



University of Toronto TORONTO ONTARIO M5S 1A1

University Tribunal

March 23, 1994

BY REGISTERED MAIL

PERSONAL AND CONFIDENTIAL

Mr. K.

Richmond Hill, Ontario

Dear Mr. K.

At its hearings held on March 9, 10, and 22, 1994, the Trial Division of the University Tribunal considered the following charges against you:

1. THAT in or around October 1991, you did alter or falsify documents or evidence required for admission to the University, or uttered, circulated or made use of such forged, altered, or falsified documents or evidence, contrary to Section B.I. (1) (a) of the University of Toronto Code of Behaviour on Academic Matters, 1991.
2. THAT on or about April 23, 1992, you did falsify documents or evidence required for admission to the University, or uttered, circulated or made use of such forged, altered or falsified documents or evidence, contrary to Section B.I. (1) (a) of the University of Toronto Code of Behaviour on Academic Matters, 1991.

The particulars of these charges are as follows. In regard to charge #1, you applied through the Ontario Medical School Application Service for admission to the 1992 interim Class of the undergraduate medical education program in the Faculty of Medicine, University of Toronto. In completing the application documents, you intentionally failed to disclose all material information relating to admission and made false statements, knowing them to be false. In particular, you intentionally failed to disclose your previous application, dated October 25, 1989, to the University of Toronto's Faculty of Medicine and your previous University of Toronto undergraduate and graduate experience. As well, you intentionally failed to request that transcripts of your undergraduate and graduate work at the University of Toronto be forwarded in support of your application. Additionally, you stated in your Autobiographical Letter that you did not pursue post secondary education until your attendance at York University in 1990, knowing this statement to be false.

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In regard to charge #2, you were interviewed by Professor W.H. Francombe and Mr. Norman Chu as part of the application process for admission to the 1992 Interim Class of the undergraduate medical education program in the Faculty of Medicine, University of Toronto. During that interview, you intentionally failed to disclose all material information relating to admission and made false statements, knowing that the statements were false. In particular, you stated that you had not previously applied to medical school prior to your attempt to gain admission to medical school for the 1992/93 academic year, knowing this statement to be false. As well, you stated that you left high school in 1983 and did not return to school until 1990 when you attended York University, knowing this statement to be false. Additionally, you intentionally failed to disclose your previous University of Toronto undergraduate and graduate experience when Professor W.H. Francombe asked you what you were doing during the seven year period between 1983 and 1990.

I am writing to formally advise you of the decision of the Tribunal with respect to these charges. The jury found you guilty of both charges, and recommended the following sanction:

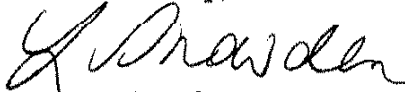
- that you be expelled from the University of Toronto.

The jury gave the following reasons for its decisions and made additional recommendations:

"The jury recommends by a majority of its members that the offences committed by Mr. K. are most serious, and that he should be expelled from the University of Toronto. Because these are first offences, and despite their gravity, we recommend that the notation be removed from his transcript in three years. We recommend this strongly, for the sake of possible rehabilitation. We recommend that the records of Mr. K.'s marks in all his courses at the University of Toronto, including his good record in first year Medicine, be allowed to stand, because they represent a true record of what he did achieve."

Information concerning rights of appeal may be found in Section C.III of the Code of Behaviour on Academic Matters. The deadline for filing an appeal by you or by the University is April 26, 1994.

Yours truly,



Lynn Snowden
Secretary
University Tribunal

c.c.: J. Minor
L. Rothstein
T. Danson
A. Aberman
D. Cook
A. Sedra

Chronology of Discipline Proceedings in the Case of Mr. “K”

1993/94-09	March 23, 1994	University Tribunal recommends expulsion
1994/95-09	April 24, 1995	Tribunal Appeals Board dismisses the student’s appeal
	June 1, 1995	Governing Council confirms the expulsion
[1995] O.J. No. 3734	December 4, 1995	Divisional Court quashes the decision of Governing Council to expel and orders a new trial before the University Tribunal
1997/98-04	October 14, 1997	University Tribunal issues written ruling on jurisdictional objections raise by the student (2 nd trial)
1998/99-06	July 31, 1998	University Tribunal recommends expulsion (2 nd trial)
1998/99-07	December 4, 1998	Chair of the Tribunal panel rules on the student’s request for costs (2 nd Trial)
1998/99-08	April 20, 1999	The student’s appeal is dismissed by the Discipline Appeals Board (2 nd Appeal)
	May 13, 1999	Governing Council confirms the expulsion (2 nd Expulsion)
[1999] O.J. No. 2944	July 16, 1999	Divisional Court dismisses application for judicial review
1999/00-14		Discipline Appeals Board Rules on Student’s request for cost at the 2 nd Appeal