

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made in
September 21, 2005,

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:

THE UNIVERSITY OF TORONTO

- and -

The Student

Members of the panel:

- Mr. Bernard Fishbein, Chair
- Professor William Weiss, Faculty Panel Member
- Mr. Felix Chow, Student Panel Member

Appearances:

- Mr. Robert Centa for the University of Toronto
- Professor Betty Roots
- Dr. Kristi Gourlay

- The Student
- Ms Joy Ann Cohen for The Student

NOTICE OF HEARING AND CHARGES

[1] The Trial Division of the University Tribunal was convened on March 28, 2006 to consider charges under the University of Toronto *Code of Behaviour on Academic Matters, 1995* (the “Code”). The Notice of Hearing is dated March 6, 2006. The charges are as follows:

1. In or about January 2005, you did knowingly forge or in any other way alter or falsify an academic record, and/or did knowingly utter, circulate or make use of any such forged, altered or falsified record, whether the record be in print or electronic form, namely, a University of Toronto Transcript of Consolidated

Academic Record, contrary to Section B.I.3.(a) of the *Code of Behaviour 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 January 2005, 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.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 engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation in order to obtain academic credit or other academic advantage of any kind contrary to Section B.I.3.(b) of the *Code*.

[2] Particulars of the charges set out in the Notice of Hearing are as follows:

1. At all material times you were a student at the University of Toronto in the Faculty of Arts and Science.
2. In or about January 2005, you submitted a document to Morgan Stanley, your employer, that purported to be a University of Toronto transcript in the form of a Transcript of Consolidated Academic Record.
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 Morgan Stanley misrepresented, altered and falsified many of the marks that you had received for University of Toronto courses, added courses you had not taken and deleted others that you had taken, misrepresented your grade point averages, and misrepresented that you had obtained a Bachelor of Arts degree from the University of Toronto when you had not, all as reflected in the attached Table 1.

THE HEARING

[3] At the outset of the hearing the tribunal was advised that the Student had agreed to plead guilty to Charge #1 and the University withdrew Charge #2. The Student and the University entered into an Agreed Statement of Facts upon which the guilty plea was based. A copy of the Agreed Statement of Facts is attached hereto as appendix “A”.

[4] After reviewing the facts set out in the Agreed Statement of Facts, The Student indicated her willingness to plead guilty to Charge #1 and the panel unanimously agreed after deliberation to accept the guilty plea. The precise wording of the Student’s guilty plea is found in paragraph 12 of the attached Agreed Statement of Facts.

[5] The remainder of the hearing considered the appropriate penalty in the circumstances.

[6] The tribunal was advised that The Student and the University entered into a Joint Submission on Penalty. A copy of the Joint Submission on Penalty is attached hereto as Appendix "B".

[7] The University and the Student jointly submitted that the appropriate penalty was:

1. (a) that the Tribunal recommend to the President that he recommend to the Governing Council that The Student be expelled from the University; and

(b) that pending the decision of the Governing Council, that The Student be suspended from the University for a period of up to five years
2. The University of Toronto and The Student submit that the Tribunal should report this case to the Provost who may publish a notice of the decision of the Tribunal and the sanctions imposed, with The Student's name withheld.

[8] Mr. Centa for the University presented brief submissions on penalty and led the panel through several past Tribunal cases in a Book of Authorities, arguing for the appropriateness of the penalty.

[9] Ms Cohen, in turn, presented somewhat more lengthy submissions in support of the Joint Submission on Penalty. Ms Cohen addressed the Tribunal's jurisdiction, her client's character and her client's desire and need to move on to the next stage of her life.

[10] The panel thanked the two parties for their submissions and broke to deliberate.

CONCLUSION

[11] In view of the Joint Submission on Penalty and the fact that both parties had spoken in support of the Joint Submission, the panel unanimously accepts the Joint Submission and imposes the jointly submitted sanction noted above. The panel concluded that there was no reason to depart from the Joint Submission.

DATED at Toronto

March 28, 2006

Chair