

**TORONTO METROPOLITAN UNIVERSITY
POLICY OF SENATE**

POLICY 60: ACADEMIC INTEGRITY GUIDELINES

Toronto Metropolitan University's Senate Policy Framework defines Guidelines as "General statements, recommendations, administrative instructions, best practices or interpretation of policy or procedures to assist users in carrying out the mandatory processes stipulated in a policy's procedures" (Section 3.3). As such, these Guidelines apply to [Policy 60: Academic Integrity](#), and its associated [Procedures](#).

Questions about these guidelines can be addressed to Toronto Metropolitan's Academic Integrity Office (AIO) at aio@torontomu.ca

These Guidelines are effective as of September 9, 2022.

1. SUSPICIONS OF ACADEMIC MISCONDUCT

Investigating a Suspicion of Academic Misconduct (see Policy 60 Procedures, Section 1)
For information on registering a suspicion of academic misconduct with the AIO's Automated System, see Guidelines, Section 3.

1.1 Evidence (Policy 60, Section 3.16, 6.2.5; Procedures, Section 1)

When a decision maker registers a suspicion of academic misconduct, using the AIO's automated system, they are asked to upload, to the automated system, any evidence that informs the basis of their suspicion. The AIO will review the evidence and determine, with the decision maker, which evidence is appropriate to send to the student, where redactions are needed and which evidence is solely for the AIO file.

In the case of a Facilitated Discussion (FD), the AIO will send the evidence, via email, to the student under suspicion and to the FD facilitator in advance of the discussion. In the case of a Non-Facilitated Discussion (NFD), the decision maker will send any evidence (if appropriate) via email to the student in advance of the discussion. 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.

1.2 Discussion (FD/NFD) (Policy 60, Section 6.2; Procedures, Section 4)

AIO facilitators have been trained on Policy 60, its principles and the resources of the University. The facilitator's role in the process is neutral; they are present at the discussion to ensure that both parties receive a fair chance to speak and that University policies are clear.

Facilitated Discussion (FD)/ Non-Facilitated Discussions (NFD) are scheduled for 30 minutes, with the exception of group FDs, which are normally 45-60 minutes.

At the start of the FD/NFD, either the facilitator (in the case of a FD) or the decision maker (in the case of a NFD) will introduce the discussion, its guiding principles and the possible outcomes. The decision maker will explain the basis for the suspicion. They may refer to specific documentation and/or evidence, as appropriate, and ask questions of the student relevant to the suspicion. The student will have a chance to respond to the decision maker's concerns and questions and ask questions.

The facilitator, or decision maker, will make a fair and accurate written summary of the discussion. The facilitator (in a FD) or decision maker (in a NFD) will complete the [Summary of Discussion Form](#), which is intended to be an official record of the main points of the discussion. If all parties are physically present, the student and the decision maker will be asked to read the summary and to sign the Summary of Discussion Form if they believe it accurately reflects the discussion. In some cases (e.g. when at least one of the parties is participating by phone or by video conference), the summary can be read aloud and participants asked to agree or disagree verbally with its contents. If either the decision maker or the student disagrees with the content of the summary, they should note the disagreement on the form before signing, or verbally, or via email. Any disagreement will be noted on the form and/or added to the file. All parties will be provided with a copy of this form, either from the AIO for a FD, or from the decision maker (for a NFD) in a timely manner, once the discussion has been completed.

At the conclusion of the discussion, the facilitator or decision maker will explain the next steps, including the timeline for a decision letter email (via AIO) to be sent, and the potential outcomes of the discussion (e.g. a finding of no academic misconduct; a finding of academic misconduct, which the student may choose to appeal; a placement of a DN on the internal academic record; an assigned quiz and/or academic integrity workshop(s), any penalties as applicable, etc.). No decisions related to the suspected academic misconduct shall be made or communicated during a discussion.

After the discussion, the decision maker will determine whether academic misconduct occurred or not. For a FD, the decision maker will communicate the decision through the AIO automated system within three (3) business days. The AIO will issue the decision letter, within five (5) business days of the FD. For a NFD, the decision maker will send

out the decision letter within five (5) business days of the NFD through the AIO automated system.

If, after a finding of no academic misconduct, further information of a serious nature becomes available, this will be reviewed. All such information shall be forwarded to the AIO. The Director of the AIO (or designate) will review the new information and decide whether it warrants re-opening the suspicion. This will occur only in exceptional circumstances.

