

**THE UNIVERSITY TRIBUNAL  
THE UNIVERSITY OF TORONTO**

**IN THE MATTER OF** charges of academic misconduct filed on July 15, 2021,

**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 am. S.O. 1978, c. 88

**B E T W E E N:**

**THE UNIVERSITY OF TORONTO**

**- and -**

**A [REDACTED] S [REDACTED]**

**REASONS FOR DECISION**

**Hearing Date:** March 25, 2022, via Zoom

**Members of the Panel:**

Ms. Alexi Wood, Chair

Professor Marc Laflamme, Faculty Panel Member

Ms. Giselle Dalili, Student Panel Member

**Appearances:**

Ms. Tina Lie, Assistant Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP

Mr. William Webb, Co-Counsel, Paliare Roland Rosenberg Rothstein LLP

**Hearing Secretary:**

Ms. Krista Kennedy, Administrative Clerk and Hearing Secretary, Office of Appeals, Discipline and Faculty Grievances

**Not in Attendance:**

Mr. A [REDACTED] S [REDACTED]

**A. OVERVIEW**

1. On March 25, 2022, a Panel of the University Tribunal convened by videoconference to hear the University of Toronto's (the "University") allegations that A■■■■ S■■■■ (the "Student") violated the *Code of Behaviour on Academic Matters* (the "Code").

2. The Student did not attend the hearing. The Panel found that the Student had notice of the hearing and the charges pursuant to the *Statutory Powers Procedure Act* ("SPPA")<sup>1</sup> and *The University Tribunal Rules of Practice and Procedure* (the "Rules"). The hearing proceeded in the Student's absence.

3. At the conclusion of the hearing, the Panel found that the Student was guilty of the misconduct as outlined below. The Panel made the Order as outlined below that included that the Student be immediately suspended from the University for a period of up to five years from the date of the Order or until Governing Council makes its decision on expulsion, whichever comes first. The Panel also recommended to the President of the University that he recommend to the Governing Council that the Student be expelled from the University.

4. The Panel made the Order with reasons to follow. These are the reasons.

**B. THE CHARGES**

5. By letter dated July 15, 2021, the University outlined the charges against the Student as follows:

- a. On or about February 14, 2021, the Student did knowingly forge or in any other way alter or falsify an academic record, or did utter, circulate or make use of such forged, altered or falsified record, namely a resume in which the Student claimed

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<sup>1</sup> RSO 1990, c S.22

to be on the “University of Toronto Dean’s List”, which the Student provided to Professor Scott Heximer of the Department of Physiology at the University of Toronto, contrary to section B.I.3(a) of the Code.

- b. In the alternative, on or about February 14, 2021, the Student did knowingly forge or in any other way alter or falsify a document or evidence required by the University, or did utter, circulate or make use of such forged, altered or falsified document, namely a resume in which the Student claimed to be on the “University of Toronto Dean’s List”, which the Student provided to Professor Scott Heximer of the Department of Physiology at the University of Toronto, contrary to section B.I.1(a) of the Code.
- c. In the further alternative, on or about February 14, 2021, the Student did knowingly engage 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, by providing a resume to Professor Scott Heximer of the Department of Physiology at the University of Toronto in which the Student falsely claimed to be on the “University of Toronto Dean’s List”, contrary to Section B.I.3(b) of the Code.
- d. On or about February 23, 2021, the Student did knowingly forge or in any other way alter or falsify an academic record, or did utter, circulate or make use of such forged, altered or falsified record, namely:
  - (i) a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021 that the Student provided to Professor Michelle French of the Department of Physiology at the University of Toronto; and
  - (ii) a resume in which the Student claimed to be on the “University of Toronto Dean’s List”, which the Student provided to Professor Michelle French of the Department of Physiology at the University of Toronto,contrary to Section B.I.3(a) of the Code.

