

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made on June 23, 2011,

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

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

BETWEEN:

UNIVERSITY OF TORONTO

- AND -

Q [REDACTED] W [REDACTED]

Date of Hearing: March 22, 2012

Tribunal Members:

Mr. Paul Morrison, Barrister and Solicitor, Chair
Professor Richard Day, Department of Political Science, Faculty Panel Member
Ms. Alice Kim, Student Panel Member

Appearances:

Ms. Lily Harmer, Assistant Discipline Counsel for the University, Paliare Roland
Barristers
Mr. Lorne Gross, Barrister and Solicitor for the Student, Rusonik, O'Connor,
Robbins, Ross, Gorham & Angelini LLP

In Attendance:

Ms. Q [REDACTED] W [REDACTED], the Student
Professor John Browne, Dean's Designate, Faculty of Arts and Science
Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances

REASONS FOR DECISION

Hearing:

1. The Trial Division of the Tribunal held a hearing on March 22, 2012 to consider the following charges brought by the University of Toronto against Q ■ ■ W ■ (the Student) under the *Code of Behaviour on Academic Matters, 1995* (the Code):

Charges:

"May 9, 2008 Petition

1. On or about May 9, 2008, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely, a petition submitted to the Registrar of the Faculty of Arts and Science bearing file #36951 ("May 9, 2008 Petition) to obtain special consideration in the form of a deferred exam in WDW260H1S, contrary to section B.I.3(a).
2. In the alternative to paragraph 1 above, on or about May 9, 2008, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely the May 9, 2008 Petition that you submitted to obtain special consideration in the form of a deferred exam in WDW260H1S, contrary to section B.I.1(a) of the Code.
3. On or about May 9, 2008, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely a statement submitted in support of the May 9, 2008 Petition to obtain special consideration in the form of a deferred exam in WDW260H1S ("May 9, 2008 Petition Statement"), contrary to section B.I.1(a) of the Code.

4. On or about May 9, 2008, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, when you submitted a University of Toronto Medical Certificate dated April 28, 2008 in support of the May 9, 2008 Petition that you submitted to obtain special consideration in the form of a deferred exam in WDW260H1S ("April 28, 2008 Medical Certificate"), contrary to section B.I.3(a) of the Code.

5. In the alternative to paragraphs 1 to 4 above, on or about May 9, 2008, you knowingly engaged in any form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code, in order to obtain academic credit or other academic advantage of any kind in connection with the following forged and/or falsified documents, submitted as part of your May 9, 2008 Petition to obtain special consideration in the form of a deferred exam in WDW260H1S, contrary to section B.I.3(b) of the Code:

- (a) the May 9, 2008 Petition;
- (b) the May 9, 2008 Petition Statement; and
- (c) the April 28, 2008 Medical Certificate.

August 17, 2008 Petition

6. On or about August 17, 2008, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a petition dated August 17, 2008 submitted to the Registrar of the Faculty of Arts and Science bearing file #38582 ("August 17, 2008 Petition") to obtain special consideration in the form of a special deferred exam in ECO220Y1, contrary to section B.I.3(a) of the Code.

7. In the alternative to paragraph 6 above, on or about August 17, 2008, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged,

altered or falsified document, namely the August 17, 2008 Petition that you submitted to obtain special consideration in the form of a special deferred exam in ECO220Y1, contrary to section B.I.1(a) of the Code.

8. On or about August 17, 2008, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely a statement dated August 17, 2008 ("August 17, 2008 Petition Statement") that you submitted in support of the August 17, 2008 Petition to obtain special consideration in the form of a special deferred exam in ECO220Y1, contrary to section B.I.1(a) of the Code.

9. On or about August 17, 2008, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a University of Toronto Medical Certificate dated August 14, 2008 ("August 14, 2008 Medical Certificate") that you submitted in support of the August 17, 2008 Petition to obtain special consideration in the form of a special deferred exam in ECO220Y1, contrary to section B.I.3(a) of the Code.

10. In the alternative to paragraphs 6 to 9 above, on or about August 17, 2008, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code, in order to obtain academic credit or other academic advantage of any kind in connection with the following forged and/or falsified documents, submitted as part of your August 17, 2008 Petition to obtain special consideration in the form of a special deferred exam in ECO220Y1, contrary to section B.I.3(b) of the Code:

- (a) the August 17, 2008 Petition;
- (b) the August 17, 2008 Petition Statement; and
- (c) the August 14, 2008 Medical Certificate.

December 12, 2008 Petition

11. On or about December 12, 2008, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a Petition dated December 12, 2008 submitted to the Registrar of the Faculty of Arts and Science bearing file #39327 ("December 12, 2008 Petition") to obtain special consideration in the form of a further deferred exam ECO220Y1, contrary to section B.I.3(a) of the Code.

12. In the alternative to paragraph 11 above, on or about December 12, 2008, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely the December 12, 2008 Petition submitted to the Registrar of the Faculty of Arts and Science bearing file #39327 that you submitted to obtain special consideration in the form of a further deferred exam in ECO220Y1, contrary to section B.I.1(a) of the Code.

13. On or about December 12, 2008, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely an undated statement that you submitted in support of the December 12, 2008 Petition ("December 12, 2008 Petition Statement") to obtain special consideration in the form of a further deferred exam in ECO220Y1, contrary to section B.I.1(a) of the Code.

