



January 7, 1999

**Via Registered Mail
Personal and Confidential**

Mr. A.
[REDACTED] Street West, Apt 2
Etobicoke, ON
[REDACTED]

Dear Mr. A.:

At its hearing held on December 14, 1998, the Trial Division of the University Tribunal considered the following charges against you:

1. In or about April 1998, you did knowingly forge or in any other way alter or falsify an academic record, namely, a mid-term examination on paper in MIE 222S, or you did utter, circulate or make use of such forged, altered or falsified record contrary to Section B.1.3.(a) of the University of Toronto Code of Behaviour on Academic Matters, 1995. Pursuant to Section B of the Code you are deemed to have acted knowingly if you ought reasonably to have known that you forged, altered or falsified the record or uttered, circulated or made use of a forged, altered or falsified record.
2. In the alternative on or about April 1998, you did knowingly engage 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, namely, you re-submitted a mid-term examination paper in MIE 222S which had been altered, contrary to Section B.I.3.(b) of the University of Toronto Code of Behaviour on Academic Matters, 1995. Pursuant to Section B of the Code, you were 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.

You were so advised by Professor Adel Sedra, Vice-President and Provost of the University of Toronto, by letter dated August 13, 1998. By registered letter of November 9, 1998, you were advised by me as Acting Secretary of University Tribunal, that a hearing of these charges were scheduled for December 14, 1998. You did not attend the hearing on December 14, 1998, nor did anyone on your behalf.

The Tribunal heard testimony from me with respect to my communications with you. During a telephone conversation on December 9, 1998, you indicated you were aware of the charges. I had advised you to seek legal counsel and that the hearing would proceed in your absence unless an adjournment was requested. I left further messages on December 10 and 14, 1998 on voice-mail, reminding you of the hearing. No response was received from you or any other communication respecting the hearing.

The Tribunal was satisfied that you received notice of the hearing in accordance with Part C.II(a) of the University of Toronto *Code of Behaviour on Academic Matters, 1995*. No request for an adjournment was received. The Tribunal then proceeded to hear evidence respecting the charges against you. The Tribunal heard testimony from Professor Shaker Meguid and his two teaching assistants, Mr. Davinder Delhelay and Mr. Jean Claude Stranart. The Tribunal also heard testimony from an independent expert, Ms Diane Kruger.

It was the Tribunal's unanimous view that the evidence was overwhelming that the offences were committed by you.

After receiving a failing mark on a mid-term examination in MIE 222S, you re-submitted a test paper which purported to be yours, requesting a re-marking of one question. The paper re-submitted by you had received a mark of 79, one of the highest in the class.

Davinder Delhelay marked the mid-term exams and had carefully recorded the marks each student had received, not just in total but also for each question. None of the marks for the individual questions on the paper re-submitted by you coincided with the marks you had received for individual questions on your original exam paper. Only three persons in the class received a mark of 79. Of those, one received the exact marks per question as did the re-submitted paper. It was the evidence of Professor Meguid and both teaching assistants that the test paper appeared to have erasures in the body. The first page of the paper had the appearance of erasures where the name of the student was written. It was also apparent to them that paper indentations indicated that another name had originally been written. The Tribunal accepted the evidence of Professor Meguid and Mr. Delhelay and Mr. Stranart.

The Tribunal also heard evidence from Ms Diane Kruger, an expert in the examination of handwriting, signatures and paper examinations for forensic purposes. She submitted the first page of the examination paper containing the name of the student and the student number to extensive examination. She found that the name of the student had been erased and over-written, as had the student number. The name over-written was not the name evident from the paper indentations as having been erased. She discerned certain letters of the erased name. She also discerned certain numbers of the erased student number. Both the letters and numbers were consistent with the name of the person and student number receiving the mark of 79 with the same marks for the individual questions. Ms Kruger was not advised of this name or number prior to her examination and conclusions. The Tribunal found that there was overwhelming evidence from these two analyses that you re-submitted an examination paper, not your own, with a substantially higher mark than you had received, in order to improve your academic record.

After finding you guilty of the offence, the Tribunal heard submissions from the University on the appropriate sanction. Unfortunately, as neither you nor anyone on your behalf attended, there was no evidence available, if any existed, respecting possible mitigating circumstances surrounding the offence.

The offences committed by you are extremely serious. The submission of an examination paper of another as one's own is dishonesty which affects the academic integrity of the University. It is detrimental both to the University, its students and, in the case of a professional faculty, of particular concern to the public.

Regrettably, this is not the first offence committed by you. You were sanctioned in your first year for the alteration of a mid-term test after marking and its re-submission for reconsideration. It too was a premeditated and deliberate act. The student was given a strong warning against a second offense.

In imposing a sanction, the Tribunal wished to emphasize that this conduct merits severe sanction. At the same time, the Tribunal wished to permit you a final chance after a suspension to re-enroll and attempt to complete your course. The Tribunal recognized that this may be very difficult but not impossible if you are truly committed.

The Tribunal imposed the following sanctions:

1. the receipt of 0 in course MIE 222S;
2. a suspension for three years from the University of Toronto commencing January 1, 1999;
3. the recording on your academic record and transcript of the sanction for 7 years;
and
4. the reporting of this 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. The deadline for filing an appeal by you or by the University is January 28, 1999.

Should you have any questions regarding the Tribunal's decision or about appeal procedures, please give me a call at 978-8426 (24-hour voice-mail).

Yours sincerely,

Margaret McKone

Ms Margaret McKone
Acting Secretary
University Tribunal

cc: M. Charles, Dean, Applied Science and Engineering
P. Gooch, Vice-Provost
L. Rothstein, Discipline Counsel