- e. In the alternative, on or about February 23, 2021, the Student did knowingly forge or in any other way alter or falsify a document or evidence required by the University, or did utter, circulate or make use of such forged, altered or falsified document, namely:
- (i) a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021, which the Student provided to Professor Michelle French of the Department of Physiology at the University of Toronto; and
  - (ii) a resume in which the Student claimed to be on the “University of Toronto Dean’s List”, which the Student provided to Professor Michelle French of the Department of Physiology at the University of Toronto,
- contrary to Section B.I.1(a) of the Code.
- f. In the further alternative, on or about February 23, 2021, the Student did knowingly engage 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, by:
- (i) providing a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021 to Professor Michelle French of the Department of Physiology at the University of Toronto; and
  - (ii) providing a resume to Professor Michelle French of the Department of Physiology at the University of Toronto in which the Student falsely claimed to be on the “University of Toronto Dean’s List”,
- contrary to Section B.I.3(b) of the Code.
- g. On or about February 28, 2021, the Student did knowingly forge or in any other way alter or falsify an academic record, or did utter, circulate or make use of such forged, altered or falsified record, namely:

- (i) a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021, which the Student submitted to the School of Graduate Studies at the University of Toronto; and
- (ii) a resume in which the Student claimed to be on the “University of Toronto Dean’s List”, which the Student submitted to the School of Graduate Studies at the University of Toronto,

contrary to Section B.I.3(a) of the Code.

- h. In the alternative, on or about February 28, 2021, the Student did knowingly forge or in any other way alter or falsify a document or evidence required by the University, or did utter, circulate or make use of a forged, altered or falsified document, namely:

- (i) a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021, which the Student submitted to the School of Graduate Studies at the University of Toronto; and
- (ii) a resume in which the Student claimed to be on the “University of Toronto Dean’s List”, which the Student submitted to the School of Graduate Studies at the University of Toronto,

contrary to Section B.I.1(a) of the Code.

- i. In the further alternative, on or about February 28, 2021, the Student did knowingly engage 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, by:

- (i) submitting a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021 to the School of Graduate Studies, which was forged, altered or falsified; and

- (ii) submitting a resume to the School of Graduate Studies in which the Student falsely claimed to be on the “University of Toronto Dean’s List”,  
contrary to Section B.I.3(b) of the Code.
- j. On or about June 15, 2021, the Student 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, namely, a document that purported to be an official transcript from the University of Toronto dated May 27, 2021 that was sent to OzTREKK educational services, contrary to section B.I.3(a) of the Code.
- k. In the alternative, on or about June 15, 2021, the Student did knowingly engage 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, by sending or causing to be sent to OzTREKK educational services a document that purported to be an official transcript from the University of Toronto dated May 27, 2021, which was forged, altered or falsified, contrary to section B.I.3(b) of the Code.
- l. On or about June 15, 2021, the Student did knowingly engage 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, by sending an email or causing an email to be sent purportedly from the University of Toronto to OzTREKK educational services, which contained a link to download a document that purported to be an official transcript from the University of Toronto dated May 27, 2021, which had been forged, altered or falsified, contrary to section B.I.3(b) of the Code.

### **Particulars**

- a. At all material times the Student was a student at the University of Toronto.

*Application to School of Graduate Studies*

- b. On February 14, 2021, the Student requested that Professor Scott Heximer of the Department of Physiology at the University of Toronto submit a letter of reference on the Student's behalf as part of the Student's application to the University of Toronto School of Graduate Studies ("SGS") in the M.Sc. program offered by the Department of Physiology. In support of the Student's request, the Student provided Professor Heximer with a copy of the Student's resume, which stated that the Student was on the "University of Toronto Dean's List" (the "Resume").
- c. On February 23, 2021, the Student requested that Professor Michelle French of the Department of Physiology at the University of Toronto submit a letter of reference on the Student's behalf as part of the Student's application to SGS. In support of the Student's request, the Student provided Professor French with (a) a copy of a document that purported to be the Student's unofficial transcript with the University of Toronto as of February 21, 2021 (the "Purported Unofficial Transcript") and (b) a copy of the Resume.
- d. On or about February 28, 2021, the Student submitted an application to SGS in the M.Sc. program offered by the Department of Physiology. As part of the Student's application, the Student submitted (a) a copy of the Purported Unofficial Transcript and (B) the Resume.
- e. The Student was not on the University of Toronto Dean's List. The Resume that the Student provided to Professor Heximer and Professor French and that the Student submitted to SGS was forged, altered or falsified. It falsely represented the Student's academic record at the University of Toronto.
- f. The Purported Unofficial Transcript that the Student provided to Professor French and that the Student submitted to SGS was forged, altered or falsified. It falsely represented the Student's academic record in a number of ways, including:
  - (i) the grades earned in courses that the Student had taken;
  - (ii) the Student's sessional grade point averages;