14. On or about December 12, 2008, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a University of Toronto Medical Certificate dated December 11, 2008 ("December 11, 2008 Medical Certificate") that you submitted in support of the December

12, 2008 Petition to obtain special consideration in the form of a further deferred exam in ECO220Y1, contrary to section B.I.3(a) of the Code.

15. In the alternative to paragraphs 11 to 14 above, on or about December 12, 2008, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code, in order to obtain academic credit or other academic advantage of any kind in connection with the following forged and/or falsified documents, submitted as part of your December 12, 2008 Petition to obtain special consideration in the form of a further deferred exam in ECO220Y1, contrary to section B.I.3(b) of the Code:

- (a) the December 12, 2008 Petition;
- (b) the December 12, 2008 Petition Statement; and
- (c) the December 11, 2008 Medical Certificate.

August 21, 2009 Petition

16. On or about August 21, 2009, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a Petition dated August 21, 2009 submitted to the Registrar of the Faculty of Arts and Science bearing file #42525 ("August 21, 2009 Petition") to obtain special consideration in the form of a special deferred exam in ECO200Y1, contrary to section B.I.3(a) of the Code.

17. In the alternative to paragraph 16 above, on or about August 21, 2009, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely the August 21, 2009 Petition that you submitted to obtain special consideration in the form of a special deferred exam in ECO200Y1, contrary to section B.I.1(a) of the Code.

18. On or about August 21, 2009, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely an undated statement that you submitted in support of the August 21, 2009 Petition to obtain special consideration in the form of a special deferred exam in ECO200Y1 ("August 21, 2009 Petition Statement"), contrary to section B.I.1(a) of the Code.

19. On or about August 21, 2009, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a University of Toronto Medical Certificate dated August 12, 2009 that you submitted in support of the August 21, 2009 Petition to obtain special consideration in the form of a special deferred exam in ECO200Y1 ("August 12, 2009 Medical Certificate"), contrary to section B.I.3(a) of the Code.

20. In the alternative to paragraphs 16 to 19 above, on or about August 21, 2009, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code, in order to obtain academic credit or other academic advantage of any kind in connection with the following forged and/or falsified documents, submitted as part of your August 21, 2009 Petition to obtain special consideration in the form of a special deferred exam in ECO200Y1, contrary to section B.I.3(b) of the Code:

- (a) the August 21, 2009 Petition;
- (b) the August 21, 2009 Petition Statement; and
- (c) the August 12, 2009 Medical Certificate.

December 18, 2009 Petition

21. On or about December 18, 2009, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a petition dated December 18, 2009 submitted to the Registrar of the Faculty of Arts and Science bearing file #43753 to obtain special consideration in the form of a further deferred exam in ECO200Y1 ("December 18, 2009 Petition"), contrary to section B.I.3(a) of the Code.

22. In the alternative to paragraph 21 above, on or about December 18, 2009, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely the December 18, 2009 Petition that you submitted to obtain special consideration in ECO200Y1, contrary to section B.I.1(a) of the Code.

23. On or about December 18, 2009, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely a statement dated December 18, 2009 ("December 18, 2009 Petition Statement") that you submitted in support of the December 18, 2009 Petition for special consideration in the form of a further deferred exam in ECO200Y1, contrary to section B.I.1(a) of the Code.

24. On or about December 18, 2009, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a medical note from North York General Hospital dated December 7, 2009 ("December 7, 2009 Medical Note") submitted in support of the December 18, 2009 Petition for special consideration in the form of a further deferred exam in ECO200Y1, contrary to section B.I.3(a) of the Code.

25. In or about January, 2010, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a University of Toronto Medical Certificate dated January 27, 2010 ECO200Y1 ("January 27, 2010 Medical Certificate") that you submitted in support of the December 18, 2009 Petition for special consideration in the form of a further deferred exam in ECO200Y1, contrary to section B.I.3(a) of the Code.

26. In or about January 2010, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely a York Regional Police Collision Report Summary dated December 7, 2009 ("December 7, 2009 Police Collision Report") that you submitted in support of the December 18, 2009 Petition for special consideration in the form of a further deferred exam in ECO200Y1, contrary to section B.I.1(a) of the Code.

27. In the alternative to paragraphs 21 to 26 above, on or about December 18, 2009 and in January, 2010, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code, in order to obtain academic credit or other academic advantage of any kind in connection with the following forged and/or falsified documents, submitted as part of your December 18, 2009 Petition to obtain special consideration in the form of a further deferred exam in ECO200Y1, contrary to section B.I.3(b) of the Code:

- (a) the December 18, 2009 Petition;
- (b) the December 18, 2009 Petition Statement;
- (c) the December 7, 2009 Medical Note;
- (d) the January 27, 2010 Medical Certificate; and
- (e) the December 7, 2009 Police Collision Report.

April 29, 2010 Petition

28. On or about April 29, 2010, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a petition dated April 29, 2010 submitted to the Registrar of the Faculty of Arts and Science bearing file #45283 to obtain special consideration in the form of deferred exams in ECO220Y1 and in ECO202Y1("April 29, 2010 Petition"), contrary to section B.I.3(a) of the Code.

29. In the alternative to paragraph 28 above, on or about April 29, 2010, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely the April 29, 2010 Petition for special consideration in the form of deferred exams in ECO220Y1 and in ECO202Y1, contrary to section B.I.1(a) of the Code.

