

THE UNIVERSITY TRIBUNAL  
THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty made on July 10, 2009;

IN THE MATTER OF the *University of Toronto Act*, 1971, S.O. 1971, c. 56 as amended S.O. 1978, c. 88

AND IN THE MATTER OF the University of Toronto *Code of Behaviour on Academic Matters*, 1995;

BETWEEN:

THE UNIVERSITY OF TORONTO

- and -

I ■■■■■ M ■■■■■

**Members of the Panel:**

- Lisa Brownstone, Chair
- Professor Bruno Magliocchetti, Faculty Panel Member
- Mr. Jamon Camisso, Student Panel Member

**Appearances:**

- Robert Centa and Tina Lee, Assistant Discipline Counsel
- Ms Lucy Gaspini, University of Toronto Mississauga
- Mr. Jordan Giurlanda, Student Legal Representative
- Mr. I ■■■■■ M ■■■■■, Student

**Preliminary**

- [1] The Trial Division of the University Tribunal was convened on October 27, 2009 to consider charges under the University of Toronto *Code of Behaviour on Academic Matters*, 1995 (the "Code"), laid against the student by letter dated July 10, 2009 from Professor Edith Hillan, Vice-Provost, Academic.

**Hearing on the Facts**

- [2] The student faced 16 charges, as follows:

**CHM 221 Charges**

- (1) On or about May 7, 2008, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered,

circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. M. Atalla, in support of a petition filed in CHM 221, contrary to section 8.1.1 (a) of the Code.

- (2) In the alternative, on or about May 7, 2008, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note purportedly prepared by Dr. M. Atalla, in support of a petition filed in CHM 221, contrary to section 8.1.3(b) of the Code.
- (3) On or about September 8, 2008, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. M. Atalla, in support of a further petition filed in CHM 221, contrary to section 8.1.1 (a) of the Code.
- (4) In the alternative, on or about September 8, 2008, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note purportedly prepared by Dr. M. Atalla, in support of a further petition filed in CHM 221, contrary to section B.1.3(b) of the Code.

#### **ENG 140 Charges**

- (5) On or about May 7, 2008, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. M. Atalla, in support of a petition filed in ENG 140, contrary to section B.1.1 (a) of the Code.
- (6) In the alternative, on or about May 7, 2008, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note purportedly prepared by Dr. M. Atalla, in support of a petition filed in ENG 140, contrary to section B.1.3(b) of the Code.

#### **PHL 283 Charges**

- (7) On or about May 7, 2008, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. M. Atalla, in support of a petition filed in PHL 283, contrary to section B.1.1 (a) of the Code.

- (8) In the alternative, on or about May 7, 2008, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note purportedly prepared by Dr. M. Atalla, in support of a petition filed in PHL 283, contrary to section B.1.3(b) of the Code.

#### **BIO 380 Charges**

- (9) On or about January 9, 2009, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. M. Atalla, in support of a petition in BIO 380, contrary to section B.1.1 (a) of the Code.
- (10) In the alternative, on or about January 9, 2009, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note purportedly prepared by Dr. M. Atalla, in support of a petition in BIO 380, contrary to section B.1.3(b) of the Code.
- (11) On or about March 2, 2009, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. S.D. Solomon, in support of a petition in BIO 380, contrary to Section B.1.1 (a) of the Code.
- (12) In the alternative, on or about March 2, 2009, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note purportedly prepared by Dr. S.D. Solomon, in support of a petition in BIO 380, contrary to section B.1.3(b) of the Code.

#### **BIO 315 Charges**

- (13) On or about January 9, 2009, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. M. Atalla, in support of a petition in BIO 315, contrary to section B.1.1 (a) of the Code.
- (14) 14. In the alternative, on or about January 9, 2009, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note

purportedly prepared by Dr. M. Atalla, in support of a petition in BIO 315, contrary to section B.1.3(b) of the Code.

