



# Code of Behaviour on Academic Matters

University Governing Council, August 18, 1995

# A. Preamble

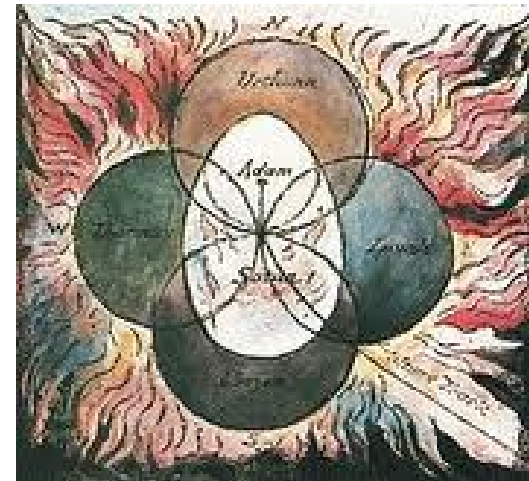
The concern of the Code of Behaviour on Academic Matters is with the responsibilities of all parties to the integrity of the teaching and learning relationship.

Honesty and fairness must inform this relationship, whose basis remains one of mutual respect for the aims of education and for those ethical principles which must characterize the pursuit and transmission of knowledge in the University.



Academic integrity preserves the value of everyone's degree

[T]he University has a responsibility to ensure that academic achievement is not obscured or undermined by cheating or misrepresentation, that the evaluative process meets the highest standards of fairness and honesty, and that malevolent or even mischievous disruption is not allowed to threaten the educational process.



## B. Offences

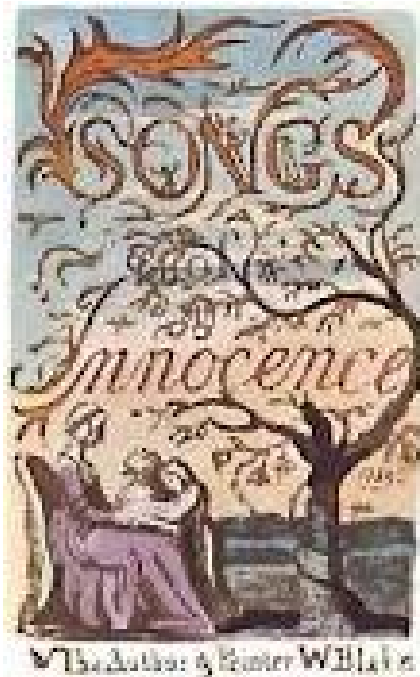
The University and its members have a responsibility to ensure that a climate which might encourage, or conditions which might enable, cheating, misrepresentation or unfairness not be tolerated.

i. 1. It shall be an offence for a student knowingly:

(a) to forge or in any other way alter or falsify any document or evidence required by the University, or to utter, circulate or make use of any such forged, altered or falsified document, whether the record be in print or electronic form;



# What “Knowing” Means



Wherever in this Code an offence is described as depending on "knowing", the offence shall likewise be deemed to have been committed if the person **ought reasonably to have known.**

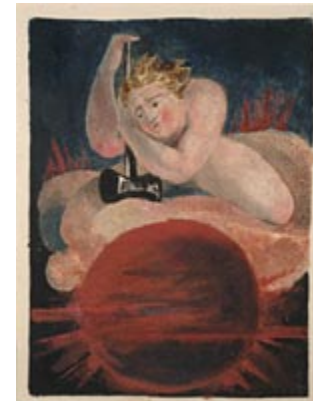
## B. Offences (i)

### 1. It shall be an offence for a student knowingly:

(b) to use or possess an unauthorized aid or aids or obtain unauthorized assistance in any academic examination or term test or in connection with any other form of academic work;

(c) to personate another person, or to have another person personate, at any academic examination or term test or in connection with any other form of academic work;

(d) to represent as one's own any idea or expression of an idea or work of another in any academic examination or term test or in connection with any other form of academic work, i.e. to commit plagiarism (for a more detailed account of plagiarism, see Appendix "A") ;



## B. Offences (i)

1. It shall be an offence for a student knowingly:

(e) to submit, without the knowledge and approval of the instructor to whom it is submitted, any academic work for which credit has previously been obtained or is being sought in another course or program of study in the University or elsewhere;

(f) to submit any academic work containing a purported statement of fact or reference to a source which has been concocted.



# Faculty role

B 2.