30. On or about April 29, 2010, you knowingly forged or in any other way altered or falsified a document or evidence, or uttered, circulated or made use of such forged, altered or falsified document, namely a statement dated April 29, 2010 ("April 29, 2010 Petition Statement") that you submitted in support of the April 29, 2010 Petition to obtain special consideration in the form of deferred exams in ECO220Y1 and ECO202Y1, contrary to section B.I.1(a) of the Code.

31. On or about April 29, 2010, you knowingly forged or in any other way altered or falsified an academic record, or uttered, circulated or made use of such forged, altered or falsified record, namely a University of Toronto Medical Certificate dated April 8, 2010 ("April 8, 2010 Medical Certificate") that you submitted in support of the April 29, 2010 Petition to obtain special consideration in the form of deferred exams in ECO220Y1 and ECO202Y1, contrary to section B.I.3(a) of the Code.

32. In the alternative to paragraphs 28 to 31 above, on or about April 29, 2010, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the Code, in order to obtain academic credit or other academic advantage of any kind in connection with the following forged and/or falsified documents submitted as part of your April 29, 2010 Petition to obtain special consideration in the form of deferred exams in ECO220Y1 and ECO202Y1, contrary to section B.I.3(b) of the Code:

- (a) the April 29, 2010 Petition;
- (b) the April 29, 2010 Petition Statement; and
- (c) the April 8, 2010 Medical Certificate."

Plea:

33. The Student attended the hearing, was represented by counsel, and entered a plea of guilty to 20 of the 32 charges above. The Student pled guilty to the following charges: 1, 3, 4, 6, 8, 9, 11, 13, 14, 16, 18, 19, 21, 23, 24, 25, 26, 28, 30 and 31. The remaining 12 charges were not proceeded upon and were, in effect, withdrawn by the University. The Student's plea of guilty was accepted by the Tribunal.

Agreed Statement of Facts & Finding on Charges:

34. At the outset of the hearing, the Tribunal was advised that the University had entered into an Agreed Statement of Facts with the Student. The Agreed Statement of Facts is attached as Appendix A to this Decision. The Tribunal also received into evidence, on consent, a Book of Documents containing documents referred to in the Agreed Statement of Facts.

35. As set out in more detail in the Agreed Statement of Facts, the circumstances giving rise to the charges involved multiple occasions where the Student applied by petition for permissions to write deferred exams. She filed such petitions dated May 9, 2008, August 17, 2008, December 12, 2008, August

21, 2009, December 18, 2009 and April 29, 2012. The Student filed various documentations in support of each of the petitions. The Student admits that each of the Petitions contained, to her knowledge, false information and that the documents submitted in support of the Petitions were knowingly forged and/or altered and/or falsified and contained false information and that she knowingly uttered, used and circulated these Petitions and supporting documents knowing that they contained false information. A more detailed list of the falsified Petitions and documents is contained at paragraph 41 of the Agreed Statement of Facts.

36. After reviewing the facts contained in the Agreed Statement of Facts and Book of Documents, the Tribunal deliberated and concluded that the facts demonstrated that the charges to which the Student had entered a plea of guilty, as listed in paragraph 34 hereof, were proven. The Tribunal agreed to accept the guilty pleas in respect of those charges. As above stated, the remaining charges were, in effect, withdrawn. A finding of guilt was entered to the charges to which pleas of guilty had been made.

Penalty:

37. The parties submitted a Joint Submission on Penalty to the Tribunal. The Joint Submission is attached as Appendix B. The Joint Submission proposed that the Student be given a final grade of zero in each of the courses which were the subject of the charges to which pleas of guilty had been entered, that she be suspended from the University commencing March 22, 2012 and ending March 21, 2017, and that a notation of the sanction be made on her academic record and transcript until the earlier of her graduation from the University or March 21, 2019. The Joint Submission further stated that it would be appropriate for the Tribunal to report the case to the Provost for publication of a notice of the Tribunal's Decision and the sanctions imposed in the University newspapers, with the name of the student withheld.

38. In oral submissions, counsel for the University emphasized that the offences were of the most egregious sort, involving multiple instances of repeated conduct and, indeed, a pattern of conduct designed to violate the Code. She indicated that, but for the Student's co-operation, an even heavier penalty would have been appropriate. She pointed out that the distinction between a five year suspension and expulsion from the University is that the suspension allows the student "one last chance, if she wishes to take it".

39. In oral submissions, counsel for the Student emphasized that the Student takes complete responsibility for her actions and acknowledges her responsibility. He submitted that she has been seriously impacted by her actions, has been under significant stress and carries a stigma that is attached to her actions. The Student intends to conduct herself in an ethical manner in the future and appreciates the opportunity and potential to reform herself. She recognizes that the University must maintain the integrity of its academic processes and of its academic degrees. He further stated that, of her own initiative, she intends to engage in counselling.

40. The Student, herself, stated that she was very sorry for her actions, that she made a serious mistake and that she is grateful for the further opportunity afforded by the Joint Submission on Penalty.

41. The Tribunal considered the factors that govern its decision, particularly those set out in *The University of Toronto and Mr. C*, dated November 5, 1976, at pp. 12 (file no. 1976/77-3).

42. The proven charges are very serious, particularly the Student's knowing falsification of petitions for academic favour and the use of elaborate forged or falsified documents in support of the false petitions. The Student submitted the false petitions and provided the false information and/or falsified documents to the University to obtain an academic advantage, and expected that the falsified

documents would be relied upon by the University to allow her the academic advantage.