If evidence of academic misconduct is discovered more than 20 business days after a final grade in a course has been assigned, the instructor may forward that evidence to the AIO requesting permission to proceed with an investigation. The Chair of the DDMC (or designate) will decide whether formally proceeding is warranted given the circumstances, including the basis for the suspicion, the amount of time that has elapsed, and the nature of the alleged violation. The Chair of the DDMC (or designate) will notify the instructor of the decision in a timely manner.

1.3 Group Suspicions of Academic Misconduct

In the case of suspected group (i.e. two or more students) academic misconduct, the decision maker may first contact the AIO to assist in determining a fair process. In most instances, students will be asked to attend individual discussions. However, a decision maker may request a group discussion.

Where a group discussion is held, it must be a FD. If students have been assigned to a group discussion, they may request individual meetings; however, they may also still be asked to attend a group meeting.

Cases where there are individual but related discussions will be scheduled back-to-back, when possible.

In cases involving graduate students, a group discussion is not an option where multiple students are under a related suspicion.

The decision maker will determine an appropriate means of evaluating the work of students who have been involved in group work, but are deemed not to have been involved in the academic misconduct.

1.4 Determining a Decision of Academic Misconduct/No Finding of Academic Misconduct (Policy 60, Section 6.3)

Decision makers should consider these questions to ensure a fair decision.

Has Academic Misconduct Occurred?

According to Policy 60, academic misconduct is “any behaviour that undermines the University’s ability to evaluate fairly students’ academic achievements or any behavior that a student knew, or reasonably ought to have known, could gain them or others unearned academic advantage or benefit, counts as academic misconduct” (Policy 60, Section 3.1).

Decisions are made by the standard of proof, on "a balance of probabilities" (Policy 60, Section 3.3). This means that in order for students to be found to have engaged in academic misconduct, it must be shown that it is more likely than not that the student engaged in academic misconduct. This includes taking into consideration the relevance and reliability of the evidence presented.

Are Educational Requirements Appropriate?

If the decision maker feels that the student would benefit from education they can assign the Fundamentals of Academic Integrity (FAI) quiz and/or Student Life and Learning Support (SLLS)/Toronto Metropolitan University Library and Archives (RULA) workshop(s). A maximum of three (3) workshops can be assigned.

What is an Appropriate Penalty?

If there is a finding of academic misconduct, the decision maker must decide on a penalty.

2. PENALTY/CONSEQUENCE GUIDELINES FOR DECISION MAKERS

Prior to assigning any penalty or consequences the decision maker, faculty member, or DDM may wish to consult with the AIO about the general practice regarding penalties for similar instances of academic misconduct and refer to the [Penalty/Consequence Guidelines](#) on the AIO website.

2.1 Notifying the student of the Decision

The decision maker must register their decision through the AIO automated system. To do this, they will log in to the same system used to [register the suspicion](#) on the AIO website.

Once they log in, they will engage the "Case Overview" sub-tab, and then the "Issue Decision to AIO" icon to proceed.

Once a student has been informed of a finding of academic misconduct, or a finding of no academic misconduct, the student's grade should be updated accordingly. However, if grades have already been posted, an "[Exception Grade Revision](#)" must be completed.

In the case of a DDM, the DDM is required to inform the referring instructor as to the decision and any additional instructions that are required e.g. submitting an "[Exception Grade Revision Form](#)."

2.2 Dropping a Course

Students may not drop a course in which there is a suspicion of academic misconduct. If the student drops the course before the matter is resolved, the Registrar's Office system

will automatically re-enroll the student in that course (Procedures, Section 5.1). Students will be notified of the re-enrollment with a message to their Toronto Metropolitan email that will appear in the communications section in their Student Centre in RAMSS. The Registrar's Office will notify the AIO.

- 2.2.1 If there is a **finding of no academic misconduct**, and the decision is sent **on or prior to** the published deadline to drop a course, the student may drop the course (Procedures, Section 5.2). It is the student's responsibility to drop the course via the Student Centre in RAMSS.

