

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made on April 21, 2014

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 am.*

B E T W E E N:

THE UNIVERSITY OF TORONTO

– AND –

T [REDACTED] W [REDACTED]

REASONS FOR DECISION

Hearing Date: Tuesday, August 12, 2014

Members of the Panel:

Mr. Jeffrey S. Leon, Barrister and Solicitor, Chair

Professor Dionne M. Aleman, Faculty of Engineering and Applied Science, Faculty
Panel Member

Ms. Jenna Jacobson, Student Panel Member

Appearances:

Mr. Robert A. Centa, Assistant Discipline Counsel, University of Toronto

In Attendance:

Dr. Kristi Gourlay, Manager, Office of Student Academic Integrity, Faculty of Arts and
Sciences

Ms. Sinead Cutt, Administrative Assistant, Appeals, Discipline and Faculty Grievances

Preliminary Matters

1. A hearing of the Trial Division of the University Tribunal was held on August 12, 2014 to consider charges against the Student. The charges are attached as Appendix "A".
2. The Student did not attend the hearing although duly served with notice.
3. The Student executed an Agreed Statement of Facts (Exhibit "1") which is attached as Appendix "B". The Student stated (paragraph 5) that she did not want to attend the hearing.
4. The Panel ordered that the hearing proceed in the absence of the Student.

The Facts

5. The Student admitted to knowingly forging documents in connection with her application for employment with the Canada Border Services Agency Student Employment Program. At a time when she was not registered as a full-time student at the University of Toronto and had no intention to return in the next term, she forged the section of the application form that was to be completed by the Faculty of Medicine, including the signature of the Registrar, the seal of the Faculty of Medicine and the stamp of the University of Toronto. She also forged a letter on the letterhead of the Faculty of Medicine and the signature of the Registrar. (See Appendix "B" and Exhibit "2", Joint Book of Documents.)

Finding

6. The Student's conduct amounted to an extensive and elaborate fraud calculated to deceive a prospective employer, with the potential effect of depriving a qualified student of a position of employment. She chose the Faculty of Medicine to give her additional credibility. In doing so, she created significant reputational risk to the University, the general community and the prospective employer, the Canadian Border Services Agency.

7. The Panel, after deliberation, was satisfied based on the Agreed Statement of Facts and the Joint Book of Documents, that there was ample evidence to support the Student's plea of guilty to the charges. The Panel found the Student guilty of the two counts of academic misconduct contrary to the *Code of Behaviour on Academic Matters*, as set out in Appendix "A".

Penalty

8. Counsel for the University requested that the Panel impose the following penalty:
- (i) that the Student be immediately suspended for a period of not more than five years;
 - (ii) that the Tribunal recommend to the President that he recommend to Governing Council that it expel the Student from the University; and

- (iii) that this case 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.

9. The Panel was provided with several authorities relating to similar offences. In this particular case, the Panel was cognizant of the fact that there was no prior record of academic discipline.

10. The Student's conduct involved multiple and serious forgeries. There was a deliberate pattern of conduct designed to perpetrate a significant deception. While the Student did admit to her conduct, there was no evidence before the Panel of remorse or prospects for the rehabilitation of the relationship between the Student and the University – a relationship premised on trust.

11. The Panel regarded the Student's conduct to fall towards the most serious end of the spectrum of misconduct. The reputation of the University was put at risk through this series of fraudulent actions. Such conduct is totally at odds with what is required of a member of the University community, cannot be tolerated and should be condemned in the strongest form. Students must know that this type of conduct is unacceptable and inconsistent with being a student at the University. Third parties must be able to rely on documents issued by the University. The credibility of the University and its students must be protected from conduct that is inimical to the reputation of the University and to the honesty and integrity demanded of its students.

12. On that basis, the Panel accepted the submissions of counsel for the University and ordered:

- (i) that the Student be immediately suspended for a period of not more than five years;
- (ii) that the Tribunal recommend to the President that he recommend to Governing Council that it expel the Student from the University; and
- (iii) that this case 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.

All of which is ordered on August 12, 2014.

Dated at Toronto, this 18th day of November, 2014



Mr. Jeffrey Leon, Chair

APPENDIX A



UNIVERSITY OF
TORONTO

OFFICE OF THE VICE - PROVOST, FACULTY & ACADEMIC LIFE

Via email

CONFIDENTIAL

April 21, 2014

Ms. T [REDACTED] W [REDACTED] ([REDACTED])
Faculty of Arts & Science
Email: [REDACTED].w[REDACTED]@mail.utoronto.ca

Dear Ms. W [REDACTED],

On the advice of the University Discipline Counsel, I am writing to inform you that you are hereby charged with the offences as detailed in the attached document.

