

## MINUTES OF SETTLEMENT

**IN THE MATTER OF** a charge of Academic Misconduct for possession of unauthorized aids and exam cheating filed by Philip Dutton, Associate Dean of Science ("the Complainant"), against the student [REDACTED] ("the Respondent") under the provisions of University of Windsor Senate Bylaw 31: Academic Integrity.

### **WHEREAS THE PARTIES AGREE TO THE FOLLOWING FACTS:**

1. The Complaint alleges that the Respondent committed cheating on the final exam in Integral Calculus, course # 03-62-141-04 during the Winter 2016 semester. During the exam, proctors observed the student looking at a note and approached him to find the Respondent with a cheating note containing questions of the final exam with detailed solutions. Attached as Appendices are the following documents:
  - I. Appendix A - AI Form 1 submitted by the Professor, dated April 20, 2016, and attached documentation.
  - II. Appendix B - Associate Dean's AI Form 2.
  - III. Appendix C - Respondent's AI Form 3.
2. The Respondent failed the course and retook it the following semester.
3. The Respondent was in his first year of study in BAS Industrial Engineering at the time of the Complaint.
4. The exam was valued at 50% of the final grade in the course.
5. The Respondent met with the Associate Dean, Dr. Philip Dutton on April 26, 2016, to respond to the Complaint and the Respondent admitted to the misconduct.
6. The Respondent acknowledges that his conduct falls below the level of integrity expected of all students at the University of Windsor.
7. On July 7, 2016, the Complainant, after completed his investigation, determined that an Academic Misconduct of possession of unauthorized aids and exam

cheating occurred, and imposed the sanctions: suspension for two years, and zero on the course. Attached as Appendix B is Associate Dean's AI Form 2.

8. On July 18, 2016, the Respondent was informed of the decision and his right of appeal to the Discipline Appeal Committee. The Respondent was also advised of his right to counsel throughout the proceedings.
9. The Respondent elected to exercise the right of appeal of the sanction by retaining Mr. Frank Miller, Barrister, and Solicitor, to represent him in the proceedings before entering into these Minutes of Settlement. Appendix C is Respondent's AI Form 3.
10. This is the Respondent's second offense, which took place right after the first offense, both happening in April 2016. These were submitted as separate complaints and occurred at separate points in time. For the purposes of sanctioning the second offence is being treated as a first offence since the Respondent had not met with the Adjudicator, nor been sanctioned, on the first offence.
11. The Parties wish to resolve the Appeal by way of joint submission as indicated. The Parties acknowledge that by entering into this agreement at this time they are waiving their right to make representations before the Discipline Appeal Committee at a formal hearing unless called upon by the Discipline Appeal Committee Panel to do so.
12. IT IS HEREBY AGREED THAT:
  - (a) The Respondent admits to the possession of authorized aid and cheating during the final exam as set out in paragraph 1 above.
  - (b) The Respondent shall receive zero in the final exam.
  - (c) The Respondent shall receive censure until the end of his Program starting from the date the Minutes of Settlement are approved by this Committee. The Respondent understands that there will be a transcript notation associated with the censure, which shall be removed when the period of censure expires.

(d) The Parties are making a joint submission to the Discipline Appeal Committee recommending the within settlement after having considered all the circumstances of this case. The Parties recognize that the final decision in this matter lies with the Discipline Appeal Committee.

  
2016

October 11<sup>th</sup>

  
Respondent



October 6, 2016

2016

**Philip Dutton**

Associate Dean, Faculty of Science

Complainant