

THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty made on August 11, 2009;

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

BETWEEN:

THE UNIVERSITY OF TORONTO

- and -

F[REDACTED] Z[REDACTED]

Hearing date: Thursday, January 5, 2010

PANEL:

- Mr. Clifford Lax, Barrister and Solicitor, Chair
- Professor Graeme Hirst, Faculty Panel Member
- Mr. Jamon Camisso, Student Panel Member

APPEARANCES:

- Ms. Lily Harmer, Assistant Discipline Counsel for the University, Paliare Roland Barristers
- Ms. Kristi Gourlay, Manager, Office of Student Academic Integrity, Faculty of Arts and Science
- Mr. Michael Nicholson, University College Registrar

IN ATTENDANCE:

- Professor Sam Solecki, Dean's Designate, Office of Student Academic Integrity
- Ms. Betty-Ann Campbell, Law Clerk, Paliare Roland Barristers
- Ms. Natalie Ramtahal, Coordinator, Appeals, Discipline and Faculty Grievances, Office of Governing Council
- Mr. F[REDACTED] Z[REDACTED], the Student, not in attendance

Finding of Guilt:

[1] The panel is satisfied that Mr. Z█████ committed the offence for which he is charged in count number one.

Transcription of Reasons Delivered by Chair at the Conclusion of the Hearing:

[2] Mr. F████ Z████ is charged with an offence contrary to the Code of Behaviour on Academic Matters of the University of Toronto.

[3] It is alleged that he forged or altered or falsified an academic record of the University which, in this case, was a degree from the University of Toronto.

[4] In the evidence (Exhibit five), is a photocopy of what purports to be a University of Toronto degree. The evidence clearly indicates that it was not a degree issued by the University. In particular, the University of Toronto does not grant an Honours Bachelor of Commerce degree as this purported degree claims. So *prima facie*, the degree, was not one that the University of Toronto offers and certainly was never granted to Mr. F████ Z████.

[5] There are other *indicia* indicating that the alleged degree was forged. In particular, the print font used for the word "Commerce" as part of the purported Honours Bachelor of Commerce degree, is not the same as the font used for the preceding words "Honours Bachelor of", indicating the alteration of a commerce degree.

[6] The panel is satisfied that Mr. Z████ either directly or indirectly caused this document to be forged to give the indication that he had graduated with a degree from the University of Toronto.

[7] In fact, he did not graduate at all from the University of Toronto. His academic credits while a student at the University of Toronto fell well short of entitling him to graduate.

[8] As is often the case with students who leave Canada in the face of these kinds of charges, the University has to establish that the student received actual notice of the pending charges. This is not easily done. However, in this case, by an examination of the university website and the student's personal internet mailbox, the panel is satisfied that the notices that were provided to Mr. Z████ electronically were in fact received and subsequently deleted by someone having access to the student's personal mailbox. The inference can be drawn that it was Mr. Z████, who reviewed the charges and deleted the relevant documents from his internet mailbox.

[9] We therefore conclude that he received proper notice of the charge and of this hearing.

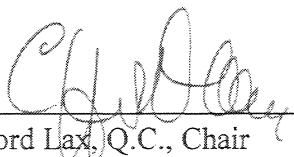
[10] Forgery of an academic record is one of the most serious offences set out in the Code of Behaviour on Academic Matters. In line with prior decisions of this Tribunal, the author of forged documents or the person responsible for causing the forgeries to be made is typically expelled from the University. There is no reason to deviate from such penalty, in this case.

[11] Therefore:

1. Mr. Z█████ shall be immediately suspended from the University for a period of up to five years; and
2. This Tribunal recommends to the President of the University that the President recommend to governing council that Mr. Z█████ be expelled from the University; and,
3. This Tribunal reports this case to the Provost for publication of a notice of this decision, or of the sanction imposed by this Tribunal to be published in the university newspapers with Mr. Z█████'s name withheld.

[12] The Tribunal wishes to note its concern over the existing provision in the Code of Behaviour on Academic Matters which grants the guilty student anonymity. We are told that expulsion is primarily sought for its deterrent value. If that is the primary goal, the Tribunal believes that the deterrent value would be significantly enhanced if the student once found guilty, was subsequently identified by name. Other students would then appreciate the seriousness of the offence. While we have no power to amend the existing code, we hope that the Provost and the Governing Council will take seriously our recommendation that students, once expelled from the university, are no longer entitled to anonymity.

Date: January 11, 2010



Clifford Lax, Q.C., Chair