By copy of this letter I have informed Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances, of the Academic Tribunal, who will be in touch with you regarding the Tribunal's proceedings.

Yours sincerely,

Professor Edith Hillan
Vice-Provost, Faculty & Academic Life

EMH:ep

Encl.

cc: C. Lang
R. Centa
D. Dewees

UNIVERSITY OF TORONTO
RE: T [REDACTED] W [REDACTED] ([REDACTED])

CHARGES

Note: Wherever in the *Code of Behaviour on Academic Matters, 1995* ("Code") an offence is described as depending on "knowing", the offence shall likewise be deemed to have been committed if the person ought reasonably to have known.

1. On or about January 22, 2014, you knowingly forged or in any other way altered or falsified an academic record, and/or uttered, circulated or made use of such forged, altered or falsified academic record, namely, a Student Academic Registration Form – Winter 2012, which you submitted in support of your application for employment to the Canada Border Service Agency, contrary to Section B.I.3(a) of the Code.

2. On or about January 22, 2014, you knowingly forged or in any other way altered or falsified an academic record, and/or uttered, circulated or made use of such forged, altered or falsified academic record, namely, a document that purported to be a letter from the Registrar's Office at the Faculty of Medicine, which you submitted in support of your application for employment to the Canada Border Service Agency, contrary to Section B.I.3(a) of the Code.

Particulars

The particulars of these charges are as follows

- (a) You applied for employment within the Canada Border Services Agency ("CBSA") Student Employment Program ("Program"). To qualify for the Program, an applicant must be registered full-time in an accredited secondary or post-secondary institution, be recognized by that institution as having full-time student status, and be returning to full-time status in the next academic term.

- (b) On or about January 10, 2014, you signed a "Student Academic Registration Form – Winter 2014" ("Form") as part of your application for employment within the Program. You, or someone at your direction, completed the section of the Form that was to be completed by the academic institution. You, or someone at your direction, knowingly,
- (i) filled out this form and indicated that it had been completed by the Faculty of Medicine, University of Toronto;
 - (ii) falsely stated that you had commenced a full-time program of study at the Faculty of Medicine on January 6, 2014, with an expected completion date of April 2017;
 - (iii) forged and falsified what purported to be the signature of the Registrar of the Faculty of Medicine and the seal of the Faculty of Medicine; and
 - (iv) circulated this forged or falsified form to the CBSA as part of your application for employment with the Program.
- (c) As part of your application for employment for the Program you, or someone at your direction, knowingly:
- (i) forged, altered or falsified what purported to be a letter from the Registrar's Office at the Faculty of Medicine;
 - (ii) falsely stated in that letter that the Registrar's Office had signed academic registration forms on your behalf; and
 - (iii) falsely implied that you were a student at the Faculty of Medicine; and

(iv) circulated this forged or falsified letter to the CBSA as part of your application for employment with the Program.

3. You had an obligation to the CBSA with accurate and truthful information about your academic record. You had an obligation not to provide falsified documents or statements in support of your application for employment with the Program. You had an obligation not to falsify or make misrepresentations about your academic record at the University of Toronto.

APPENDIX B

THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty made on April 21, 2014
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 am.

BETWEEN:

The University of Toronto

- and -

T [REDACTED] W [REDACTED] [REDACTED]

Agreed Statement of Facts

1. This hearing arises out of charges of academic misconduct filed by the Provost of the University of Toronto (the "Provost") under the Code of Behaviour on Academic Matters ("Code"). For the purpose of this hearing, the Provost and T [REDACTED] W [REDACTED] ("Ms. W [REDACTED]") have prepared this Agreed Statement of Facts ("ASF") and joint book of documents ("JBD"). The Provost and Ms. W [REDACTED] agree that:

- (a) each document contained in the JBD may be admitted into evidence at 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 indicates that it was sent or received by someone, that is *prima facie* proof that the document was sent and received as indicated.

2. Ms. W [REDACTED] admits that she received a copy of the charges filed by the Provost. The charges are included in the JBD at Tab 1.

3. Ms. W [REDACTED] admits that she has received reasonable notice of the hearing. The notice of hearing in this matter is included in the JBD at Tab 2.

4. Ms. W [REDACTED] does not want to attend the hearing and requests that the University Tribunal proceed in her absence. She waives her right to any further notice of these proceedings. Ms. W [REDACTED] understands that, in her absence, the University Tribunal may find that she has committed an act or acts of academic misconduct, and may impose sanctions against her as set out in the Code.