- (iii) the Student's annual grade point averages;
  - (iv) the Student's cumulative grade point averages; and
  - (v) that the Student was a "Dean's List Scholar" in 2019 Winter and 2020 Winter.
- g. The Student submitted the Resume and the Unofficial Transcript to SGS and to Professor Heximer and/or Professor French for the purposes of having them rely on the documents as accurately reflecting the Student's academic record with the University of Toronto and for the purposes of obtaining an academic advantage.
- h. The Student submitted the Resume and the Unofficial Transcript to SGS and to Professor Heximer and/or Professor French knowing that they contained false information, and that they had been forged, altered or falsified.

***Transcript sent to OzTREKK educational services***

- i. On June 15, 2021, the Student sent or caused to be sent an email purportedly from "Parchment on behalf of the University of Toronto", from the email address [noreply@parchments.ca](mailto:noreply@parchments.ca), to OzTREKK educational services ("OzTREKK") (the "Email"), which included a link to download a document that purported to be the Student's official transcript with the University of Toronto dated May 27, 2021 (the "Purported Official Transcript").
- j. The Email was forged, altered or falsified. It was not from the University of Toronto. The Student sent or caused the Email to be sent knowing that it contained false information and that it had been forged, altered or falsified. The Student did so as part of an application to another educational institution and for the purposes of obtaining an academic advantage.
- k. The Purported Official Transcript was forged, altered or falsified. It falsely represented the Student's academic record in a number of ways, including:
- (i) the grades earned in courses that the Student had taken;

- (ii) the Student's sessional grade point averages;
  - (iii) the Student's annual grade point averages; and
  - (iv) the Student's cumulative grade point averages.
- l. The Student sent the Email and the Purported Official Transcript to OzTREKK for the purposes of having them rely on the documents as accurately reflecting the Student's academic record with the University of Toronto and for the purposes of obtaining an academic advantage.
- m. The Student sent the Email and the Purported Official Transcript to OzTREKK knowing that it had been forged, altered or falsified.

### **C. FINDING**

6. The Provost agreed that if the Panel found the Student to have committed the offences listed in paragraphs 5(a), 5(d)(i), 5(d)(ii), 5(g)(i), 5(g)(ii), 5(j) and 5(l) (the "Charges at Issue"), then the Provost would withdraw the remaining the charges listed in paragraph 5 above.
7. After hearing the submissions of Assistant Discipline Counsel, the Panel found that the Student had committed the offences in the Charges at Issue.
8. As a result of this finding, the Provost agreed to withdraw the remaining charges in paragraph 5 above.
9. At the conclusion of the Hearing, the Panel:
- a. Ordered that the hearing may proceed in the absence of the Student.
  - b. Ordered that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use

of such forged, altered or falsified record, namely, a resume that stated that the Student was on the “University of Toronto Dean’s List” that was provided to Professor Scott Heximer of the University of Toronto on or about February 14, 2021, contrary to section B.I.3(a) of the Code.

- c. Ordered that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021 that was provided to Professor Michelle French of the University of Toronto on or about February 23, 2021, contrary to section B.I.3(a) of the Code.
- d. Ordered that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a resume that stated that the Student was on the “University of Toronto Dean’s List” that was provided to Professor Michelle French of the University of Toronto on or about February 23, 2021, contrary to section B.I.3(a) of the Code.
- e. Ordered that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021 that was submitted to the School of Graduate Studies at the University of Toronto on or about February 28, 2021, contrary to section B.I.3(a) of the Code.

- f. Ordered that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a resume that stated that the Student was on the “University of Toronto Dean’s List” that was submitted to the School of Graduate Studies at the University of Toronto on or about February 28, 2021, contrary to section B.I.3(a) of the Code.
- g. Ordered that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a document that purported to be an official transcript from the University of Toronto dated May 27, 2021 that was sent to OzTREKK educational services on or about June 15, 2021, contrary to section B.I.3(a) of the Code.
- h. Ordered that the Student is guilty of one count of knowingly engaging 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, by sending an email or causing an email to be sent purportedly from the University of Toronto to OzTREKK educational services on or about June 15, 2021, which contained a link to download a document that purported to be an official transcript from the University of Toronto dated May 27, 2021, which had been forged, altered or falsified, contrary to section B.I.3(b) of the Code.