- (15) On or about March 2, 2009, you knowingly forged or in any other way altered or falsified a document or evidence required by the University of Toronto, or uttered, circulated or made use of any such forged, altered or falsified document, namely, a medical note purportedly prepared by Dr. M. Atalla, in support of a petition in BIO 315, contrary to Section B.1.1(a) of the Code.
  - (16) In the alternative, on or about March 2, 2009, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in order to obtain academic credit or other academic advantage of any kind by submitting to the University of Toronto a medical note purportedly prepared by Dr. M. Atalla, in support of a petition in BIO 315, contrary to section B.1.3(b) of the Code.
- [3] Discipline counsel advised that charges (1), (3), (5), (7), (9), (11), (13) and (15) were the principal charges, while charges (2), (4), (6), (8), (10), (12), and (14) were alternative charges, which would be withdrawn if the Panel were to make a finding on the principal charges.
- [4] Particulars of the Charges were set out as follows:
- (i) At all material times, you have been enrolled at the University of Toronto at Mississauga. In Winter 2008, you enrolled in:
    - a. CHM 221 - Introductory Physical Chemistry
    - b. ENG 140 - Literature for our times
    - c. PHL 283 - Bioethics
  - (ii) In Fall 2008, you enrolled in
    - a. BIO 315 - Advanced Cell Biology
    - b. BIO 380 - Human Development
  - (iii) With respect to charges 1 and 2, on or about April 26, 2008, you submitted an on-line petition for "deferral of unwritten final examination" in CHM 221. On May 7, 2008, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated April 21, 2008. The medical certificate was purportedly signed by Dr. M. Atalla in Brampton.
  - (iv) With respect to charges 3 and 4, on or about August 29, 2008, you submitted an on-line petition for further "deferral of unwritten final examination" in CHM 221. On or about September 8, 2008, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated August 28, 2008. The medical certificate was purportedly signed by Dr. M. Atalla.

- (v) With respect to charges 5 and 6, on or about April 26, 2008, you submitted an on-line petition for "deferral of unwritten final examination" in ENG 140. On or about May 7, 2008, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated April 26, 2008. The medical certificate was purportedly signed by Dr. M. Atalla.
- (vi) With respect to charges 7 and 8, on or about April 26, 2008, you submitted an on-line petition for "deferral of unwritten final examination" in PHL 283. On or about May 7, 2008, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated April 26, 2008. The medical certificate was purportedly signed by Dr. M. Atalla.
- (vii) With respect to charges 9 and 10, on or about December 23, 2008, you submitted an on-line petition for "deferral of unwritten final examination" in BIO 380. On or about January 9, 2009, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated December 9, 2008. The medical certificate was purportedly signed by Dr. M. Atalla.
- (viii) With respect to charges 11 and 12, on or about February 21, 2009, you submitted an on-line petition for "deferral of unwritten final examination" in BIO 380. On or about March 2, 2009, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated February 11, 2009. The medical certificate was purportedly signed by Dr. S. Solomon of the Rexdale Medical Centre in Rexdale.
- (ix) With respect to charges 13 and 14, on or about December 22, 2008, you submitted an on-line petition for "deferral of unwritten final examination" in BIO 315. On or about January 9, 2009, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated December 18, 2008. The medical certificate was purportedly signed by Dr. M. Atalla.
- (x) With respect to charges 15 and 16, on or about February 21, 2009, you submitted an on-line petition for a further "deferral of unwritten final examination" in BIO 315. On or about March 2, 2009, you handed in to the Office of the Registrar at the University of Toronto Mississauga a University of Toronto Medical Certificate dated February 18, 2009. The medical certificate was purportedly signed by Dr. M. Atalla.
- (xi) With respect to all charges:
  - a. none of the medical certificates that you submitted were authentic;
  - b. none of the medical certificates were signed by a medical doctor;
- (xii) You knowingly submitted notes that you had either forged, falsified or altered, or that you knew had been forged, falsified or altered.

- (xiii) You submitted these forged, falsified or altered notes in support of your petition requests in the courses and to obtain an academic advantage.

