

## Discipline Appeal Committee

[REDACTED]

Appellant

v

Philip Dutton

Respondent

Representative for the Appellant: Self-represented  
Representative for the Respondent: Self-represented

Discipline Appeal Committee (DAC)

Prof. David Tanovich (Chair)  
Dr. Maureen Muldoon  
Biane Deghaiche (Student Member)

**DECISION**

The appellant has admitted to committing very serious academic offences involving impersonation, furnishing false information and academic fraud. This is the appellant's second academic misconduct offence.

The appellant was a student in a placement-based course (Service Learning SCIE 3800) in the Winter 2019 semester. She had arranged a placement at her old high school in [REDACTED], Ontario. The placement involved teaching biology to the students and helping with labs. Course requirements included reflection pieces describing the student's experiences at the placement, a time log and the submission of two evaluations (mid-term and end of term). The evaluations were to be completed and signed by the placement supervisor.

The appellant submitted the reflection pieces, time log and both evaluations with a purported signature from her supervisor. She even included a photo of her purportedly working with students in a lab. The problem was that she never actually attended the placement. The evaluations, the time log and her reflection essays were a fraud. Her supervisor did not write or sign the evaluations nor did he sign her time log. She had signed them in his name.

When confronted with her misconduct, the appellant lied and stated that she had done the placement with another teacher at the school. She even tried to convince her supervisor to "cover" for her by saying that she had done the placement with another teacher.

The matter was investigated by the Respondent. Upon confirming these facts with the Appellant, he imposed the following sanctions:

- Admonition
- Letter of reflection
- Mark reduction – zero on course (Non-Pass [NP])
- Suspension until April 30, 2020

Given the seriousness of the offences and the fact that this was the Appellant's second offence, the Respondent could have imposed a longer suspension (up to three years). However, he considered in mitigation, the Appellant's admission to the offences, her genuine expressions of remorse and her assertion that she was experiencing significant mental distress during the Winter semester. In support of the latter, she provided a note from a doctor dated June 27, 2019. It stated that the Appellant was under the doctor's care "and is in counselling for a mental health disorder. She was unable to drive at the time and could not report to her placement." She produced a second letter for the purposes of the appeal from the doctor dated August 22, 2019. The letter does not involve any assessment of the Appellant. It simply states that the Appellant's parents advised him that she was unable to attend her placement and that "she is suffering severe depression and anxiety, as well as an eating disorder." No other expert evidence concerning her mental state at the time of these offences was provided.

The Appellant only contests the imposition of a suspension.

In our view, the suspension imposed by the Respondent is reasonable. These were extremely serious offences committed over an extended period of time. They strike at the heart of a University's academic mission and commitment to ensure that students assigned to placements will act with integrity and honesty.

The Respondent properly took into account the relevant mitigating factors. While the Appellant's mental state may have been reason to grant her accommodation with respect to the placement, it in no way serves to explain the web of deceit spun by the Appellant. Indeed, one is hard pressed to understand how someone suffering from such extreme mental distress as alleged by the Appellant could have been in a position carry out such an elaborate scheme or to write evaluations and reflections that were so detailed and reflective.

In our view, there is no reason to interfere with the sanctions imposed by the Respondent. The appeal is dismissed.



David M Tanovich, FRSC

Professor

Fellow, Royal Society of Canada

Chair, Discipline Appeal Committee

DATED THIS 4<sup>th</sup> day of September 2019