When the decision is sent less than three (3) days prior to the published drop date, if the student attempts to drop the course within the specified timelines and encounters a system-generated error, the student should then email sr.misconduct@torontomu.ca with the following information:

- *EMAIL SUBJECT: [Last Name], [First Name] - [Toronto Metropolitan ID] - Drop [Course Code]*

Example: Smith, John - 500000000 - Drop ACC100

- *EMAIL BODY: I have received an academic misconduct decision of "no finding" of academic misconduct in [Course Code] from AIO on [date]. I would like to drop [Course Code].*

The Registrar's Office will assess the request. If it meets the timelines as indicated in Procedures, Section 5, the Registrar's Office will drop the course and inform the student in a reply to their email request.

It is the student's responsibility to ensure they monitor their course schedule on RAMSS.

- 2.2.2 If there is a **finding of no academic misconduct** and the decision is sent **after** the published deadline to drop a course has passed, **but prior to the official last day of the term**, the student has up to two (2) days from the date/time of the decision being sent to request to drop the course (Procedures, Section 5.3).

The student should send an email to sr.misconduct@torontomu.ca within the required timelines with the following information:

- *EMAIL SUBJECT: [Last Name], [First Name] - [Toronto Metropolitan ID] - Drop [Course Code]*

Example: Smith, John - 500000000 - Drop ACC100

- *EMAIL BODY: I have received an Academic Misconduct decision of "no finding" of academic misconduct in [Course Code] from AIO on [date]. I would like to drop*

[Course Code].

The Registrar's Office will assess the request. If it meets the timelines, the Registrar's Office will drop the course and inform the student in a reply to their email request.

It is the student's responsibility to ensure they monitor their course schedule on RAMSS.

- 2.2.3 If there is a finding of academic misconduct and the decision is sent on or prior to the published deadline to drop a course, and any penalty assigned is less than an "F" in the course, the student may drop the course (Procedures, Section 5.4).

It is the student's responsibility to drop the course via the Student Centre in RAMSS.

If the student attempts to drop the course within the specified timelines, after they have received a decision and they encounter a system-generated error, then the student should email sr.misconduct@torontomu.ca with the following information:

- *EMAIL SUBJECT: [Last Name], [First Name] - [Toronto Metropolitan ID] - Drop [Course Code]*

Example: Smith, John - 500000000 - Drop ACC100

- *EMAIL BODY: I have received an academic misconduct decision with a penalty that is less than an "F" in [Course Code] from AIO on [date]. I would like to drop [Course Code].*

The Registrar's Office will evaluate the request. If it meets the timelines as indicated in Procedures, Section 5, the Registrar's Office will drop the course and inform the student in a reply to their email request. In such a case, the Disciplinary Notation (DN) will remain on the student's academic record.

It is the student's responsibility to ensure they monitor their course schedule on RAMSS.

- 2.2.4 If there is a finding of academic misconduct and a grade of "F" is assigned for the course, whether before or after the published drop deadline, the student may not drop the course. That grade of "F" shall remain on the student's transcript and a DN will be placed on the student's academic record (Procedures, Section 5.5).
- 2.2.5 If there is a finding of academic misconduct and the decision is sent after the published deadline to drop a course, and a penalty of less than an "F" is assigned, the student may normally not request a late course drop (Procedures, Section 5.6).
- 2.2.6 If there is a finding of academic misconduct that results in the student being dropped from a course, co-op program option, placement, internship, or practicum in which the

student is currently enrolled, the [published fee](#) refund schedule will apply.
<https://www.torontomu.ca/calendar/>

2.3 Academic Integrity Workshops and Quizzes

The decision maker may assign educational requirements to students as a result of having a suspicion of academic misconduct. The AIO offers online resources, including an online quiz entitled, “Fundamentals of Academic Integrity” (FAI), that may be assigned. Students who are assigned this quiz are given a specified time period to complete the requirement (usually, two weeks).

A student can access registration for the quiz using the following link: <https://ccs.cf.torontomu.ca/studentworkshops/aistudent>

A decision maker may assign the FAI quiz to a student as a course requirement for educational purposes, even if there is a finding of no academic misconduct.

A student is required to obtain 100% on the FAI quiz. If, after three attempts a student is unable to obtain 100%, they should contact aio@torontomu.ca to request to have the quiz reset. The student will then have three additional attempts to complete the quiz

If it is found that a student engaged in academic misconduct and the FAI quiz is assigned, it is mandatory (i.e. a course requirement) and must be completed within the time frame specified by the decision maker unless an extension is granted by the AIO. If the FAI quiz is required due to academic misconduct, the student may not graduate until it is completed.

