



University of Toronto TORONTO ONTARIO M5S 1A1

## University Tribunal

July 31, 1998

**Via Courier**

**Personal and Confidential**

Mr. K.

Richmond Hill, Ontario

Dear Mr. K.

At its hearing held on July 13, 14, 15 and 29, 1998, the Trial Division of the University Tribunal considered the following charge against you:

1. In or around October, 1991 you did alter or falsify documents or evidence required for admission to the University, or uttered, circulated or made use of such forged, altered, or falsified documents or evidence, contrary to Section B.I.(1)(a) of the University of Toronto's Code of Behaviour on Academic Matters, 1991.

The particulars of the charge were as follows:

In or around October, 1991, you applied through the Ontario Medical School Application Service for admission to the 1992 Interim Class of the undergraduate medical education program in the Faculty of Medicine, University of Toronto. In completing the application documents, you intentionally failed to disclose all material information relating to admission and made false statements, knowing them to be false. In particular, you intentionally failed to disclose your previous application, dated October 25, 1989, to the University of Toronto's Faculty of Medicine and your previous University of Toronto undergraduate and graduate experience. As well, you intentionally failed to request that transcripts of your undergraduate and graduate work at the University of Toronto be forwarded in support of your application. Additionally, you stated in your Autobiographical Letter that you did not pursue postsecondary education until your attendance at York University in 1990, knowing this statement to be false.

2. On or about April 23, 1992, you did falsify documents or evidence required for admission to the University, or uttered, circulated or made use of such forged, altered, or falsified documents or evidence, contrary to Section B.I.(1)(a) of the University of Toronto's Code of Behaviour on Academic Matters, 1991.

The particulars of the charge were as follows:

On or about April 23, 1992, you were interviewed by Professor W.H. Francombe and Norman Chu as part of the application process for admission to the 1992 Interim Class of the undergraduate medical education program in the Faculty of Medicine, University of Toronto. During the interview, you intentionally failed to disclose all material information relating to admission and made false statements, knowing that the statements were false. In particular,

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you stated that you had not previously applied to medical school prior to your attempt to gain admission to medical school for the 1992/93 academic year, knowing this statement to be false. As well, you stated that you left high school in 1983 and did not return to school until 1990 when you attended York University, knowing this statement to be false. Additionally, you intentionally failed to disclose your previous University of Toronto undergraduate and graduate experience when Professor W. H. Francombe asked you what you were doing during the seven year period between 1983 and 1990.

The panel unanimously found you guilty of these charges and recommended the following sanction:

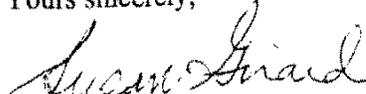
- that you be expelled from the University of Toronto; and
- that the decision and sanction imposed be reported to the Vice-President and Provost for publication in the University newspapers, with your name withheld.

The panel provided the following reasons for its decision:

Mr. K.'s offence involved several conscious decisions over an extended period of time to intentionally deceive the University. We believe he understood his actions and the possible consequences. No evidence of mitigating circumstances was offered or discovered. We feel that anyone admitted to the University through dishonest means should not be allowed to continue their studies. The integrity of the University is based on its commitment to its Code of Behaviour on Academic Matters. We recommend to the Governing Council that Mr. K. be expelled from the University of Toronto. We also recommend that the Provost publish a notice of the decision of the Tribunal and the sanction imposed in the University newspapers, with the name of the student withheld.

Information concerning rights of appeal may be found in Section C.III of the Code (amended October 12, 1993). The deadline for filing an appeal by you or by the University is August 21, 1998.

Yours sincerely,

  
Susan Girard  
University Tribunal

cc: P. Jackson  
P. Gooch, Vice-Provost  
E. Polten  
L. Rothstein

## **Chronology of Discipline Proceedings in the Case of Mr. “K”**

<b>1993/94-09</b>	March 23, 1994	University Tribunal recommends expulsion
<b>1994/95-09</b>	April 24, 1995	Tribunal Appeals Board dismisses the student’s appeal
	June 1, 1995	Governing Council confirms the expulsion
<b>[1995] O.J. No. 3734</b>	December 4, 1995	Divisional Court quashes the decision of Governing Council to expel and orders a new trial before the University Tribunal
<b>1997/98-04</b>	October 14, 1997	University Tribunal issues written ruling on jurisdictional objections raise by the student (2 <sup>nd</sup> trial)
<b>1998/99-06</b>	July 31, 1998	University Tribunal recommends expulsion (2 <sup>nd</sup> trial)
<b>1998/99-07</b>	December 4, 1998	Chair of the Tribunal panel rules on the student’s request for costs (2 <sup>nd</sup> Trial)
<b>1998/99-08</b>	April 20, 1999	The student’s appeal is dismissed by the Discipline Appeals Board (2 <sup>nd</sup> Appeal)
	May 13, 1999	Governing Council confirms the expulsion (2 <sup>nd</sup> Expulsion)
<b>[1999] O.J. No. 2944</b>	July 16, 1999	Divisional Court dismisses application for judicial review
<b>1999/00-14</b>		Discipline Appeals Board Rules on Student’s request for cost at the 2 <sup>nd</sup> Appeal