43. The Tribunal recognizes the Student's co-operation and, further, recognizes that the Student has no prior discipline history, has shown remorse, and has pledged to conduct herself ethically and not to repeat this conduct.

44. While the Tribunal has taken these mitigating factors into account, absent the Joint Submission, the Tribunal would have given serious consideration to a more severe penalty. The pattern of elaborate falsehood, undertaken deliberately to obtain academic advantage, is antithetical to the core values expected of students as set out in the Code. Ultimately, however, the Tribunal recognizes the high threshold that must be met for the Tribunal to reject a joint submission. That is, the Tribunal would have to be of the view that accepting the joint submission would bring the administration of justice into disrepute (*University of Toronto*, dated June 10, 2011, at para. 8). (Case no. 642). The Tribunal concluded that accepting the Joint Submission in this case would not bring the administration of justice into disrepute.

45. The Tribunal, therefore, accepted the Joint Submission on Penalty.

Decision of the Tribunal:

46. The Tribunal issued the following Order:

1. **THAT** Ms. W is guilty of thirteen counts of forging, altering and falsifying an academic record and uttering, circulating, or making use of a forged, altered or falsified academic record, contrary to section B.1.3(a) of the *Code of Behaviour on Academic Matters*;

2. **THAT** Ms. W is guilty of seven counts of forging, altering and falsifying a document or evidence required by the University and uttering, circulating, or making use of those forged, altered or falsified documents,

contrary to section B.I.1(a) of the *Code of Behaviour on Academic Matters*;

3. **THAT** Ms. W█ receive a final grade of zero in:


- a) WDW260H1S in 2008 Winter;
- b) ECO220Y1 in 2008 Summer;
- c) ECO200Y1 in 2009 Summer;
- d) ECO202Y1 in 2010 Winter; and
- e) ECO220Y1 in 2010 Winter;

4. **THAT** Ms. W█ be suspended from the University for a period of five years, commencing on March 22, 2012 and ending on March 21, 2017;

5. **THAT** the sanction be recorded on Ms. W█'s academic record and transcript to the effect that she was sanctioned for academic misconduct, for a period of seven years from the date of this order until the earlier of her graduation from the University or March 21, 2019;

6. **THAT** this case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanction or sanctions imposed, with the name of the student withheld.

7. All of which is ordered as of March 22, 2012.



F. Paul Morrison, Chair

May 11, 2012

APPENDIX A

THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty made on June 23, 2011
this Exhibit is produced by

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

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

BETWEEN:

THE UNIVERSITY OF TORONTO

- and -

Q ■ W ■

AGREED STATEMENT OF FACTS

1. For the purposes of this hearing under the *Code of Behaviour on Academic Matters* ("Code"), the Provost of the University of Toronto (the "Provost") and Ms. Q ■ W ■ ("Ms. W ■") have prepared this Agreed Statement of Facts ("ASF"). This ASF references documents contained in the Book of Documents prepared by the Provost ("BOD"). The Provost and Ms. W ■ agree that:

- a. each document attached to this ASF and those contained in the BOD may be admitted into evidence before the Tribunal for all purposes, including for the truth of the document's contents, without further need to prove the document; and
- b. if a document attached to this ASF or contained in the BOD indicates that it was sent or received by someone that is *prima facie* proof that the document was sent and received as indicated.

Charges and Guilty Plea

2. This hearing arises out of charges of academic misconduct filed by the Provost under the *Code*. Charges were filed against Ms. W■ on June 23, 2011 ("Charges"). A copy of the Charges is included in the BOD at Tab 2. Ms. W■ acknowledges that she received a copy of the Charges.

3. Ms. W■ waives the reading of the Charges. Ms. W■ hereby pleads guilty to Charges 1, 3, 4, 6, 8, 9, 11, 13, 14, 16, 18, 19, 21, 23, 24, 25, 26, 28, 30, and 31 of the Charges.

4. The Notice of Hearing into the Charges is included in the BOD at Tab 1. Ms. W■ acknowledges that she has received reasonable notice of this hearing.

5. The Provost agrees that if the Tribunal convicts Ms. W■ on the charges listed in paragraph 3 above, the Provost will withdraw Charges 2, 5, 7, 10, 12, 15, 17, 20, 22, 27, 29 and 32 of the Charges.

Admission to the University

6. Ms. W■ first registered as a student at the University of Toronto in Fall 2005 in first year studies in Commerce at Innis College. At the end of her first year of studies she had a cumulative grade point average of 1.46 and was placed on academic probation. By 2008 Fall she had chosen a major in Economics and another in East Asian Studies. At all material times, Ms. W■ remained enrolled at the University. As of December 6, 2011, Ms. W■ had earned 14.0 credits with a cumulative grade point average of 1.66. A copy of Ms. W■'s academic record dated December 6, 2011, is included in the BOD at Tab 3.

7. An updated ROSI indicates that Ms. W■ took one course, weighted as a 0.5 credit course, in Fall 2011. She received a mark of 11. Her CGPA is now 1.62. Ms. W■ is not enrolled in any courses in the Winter 2012 term. A copy of the ROSI record dated March 19, 2012 is attached to this ASF at Tab "A".