If the quiz has not been successfully completed at the time final grades are due, the instructor may assign an “INC” until the quiz is completed. Once assigned, the quiz becomes a course completion requirement.

The AIO and partners also offer a series of educational workshops on a variety of topics related to academic integrity. The decision maker can assign up to three educational workshops (generally offered through Student Life and Learning Support and Toronto Metropolitan University Library and Archives). These workshops are open to all students and are normally held in scheduled sessions on campus. Unlike the online quiz, these are offered only from time to time and, therefore, attendance at them cannot be a condition of completing a course in cases where no academic misconduct is found. The majority of these workshops are not available in April or December due to final exams, and availability in the summer may be limited. A student can access registration for a workshop using the following link: <https://ccs.cf.torontomu.ca/studentworkshops/aistudent>

Assignment of the FAI quiz, workshops (or both) is to accompany the notice to the AIO of finding(s)/penalties through the automated system.

If, when a student attempts to register for a workshop via the AIO automated system, no dates are displayed, this may mean that there are no workshops scheduled for the remainder of that (current) term. In this case, students should wait until the next schedule

is posted, normally near the end of the (current) term and then register for the first available workshop date.

Students assigned a workshop are required to attend, and must provide proof of completion to the AIO.

If a workshop is offered beyond the assigned deadline date, the student should contact aio@torontomu.ca.

The AIO may confirm, for decision makers, if a student has previously taken a specific workshop or quiz.

3. ACADEMIC INTEGRITY OFFICE AUTOMATED SYSTEM

The AIO uses an automated system for communications between eligible investigators, decision makers and students regarding suspicions of academic misconduct. The system can set dates/times for Facilitated and Non-Facilitated Discussions, communicate decisions, assign/unassign DDM's, process and distribute evidence, and assign a student the FAI quiz and/or workshop(s). All suspicions of academic misconduct must be registered via the [AIO Automated System](#).

To register a suspicion of academic misconduct in the automated system, the decision maker will go to the "[Report Academic Misconduct](#)" button on the AIO website and login using their *my.torontomu* username and password. Next, the decision maker should, under "Suspicion of Misconduct" sub tab, select a discussion type and provide the information requested. The discussion should be requested as soon as possible and when possible, before the work is returned to the student(s). For implications to the grading roster while investigating a suspicion of academic misconduct, please see **implications to grading roster**.

In cases where a suspicion of academic misconduct is referred to a Designated Decision Maker (DDM), the referring instructor should go to the "Suspicion of Misconduct" sub tab, select "Designated Decision Maker" and provide the information requested. The Chair of the Designated Decision Makers' Council will assign the suspicion to a Designated Decision Maker (DDM). The referring instructor can expect to be contacted by the DDM assigned to the case, normally within 3-5 business days of receiving the request (Procedures, Section 3.4).

In the case of a NFD, the decision maker will go to the "Suspicion of Misconduct" sub tab, select "Non-Facilitated Discussion" and provide the information requested. The meeting should be held as soon as possible (usually within five (5) business days). Once the suspicion has been submitted, the system will populate a notification letter email, for the decision maker to verify and modify if necessary, and send. The student will be notified of the date, place and time of the NFD as requested by the decision maker.

Any evidence available (where appropriate) should be transmitted electronically to the student by the instructor, in advance of the discussion (Procedures, Section 4).

In the case of a FD, the decision maker will submit suggested dates/times through the AIO

automated system and upload any evidence relevant to the case. The AIO arranges the room and sends a notification letter to the student and copies the decision maker and all relevant parties. Any evidence provided by the decision maker (where applicable) will normally be sent to the student via the AIO in advance of the Facilitated Discussion.

In addition to the student and the decision maker being notified, the AIO automated system will send the notification to the AIO and the Registrar's Office, so that the student is prevented from dropping the course while under investigation.

If a FD/NFD is rescheduled and/or reconvened, the AIO (for a FD) and the decision maker (for a NFD) will re-issue the notice (Procedures, Section 4). For a NFD the decision maker should notify all parties included in the original notice via University email of the rescheduled date/time.

In the case of a NFD, the decision maker will provide a copy of the summary of discussion form to the student (and the AIO) via University email. In a FD, the AIO will provide the decision maker and student with a copy of the summary of discussion (Procedures, Section 4.10.3).

After a FD, the AIO will provide the decision maker and student with a copy of the Summary of Discussion Form (Procedures, Section 4.10.3).