- i. Ordered that the Student shall be immediately suspended from the University for a period of up to five years from the date of this order or until Governing Council makes its decision on expulsion, whichever comes first, and that a corresponding notation be placed on his academic record and transcript.
- j. Recommended to the President of the University that he recommend to the Governing Council that the Student be expelled from the University.
- k. Ordered that this case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanctions imposed, with the name of the student withheld.

Paragraphs 9(a) through (k) will be referred to as the Penalty Ordered.

#### **D. SERVICE**

10. Section 6 of the SPPA requires reasonable notice of the hearing be provided to the parties. Rule 9 of the Rules provides for the methods of service of documents, including charges and notices of hearing. This includes personal service, sending a copy of the document by courier to the student's mailing address contained in the Repository of Student Information ("ROSI"), or sending a copy of the document by email to the email address contained in ROSI.

11. The University's *Policy on Official Correspondence with Students* requires that students provide the University with their current postal and email address through ROSI. Students are expected to monitor and retrieve all mail, including emails, on a frequent and consistent basis.

12. Section 7 of the SPPA and rule 17 of the Rules allow this tribunal to proceed in the absence of a student where notice has been given. When proceeding in the absence of a student, the

University must demonstrate it took reasonable steps to notify the student of the charges and of the hearing. The University does not need to prove actual notice.

13. The Student was neither present nor represented.

14. The University filed evidence regarding service and attempts to contact the Student. That evidence included:

- a. On July 15, 2021, the Office of the Vice-Provost, Faculty and Academic Life served the charges in this matter on the Student by email to the email address the Student provided in ROSI.
- b. On July 16, 2021, Samanthe Huang, an Administrative Assistant with the Appeals, Discipline and Faculty Grievances Office served the Student with a letter containing the charges against him. Ms. Huang sent the letter by email to the email address the Student provided in ROSI.
- c. On September 23, 2021, Tina Lie, Assistant Discipline Counsel, emailed a disclosure letter, a disclosure brief, and a copy of the University's Policy on Official Correspondence with Students to the Student. The email was sent to the email address the Student provided in ROSI.
- d. On December 3, 2021, Ms. Lie emailed the Student to schedule a hearing date.
- e. Ms. Lie did not receive a response to her December 3, 2021 email. Receiving no response, Ms. Lie emailed the Student on January 13, 2022 advising the Student she would request a hearing date be scheduled for March 25, 2022 at 9:45 am.

- f. On January 13, 2022, Ms. Huang served the Student with the Notice of Electronic Hearing for the hearing on March 25, 2022 at 9:45 am. The email was sent to the email address the Student provided in ROSI.
- g. On March 9, 2022, Ms. Huang served the Student with a Revised Notice of Electronic Hearing. The only change was to advise that a new Chair would preside over the Hearing, which was still scheduled for March 25, 2022.
- h. On March 10, 2022, William Webb, co-counsel, emailed the Student copies of the affidavits on which the University intended to rely at the hearing.
- i. On March 17, 2022, Kimberly Blake, Legal Assistant to Ms. Lie, called the local phone number that the Student had provided in ROSI. The phone rang a few times and then a recording stated: “the customer you are calling has a voicemail box that has not been set up.” Ms. Blake called the number again that same day and one more time on March 18<sup>th</sup> and got the same recording.
- j. On March 18, 2022, Ms. Blake called the international number that the Student provided in ROSI. The call went to a recording in Spanish.
- k. On March 18, 2022, Ms. Lie’s office delivered a package by courier to the address provided by the Student in ROSI. The courier package contained correspondence from Ms. Lie and the revised Notice of Electronic Hearing and Charges. Ms. Blake received confirmation that the package was delivered.

15. None of the emails were returned and there was no bounce back received to any of the emails. The office of Assistant Discipline Counsel did not receive any communication from the Student.

16. The University also filed evidence from Andrew Wagg, an Incident Report Architect at Information Security, Information Technology Services at the University. Mr. Wagg stated on March 18, 2022, he checked the portal records to determine the last time someone accessed the Student's mail.utoronto.ca email. According to Mr. Wagg, that email was last accessed on March 12, 2022.