[5] The parties provided the Panel with an Agreed Statement of Facts, which provided in relevant part as follows:

- (1) In Fall 2004, Mr. M[REDACTED] registered in the University of Toronto Mississauga. At all material times, Mr. M[REDACTED] remained enrolled at the University. He submitted an application to graduate in June 2009, but he has not graduated.
- (2) In Winter 2008, Mr. M[REDACTED] enrolled in four courses, including CHM 221 - Introductory Physical Chemistry, ENG 140 - Literature for our times, and PHL 283 - Bioethics. In Fall 2008, Mr. M[REDACTED] enrolled in three courses, including BIO 315 - Advanced Cell Biology, and BIO 380 - Human Development.
- (3) As set out below, Mr. M[REDACTED] admits that he knowingly committed academic offences as set out in charge #1, 3, 5, 7, 9, 11, 13, and 15 of the Charges. He hereby pleads guilty to those offences.

#### A. April 21 Medical Certificate

- (4) On April 26, 2008, Mr. M[REDACTED] submitted an on-line petition for "deferral of unwritten final examination" in CHM 221. On May 7, 2008, Mr. M[REDACTED] submitted a University of Toronto Medical Certificate dated April 21, 2008, to the Office of the Registrar at the University of Toronto Mississauga ("April 21 medical certificate"). The April 21 medical certificate was purportedly signed by Dr. M. Atalla.
- (5) Mr. M[REDACTED] understood that the University required him to submit a signed medical certificate in support of his petition for academic consideration based on an illness. He admits that he submitted the April 21 medical certificate in support of his petition for consideration in CHM 221.
- (6) The University accepted the medical documentation provided by Mr. M[REDACTED] without confirming its authenticity. On May 11, 2008, the University granted Mr. M[REDACTED]'s petition and permitted him to write a special deferred examination during the week of August 25 to 29, 2009.
- (7) Mr. M[REDACTED] admits that he did not see Dr. Atalla on April 21. Mr. M[REDACTED] admits that he wrote the information set out on the April 21 medical certificate, which is false, and that he also forged Dr. Atalla's signature on the April 21 medical certificate. Mr. M[REDACTED] admits that he knowingly falsified and forged a document that he submitted to the University in support of his petition for academic consideration.

### B. April 26 Medical Certificate

- (8) On April 26, 2008, Mr. M[REDACTED] submitted an on-line petition for "deferral of unwritten final examination" in ENG 140 and PHL 283. On May 7, 2008, Mr. M[REDACTED] submitted a University of Toronto Medical Certificate dated April 26, 2008, to the Office of the Registrar at the University of Toronto Mississauga ("April 26 medical certificate"). The April 26 medical certificate was purportedly signed by Dr. M. Atalla.
- (9) Mr. M[REDACTED] understood that the University required him to submit a signed medical certificate in support of his petition for academic consideration based on an illness. He admits that he submitted the April 26 medical certificate in support of his petition for consideration in ENG 140 and PHL 283.
- (10) The University accepted the medical documentation provided by Mr. M[REDACTED] without confirming its authenticity. On May 11, 2008, the University granted Mr. M[REDACTED]'s petitions and permitted him to write special deferred examinations during the week of August 25 to 29, 2009.
- (11) Mr. M[REDACTED] admits that he did not see Dr. Atalla on April 26. Mr. M[REDACTED] admits that he wrote the information set out on the April 26 medical certificate, which is false, and that he also forged Dr. Atalla's signature on the April 26 medical certificate. Mr. M[REDACTED] admits that he knowingly falsified and forged a document that he submitted to the University in support of his petition for academic consideration.

### C. August 28 Medical Certificate

- (12) On August 29, 2008, Mr. M[REDACTED] submitted an on-line petition for a further "deferral of unwritten final examination" in CHM 221. On September 8, 2008, Mr. M[REDACTED] submitted a University of Toronto Medical Certificate dated August 28, 2008, to the Office of the Registrar at the University of Toronto Mississauga ("August 28 medical certificate"). The August 28 medical certificate was purportedly signed by Dr. M. Atalla.
- (13) Mr. M[REDACTED] understood that the University required him to submit a signed medical certificate in support of his petition for academic consideration based on an illness. He admits that he submitted the August 28 medical certificate in support of his petition for consideration in CHM 221.
- (14) The University accepted the medical documentation provided by Mr. M[REDACTED] without confirming its authenticity. On September 19, 2008, the University granted Mr. M[REDACTED]'s petition for a further deferral and permitted him to write a regular deferred examination during the April 2009 exam period. The University advised Mr. M[REDACTED] to audit the course. The University advised Mr. M[REDACTED] that no further petitions for this course would be considered.