May 9 2008 Petition: WDW260H1S (Charges 1 to 5)

8. In 2008 Winter Ms. W■ enrolled in WDW260H1S: Organizational Behaviour, a 0.5 credit course. The final exam was scheduled to be written on April 28, 2008. Ms. W■ did not write the final exam at that time. On May 9, 2008 she filed a petition in which she requested permission to write a deferred exam, ("May 9, 2008 Petition"). The University granted Ms. W■'s May 9, 2008 Petition, permitting her to write a regular deferred examination during the June 2008 examination period. A copy of the May 9, 2008 Petition is included in the BOD at Tab 4.

9. Ms. W■ submitted the following documents in support of the May 9, 2008 Petition:

- a. Personal statement "To whom it may concern", undated, from Ms. W■, stating that she was too sick to attend the final exam in WDW260H1 on Monday, April 28, 2008, that she "had a very serious flu with very high body temperature, severe headache and other symptom", and that a medical certificate was attached ("May 9, 2008 Petition Statement"). The May 9, 2008 Petition Statement is included at Tab 5 of the BOD;
- b. University of Toronto Student Medical Certificate dated April 28, 2008 describing an acute problem involving fever, headache, etc. with a date of onset of April 27, 2008 ("April 28, 2008 Medical Certificate"). The April 28, 2008 Medical Certificate contained a physician's signature, and the following additional physician-related information:

"Aaron Huang

04528

Registration No. CPSO

Ontario College of

Traditional Chinese Medicine

145 Sheppard Ave East, Suite 100/201

Toronto, Ontario Canada M2N 3A7" ["OCTCM Stamp"]

The April 28, 2008 Medical Certificate is included in the BOD at Tab 6.

August 17, 2008 Petition: ECO220 (Charges 6 to 10)

10. Ms. W■ first enrolled in ECO220Y1: Quantitative Methods in 2006 Fall. It was a full year course. Ms. W■ petitioned for and was granted the opportunity to write a special deferred examination in this course during the December 2007 exam period. She did not successfully complete ECO220 at that time.

11. In 2008 Summer Ms. W■ enrolled again in ECO220. The final exam was scheduled to be written on August 14, 2008. Ms. W■ did not write the final exam on that date, but petitioned for and was granted permission to write a deferred final exam in December 2008 ("August 17, 2008 Petition"). A copy of the August 17, 2008 Petition is included in the BOD at Tab 7.

12. In her August 17, 2008 Petition, Ms. W■ reviewed and check-marked the following: "I have provided accurate and complete information on this form and with my petition..."

13. Ms. W■ submitted the following documents in support of the August 17, 2008 Petition:

- a. Personal statement "To whom it may concern" dated August 17, 2008 from Ms. W■, stating that:

"I was "seriously ill during the week of August 14, 2008, I had red and itchy dots all over my face and body so I went to see different doctors for my illness. My family doctor said that I had serious allergie due to unknown cause, results in hives and other symptoms. Chinese medicine doctor said that I had a contagion virus, there is not treatment for it and I will just have to wait for it to go away, my health has been a major issue in my life that continuously affecting my study ability ..." ("August 17, 2008 Petition Statement").

The August 17, 2008 Petition Statement is included at Tab 8 of the BOD;

- b. University of Toronto Student Medical Certificate dated August 14, 2008 describing an acute problem involving a contagious virus with a date of onset of August 12, 2008 ("August 14, 2008 Medical Certificate"). The

August 14, 2008 Medical Certificate contained a physician's signature, with the name Dr. Huang, CPSO Registration No. 73913, and an OCTCM Stamp.

The August 14, 2008 Medical Certificate is included in the BOD at Tab 9.

December 12, 2008 Petition: ECO220 (Charges 11 to 15)

14. Ms. W█ did not write a special deferred exam in ECO220 as permitted by the petition decision for her August 17, 2008 Petition. Instead, on December 12, 2008, she filed a further petition requesting that she be permitted to write second deferred exam in ECO220. She gave illness as the reason for her petition. She stated that she had provided accurate and complete information on the petition form. Her December 12, 2008 Petition was granted, and she was given permission to write a regular deferred exam during the April/May 2009 exam period. A copy of the December 12, 2008 Petition and the related petition decision is included in the BOD at Tab 10.

15. Ms. W█ submitted the following documents in support of the December 12, 2008 Petition:

- a. Personal statement "To whom it may concern", undated, from Ms. W█, stating that:

"...I was schedule to write an exam on Thursday December 11, 2008, unfortunately my allergy reaction reacted again; my whole body was cover with Hives. The allergy has caused me unable to concentrate and sleep, therefore I was unable to write the exam...."

("December 12, 2008 Petition Statement"). The December 12, 2008 Petition Statement is included in the BOD at Tab 11.

- b. University of Toronto Student Medical Certificate dated December 11, 2008 describing an acute problem of "allergic reaction and hives" with a date of onset of December 8, 2008. ("December 11, 2008 Medical Certificate"). The December 11, 2008 Medical Certificate contained a

physician's signature, with the name Dr. P. Chiu, CPSO Registration No. 80800, and an OCTCM Stamp.

The December 11, 2008 Medical Certificate is included in the BOD at Tab 12.

