

York student convicted in final exam scam

By NANCY PHILLIPS

A York student who hired someone to write a computer science exam in his place has been criminally convicted.

Terence Yick was convicted on Monday of personation at examination, at an April 1988 York exam. He received a suspended sentence, one year of probation, and was ordered to serve 50 hours of community service.

Three other students are awaiting trial on similar charges.

The charge of personation at examination applies to both students

who hire someone else to write an exam for them, and those who are hired to impersonate them.

The maximum sentence for this offence is six months in jail and a \$2,000 fine.

The crown attorney at the trial and Yick's lawyer agreed on the facts. The crown said Yick was ill-prepared for his exam. His roommate, referred to only as William, told Yick he could arrange for someone else to write for him.

Yick gave William \$300 for the man who was to impersonate him, and an additional \$450 on the day of the exam.

The impersonator walked out of the exam early, leading the invigilator to become suspicious. The university began an investigation, and called the police, who laid charges. The man who impersonated Yick has also been charged.

Professor Marc Webber, who was Associate Dean of Arts at the time of the incident, was called as a witness. Webber said Yick got in touch with him a few days after the exam and gave a complete scenario of his wrongdoings.

Yick also fully co-operated with the police.

Webber said Yick "was emotion-

ally very fragile" when they first talked. Yick "definitely knew he'd done something wrong. He seemed to me to be genuinely remorseful."

Webber also said he believes "the risk of recidivism in this case is practically nil. He has learned a lesson about the university's high standards of academic honesty."

The current Associate Dean of Arts, Shirley Katz, said that the university's internal academic dishonesty process will now take place.

"Disciplinary action at York," said Katz, "can range from a warning to suspension or the rescission of a

degree if it has already been awarded."

She said the university "is an educative place, not a punitive place."

Last year York became the first university in Canada to lay criminal charges for academic dishonesty. Five students and a caretaker were found guilty of charges relating to the theft of examinations. Katz said, however, that unlike Yick's, these "sentences were discharged" after they were served.

Yick could not be reached for comment.

University denies allegation of AIDS discrimination

By NANCY PHILLIPS

York's administration "categorically rejects" music major Ron Kelly's accusation that he has been discriminated against because he has AIDS (acquired immune deficiency syndrome).

Provost Tom Meininger stated in a press release yesterday that "The University has not shown any discrimination against Mr. Kelly on any grounds and it rejects any such accusation. As a matter of policy York University rejects any form of discrimination based on medical grounds."

Kelly said that in December, the course director of his third year performance course, Patricia Wait, informed him that he would be receiving a failing grade for the first term due to too many unexcused absences.

The music department's policy states that more than three unexcused absences will result in an automatic failure for the course.

Kelly launched a discrimination complaint with Student Affairs, claiming that his absences were not unexcused because he has AIDS.

Kelly was then contacted in mid-December by Chair of the Music Department David Mott. "In exchange for my dropping the discrimination complaint I was granted a jury exam which would critique my term work against my unexcusable absences," said Kelly.

The jury awarded him another F. Kelly believes the grade was unfair as he received a B+ for the same performance in a different course.

The department then informed Kelly that as a result of the jury exam 70 per cent of his final grade would be based on a recital, to take place today.

Kelly also said he was informed that the department had decided, without consulting him, "that as a result of my illness a 'special consideration' would be made on my behalf," in which his presence would no longer be required in class. According to Kelly, Mott stated this decision was not revokable. Mott could not be reached for comment.

"Did the music department not understand that this move would socially isolate me from the class? I continued to attend classes this term," said Kelly, "but I was not included in any discussion and was forthrightly removed from my ensemble."

Kelly has sought legal counsel, and has continued negotiations with the University. He said he wants to be allowed to attend as many classes as he is able, and to be graded in the same manner as any other student.

Marshall Swadron, Kelly's representative, said, "It seems that on the basis of Mr. Kelly's illness he has been put on a parallel system in which he is allowed to get his credit and to perform, but is not allowed to attend the class. That is the critical aspect of the present discussions."

But the University is not convinced that Kelly actually has AIDS. Meininger said the University does not have documentation of this, but "the Administration is being very sensitive on the kind of confirmation needed about his medical condition."

Kelly claims he sent a letter to the music department on July 29, 1987 to document his illness. He does not know what the department did with this letter. He said he also has supplied the department with his doctor's

phone number, but she has not been called.

Swadron said he does not have high expectations for a resolution of the problem in the current negotiations. He said that "the strongest option open to Mr. Kelly" is to take his case to the Human Rights Board.

Meininger's press release stated that "The Faculty has sent Mr. Kelly several comprehensive letters ex-

plaining its position and offering him every consideration, including compassionate ones. The Faculty of Fine Arts is still prepared to accommodate Mr. Kelly's academic needs in a manner that will enable him to complete his studies on schedule."

Vice-President (Finance and Administration) William Farr is currently working on York's AIDS policy. Meininger said it will be fully

implemented by the next academic session.

Kelly said he intends "to pursue every alternative to the very end until all of the people who have discriminated against me are exposed."

Meininger said, "In my opinion intense media discussion of this very delicate matter and public accusations do not help a resolution of this matter."



RON KELLY

BABAK AMIRFEZ



A York student caught in an illuminating moment at the south entrance to Central Square.

ANDRE SOUROUN

INSIDE

INSIDE CHRY: The politics of York's community radio. Page 5

OSGOODE'S AIR: The Osgoode Asbestos Removal Committee is concerned about the effects the carcinogen may be having on staff and students. Pages 10-11

UPS AND DOWNS: York's gymnastic Yeomen captured their 18th win at the Provincial Championships, while the Yeowomen gymnasts went from gold to silver in the same competition. Page 21

HOLLYWOOD NORTH: York graduate Isidore K. Musallam just finished filming scenes for his new feature, *Daughter of Jerusalem*, at Founder's College. ... Page 24

Rushdie's novel to be displayed

By ADAM KARDASH

The Satanic Verses, the controversial novel by Salman Rushdie, will be displayed at the York University Bookstore.

Director of York's bookstore Rafael Barreto-Rivera said that 10 copies of the book have been ordered from Penguin of Canada and "if we can get a hold of it, [the novel] will be displayed." He added that the bookstore has received over a dozen requests for the novel during the last few days.

The book has sparked world-

wide protests in the Islamic community because many Moslems consider certain scenes which contain references to the prophet Mohammed as blasphemous. Book-sellers who have stocked the novel have been experiencing an increasing number of threats and harassing phone-calls, and, according to last Tuesday's *Toronto Star*, some of Metro's bookstores are considering removing *The Satanic Verses* from their shelves.

Barreto-Rivera said, "There was no desire on our part to stop

the novel from being displayed." He added that if "complaints come from York's Moslem community we will address their position with an open mind."

Chafic Chaarani, Present of York's Muslim Student Federation said, "We do not like the idea [of the book being displayed] and we will protest for sure if it is. We will ask them not to stock it."

Chaarani added, "If they do not take it off the shelves, we are not going to threaten anybody. Harm is not in the practise of Islam."