

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER of charges of academic dishonesty made on June 27, 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

B E T W E E N:

UNIVERSITY OF TORONTO (the "University")

- and -

M [REDACTED] K [REDACTED] (the "Student")

Hearing Date: November 23, 2011

Panel Members:

Ms. Roslyn M. Tsao, Barrister and Solicitor, Chair
Professor Annette Sanger, Faculty of Music, Faculty Panel Member
Ms. Amy Gullage, Student Panel Member

Appearances:

Mr. Robert Centa, Assistant Discipline Counsel for University, Paliare Roland Barristers
Dr. Michael Ratcliffe, Faculty of Medicine, Department of Immunology
Dr. James Carlyle, Faculty of Medicine, Department of Immunology
Mr. M [REDACTED] K [REDACTED], the Student


In Attendance:

Ms. Jane Alderdice, Director of Quality Assessment and Governance, School of Graduate Studies
Professor Berry Smith, Dean's Designate, Vice-Dean of Graduate Studies
Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances

REASONS ON PENALTY

1. The University and the Student have submitted written submissions regarding penalty.
2. The University requests a penalty as follows:
 - (a) Assign the Student a final grade of 0 in the Research Course RST 9999Y;
 - (b) Immediately suspend the Student from the university for up to 5 years; and
 - (c) Recommend to the President that you ask the Governing Counsel to expel the Student.
3. We agree with the University that the deliberate falsification of research results by the Student in a Ph.D. program is a serious and inexcusable offence. We further agree that the Student lacks insight into his actions and their effect on the University's reputation and status.
4. In addition, although the Student has made written submissions which are presumed to provide mitigating circumstances to consider in determining Penalty, the Panel is concerned that the Student raises, for the first time, serious allegations of intimidation by his supervisor.
5. We have found that the Student's credibility is more than questionable and his claim of such a serious allegation (intimidation) against the faculty member at this time (when no response can be made) is an aggravating factor.
6. Accordingly, penalty will ordered on the above terms as requested by the University.

Dated at Toronto, this 22nd day of March, 2012.



ROSLYN M. TSAO
Co-Chair