August 21, 2009: ECO200 (Charges 16 to 20)

16. In 2009 Summer Ms. W■ enrolled in ECO200Y1: Microeconomic Theory. It was a 1.0 credit course. The final exam was scheduled to be written on August 12, 2009. Ms. W■ did not write the final exam on that date, but petitioned for and was granted permission to write a deferred final exam on December 10, 2009 ("August 21, 2009 Petition"). A copy of the August 21, 2009 Petition is included in the BOD at Tab 13.

17. In her August 21, 2009 Petition, Ms. W■ reviewed and check-marked the following: "I have provided accurate and complete information on this form and with my petition."

18. Ms. W■ submitted the following documents in support of the August 21, 2009 Petition:

- a. Personal statement, undated, from Ms. W■, stating that:

"...I am writing to petition for my final exam ECO200Y1Y that I missed on Wednesday August 12 2009. The reason being I was injured from work on Monday August 10th; my right arm muscle was spasm and swelling due to muscle strains. I had difficult to move my right arm so I was unable to write the exam. ..."

("August 21, 2009 Petition Statement"). The August 21, 2009 Petition Statement is included in the BOD at Tab 14.

- b. University of Toronto Student Medical Certificate dated August 12, 2009 describing an acute problem of "severe right arm injury" with a date of onset of August 11, 2009. ("August 12, 2009 Medical Certificate"). The August 12, 2009 Medical Certificate contained a physician's signature,

with the name P. Chiu, CPSO Registration No. 82800, and an OCTCM Stamp.

The August 12, 2009 Medical Certificate is included in the BOD at Tab 15.

- c. Notification of Q■■■■'s Work Injury from Evergreen Association, signed by Richard Zhou.

December 18, 2009 Petition: ECO200 (Charges 21 to 27)

19. Ms. W■■ did not write the deferred exam in ECO200Y1 on December 10, 2009. On December 18, 2009, she submitted a further petition for a second deferral of the final exam in ECO200Y1 ("December 18, 2009 Petition"). The December 18, 2009 Petition was granted, and Ms. W■■ was given permission to write a regular re-deferred examination during the April 2010 examination period. The December 18, 2009 Petition together with the Petition Decision is included in the BOD at Tab 17.

20. In her December 18, 2009, 2009 Petition, Ms. W■■ reviewed and check-marked the following: "I have provided accurate and complete information on this form and with my petition..."

21. Ms. W■■ submitted the following documents in support of the December 18, 2009 Petition:

- a. Personal statement "To whom it may concern" dated December 18, 2009 from Ms. W■■, stating that "on Monday December 7th 2009, just two days before my exam I got into a car accident", that she had been taken to the emergency room at North York General hospital on the same day, and that a doctor's note from the hospital was attached ("December 18, 2009 Petition Statement"). The December 18, 2009 Petition Statement is included at Tab 18 of the BOD;
- b. Note from North Toronto Rehabilitation and Physiotherapy dated December 11, 2009, included at Tab 19 of the BOD;

- c. Note from North York General Hospital dated December 7th, 2009 stating "Ms. W [redacted] will be away from the school for today [] minor cerebral concession [] hand injury follow up check at Jan 4, 2010", signed with an illegible physician's name ("December 7, 2009 Medical Note"). The December 7, 2009 Medical Note is included in the BOD at Tab 20;
- d. University of Toronto Student Medical Certificate dated January 27, 2010 stating "Accident Injury Back, Neck & []" with a date of onset of December 7, 2010, and "the above patient unable to write her test on Dec 10 considering lack of physic ability" ("January 27, 2010 Medical Certificate"). The January 27, 2010 Medical Certificate contained a physician's signature, and the following additional physician-related information:

"P. CHIU

82800

Registration No. CPSO

Pacific Medical Center

Unit F56 Pacific Mall

4300 Steeles Ave. East

Markham, Ontario L3R 0Y5

Tel: (905) 237-5586 Fax: (905) 237-8655 "

The January 27, 2010 Medical Certificate is included in the BOD at Tab 21;

- e. York Regional Police Collision Report Summary describing an automobile collision on December 7, 2009 involving Allan Pitts and Q [redacted] W [redacted], included in the BOD at Tab 22 ("December 7, 2009 Police Collision Report"); and
- f. Photographs of a white Mercedes Benz GLK with collision damage to the front of the vehicle, included in the BOD at Tab 23.

April 29 2010 Petition: ECO202 and ECO220 (Charges 28 to 32)

22. Ms. W■ first enrolled in ECO202Y1: Macroeconomic Theory and Policy in 2006 Fall. It was a full year course. Ms. W■ petitioned for and was granted the opportunity to write a special deferred examination in ECO202 during the December 2007 exam period. She did not successfully complete ECO202 at that time.

23. As described in paragraphs 10 and 11 above, Ms. W■ had also previously enrolled in ECO220 (twice).

24. Ms. W■ enrolled again in both ECO220Y1 and ECO202Y1 in 2009 Fall.

25. On April 29, 2010, Ms. W■ filed a petition in which she sought to write deferred exams in each of ECO220 and ECO202 ("April 29, 2010 Petition"). A copy of the petition documents for the April 29, 2010 Petition is included in the BOD at Tab 24.

26. In her April 29, 2010 Petition, Ms. W■ reviewed and check-marked the following: "I have provided accurate and complete information on this form and with my petition..."