Following a NFD and within five (5) business days of the discussion, the decision maker will register their decision by going to the "Case Overview" sub tab, "Make Decision" icon, and assign/recommend any penalties or consequences. The system will generate an email for the decision maker to verify and modify if necessary and then send. The decision letter will be sent to the student, decision maker, and all other relevant parties (Procedures, Section 4.11.3).

For a FD, the decision maker will register their decision within three (3) business days of the discussion, by going to the "Case Overview" sub-tab, "Issue Decision to AIO" icon, and assign/recommend any penalties or consequences. The AIO will issue the decision within five (5) business days of the discussion. The decision letter will be sent to the student, decision maker, and all other relevant parties (Procedures, Section 4.11.2).

3.1 Implications to grading roster while investigating a suspicion of Academic Misconduct

Once a student is notified of a suspicion of academic misconduct, if there is no final course grade, the Registrar's Office automated process, will place a DEF on the student's academic record for the course under review. A DEF is 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 (Policy 60, Section 3.4).

An instructor may encounter any of the following scenarios, listed below during the grading process. For all other scenarios, please contact aio@torontomu.ca for instructions on how to proceed.

Early to mid-term: No final grade on the record, no grade roster generated.

The instructor registers a suspicion with the AIO. The Registrar's Office places a DEF on

the student's academic record for the course under review. Once a decision is issued, the Registrar's Office removes the DEF from the record. If the penalty is an F grade in the course, the Registrar's Office will revise the grade according to the decision.

End of term: No final grade on the record, grade roster generated, and instructor must submit a letter grade during the grading period.

The instructor enters a DEF on the grade roster and immediately after registers a suspicion with the AIO. Once a decision is issued, the Registrar's Office will remove the DEF from the record and the instructor must submit an [Exception Grade Revision](#) form to the Registrar's Office to assign a final grade. If the penalty is an F grade in the course, the Registrar's Office will revise the grade according to the decision.

After term has ended: Final grade on the record.

The instructor logs a suspicion with the AIO. The Registrar's Office will not override the final grade with a DEF. Instead, the Registrar's Office will add a notation to the record indicating a suspicion of academic misconduct. Once a decision is issued, the Registrar's Office will remove the notation. If the decision results in a grade recalculation, the instructor must use the [Automated Grade Revision](#) system to assign a new final grade. If the penalty is an F grade in the course, the Registrar's Office will revise the grade according to the decision.

4. PROGRESSIVE DISCIPLINE MEETINGS

When an undergraduate or Chang student has two Disciplinary Notations (DNs) on their record a Progressive Discipline Meeting will be held to determine whether there will be a penalty hearing or whether the student will be given a warning.

The AIO will schedule a meeting with the following:

- Director of AIO (or designate)
- Chair of DDMC (or designate)
- Program Director (or designate): if the Program Director (or designate) is the same person as the decision maker from the FD/NFD or a panel member from a previous hearing involving the same student, the AIO will determine the next most appropriate decision maker (normally the Chair/Associate Dean) to proceed in order to prevent any potential conflict of interest.

Prior to this meeting, those asked to attend will receive a complete information package from the AIO that includes all relevant information pertaining to the incidents of academic misconduct giving rise to the DN's i.e. FD/NFD Decision Letters, FD/NFD Notification Letters, FD/NFD Summary of Discussion Notes, and previous AIC/SAC Hearing Decision Letters (if applicable).

At the meeting, the members will jointly decide whether a penalty hearing is warranted. Their decision will be based on a full review of the nature of the prior offences including the penalties and

consequences assigned. For example, if it is determined that the two incidents of academic misconduct are very minor or that the two incidents of academic misconduct occurred in the same term and the student did not have an opportunity to learn from the previous incident, the members may decide to give the student a warning. In this case, the AIO will notify the student that any further findings of academic misconduct will result in a penalty hearing.

Where it is determined that a penalty hearing will be held, the Program Director (or designate) shall recommend a penalty, normally a Disciplinary Suspension (DS) ranging from one term to two years.

The Program Director (or designate) is asked to provide a recommendation as to the most appropriate penalty for the student in question. This recommendation should be based on the following:

- Policy 60: Academic Integrity
- Toronto Metropolitan University's academic integrity expectations
- School/Program/Department's academic integrity expectations
- The student's individual circumstances

The AIO will notify the student of the decision to convene a penalty hearing, as well as the type and length of the recommended penalty.