It shall be an offence for a faculty member knowingly:

(a) to approve any of the previously described offences;





# Offences not limited to those enumerated in the Code

3. It shall be an offence for a faculty member and student alike knowingly:



(a) to forge or in any other way alter or falsify any academic record, or to utter, circulate or make use of any such forged, altered or falsified record, whether the record be in print or electronic form;

(b) to engage in any form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not herein otherwise described, in order to obtain academic credit or other academic advantage of any kind.

## B.ii. Parties to Offences

- I. (a) Every member is a party to an offence under this Code who knowingly...
  - (ii) does or omits to do anything for the purpose of aiding or assisting another member to commit the offence;
  - (iii) does or omits to do anything for the purpose of aiding or assisting any other person who, if that person were a member, would have committed the offence;
  - (iv) abets, counsels, procures or conspires with another member to commit or be a party to an offence; or
  - (v) abets, counsels, procures or conspires with any other person who, if that person were a member, would have committed or have been a party to the offence.
- (b) Every party to an offence under this Code is liable upon admission of the commission thereof, or upon conviction, as the case may be, to the sanctions applicable to that offence.



# C.i.(b) Divisional Sanctions

2. One or more of the following sanctions may be imposed by the dean where a student admits to the commission of an alleged offence:

(a) an oral and/or written reprimand;

(b ) an oral and/or written reprimand and, with the permission of the instructor, the resubmission of the piece of academic work in respect of which the offence was committed, for evaluation. Such a sanction shall be imposed only for minor offences and where the student has committed no previous offence;



## C.i.(b)2(h) Suspension at the Divisional Level

(h) suspension from attendance in a course or courses, a program, an academic division or unit, or the University for a period of not more than twelve months. Where a student has not completed a course or courses in respect of which an offence has not been committed, withdrawal from the course or courses without academic penalty shall be allowed.



## C.ii.(b) I (j)(i) Post graduate penalties

B (i) 4. A graduate of the University may be charged with any of the above offences committed knowingly while he or she was an active student, when, in the opinion of the Provost, the offence, if detected, would have resulted in a sanction sufficiently severe that the degree would not have been granted at the time that it was.





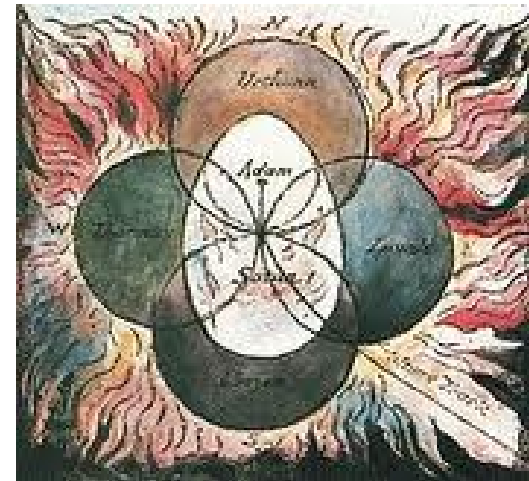
# C.i.(b)3 Transcript Notations

3. The dean shall have the power to record any sanction imposed on the student's academic record and transcript for such length of time as he or she considers appropriate. However, the sanctions of suspension or a notation specifying academic misconduct as the reason for a grade of zero for a course shall normally be recorded for a period of five years.



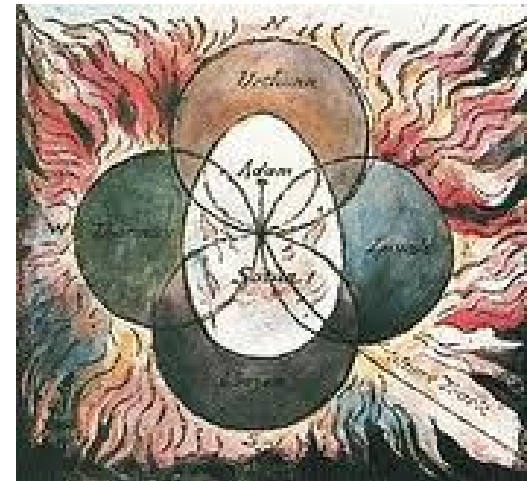
Academic integrity preserves the value of everyone's degree

[T]he University has a responsibility to ensure that academic achievement is not obscured or undermined by cheating or misrepresentation, that the evaluative process meets the highest standards of fairness and honesty, and that malevolent or even mischievous disruption is not allowed to threaten the educational process.