27. Ms. W■ submitted the following documents in support of the April 29, 2010 Petition:

a. A petition statement dated April 29, 2010 stating:

"I am petitioning for deferral examinations for medical reasons. On April 7, the day before final exam, I had dinner with my family ... Later that night I felt really sick and stay up all night vomiting and diarrhea [sic]. The next day I couldn't write my exam and had to go see the doctor. I was diagnosed with server food poisons [sic] from my family doctor. Due to the medical reason I was unable to write and prepare for my final exam on April 8th and April 12th.

I would appreciate it if the Faculty would allow me to deferral [sic] the examinations to summer 2010. I have enclosed documentation from my family doctor."

("April 29, 2010 Petition Statement"). A copy of the April 29, 2010 Petition Statement is included in the BOD at Tab 25; and

- b. University of Toronto Medical Certificate dated April 8, 2010 stating: "Food poison, vomiting, diarrhea [sic], fever and headache. The student is unable to study and attend exam within the above timeline [3 to 5 days from April 7, 2010]" ("April 8, 2010 Medical Certificate"). The April 8, 2010 Medical Certificate contained a physician's signature, and the following additional physician-related information:

"P. CHIU

82800

Registration No. CPSO

Pacific Medical Center

Unit F56 Pacific Mall

4300 Steeles Ave. East

Markham, Ontario L3R 0Y5

Tel: (905) 237-5586 Fax: (905) 237-8655 "

The April 8, 2010 Medical Certificate is included in the BOD at Tab 26.

University investigation

28. Upon receipt of the April 29, 2010 Petition, Jennifer Haughton in the Registrar's office investigated the authenticity of the April 8, 2010 Medical Certificate. She located a Dr. Patrick Lang Ming Chiu registered with the College of Physicians and Surgeons with a CPSO registration number of 82800. His primary practice location was listed as being located at Pacific Medical Clinic, Unit F33 4300 Steeles Avenue East, Markham ON L3R 0Y5, Phone: (905) 604-7889 Fax: (905) 604-7890. A copy of a printout of Dr. Patrick Chiu's CPSO Doctor Profile from the CPSO website is attached to this ASF at Tab "B".

29. Ms. Haughton contacted Dr. Chiu's office. Dr. Chiu confirmed that he had not signed either the January 27, 2010 Medical Certificate or the April 8, 2010 Medical

Certificate (collectively the "2010 Medical Certificates"), that he did not see Ms. W on either of those dates or at any time, and that his clinic was located at the address shown for the Pacific Medical Clinic on the 2010 Medical Certificates, but that the phone and fax numbers were incorrect. A copy of correspondence between Ms. Haughton and Dr. Chiu's office is included in the BOD at Tab 27.

30. On January 17, 2011, Ms. W met with Glenn Loney, Assistant Dean, Faculty Registrar in the Faculty of Arts & Science, to discuss the April 29, 2010 Petition and the supporting 2010 Medical Certificates. Following that meeting, Ms. W advised Dr. Loney that she had been trying to contact Dr. Chiu's office to obtain additional medical documentation but could not get an appointment until the following week.

31. On January 26, 2010, Ms. W sent an email to Dr. Loney in which she claimed to have met with Dr. Chiu, who "confirmed that there is someone who stoled his identity writing medical notes on his behalf, he received serval report with smilier situation. After the meeting I spoke to my lawyer and he suggested me to report this fraud issues, get the police to help to investigate the scam, also prevent other being defraud in the future. So I went to the Police station division 32 to reported this fraud issue... [sic]". She further described having been in a car accident the previous year and needing a medical certificate, so she went on a Chinese community web forum where she connected with a person claiming to be a doctor. She explained that she was told to go to "Pacific mall Second floor Unit F55 to see him and pick up the medical note"..., but that when she went there she met the person at the door, he gave her a medical note in return for \$40 and then drove away. She further said: "I am truly sorry about what happened. Although I was being fraud, but it is my fault finding a doctor online..." A copy of this email correspondence is included in the BOD at Tab 33.

March 30, 2011 Dean's meeting

32. On March 30, 2011, Ms. W attended a Dean's meeting with the Dean's Designate, John Browne. At the beginning of the meeting Ms. W was read the Dean's Warning required by section C.I.(a)6 of the Code.

33. Ms. W■ explained that she thought that the January 27, 2010 Medical Certificate that she purchased for \$40 from an individual who met her in the front lobby of the Pacific Mall, and who provided her a note based on her description of her condition without a medical exam, was real.

34. Ms. W■ further explained that she followed the same process to purchase the April 28, 2010 Medical Certificate, again believing that it was real. This time, however, she met the individual at a gas station at Bathurst and Steeles.

35. Ms. W■ admitted at the Dean's meeting that the 2010 Medical Certificates were false, and that she had committed an offence when she submitted them in support of her petitions. She further stated that in her heart she believed the person selling her the 2010 Medical Certificates was a real doctor, helping Chinese students. She did not admit at that time to any offences relating to the December 7, 2009 Medical Note (from North York General Hospital) or the December 7, 2009 Police Collision Report.

36. Ms. W■ was also asked questions at this meeting about the authenticity of the various medical notes and certificates from the Ontario College of Traditional Chinese Medicine ("OCTCM Medical Certificates"). Ms. W■ denied that the OCTCM Medical Certificates were forged. She explained that she had obtained the OCTCM Medical Certificates from OCTCM and that they were genuine.

Additional University investigation

37. The Office of Student Academic Integrity ("OSAI") at the University made inquiries to OCTCM about the authenticity of the April 28, 2008 Medical Certificate and the August 14, 2008 Medical Certificate. OSAI received a response on OCTCM letterhead attesting to the legitimacy of the certificates. Correspondence between OSAI and OCTCM is included at Tabs 28 through 32 of the BOD.