5. APPEALS AND PENALTY HEARINGS

5.1 Sequence of Hearings

If there is both an appeal of a finding or penalty *and* a pending hearing based on Progressive Discipline (Policy 60, Section 9) the appeal must be heard and decided upon before the Progressive Discipline hearing can take place.

If an appeal of a finding of academic misconduct is related to a concurrent grade or academic standing appeal, the academic misconduct appeal will be heard first and the decision will be forwarded to the appropriate Department/School/Program (by the AIO). All academic misconduct levels of appeal must be exhausted before the grade or standing appeal can be considered.

Note: The academic appeal should not proceed until changes to the academic record resulting from the academic misconduct hearing, if any, are made.

If there is group academic misconduct at issue, related appeals shall normally be heard by the same panel, either individually or in a group. Students may request an opportunity to be heard separately.

If the student receives a third, or additional DNs before a progressive discipline meeting is held, then the student will automatically face a penalty hearing. In this case, the Program Director (or designate) is asked to provide a recommendation as to the most appropriate penalty for the student in question.

The AIO will notify the student of the decision to convene a penalty hearing, as well as the type and length of the recommended penalty.

5.1.2 Allegations of Prejudice, Discrimination, or Harassment

If there has been a claim of prejudice, discrimination or harassment related to a human rights ground associated with the appeal, the AIO (or the Secretary of Senate) will forward the appeal (with the student's approval) to HRS for investigation. Once HRS has made a report and has notified the AIO or Senate Office that the matters under its jurisdiction have been settled, a panel will be constituted to hear the appeal. Any allegation of discrimination or harassment will be treated as settled and therefore out of order at the hearing.

5.2 Guidelines for Hearings

Hearings of the AIC, RAC, GAAC, and SAC, are normally 90 minutes in length.

Members of panels/committees must receive appropriate training.

For graduate student hearings, the student panel member shall be a graduate student and for an undergraduate student, the student panel member should normally be an undergraduate student. It will be determined in advance (by the AIO for AIC; by the Secretary of Senate for SAC) which of the faculty members will Chair the panel and write the decision letter.

The AIO or Senate Office will obtain an updated copy of the student's official academic record and quizzes or workshops completed for verification and clarification in the hearing if relevant.

The "appellant" is the student appealing. At AIC hearings, the "respondent" is normally the original decision maker (the instructor or the DDM). At SAC hearings, the respondent is usually the AIC Panel Chair that upheld the finding and/or penalty. In some cases, especially ones heard *de novo*, there may be more than one respondent, as determined by the Secretary of Senate in consultation with the Director of the AIO and the AIC Panel Chair (for example, the initial decision maker may be a joint respondent with the AIC Panel Chair).

If either the student or the respondents fail to attend the hearing, and there are no unforeseen circumstances or notification, the panel may proceed in the absence of either party. If the hearing involves an appeal of a finding or penalty for academic misconduct (i.e. is student initiated and not a penalty hearing) and the student fails to attend the hearing, the panel may choose not to proceed with the hearing. In this instance, the appeal will be withdrawn and no further appeals will be accepted.

If a witness is not declared in advance, the panel will decide if the witness is to be heard.

5.3 Order within a Hearing

The Panel Chair opens the proceedings and all persons at the table introduce themselves. These will normally be: the panel members; the person who assigned the original penalty (respondent); the student (appellant); the advocate from the TMSU or TMAPS, or legal counsel at SAC (if any); the student's or respondent's support persons, the Secretary of Senate or representative from the AIO; resource people, (if any); and any witnesses who are declared in advance.

Witnesses must then remain outside the hearing room until they are called upon to make their statements.

The Chair outlines the hearing procedures, explaining to the appellant and the respondent that the documents have been read and that the presentation should be brief, outlining the highlights of the case. The Chair will explain that this is a non-adversarial process, and all parties will have a chance to speak.

The respondent is asked to present briefly the evidence that was the basis for the finding of misconduct.

Any witnesses for the respondent are called in turn and are asked to make a statement as to what they know of the matters in question. Witnesses are to be called one by one and are not to be in a position of hearing each other's remarks.

The appellant is given the opportunity to ask relevant or clarifying questions of the respondent and their witnesses in turn (witnesses questioned first). The Chair may limit such questioning on the basis of relevance, if need be.

