



Discipline Appeal Committee

[Redacted]

Appellant

v

Philip Dutton

Respondent

Appearing for the Appellant: Self-represented
Counsel for the Respondent: Self-represented

Discipline Appeal Committee (DAC)
Professor David M Tanovich (Chair)
Professor Maureen Muldoon
Zeina Merheb (Student Member)

Heard: October 24, 2018

DECISION

[Redacted] has appealed the respondent’s decision to impose an eight (8) month suspension for plagiarism in relation to a project report for course 03-66-213-91 (Geology and the Environment). For the reasons set out below, the appeal is allowed.

Facts:

The appellant admitted that he committed academic misconduct. His paper “A Problem of Land Use Related to Urban Development on a Floodplain” contained substantial portions that had been taken from websites on the internet without quotations or proper attribution. This was a major incident of plagiarism.

Based on the extent of the misconduct and the fact that the appellant had been previously involved in academic misconduct, the respondent imposed, in accordance with the sanction guidelines, the following sanctions on August 16, 2018:

- admonition;
- letter of reflection, and
- a suspension for eight months.¹

¹ On the Form for Adjudicators, the respondent checked off “denial of registration” and not suspension. When subsequently questioned about this, he indicated that this was an error and that suspension should have been checked as that was his intent. Based on his notes and his testimony before us, we are satisfied that he intended to impose an eight-month suspension.

On August 31, 2018, the appellant filed a letter of reflection expressing remorse for his misconduct.

The appellant appeals his suspension on grounds of hardship. He is an international student from [REDACTED]. His study permit expires on March 31, 2019. If he is not enrolled in a full-time program, his permit will not be renewed and he will be compelled to return to [REDACTED].

Reasons for Allowing The Appeal:

During the hearing, the respondent was amenable to a sanction that would reflect the seriousness of the appellant's misconduct and that would ensure that he does not lose his study permit. He proposed a denial of registration in all major requirement courses for the Winter Term.

We agree that this is an appropriate sanction in light of the fact that the appellant will be serving four months of the eight-month suspension as he is not enrolled in any courses at the University this Fall term.

In addition, we believe that given the seriousness of the misconduct, the appellant should be required to take steps to ensure that it does not happen again. Consequently, we order him to sign an undertaking that he will take all future papers to the writing desk at Leddy Library for assistance in proper referencing.

Order Made:

We order that the suspension be reduced to four months to end December 31, 2018. We further order the sanction of a denial of registration in all major requirement courses in the Bachelor of Environmental Sciences until April 30, 2019. The appellant will be able to enroll in non-major courses in the Winter Term (2019). Finally, we order that the appellant sign an undertaking to take all future papers to the writing desk at Leddy Library.



David M Tanovich, FRSC
Chair, Discipline Appeal Committee

DATED THIS 1st day of November 2018