5. Ms. W [REDACTED] waives the reading of the charges filed against her and pleads guilty to both charges.

6. A copy of Ms. W [REDACTED]'s academic record dated April 2, 2014, is included in the JBD at Tab 3. Ms. W [REDACTED] admits that she has never been registered as a student in the Faculty of Medicine at the University of Toronto.

A. *Application for employment with CBSA*

7. In January 2014, Ms. W [REDACTED] admits that she applied for employment within the Canada Border Services Agency ("CBSA") Student Employment Program ("Program").

8. To qualify for the Program, an applicant must be registered full-time in an accredited secondary or post-secondary institution, be recognized by that institution as having full time student status, and be returning to full-time status in the next academic term.

9. At the time of her application, Ms. W [REDACTED] was not registered as a full-time student at the University of Toronto, did not have full-time student status, and was not intending to return to

full-time status in the next term. Ms. W [REDACTED] admits that she did not meet the qualifications for the Program.

10. On or about January 10, 2014, Ms. W [REDACTED] signed and submitted to CBSA a "Student Academic Registration Form – Winter 2014" ("Form") as part of her application for employment within Program. A copy of the Form submitted by Ms. W [REDACTED] is included in the JBD at Tab 4.

11. The bottom half of the Form was purportedly completed by the Registrar of the Faculty of Medicine. The Form stated that Ms. W [REDACTED] had commenced a full-time program of study at the Faculty of Medicine on January 6, 2014, with an expected completion date of April 2017. The form also bore a signature, purportedly of the Registrar, and stamps from the Faculty of Medicine and the University of Toronto.

12. With respect to the Form, Ms. W [REDACTED] admits that she knowingly forged or in any other way altered or falsified an academic record, and made use of such a forged, altered or falsified record by:

- (a) personally completing the section of the Form that was to be completed by the academic institution, in this case the Faculty of Medicine at the University of Toronto;
- (b) providing false information regarding her current program of study and academic discipline, the start date of her current program, the length and expected completion date of her program, her full-time or part-time status as a student;
- (c) forging or falsifying the purported signature of the Registrar of the Faculty of Medicine;

- (d) forging or falsifying the seal of the Faculty of Medicine of the University of Toronto, and the stamp of the University of Toronto; and
- (e) circulating this Form to the CBSA in application for employment in the Program.

13. Ms. W [REDACTED] also submitted to CBSA what purported to be a letter on letterhead of the Faculty of Medicine and signed by the Registrar of the Faculty of Medicine ("Letter"). A copy of the Letter submitted by Ms. W [REDACTED] is included in the JBD at Tab 5. The Letter confirms that certain forms had been completed on behalf of Ms. W [REDACTED] and implies that Ms. W [REDACTED] was a student at the Faculty of Medicine.

14. With respect to the Letter, Ms. W [REDACTED] admits that she knowingly forged or in any other way altered or falsified an academic record, and made use of such a forged, altered or falsified record by:

- (a) personally completing the Letter, which purported to have been written and signed by a person in the Registrar's Office in the Faculty of Medicine;
- (b) providing false information regarding her current registration status in the Faculty of Medicine;
- (c) forging or falsifying the purported signature of the Registrar of the Faculty of Medicine;
- (d) forging or falsifying the letterhead of the Faculty of Medicine of the University of Toronto; and
- (e) circulating this Letter to the CBSA in support of her application for employment in the Program.

15. The CBSA contacted the Faculty of Medicine to confirm this information as part of its screening of applicants. The Faculty of Medicine concluded that the documents contained false information and had been forged or falsified.

B. *The meeting with the Dean's Designate*

16. On April 1, 2014, Ms. W [REDACTED] met with Prof. Donald Dewees, Dean's Designate for Academic Integrity at the Faculty of Arts and Science. Ms. W [REDACTED] admits that Prof. Dewees provided the warning that was required to be given to her under the Code. During that meeting, Ms. W [REDACTED] admitted that she had provided forged or falsified documents to CBSA as part of her application for employment with the Program.

C. *Acknowledgments*

17. Ms. W [REDACTED] acknowledges that:

- (a) the Provost advised her of her right to obtain legal counsel and that she either obtained that advice or waived her right to do so; and
- (b) she is signing this ASF freely and voluntarily, knowing of the potential consequences she faces.

Signed on May 23, 2014

[REDACTED SIGNATURE]

Signed on May 23, 2014



Robert A. Centa
Assistant Discipline Counsel
University of Toronto