Once the panel questions any witnesses for the respondent, they are asked to leave the room but may be asked to remain outside the room if further questions are anticipated.

The appellant is asked to briefly present a summary of their case.

Any witnesses for the student (appellant) are called in turn and are asked to make a statement as to what they know of the matters in question. Witnesses are to be called one by one and are not to be in a position of hearing each other's remarks.

The respondent is given the opportunity to ask relevant or clarifying questions of the student (appellant) and the witnesses (witnesses questioned first). The Chair may limit such questioning on the basis of relevance.

Once the panel questions any witnesses for the student, they are asked to leave the room but may be asked to remain outside the room if further questions are anticipated.

Members of the hearing panel may ask questions of all parties. The appellant is asked to present a final summary of their case. The respondent is asked to present a final summary of their case. Anyone who is not a member of the hearing panel is asked to leave before the panel begins to deliberate. The deliberations are done in private.

The decision(s)/finding(s) of a panel will be communicated to the AIO or Senate

Office within five (5) business days of the hearing.

5.4 Presentation of New of Evidence

When an appellant or respondent asks for a document or other physical evidence (e.g. a non-textual assignment) to be submitted for consideration by the panel at the hearing the following procedure should be followed:

The most important criteria for the admission of new evidence are: its relevance to whether or not academic misconduct occurred; its relevance to the appropriateness of the penalty assigned/recommended; its authenticity, which may need to be verified.

If new evidence is presented at the hearing by either the appellant or respondent, the matter must be raised at the beginning of the hearing after introductions. The individual submitting the new evidence should provide an explanation of why this information was not provided in advance of the hearing.

New evidence must be in hard copy form (e.g. not a PowerPoint presentation) if it is textual, and seven (7) copies provided by whoever is introducing the evidence.

If the individual introducing the new evidence is attending the hearing virtually, (i.e., via phone or Internet) then the new evidence must be submitted to the relevant office (AIO or Senate) by 12:00 p.m. on the business day before the hearing. New evidence received virtually after this deadline will not be considered. The evidence will be shared with all parties in advance of the hearing by the relevant office.

The party not asking to introduce the evidence will be given an opportunity to review the evidence and speak to whether it should be allowed.

The Chair, in consultation with the panel, shall determine if the evidence is to be accepted and, if so, if the hearing should be adjourned or rescheduled to allow time for a response.

5.5 Panel Chair's Responsibilities

The Chair has the right to impose reasonable limits on the length of statements/representations, especially if the material is repetitive.

The Panel Chair has the discretion to postpone, delay, or proceed with the hearing, should the advocate, legal counsel, or invited witness fail to attend.

The Chair may declare a question to be out-of-order, if it is felt that it is not relevant to the matter at hand or violates the decorum of the hearing.

The Chair may adjourn the hearing, or may order a brief recess, for the discussion of any matter which the panel should consider in private.

The Chair must address any claim of prejudice made in the hearing as outlined herein (Policy 60, Section 20).

The Chair may request policy or procedural information or advice, or confirmation of information on the academic record from the Secretary of Senate, the AIO, or the Registrar's Office before, during, or after the hearing.

The Chair should collect all copies of appeal materials from all members of the panel and shred them. If they are not collected, each member is responsible for the confidential shredding of all documentation.

The Chair must prepare the decision letter using the template available from the AIO/Senate Office, get approval regarding its wording from all of the panel members, and forward the letter to the AIO (for AIC) or Secretary of Senate (for SAC) who will forward the letter to the appellant with copies to the respondent(s), the Registrar's Office, the advocate from the TMSU or TMAPS (if any) and any other required parties.

The appropriate office will send by University email the decision letter written by the Panel Chair to the student within 10 business days of the hearing. If the student does not receive the decision within this time, they should contact the AIO or Senate Office. The decision letter must state the decision and the reasons for the decision based on the facts of the case.

5.6 Hearing Decorum

Panel members should always be prepared for the hearing, having carefully read the materials in advance and having considered relevant questions to ask. The panel's role is investigative.

Panel members should, at all times, exhibit impartiality and fairness. Questions should be in the appropriate tone and demeanor and should not show bias. Panel members should be mindful of their body language and attentive at all times.

Questions should not be leading so that the answer is implied (e.g. "Can I assume you were afraid to go to the instructor?")

