

**THE UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made on March 31, 2016.

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 -

T [REDACTED] C [REDACTED] ([REDACTED])

REASONS FOR DECISION

Date of Hearing: July 6, 2016

Members of the Panel:

Mr. Paul Morrison, Chair
Professor Dionne Aleman, Faculty Panel Member
Ms. Sue Mazzatto, Student Panel Member

Appearances:

Ms. Lily Harmer, Assistant Discipline Counsel
Dr. Kristi Gourlay, Manager & Academic Integrity Officer, Faculty of Arts and Science
Ms. Brenda Thrush, Faculty Registrar, Leslie Dan Faculty of Pharmacy

In Attendance:

Ms. Krista Osbourne, Administrative Assistant, Office of Appeals, Discipline and Faculty Grievances

Not in Attendance:

T [REDACTED] C [REDACTED] (the "Student")

1. The student, T [REDACTED] / C [REDACTED] (the "**Student**") was charged with the following academic offenses, which came before the Tribunal for hearing on July 6, 2016:

Charges

1. On or about May 17, 2015, 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, the information contained in an application that you submitted to a prospective employer, contrary to section B.I.3(a) of the *Code*
 2. On or about May 17, 2015, you engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not herein otherwise described, in order to obtain academic credit or other academic advantage of any kind when you submitted an application to a prospective employer, contrary to section B.I.3(b) of the *Code*.
2. The Charges contained a statement of Particulars, including the following:

Particulars

3. At all material times you were a student at the University of Toronto, enrolled in the Faculty of Arts & Science.
4. On or about May 17, 2015, you submitted an application for employment to Safeway Food and Drug for a position as Pharmacist. Your application consisted of a cover letter and a résumé ("**Application**").
5. The Application did not accurately reflect your academic record with the University of Toronto. In particular, it claimed that you were a graduate of and a candidate in the Doctor of Pharmacy (Pharm D) program at the University, and that you had graduated with an Honours Bachelor of Science in Human Biology and Physical Anthropology from the University.

Procedure

3. The Student did not appear at the hearing. The University sought an order that the hearing proceed in the absence of the Student. In support of that Order, the University submitted the affidavit of Veenu Goswami, a student-at-law in the firm of Paliare Roland Rosenberg Rothstein, counsel for the University.
4. The Affidavit of Mr. Goswami contained considerable detail, together with supporting exhibits, as to the University's efforts to effect service upon the Student of the Notice of Hearing and material with respect thereto.
5. Based on the evidence of Mr. Goswami, the Tribunal was fully satisfied that appropriate efforts to effect service on the Student had been made and that the provisions of the Tribunal's Rules of Practice and Procedure had been satisfied. Accordingly, the Tribunal granted an order that the hearing proceed in the absence of the Student.

Evidence and Findings

6. The evidence of Brenda Thrush, Registrar of the Leslie Dan Faculty of Pharmacy at the University, confirmed that she was contacted by Safeway Food and Drug ("**Safeway**") which had received an application from the Student for a position as a pharmacist. After reviewing the University's records, Ms. Thrush determined that the Student had been registered at Woodworth College, but never at the Leslie Dan School of Pharmacy. At her request, Safeway sent her the Student's application.
7. The Student's application included a letter and *curriculum vitae* which falsely represented that she was a Graduate of the Doctor of Pharmacy program at the University of Toronto.
8. The University also called the evidence of Dr. Kristi Gourlay, Manager & Academic Integrity Officer, Faculty of Arts and Science, at the University. Upon receipt of a copy of the Student's employment application to Safeway, Dr. Gourlay undertook an investigation of the University's records. Her search revealed that the Student had made two requests for her transcripts from the University. Her transcripts were sent to the Student's address on her *curriculum vitae*, in Rossland, B.C. The investigation also revealed that the transcripts had been ordered by email from a computer located in Trail B.C.
9. Dr. Gourlay was in touch with Safeway herself, and received, as had Ms. Thrush, a copy of the Student's application for employment as a pharmacist with Safeway, and her falsified *curriculum vitae*. Safeway further advised that Safeway had terminated the Student's employment.
10. The University convened a meeting with the Student and Professor Donald Dewees, the Dean's Designate for Academic Integrity. The Student attended the meeting, which was held on September 14, 2015, by Skype. In the course of the meeting, the Student denied the allegations with respect to falsifying her academic record with the University.
11. Following the meeting, Dr. Gourlay caused further investigation to be done, and determined that the Student had previously been under academic suspension by the University. By email letter to the Student, dated September 16, 2015 on behalf of Professor Dewees, the University recounted the allegation of falsification of her academic record and advised that her case would be sent to the Vice-Provost with the recommendation that charges be laid. The Student responded by email to indicate that she would be obtaining legal advice.
12. Based upon the evidence presented, the Tribunal concluded that the Student, as charged, forged and falsified her academic record, in particular in claiming that she had received a degree in pharmacy from the University, which claim was false to her knowledge, and that she had submitted her falsified academic record to Safeway for the purpose of seeking employment as a pharmacist.
13. Accordingly, the Tribunal entered a finding of Guilty with respect to Charge 1, above. Upon the entering of a finding of Guilt with respect to Charge 1, counsel for the University withdrew Charge 2 above.

Penalty

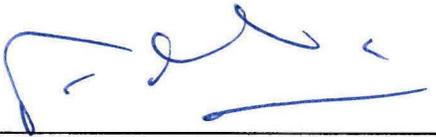
14. For purposes of the penalty/sanction to be imposed, the University submitted evidence as to further incidents in the Student's academic history. In 2009, the Student admitted to plagiarism with respect to assignments which she purported to submit in ANT100Y, a course offered by the Department of Anthropology. She was sanctioned for that offence and warned, in writing, that any second offence would be dealt with more severely.
15. The evidence also discloses that the Student had previously been suspended by the University for failure to maintain a minimum 1.5 GPA.
16. Counsel for the University sought a penalty that would include that the Tribunal recommend that the Student be expelled from the University.
17. The Tribunal accepts that the offense of falsification of one's academic record for advantage to the Student is a most serious offense and one that, absent sufficient mitigating circumstances, would call for a recommendation of expulsion. The offence raises significant concerns with respect to the safety of the public as a result of a falsified degree in pharmacy so as to be granted a job as a pharmacist. In addition, the University has an obligation to uphold and maintain the integrity of its academic degrees and its Degree-granting process.
18. Accordingly, the Tribunal is satisfied that a penalty including a recommendation of expulsion from the University is appropriate and warranted in this case.

Order

19. The Tribunal, accordingly, issued the following Order:
 1. The hearing may proceed in the absence of the Student.
 2. The Student is guilty of 1 count of knowingly forging, altering or falsifying an academic record, or uttering, circulating or making use of such an academic record, contrary to section B.1.3(a) of the *Code of Behaviour on Academic Matters*.
 3. The Student shall immediately be suspended from the University for a period of up to five years.
 4. The Tribunal recommends to the President of the University that he recommend to the Governing Council that the Student be expelled from the University.
 5. A permanent notation be placed on the Student's academic record and transcript.

6. 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, the 6th day of October, 2016.

A handwritten signature in blue ink, appearing to read "F. Paul Morrison", written over a horizontal line.

F. Paul Morrison, Chair