



University of Toronto TORONTO ONTARIO M5S 1A1

University Tribunal

SENT BY REGISTERED MAIL

January 18th, 1996

CONFIDENTIAL

Mr. K.

Markham, Ontario

Dear Mr. K.

At its hearing held on January 15th, 1996, the Trial Division of the University Tribunal considered the following charges against you:

1. THAT on or about February 18th, 1995, you did intentionally forge, alter or falsify an academic record or records and/or you did intentionally utter, circulate or make use of any such forged, altered or falsified record(s) contrary to Section B.I.3. of the University of Toronto Code of Behaviour on Academic Matters, 1993.
2. THAT on or about February 18th, 1995, you submitted false and/or forged documents with the intent to falsify or alter your academic record, being your course results for POLD98F, contrary to Sections B.II.2 and B.I.3 of the University of Toronto Code of Behaviour on Academic Matters.

In particular, in the Fall of 1994, you were enrolled as a student in POLD98F. You did not complete the course requirements. On February 18th, 1995, you prepared a document and submitted it to the Scarborough College Campus Sub-Committee on Standing requesting late withdrawal from POLD98F (the "Petition"). The Petition provides *inter alia* that "...sanctions may be applied for filing a false declaration." The Petition contained statements that were false and/or misleading. The Petition included two letters as follows: (a) a letter dated December 2nd, 1994 purportedly written by Dr. P. J. F. Pendergast; and (b) a letter dated January 10th, 1995 purportedly written by Anna Gustanoff. The December 2nd, 1994 letter was forged and/or falsified. The January 10th, 1995, letter contained statements which you knew to be false and was written by someone whom you knew had no authority to write the letter.

I am writing to formally advise you of the decision of the Tribunal with respect to these charges. The panel accepted your guilty plea. It found you guilty of these charges.

The panel recommends the following sanctions:

- that the student be suspended from the University for a period of three years;
- that this sanction be recorded on the student's academic transcript for five years;
- that the decision and sanctions imposed be reported to the Vice-President and Provost for publication in the University newspapers, with the name of the student withheld.

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At the hearing, the panel gave the following reasons (this is a transcription) for its decision:

In reaching our decision, we have taken into account a number of factors. Firstly, the fact that this is a second offence was significant to the Tribunal. Even more significant, was the fact that the person the student designated to come and make representations on his behalf was not aware that this was a second offence. We consider this to be part of a problem that the student has in terms of really indicating not only a lack of remorse but in trying to find different excuses as to how to explain his behavior. We find the evidence conflicting on why he isn't here today. We also find it difficult to believe his statement that Dr. Pendergast somehow supported him now and wanted to be his advocate. But once again, it seemed to be some excuse. It is difficult to understand why there isn't at least correspondence from Dr. Pendergast.

Not only is this the second offence but, instead of trying to show remorse, he seems to have a string of excuses and most of them are just very difficult for us to believe. We find the University's evidence credible on this point and there was really no evidence to contradict or in any way diminish the University's evidence.

We also are unable to find any mitigating circumstances. While the student did plead guilty, there are no other factors that we were able to discern that would mitigate the seriousness of this offence. It is, from a point of view of the University as a whole, extremely important that people be honest with their dealings with the University. We feel that the student has clearly fallen below the standard of honesty and that it should be made clear to everyone at the University that this Tribunal cannot sanction that type of behaviour.

The Tribunal is reporting the case to the Vice-President and Provost for publication in the University newspapers, with your name withheld.

Information concerning rights of appeal may be found in Section E of the Code of Behaviour on Academic Matters. The deadline for filing an appeal by you or by the University is February 20th, 1996.

Yours sincerely,



Ms Margaret McKone
Acting Secretary
University Tribunal

/mm
Enclosure

cc: R. David
M. Cuddy-Keane
L. Rothstein
A. Sedra
P. Gooch