- (15) Mr. M[REDACTED] admits that he did not see Dr. Atalla on August 28. Mr. M[REDACTED] admits that he wrote the information set out on the August 28 medical certificate, which is false, and that he also forged Dr. Atalla's signature on the August 28 medical certificate. Mr. M[REDACTED] admits that he knowingly falsified and forged a document that he submitted to the University in support of his petition for academic consideration.

#### **D. December 9 Medical Certificate**

- (16) On December 23, 2008, Mr. M[REDACTED] submitted an on-line petition for a "deferral of unwritten final examination" in BIO 380. On January 9, 2009, Mr. M[REDACTED] submitted a University of Toronto Medical Certificate dated December 9, 2008, to the Office of the Registrar at the University of Toronto Mississauga ("December 9 medical certificate"). The December 9 medical certificate was purportedly signed by Dr. M. Atalla.
- (17) Mr. M[REDACTED] understood that the University required him to submit a signed medical certificate in support of his petition for academic consideration based on an illness. He admits that he submitted the December 9 medical certificate in support of his petition for consideration in BIO 380.
- (18) The University accepted the medical documentation provided by Mr. M[REDACTED] without confirming its authenticity. On January 19, 2009, the University granted Mr. M[REDACTED]'s petition and permitted him to write a special deferred examination during the week of February 17 to 20, 2009.
- (19) Mr. M[REDACTED] admits that he did not see Dr. Atalla on December 9. Mr. M[REDACTED] admits that he wrote the information set out on the December 9 medical certificate, which is false, and that he also forged Dr. Atalla's signature on the December 9 medical certificate. Mr. M[REDACTED] admits that he knowingly falsified and forged a document that he submitted to the University in support of his petition for academic consideration.

#### **E. December 18 Medical Certificate**

- (20) On December 23, 2008, Mr. M[REDACTED] submitted an on-line petition for a "deferral of unwritten final examination" in BIO 315. On January 9, 2009, Mr. M[REDACTED] submitted a University of Toronto Medical Certificate dated December 18, 2008, to the Office of the Registrar at the University of Toronto Mississauga ("December 18 medical certificate"). The December 18 medical certificate was purportedly signed by Dr. M. Atalla.
- (21) Mr. M[REDACTED] understood that the University required him to submit a signed medical certificate in support of his petition for academic consideration based on an illness. He admits that he submitted the December 18 medical certificate in support of his petition for consideration in BIO 315.



- (22) The University accepted the medical documentation provided by Mr. M████ without confirming its authenticity. On January 19, 2009, the University granted Mr. M████'s petition and permitted him to write a special deferred examination during the week of February 17 to 20, 2009.
- (23) Mr. M████ admits that he did not see Dr. Atalla on December 18. Mr. M████ admits that he wrote the information set out on the December 18 medical certificate, which is false, and that he also forged Dr. Atalla's signature on the December 18 medical certificate. Mr. M████ admits that he knowingly falsified and forged a document that he submitted to the University in support of his petition for academic consideration.

