

Decision of the Deputy Disciplinary Commissioner

1. The defendant is a first-year MBA student at the International Master's Sofaer Program, faculty of management. According to the (amended) complaint, the defendant had to submit in December an assignment in one of the courses, where the assignment's weight was 10% of the final grade. She asked one of her fellow students to see and compare the assignments, but, instead, submitted his file as her own work. Thus, the complaint attributes to the defendant the offenses of breach of provisions related to homework assignment and fraud in homework assignment (sections 29.4 and 29.3 to the Disciplinary Code – Students (2007-2008) (hereinafter: the Code)).
2. The defendant was invited to the first, arraignment hearing, which was scheduled to Jan. 31st 2021 (due to the coronavirus pandemic, arraignment hearings are held online). However, in an email from January 27th to the Academic Secretariat, the defendant argued that the hearing seems irrelevant, as she had already withdrawn from the Sofaer Program. On Jan. 31st I issued an order that postponed the arraignment hearing to February 4th. I referred the defendant to section 1.5.5. to the Code (the Disciplinary Commissioner acquires authority over acts committed at the time the defendant was a student, regardless of the current status of the student); and section 54 of the said code (the Commissioner may hand down a decision in the absence of the defendant if the latter fails to appear).
3. The defendant's email and my order notwithstanding, the defendant failed to attend the hearing on February 4th (or notify the Secretariat accordingly). I therefore held the (online) hearing in her absence, and I now render the following decision (according to section 54 to the Code).
4. In the ex-parte hearing the university asked for a one-year removal from the university (in addition to disqualifying the course and a suspended penalty, conditional on committing another offense). The university's representative stressed the mandatory, one-year removal for fraud offenses (sec. 30A to the Code); the fact that the defendant is a graduate student; and that she (knowingly) failed to attend the hearing and/or notify the Secretariat.
5. Although the defendant did not attend the hearing, she had provided her version of the incidence to the head of the Sofaer Program, prior to the filing of the complaint against her (as detailed in the head of the Sofaer Program's letter). When the incidence was discovered, the defendant admitted, apologized, and took responsibility. She claimed to be stressed and panicked about the assignment in particular and her studies in general. She also mentioned that in her home country, students often share schoolwork with one another.
6. Given the defendant's admission (as detailed in the aforementioned letter), I convict her of both offenses. As to the sentence, I decide that the defendant will be removed from the university for the current, 2020-2021 academic year. While sec. 30A to the Code requires a mandatory, minimal removal of one academic year, I found several parameters that push for a somewhat more lenient sentence. In particular, I take into account the following considerations. The student quickly admitted, apologized, and took responsibility; she quitted her studies

during the fall semester (around December 2020), that is, she is de-facto removed from the university; the relatively small weight of the task, 10% of the final grade; that although she is a graduate student, this is her first semester in Tel Aviv university (and in Israel). In addition, the sentence includes a suspended penalty, as I detail below.

7. I therefore set the defendant's sentence accordingly:
 - a. Disqualification of the relevant course.
 - b. A removal from the university for the current, 2020-2021 academic year. The one-year removal sentence will overlap the first semester of 2020-2021, in which the student voluntarily terminated her studies. Hence, the defendant will be able to resume her studies in October 2021.
 - c. A suspended penalty – in case she resumes her studies, the student shall be removed from the university for two semesters if she commits another disciplinary offense (within two years of the day she resumes her studies).
8. Finally, given that the decision was handed down in the absence of the defendant, the defendant “may petition for its cancelation within fourteen days” (sec. 54.3 to the Code). In the ex-parte hearing, the university's representative noted that the university is inclined to agree to such cancelation petitions, regardless of the wording of sec. 54.3.

Ordered today, February 21st, in the absence of both parties. The decision will be published without the defendant's name.



Dr. Shay Lavie

Deputy Disciplinary Commissioner