38. OSAI also determined that the President of OCTCM was listed in Canada411.ca as residing at the same address as Ms. W■.

June 8, 2011 Dean's meeting

39. Ms. W■ was asked to and did attend a second Dean's meeting on June 8, 2011. At that time the additional supporting documents submitted with her December 18, 2009 Petition were identified and discussed. Ms. W■ admitted at that time to the following:

- a. She had purchased the December 7, 2009 Medical Note purporting to be from North York General Hospital online; and
- b. She altered the date on the December 7, 2009 Police Collision Report to make it appear that her car accident had occurred two days before the December 9, 2009 deferred final exam in ECO200, when the accident had actually occurred on November 12, 2009.

40. Ms. W■ continued to deny at that meeting that the OCTCM Medical Certificates, and the petition documents for which those certificates were provided in support, were anything other than legitimate records and documents. Correspondence to Ms. W■ from John Browne to arrange the second dean's meeting is included in the BOD at Tab 47, and confirming the results of that meeting at Tab 49 of the BOD.

Admissions and Acknowledgments

41. Ms. W■ acknowledges and admits that each of the following academic records / documents were knowingly forged, altered and falsified and contained false information, and that she knowingly uttered, used and circulated these academic records / documents knowing that they contained false information, contrary to section B.I.3.(a) and/or B.I.1.(a) of the Code:

- a. May 9, 2008 Petition as alleged in Charge 1 and/or 2;
- b. May 9, 2008 Petition Statement, as alleged in Charge 3;
- c. April 28, 2008 Medical Certificate, as alleged in Charge 4;

- d. August 17, 2008 Petition, as alleged in Charge 6 and/or 7;
- e. August 17, 2008 Petition Statement, as alleged in Charge 8;
- f. August 14, 2008 Medical Certificate, as alleged in Charge 9;
- g. December 12, 2008 Petition, as alleged in Charge 11 and/or 12;
- h. December 12, 2008 Petition Statement, as alleged in Charge 13;
- i. December 11, 2008 Medical Certificate, as alleged in Charge 14;
- j. August 21, 2009 Petition, as alleged in Charge 16 and/or 17;
- k. August 21, 2009 Petition Statement, as alleged in Charge 18;
- l. August 12, 2009 Medical Certificate, as alleged in Charge 19;
- m. December 18, 2009 Petition, as alleged in Charge 21 and/or 22;
- n. December 18, 2009 Petition Statement as alleged in Charge # 23;
- o. December 7, 2009 Medical Note, as alleged in Charge #24;
- p. January 27, 2010 Medical Certificate, as alleged in Charge #25;
- q. December 7, 2009 Police Collision Report, as alleged in Charge #26;
- r. April 29, 2010 Petition, as alleged in Charge #28 and/or 29;
- s. April 29, 2010 Petition Statement, as alleged in Charge #30;
- t. April 8, 2010 Medical Certificate, as alleged in Charge #31.

42. Ms. W ■ acknowledges and admits that she intended the University to rely on all of these forged documents and records in order for her to obtain an academic advantage in the form of deferred exams.

43. Ms. W ■ acknowledges that:

- a. the Provost of the University of Toronto has made no representations or promises as to what sanction the Provost will seek in this case; and
- b. she is signing this ASF freely and voluntarily, knowing of the potential consequences she faces, and does so with the benefit of legal counsel.

Signed on March 22, 2012

A black rectangular redaction box covering a signature.

Signed on March 22, 2012

A handwritten signature in cursive script, appearing to read "Lily Harmer".

Lily Harmer
Assistant Discipline Counsel
University of Toronto

APPENDIX B

THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty made on June 23, 2011,

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

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

BETWEEN:

THE UNIVERSITY OF TORONTO

– and –

Q ■■■ W ■

JOINT SUBMISSION ON PENALTY


1. For the purposes of the sanction phase of this hearing under the *Code of Behaviour on Academic Matters* ("Code"), the University of Toronto (the "University") and Q ■■■ W ■ ("Ms. W ■") have prepared this Joint Submission on Penalty.
2. The Provost and Ms. W ■ submit that the appropriate penalty in all the circumstances of the case is that the University Tribunal impose the following sanctions on Ms. W ■:
 - a. a final grade of zero in each of the following courses:
 - i. WDW260H1S in 2008 Winter;
 - ii. ECO220Y1 in 2008 Summer;
 - iii. ECO200Y1 in 2009 Summer;

- iv. ECO202Y1 in 2010 Winter; and
 - v. ECO220Y1 in 2010 Winter;
 - b. a suspension from the University to commence March 22, 2012, and to end March 21, 2017; and
 - c. a notation of the sanction on her academic record and transcript from the date of the Order until the earlier of her graduation from the University or March 21, 2019.
3. The Parties further submit that it is appropriate for the Tribunal to report this case to the Provost for publication of a notice of the decision of the Tribunal and the sanction or sanction imposed in the University newspapers, with the name of the student withheld.

Signed on March 22, 2012.

A black rectangular redaction box covering a signature.

Signed on March 22, 2012.

A handwritten signature in cursive script, appearing to read "Lily Harmer".

Lily Harmer
Assistant Discipline Counsel
University of Toronto