## Where this intersects with professional regulator

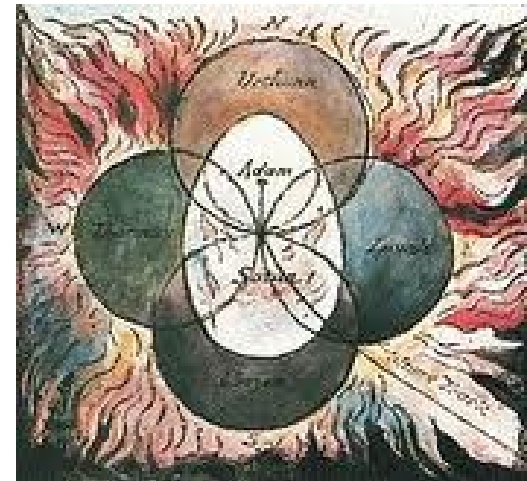
- “Good character” requirements form the basis of a licensing hearing and are part of the Law Society's mandate to protect the public, to maintain high ethical standards, to maintain public confidence in the legal profession and its ability to regulate itself, and to deal fairly with persons whose livelihood and reputation are affected.
- Under section 27(2) of the *Law Society Act* and section 8(1) of By-Law 4, a recipient of a lawyer or paralegal license is required to be of good character. As a result, the Law Society requires all licensing applicants to disclose, among other things criminal convictions, whether they have been subject to a penalty imposed by a court, administrative tribunal or regulatory body, or whether there are other matters in their past or present circumstances that may place their character at issue.





## The inquiry is about present character

- Where there are concerns about a licensing applicant's good character, the Law Society will investigate and where appropriate, a licensing hearing is held to ensure that the public is protected.
- The hearing panel is typically composed of a lawyer, a paralegal and a lay person. The purpose of the hearing is to put the facts pertaining to character before the hearing panel so that it can determine whether the applicant is presently of good character. The hearing is held in public, and both the applicant and the Law Society may call evidence and make submissions.
- A hearing panel is concerned with the “present” and an applicant's ability to establish that he or she is presently of good character, recognizing that applicants can rehabilitate. A criminal conviction is not an absolute bar to holding a lawyer or paralegal licence.





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## LAWYER LICENSING PROCESS

### Good Character Amendment Form

Candidate Name: \_\_\_\_\_ Candidate Number: \_\_\_\_\_

**I have made amendments to the following question(s) on my original Licensing Process application:**

1. Have you ever been found guilty of, or convicted of, any offence under any statute? Exclude speeding and parking tickets. (If you have been found guilty or convicted of an offence under the *Young Offenders Act* or the *Youth Criminal Justice Act*, please refer to the section online called "Completing the Lawyer Licensing Process Application" for further details.) ☐ Yes ☐ No
2. Are you currently the subject of criminal proceedings? ☐ Yes ☐ No
3. Has judgment ever been entered against you in an action involving fraud? ☐ Yes ☐ No
4. Are there any outstanding civil judgments against you? If yes, attach a copy of the judgments to this application. ☐ Yes ☐ No
5. Have you ever disobeyed any order of any court requiring you to do any act or to abstain from doing any act? ☐ Yes ☐ No
6. Have you ever been discharged from any employment where the employer alleged there was cause? ☐ Yes ☐ No
7. Have you ever been suspended, disqualified, censured or otherwise disciplined as a member of any professional organization? If yes, attach a letter or certificate of good standing to this application. ☐ Yes ☐ No
8. Have you ever been denied a licence or permit, or had any licence or permit revoked for failure to meet good character requirements? ☐ Yes ☐ No
9. Have you ever been refused admission as a student-at-law, articled clerk or similar position in any professional body? ☐ Yes ☐ No
10. While attending a post-secondary institution, have allegations of misconduct ever been made against you, or, have you ever been suspended, expelled or penalized by a post-secondary institution for misconduct? If yes, attach written details of the allegation and suspension, expulsion and penalty imposed on you to this application. ☐ Yes ☐ No
11. Are you currently subject to a petition or assignment in bankruptcy or a proposal to creditors under the *Bankruptcy and Insolvency Act*, or have you ever been bankrupt or insolvent, under any statute? If you have been discharged, please attach proof of the discharge to this application. (Candidates wishing to obtain a discharge may review information on the web site of the Office of Superintendent of Bankruptcy of Canada: [www.osb-bsf.gc.ca/](http://www.osb-bsf.gc.ca/)) ☐ Yes ☐ No
12. Have you ever been disciplined by an employer, or been a respondent in proceedings, in relation to a human rights code violation (e.g., sexual harassment, racial discrimination)? ☐ Yes ☐ No

☐ Please also see the attached written explanation of the indicated question/change

Candidate Signature: \_\_\_\_\_ Commissioner's Signature: \_\_\_\_\_

**FOR OFFICE USE ONLY**

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_ Entered in System: \_\_\_\_\_