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PERSONAL & CONFIDENTIAL

Via E-mail and Canada Post

May 16, 2005

Mr. Usman Sheikh
Law Student, Downtown Legal Services
655 Spadina Avenue
TORONTO, ON
M5S 2H9

Dear Mr. Sheikh:

Re: University Tribunal – Hearing in the Matter of Mr. A. F. (The Student)

At its hearing held on May 12, 2005, the Trial Division of the University Tribunal considered the following charges against Mr. F.:

1. In or about September 2003 you did knowingly forge or in any other way alter or falsify an academic record, and/or did utter, circulate or make use of such forged, altered or falsified record, whether the record be in print or electronic form, namely, a Display of Academic History, contrary to Section B.I.3.(a) of the *Code of Behavior on Academic Matters, 1995* (“Code”). Pursuant to Section B of the *Code* you are deemed to have acted knowingly if you ought reasonably to have known that you forged or in any other way altered or falsified any academic record, and/or uttered, circulated or made use of any such forged, altered or falsified record.
2. In the alternative, in or about September 2003, you did knowingly forge or in any other way alter or falsify any document or evidence required by the University, or to utter, circulate or make use of any such forged, altered or falsified document, whether the record be in print or electronic form, namely, a Display of Academic History, contrary to Section B.I.3.(b) of the *Code*. Pursuant to Section B of the *Code* you are deemed to have acted knowingly if you ought reasonably to have known that you forged or in any other way altered or falsified any document or evidence required by the University, and/or uttered, circulated or made use of any such forged, altered or falsified document.
3. In the alternative, in or about September 2003, you did knowingly engage 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 contrary to Section B.1.3.(b) of the Code. Pursuant to Section B of the *Code* you are deemed to have acted knowingly if you ought reasonably to have known that you engaged in any form of cheating, academic dishonesty or misconduct, fraud or misrepresentation in order to obtain academic credit or other academic advantage of any kind.

The particulars of the charges were as follows:

1. At all material times you were a student at the University of Toronto at Mississauga.
2. On or about September 2003 you submitted a document to Professor Shin that purported to be a University of Toronto transcript in the form of a Display of Academic History purportedly printed from the student web service screen.
3. The document did not accurately reflect the information contained on your official University of Toronto transcript and academic record.
4. Rather, the document that you created and/or submitted to the University misrepresented, altered and falsified many of the marks that you had received for University of Toronto courses, and misrepresented your grade point averages, as reflected in the attached Chart.

I am writing to confirm the outcome of the hearing.

The panel was advised of an Agreed Statement of Facts with respect to Charge 1. The Student pleaded guilty to Charge 1 and, following deliberations, the panel accepted his guilty plea. Charges 2 and 3 were dismissed as being in the alternative.

Discipline Counsel requested that the Student be expelled from the University of Toronto and that the Provost be requested to publish this case in the University newspapers with the name of the Student withheld. In the alternative, if the panel could not agree to the recommendation to expel, Discipline Counsel requested that the Student be suspended from the University of Toronto for five years with a notation on the Student's academic transcript, to remain there for the duration of the suspension. Counsel for the Student requested that the suspension be no more than one year. Following evidence, submissions and deliberation, the panel reached the following unanimous verdict on **sanction** and this was delivered orally in the presence of both parties:

1. that A. F. be suspended from the University for a period of five years, effective September 1, 2004;
2. that the suspension be recorded on his academic record for a period of five years from the date of suspension;
3. that this case be reported to the Provost for publication in the University newspapers, with the name of the student withheld.

The following **Reasons for the Sanction** were delivered orally in the presence of both parties.

“The panel agrees that the factors cited in the Chelin decision are important in determining appropriate sanction. Turning to these, the factor of character is, in our view, not highly significant in this case. Although Mr. F. clearly has fine qualities and is a valued member of his family, his dishonest conduct in the perpetuation of that through his attempts to knowingly provide a false account of his conduct do not speak well of him.

“We are satisfied that the offence is unlikely to be repeated and it is clear that the past almost two years have caused tremendous anguish to him, enough to likely deter him from any repeat of these actions.

“The nature of the offence is clearly serious. Falsifying a transcript represents a very significant act in the University community. However, we take note of the fact that it was done without apparent premeditation or careful and deliberate planning and was relatively contained in its scope.

“We are of the view that such an offence is detrimental to the University and that it is important to deter others from similar conduct. We view the sanction imposed to meet this purpose.

“We carefully considered the evidence of extenuating circumstances and while we are of the view that they do not excuse his dishonesty, we do believe that they should have some bearing on the severity of the sanction.”

Information concerning rights of appeal may be found in Section E of the *Code of Behaviour on Academic Matters*, which can be viewed on-line at: <http://www.utoronto.ca/govcncl/pap/policies/behaveac.html>. The deadline for filing an appeal in this matter is 5:00 p.m., June 6, 2005.

Yours sincerely,

BEVERLEY STEFUREAK
Acting Secretary, University Tribunal

cc: Sherry Liang, Chair, Tribunal Panel
Edith Hillan
Nora Gillespie
Lily Harmer
Scott Graham