Panel members may ask questions to clarify evidence or to bring out information not introduced. Questions should be relevant to the appeal and not delve into areas that are not relevant, and they should show no indication that a judgment has already been made (e.g. "What is the reason you cheated on the exam?" or "Exactly how bad was that stomach flu that prevented you from doing your own work?")

Panel members should not interject personal comments or relate personal experiences.

Personal conversations with the appellant or the respondent that go beyond the demands of civility, are generally to be avoided before, during, and after the hearing, even if the appellant/respondent is known to the panel member.

There should be no side conversation between panel members before or during the hearing.

The panel will deliberate regarding its decision in private. The results of that vote are not disclosed in the decision letter or by any other means. The Chair will facilitate

the discussion amongst the panel members in order to arrive at a decision. Normally, the Chair should obtain the views of the student panel member before the faculty member's views are solicited, unless the student member prefers to speak second. In the event that a unanimous decision cannot be reached and the faculty member and student member differ on the decision, the Chair will vote to determine the decision. This also applies to decisions at penalty hearings.

There should be no food or eating in the hearing room. Beverages such as coffee are allowed, and water will be provided.

All those present at a hearing should refrain from using cellphones or other communication devices unless permission to do so is granted by the Chair.

5.7 Guidelines for Penalty Hearings

In cases where the recommended or assigned penalty (including in cases of Progressive Discipline) is a DS, DA, DA-S, DW, Expulsion, or Revocation of a Degree, Diploma or Certificate and a student does not wish to appeal the finding to the AIC, RAC, or GAAC, as appropriate, a penalty hearing of the AIC, RAC or GAAC will still be convened. However, as only the SAC can assign penalties for DW, Expulsion, or Revocation, the student has the right to waive the AIC, RAC, or GAAC penalty hearing and proceed to an SAC penalty hearing if they wish.

In cases where a student receives a third or additional DNs before a progressive discipline meeting is held or after having received a warning for a second DN, then the student will automatically have a penalty hearing.

If the AIC, RAC, GAAC upholds the initial finding and/or recommends a penalty of DW, Expulsion, or Revocation of a Degree, Diploma or Certificate and the student does not appeal to the SAC, there will be a further penalty hearing of the SAC. If the student does appeal to the SAC, then the SAC hearing will deal with both the finding and penalty.

5.8 Hearing Documents

The AIO/Senate Office will retain a confidential record of the hearing, including the following documents: all submissions to the AIC/SAC including any email correspondence; letter(s) of notification of the appeal date and time; courier receipts, if any; the written decision letter of the hearing or Senate review panel.

The written appeal decision should relate to the matter at hand and not offer any opinions outside of the matter. The letter must state the decision and the reasons for the decision based on the facts of the case, and attempt to assess briefly the relevance of the evidence put forward.

The decision letter to the student is forwarded to the AIO (for the AIC) or the Senate Office (for the SAC) to be sent to the student's Toronto Metropolitan email address within 10 business days of the hearing. If the student does not receive the decision within this time, they should contact the AIO or Senate Office (as relevant).

The AIO/Senate Office will retain a confidential record of the penalty hearing, including the following documents: all submissions to the AIC/SAC including any email correspondence; letter(s) of notification of the appeal date and time; courier receipts, if any; the written decision letter of the hearing or Senate review panel.

Once a decision has been reached, panel members are responsible for the confidential shredding of all documents and deletion of all emails in their possession related to the appeal. The complete original copy of the appeal shall be retained and held in confidence by the Senate Office; and the AIO and the Registrar's Office shall confidentially retain copies of the decisions.

6. RECORD RETENTION

As per [Toronto Metropolitan's Records Retention Schedule \(RRS\)](#) the AIO will retain the following physical records for a period of ten years, after which time they will be destroyed. Electronic files will be retained permanently.

- Notice of Suspicion of Academic Misconduct
- Facilitated (or Non-Facilitated) Discussion Summary Notes
- Decision Letter following a Facilitated or Non-Facilitated Discussion
- Records generated from the AIO's Automated System, e.g. AI Quiz Scores and Confirmation of Workshop Attendance
- Related emails
- Documents (Application Form, Letter of Appeal, Exhibits, Decision Letter, Emails. Handwritten file notes, etc.) relating to appeals or penalty hearings before the Academic Integrity Council

Where there is a finding of no academic misconduct, records will be destroyed after one year pursuant to [FIPPA](#).