#### **F. February 19, 2009, Medical Certificate**

- (24) On February 21, 2009, Mr. M████ submitted an on-line petition for a "deferral of unwritten final examination" in BIO 380. On March 2, 2009, Mr. M████ submitted a University of Toronto Medical Certificate dated February 19, 2009, to the Office of the Registrar at the University of Toronto Mississauga ("February 19, 2009, medical certificate"). The February 19, 2009, medical certificate was purportedly signed by Dr. S. Solomon.
- (25) Mr. M████ understood that the University required him to submit a signed medical certificate in support of his petition for academic consideration based on an illness. He admits that he submitted the February 19, 2009, medical certificate in support of his petition for consideration in BIO 380.
- (26) On March 11, 2009, the Office of the Registrar contacted Dr. Solomon to confirm the authenticity of the February 19, 2009, medical certificate. Dr. Solomon stated that he did not see Mr. M████ on that date and did not sign the medical certificate.
- (27) Mr. M████ admits that he did not see Dr. Solomon on February 19, 2009. Mr. M████ admits that he wrote the information set out on the February 19, 2009, medical certificate, which is false, and that he also forged Dr. Solomon's signature on the February 19, 2009, medical certificate. Mr. M████ admits that he knowingly falsified and forged a document that he submitted to the University in support of his request for academic consideration.

#### **G. February 18, 2009, Medical Certificate**

- (28) On February 21, 2009, Mr. M████ submitted an on-line petition for a further "deferral of unwritten final examination" in BIO 315. On March 2, 2009, Mr. M████ submitted a University of Toronto Medical Certificate dated February 18, 2009, to the Office of the Registrar at the University of Toronto Mississauga ("February 18, 2009, medical certificate"). The February 18, 2009, medical certificate was purportedly signed by Dr. M. Atalla.

- (29) Mr. M[REDACTED] understood that the University required him to submit a signed medical certificate in support of his petition for academic consideration based on an illness. He admits that he submitted the February 18, 2009, medical certificate in support of his petition for consideration in BIO 315.
- (30) On March 11, 2009, the Office of the Registrar contacted Dr. Atalla to confirm the authenticity of the February 18, 2009, medical certificate, and the five other certificates that Mr. M[REDACTED] had submitted that purported to be signed by Dr. Atalla. Dr. Atalla stated that he did not see Mr. M[REDACTED] on those dates and did not sign the medical certificates.
- (31) Mr. M[REDACTED] admits that he did not see Dr. Atalla on February 18, 2009. Mr. M[REDACTED] admits that he wrote the information set out on the February 18, 2009, medical certificate, which is false, and that he also forged Dr. Atalla's signature on the February 18, 2009, medical certificate. Mr. M[REDACTED] admits that he knowingly falsified and forged a document that he submitted to the University in support of his petition for academic consideration.

#### Decision of the Tribunal

- [6] On the basis of the Agreed Statement of Facts, the Tribunal accepted the plea and found contraventions of the *Code* as set out in the principal charges (1, 3, 5, 7, 9, 11, 13 and 15). At this time, the University withdrew the alternative charges (2, 4, 6, 8, 10, 12, 14 and 16).

#### Penalty Phase

- [7] The student filed a series of documents on sanctions which included previous medical information and information about the student's financial situation. In addition, the student was affirmed and read a pre-written statement to the Panel. The Panel views the contents of the statement as important, and therefore reproduces it here in full:

Dear Members of the Panel,

I am writing this statement to express my remorse for my academic offenses at the University of Toronto. I am deeply ashamed of my behaviour, and saddened by the negative impacts this event has had on the University, my family, my doctor, and my fellow students. This situation is especially troubling at this point in time, as I am currently a few courses away from graduating at the University of Toronto.

There are no excuses for my conduct. However, it is relevant that I explain how I ended up in this position. This way, the University may be in a better position to understand the reasons for my actions, and use that knowledge to prevent other students from making the same mistakes.

At the time of the offenses, I lived with my single mother and two younger sisters. I have been the only male in my household since I was 8 years old. My family has previously been on welfare. My mother, who speaks very little English, is currently working 50 hours a week on an assembly line. She has an annual income that is less than \$20,000, and I have accrued approximately \$30,000 in OSAP debt to fund my education.

From a very young age, I have been charged with the responsibility of cooking and cleaning for my two younger sisters, as well as attending to many other household chores. I also have the responsibility of paying my family's bills and tending to the majority of our administrative matters. While I was enrolled at UTM, my daily commute between my home and campus was approximately 3 hours. The demands of my family situation have prevented me from getting involved in any extra-curricular activities at the University.