17. The University is not required to provide actual notice. While it is likely that the Student had actual notice of the hearing, this Panel finds that the University complied with the Rules and has demonstrated that it took reasonable steps to notify the Student of the charges and of the hearing.

18. The University emailed the Student the required documents to the email address in ROSI. Ms. Blake attempted to call the Student at both the local and international number provided by the Student in ROSI. The Student is required to check his email account, and it was accessed after the documents had been delivered and before the hearing.

19. The University sent a copy of the Charges and the Revised Notice of Electronic Hearing by courier to the address listed by the Student in ROSI. The package was accepted by someone, who signed for the package. The name reported is similar to the Student's name, but it is not the Student's name.

20. The University complied with the Rules and the Panel therefore determined it would proceed to hear the case on its merits in the Student's absence.

**E. FACTS**

21. The University provided affidavit evidence from:

- a. Professor Michelle French, Department of Physiology at the University;
- b. Professor Scott Heximer, Department of Physiology at the University;
- c. Professor Lu-Yang Wang, Department of Physiology at the University;
- d. Sana Kawar, Manager of the University Transcript Centre, Enrollment Services;  
and
- e. Nicholas Rule, Dean's Designate for Academic Integrity with Student Academic Integrity, Faculty of Arts and Science, at the University.

22. Professor Rule also gave oral evidence at the hearing under oath.

23. Based on this evidence, the Panel made the following factual findings.

***Background and Application to the SGS***

24. The Student was enrolled in classes at the University between the Fall 2017 and the Winter 2021 semesters. His highest cumulative GPA was 2.42 in his last semester. At the time of the hearing, the Student was not enrolled in classes and had not graduated from the University.

25. In February 2021, the Student applied to the University's School of Graduate Studies ("SGS") in the M. Sc. Program offered by the Department of Physiology. As part of his application,

he asked Professor Scott Heximer and Professor Michelle French of the Department of Physiology at the University to provide reference letters.

26. At Professor Heximer's request, the Student provided him with a CV and a personal statement. According to the CV provided (the "False CV"), the Student was on the "University of Toronto Dean's List."

27. Dean's List designation is awarded to students with a GPA of 3.5 or above. As noted above, the highest GPA achieved by the Student was 2.42. Obviously, the Student was never on the Dean's List at the University and his False CV contained a false statement.

28. At Professor French's request, the Student provided the same False CV and what purported to be a copy of the Student's transcript (the "Purported Transcript") to assist her in preparing the letter of reference. In addition to making the false statement about the Dean's List on the False CV, with Professor French, the Student added to his deceit because the Purported Transcript also contained false statements. Professor French teaches JPM300H. The Purported Transcript listed that class mark as 88. After the Student's scheme was discovered, Professor French reviewed her records and discovered that the Student's mark in JPM300H was actually 77. In addition, the Purported Transcript indicated that the Student's cumulative GPA through the Fall of 2020 was 3.55.

29. Professor French and Professor Heximer, unaware that the False CV and Purported Transcript contained false statements, relied on these documents and prepared the letters of recommendation for the Student's application to the SGS.

30. On February 28, 2021, the Student submitted his application to the SGS. The application contained a personal statement, the same False CV and Purported Transcript that the Student had provided to Professor French and Professor Heximer, and the reference letters from Professor French and Professor Heximer.

31. It is unclear why the Student provided his (falsified) Purported Transcript because the SGS obtains transcripts through ROSI. Once the SGS obtained the official transcript from ROSI, the Student's plan unravelled. The admissions committee could plainly see that not only was the Student never on the Dean's List but he had altered all his letter grades, except one – although for that class, he still changed the number mark received. In addition, on the Purported Transcript, the Student had lowered several class averages. There was no evidence as to why this was done but presumably it was done to make the Student's (falsified) mark appear even higher than the average.

32. Professor Wang met with the Student to discuss his application on March 29, 2021 and then forwarded the matter to Student Academic Integrity at the Faculty of Arts and Science.

### ***OzTREKK Application***

33. OzTREKK is an international education agent that helps Canadians apply to study at universities in Australia and New Zealand.

34. When Canadian students submit applications through OzTREKK, they request their transcripts. Those transcripts are provided to OzTREKK through a third party – Parchment. In the usual course, OzTREKK receives an email from [noreply@parchment.com](mailto:noreply@parchment.com), which contains a secure link through which the applicant's transcript can be downloaded.

