed Statement of Facts**

The Appellant is currently enrolled in the University of Windsor's Master of Social Work for Working Professionals Program. Students enrolled in that program are expected to adhere to the highest principles of intellectual honesty and integrity as set out in the University's Graduate Studies Policy on Plagiarism and the Canadian Association of Social Workers' Code of Ethics and Guidelines for Ethical Practice.

The Appellant was enrolled in Foundation for Advanced Social Work Practice and Family, a graduate level course. In order to complete the course, the Appellant was required to complete a final paper worth 35% of the final grade. On June 22, 2014, the Appellant submitted her paper titled "Family Intervention Model and Family of Origin Reflection". There were two academic integrity problems with the paper. First, portions of the text "The Art of Solution Focused Therapy" were reproduced without proper referencing. The text itself was also not included in the paper's bibliography. Second, the Appellant submitted a "Simulated Family Info Form" which was completed by another group of students without any attribution.

The plagiarism was detected by the instructor, [REDACTED]. The Appellant met with the Respondent who is the Associate Dean for Graduate Studies. The Appellant took full responsibility for her conduct. Acting as the "Adjudicator" under the new By-Law 31, the Respondent concluded, at the end of February, 2015, that the Appellant had committed the offence of plagiarism. He reviewed the new Sanctioning Guidelines. The Appellant was given the opportunity to correct the plagiarism problems and resubmit her paper with a mark reduction of ten percent.

Rather than simply correct her errors, the Appellant engaged in further misconduct. She surreptitiously obtained a student's paper for this course from another student's laptop. She then copied portions of that paper in her resubmitted work. The plagiarism was once again detected by [REDACTED]. When the Appellant met with the Respondent, she again took full responsibility for her misconduct. On May 29, 2015, the Respondent concluded that the Appellant had committed a second offence of plagiarism.

The Sanction

On May 29, 2015, the Appellant received a mark reduction to zero in the course.

The Discipline Appeal Hearing

The Appellant appealed. At the hearing, both the Appellant and Respondent testified. The respondent also called [REDACTED], the course instructor. Although the Appellant initially pleaded not guilty during our first appearance, she took full responsibility for her conduct during her testimony. In addition, an agreed statement of facts was filed by the parties. The only issue then is the appropriate sanction.

Our Decision

This is a difficult case. The Appellant engaged in repeated acts of academic misconduct. Given the seriousness and repetition of the misconduct, a suspension would not have been an unreasonable sanction. However, there are a number of extenuating circumstances that warrant a sanction outside the normal range.

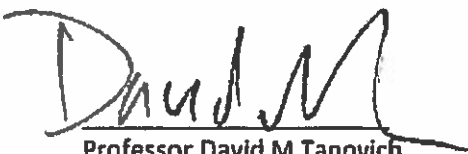
First, a mark reduction of zero in these circumstances amounts to an expulsion as the Appellant would no longer be in the program. She would have to apply to be re-admitted. Given the competition for a small number of spaces, it is a very real possibility that she will not be re-admitted. This is an extremely harsh consequence in the circumstances and even more so as the Appellant is an international student whose Visa requires her to be enrolled in a university program. In addition, the Appellant has acquired a significant financial burden as a result of enrolling in the program.

Second, the Appellant was experiencing emotional and mental distress at the time she committed these offences. Indeed, this would explain why she would engage in more serious conduct when all she was required to do was to resubmit her original paper free from any plagiarism.

Consequently, we order that:

1. The Appellant have the opportunity to resubmit her original final paper (not the second one) for Foundations for Advanced Social Work Practice with Family. The paper simply needs to be corrected for the plagiarism problems and marked by another instructor. She should be given a copy of the paper so she knows the nature and extent of the problems.;
2. The Appellant receive a mark reduction on her final paper for the course of 20%;
3. The Appellant write a letter of apology to [REDACTED], [REDACTED] and [REDACTED]; and,
4. The Appellant attend 10 hours of workshops with respect to writing and proper citation if available at Leddy Library or elsewhere on campus. This requirement shall be arranged and overseen by the Respondent.

In addition, we feel that an additional sanction of a lengthy censure with a transcript notation is required to reflect the aggravating factor that the appellant is a graduate student in a professional program. Consequently, we order that the Appellant receive a Letter of Censure with an accompanying transcript notation to expire on October 23, 2017.


Professor David M Tanovich
Chair, Discipline Appeal Committee

DATED THIS 26th OCTOBER 2015