I see my education as necessary to improve my family's economic situation. This has resulted in an intense pressure I feel to succeed. Without a degree, I am concerned that I will be unable to find employment that can improve the standard of living for my mother and sisters. Furthermore, my family will be burdened with a \$30,000 debt that will be extremely difficult to repay without my post-secondary education, and the employment opportunities that follow.

This continuous pressure has been the cause of the anxiety I began to experience while preparing and writing my exams at the University. I realize that it is common for many students to experience exam-related anxiety, but I have found the severity of my reactions to be uncharacteristic of typical stress or tension. Prior to exams, I would experience symptoms such as: panic attacks, sleeplessness, nausea, vomiting, and high fever. Before the start of my fourth year, my relationship with my former girlfriend of three years came to a difficult end. This event further exacerbated the stress I felt at the time.

I first visited a doctor about my anxiety in 2004, and received a medical note that allowed me to defer an exam. I continued [to] visit my doctor and receive valid medical certificates for my symptoms between 2004 and 2008. Over time, this process became so routine to me, that I decided to fill out and submit the certificates myself.

I understand that the number of times that I have visited a medical professional is irrelevant to the need to obtain a valid medical certificate for each exam deferral. I recognize that I have made a serious mistake, for which I accept complete responsibility. My only hope is that the panel allows me the opportunity to complete my degree, and gives me the chance to represent the University positively as a hard working alumnus in my future career. I strongly value the chance to learn from my error. I also wish that my case will serve as a strong reminder to my colleagues of the need to follow the University's academic policies correctly at all times.

Thank you for your consideration.

Respectfully,

I [REDACTED] M [REDACTED]

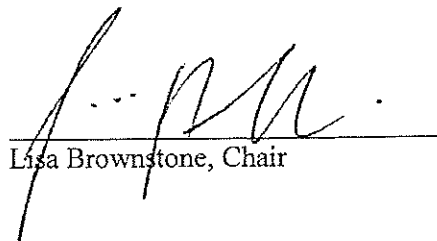
- [8] The parties submitted a joint submission on penalty, proposing that the University Tribunal:
- (a) impose a final grade of zero in each of the courses CHM 221, ENG 140, PHL 283, BIO 380, BIO 315;
  - (b) suspend Mr. M [REDACTED] from the University of Toronto from October 27, 2009 until October 27, 2014;
  - (c) impose a notation on his academic record and transcript stating that he has been found to have committed academic offences, such notation to remain on his transcript until one year after he graduates from the University; and

- (d) report this case to the Provost who may publish a notice of the decision of the University Tribunal and the sanctions imposed, with Mr. M[REDACTED]'s name withheld.
- [9] The Tribunal was reminded by counsel that, while not obliged to accept a joint submission on penalty, the joint submission should not be rejected unless to accept it would be contrary to the public interest or bring the administration of justice into disrepute. The Panel accepts and acknowledges that this is a high threshold for declining to accept a joint submission.
- [10] In reaching its decision, the Panel paid regard to the facts in this case, in particular the aggravating fact that the offences occurred in several courses over a period of time, and the significant mitigating facts, which included those set out in the student's statement above, as well as the student's guilty plea and engagement and co-operation in this process. The Panel also had regard to previous Tribunal cases brought to the Panel's attention. The Panel was unanimously of the view that the joint submission was at the high end of the appropriate range, but was still within that range, such that it ought to be accepted.

### Sanction

- [11] The Panel therefore accepted the joint submission on penalty, and makes the following order:
- (a) the assignment of a final grade of zero in each of the courses CHM 221, ENG 140, PHL 283, BIO 380, BIO 315;
  - (b) the suspension of Mr. M[REDACTED] from the University of Toronto October 27, 2009 until October 27, 2014;
  - (c) a notation on his academic record and transcript stating that he has been found to have committed academic offences, such notation to remain on his transcript until one year after he graduate from the University; and
  - (d) a report of this case to the Provost who may publish a notice of the decision of the University of Toronto Tribunal and the sanctions imposed, with Mr. M[REDACTED]'s name withheld.

Dated this 30<sup>th</sup> day of January, 2009 2010

  
 Lisa Brownstone, Chair