35. On June 15, 2021, the Student sent an email from the email address [noreply@parchments.ca](mailto:noreply@parchments.ca) to OzTREKK. That email contained, as an attachment, another falsified version of the Student's transcript. The key difference between that falsified transcript and the Purported Transcript provided to Professor French, Professor Heximer and the SGS is that this falsified transcript contained marks through the Winter 2021 semester. Those marks were not present in the Purported Transcript because those courses would not yet be complete at the time the Student submitted the application to the SGS.

36. As part of its case against the Student, the University researched the registration of the domain "parchments.ca" (as opposed to the official parchment.com). It discovered that Parchments.ca is registered to the Student, using the same mailing address and local phone number listed by the Student in ROSI.

#### ***Meeting with the Dean's Designate***

37. Student Academic Integrity ("SAI") is responsible for investigating allegations of academic misconduct and arranging for students who are facing such allegations to meet with the Dean or Dean's Designate.

38. In March 2021, SAI received allegations about the Student's application to the SGS. These allegations included that the Student falsified his CV to contain the statement about the Dean's List, and that he provided the Purported Transcript to Professor French and the SGS.

39. In June 2021, the SAI received allegations about the Student's application through OzTREKK. These allegations included that the Student sent a false email to OzTREKK and that he provided a falsified transcript to them.

40. On June 22, 2021, Nicholas Rule, Dean's Designate, met with the Student about the allegations. Professor Rule provided oral evidence under oath. He confirmed that he gave the Student the warning required under the Code. Professor Rule testified that the Student understood the warning and was given an opportunity to ask questions.

41. The Student attempted to explain the Purported Transcript. He claimed he submitted the wrong document by mistake. The Student told Professor Rule that he created the Purported Transcript in 2020 to show students what an unofficial transcript would look like. He could not recall the names of the students who asked to see an unofficial transcript.

42. This explanation is not credible. The Purported Transcript contains marks through 2021, when it was supposedly created in 2020. In addition, if students wanted to see an unofficial transcript, the Student could have produced his actual unofficial transcript and not a fake one.

#### **F. CATEGORIES OF ALLEGATIONS**

43. As outlined above, the Provost agreed that if the Panel made findings of guilt on the Charges at Issue, the remaining charges would be withdrawn.

44. The Charges at Issue contain seven separate charges. These seven charges relate to:

- a. Providing the False CV, which claimed the Student was on the Dean's List, to Professor Heximer;
- b. Providing the False CV to Professor French;
- c. Providing the Purported Transcript, with falsified marks and class averages, to Professor French;

- d. Providing the False CV to the SGS;
- e. Providing the Purported Transcript to the SGS;
- f. Creating a fake email address through which the Student could provide a further falsified transcript to OzTREKK; and
- g. Providing a falsified transcript to OzTREKK.

## **G. FINDING OF GUILT**

45. Based on the evidence received, the Panel is satisfied, based on clear and convincing evidence, that the Student committed the offences listed in the Charges at Issue.

46. There are, in essence, three key documents at issue: the Fake CV, falsified transcripts (this includes the Purported Transcript sent to Professor French and the SGS and the falsified transcript provided to OzTREKK), and the fake email sent to OzTREKK.

47. In providing the Fake CV to the professors and to the SGS, the Panel finds that the Student knowingly falsified his academic record to claim he was on the Dean's List. There is no plausible explanation for claiming he was on the Dean's List.

48. In providing the Purported Transcript, the Panel finds that the Student knowingly falsified his academic record to increase his marks and to increase his marks relative to the class average. There is no plausible explanation for providing the same falsified transcript to both Professor French and the SGS and then providing a further falsified transcript to OzTREKK.

49. In creating the domain Parchments.ca and in sending the fake email to OzTREKK, the Panel finds that the Student engaged in misconduct, fraud or misrepresentation not otherwise

described in the Code in order to obtain academic advantage. The actions taken to register the domain and create the fake email are calculated and well thought through. There is no plausible explanation for these actions.

#### **H. PENALTY**

50. The University sought the sanctions in the Penalty Ordered, outlined above, which includes a suspension of up to five years (or until the Student is expelled) and a recommendation that the President of the University recommend to the Governing Council that the Student be expelled from the University. This is the most severe penalty the Tribunal can recommend.

51. Assistant Discipline Counsel submitted that this penalty is in keeping with past decisions of this Tribunal and appropriately considers the six factors outlined in *University of Toronto and Mr. C.* (Case No 77-3, November 5, 1976) which are:

- a. the character of the person charged;
- b. the likelihood of a repetition of the offence;
- c. the nature of the offence committed;
- d. any extenuating circumstances surrounding the commission of the offence;
- e. the detriment to the University occasioned by the offence; and
- f. the need to deter others from committing a similar offence.

52. While no evidence was filed on the issue of penalty, Mr. Webb submitted that under the first three factors, the Student had not responded to any correspondence and had not participated in the proceedings. He submitted that there was no evidence before the Panel to demonstrate that

the Student was willing to accept responsibility for his actions. Similarly, the Student had not provided any evidence regarding extenuating circumstances. In fact, when confronted with the offence by the Dean's Designate, the Student continued the deceit by providing an explanation that defies belief.

53. The Student engaged in multiple acts of planned deceit that included lying to his professors and claiming he was on the Dean's List and creating not one but two forged transcripts. He registered a domain and sent a fake email containing one of these forged transcripts. His coordinated, planned deceit must be condemned in the strongest terms. Imposition of the harshest penalty available to the Tribunal is appropriate in this circumstance.

54. This penalty is also in keeping with other cases where students have forged transcripts including *University of Toronto and K.L.* (Case No. 979, October 30, 2018) and *University of Toronto and Q.W.* (Case No. 963, September 7, 2018). In both of those cases, the Tribunal recommended expulsion.

## **I. ORDER**

55. The Panel:

- a. Orders that the hearing may proceed in the absence of the Student.
- b. Orders that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a resume that stated that the Student was on the "University of Toronto Dean's List" that was provided to

Professor Scott Heximer of the University of Toronto on or about February 14, 2021, contrary to section B.I.3(a) of the Code.

- c. Orders that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021 that was provided to Professor Michelle French of the University of Toronto on or about February 23, 2021, contrary to section B.I.3(a) of the Code.
- d. Orders that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a resume that stated that the Student was on the “University of Toronto Dean’s List” that was provided to Professor Michelle French of the University of Toronto on or about February 23, 2021, contrary to section B.I.3(a) of the Code.
- e. Orders that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a document that purported to be an unofficial transcript from the University of Toronto as of February 21, 2021 that was submitted to the School of Graduate Studies at the University of Toronto on or about February 28, 2021, contrary to section B.I.3(a) of the Code.
- f. Orders that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use

of such forged, altered or falsified record, namely, a resume that stated that the Student was on the “University of Toronto Dean’s List” that was submitted to the School of Graduate Studies at the University of Toronto on or about February 28, 2021, contrary to section B.I.3(a) of the Code.

- g. Orders that the Student is guilty of one count of knowingly forging or in any other way altering or falsifying an academic record, or uttering, circulating or making use of such forged, altered or falsified record, namely, a document that purported to be an official transcript from the University of Toronto dated May 27, 2021 that was sent to OzTREKK educational services on or about June 15, 2021, contrary to section B.I.3(a) of the Code.
- h. Orders that the Student is guilty of one count of knowingly engaging 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, by sending an email or causing an email to be sent purportedly from the University of Toronto to OzTREKK educational services on or about June 15, 2021, which contained a link to download a document that purported to be an official transcript from the University of Toronto dated May 27, 2021, which had been forged, altered or falsified, contrary to section B.I.3(b) of the Code.
- i. Orders that the Student shall be immediately suspended from the University for a period of up to five years from the date of this order or until Governing Council

makes its decision on expulsion, whichever comes first, and that a corresponding notation be placed on his academic record and transcript.

- j. Recommends to the President of the University that he recommend to the Governing Council that the Student be expelled from the University.
- k. Orders that this case shall be reported to the Provost for publication of a notice of the decision of the Tribunal and the sanctions imposed, with the name of the student withheld.

Dated at Toronto at this 16<sup>th</sup> day of May 2022

Original signed by: \_\_\_\_\_

Ms. Alexi Wood, Chair  
On behalf of the Panel