

UNIVERSITY OF TORONTO
GOVERNING COUNCIL

Report #448 of the Academic Appeals Committee

February 13, 2026

To the Academic Board
University of Toronto

Chair:

Professor Ian B. Lee

Hearing Secretary:

Carmelle Salomon-Labbé, Associate Director, Office of Appeals, Discipline and Faculty Grievances

For the Student Appellant:

X.Z. (the “Student”)

For the Faculty of Arts and Science:

Professor Randy Boyagoda, Vice-Dean, Undergraduate

DECISION OF PANEL CHAIR

In Report No. 445 (dated January 16, 2026) (“Report”), your Committee allowed in part the Student’s appeal from the decision of the Acting Vice-Dean, Undergraduate, Faculty of Arts & Science, Professor Don Boyes, dated June 19, 2025, terminating consideration of the Student’s request for a regrade of her final exam in PSY390 (Fall 2024).

Following the issuance of that Report, the Student submitted a document entitled “Response to Report No. 445,” dated January 29, 2026 (“Student’s Request”), requesting that I, as panel chair, make certain revisions to the Report. I have reviewed the Student’s Request; the Division’s response, contained in an e-mail from Lauren Vollmer to the Office of Appeals, Discipline and Faculty Grievances, dated February 2, 2026; and the Student’s submissions in reply, dated February 3, 2026 (“Reply”).

For the reasons that follow, I agree with the Division that the requested revisions are beyond the jurisdiction of a panel chair. Accordingly, the Student’s request is denied.

The Student relies on Part 15 of the *Rules of Practice and Procedure of the Academic Appeals Committee* and, in particular, on rule 81, which provides:

81. A student or division may submit a request in writing, with notice to all the parties, that the chair correct such typographical errors, errors of calculation, or similar minor errors made in the reasons or order. Whether to accept this request is at the sole discretion of the chair.

In approaching the task of interpreting and applying rule 81, I begin by noting that the legal principle of *functus officio* deprives a tribunal, once it has made a final decision, of jurisdiction to change or reconsider its decision. The AAC had occasion to analyze the principle in Report No. 418 (Feb. 8, 2022), and concluded that the principle applies to the AAC. Report No. 418 also explained that the principle is not absolute; in particular, there is an exception “where there is a minor error that amounts to a ‘slip’ or where the tribunal has made an error in expressing its intent” (p. 7). I read rule 81 as providing a process whereby a student or division can request that the AAC exercise its jurisdiction to correct such “minor errors,” and as empowering the panel chair to decide the request.

In reliance on rule 81, the Student requests that the Report be revised to correct “specific statements [...] that do not accurately reflect the factual and procedural context” (Reply, p. 3). In particular, the Student takes issue with the accuracy of statements contained in the Report as to the number of PSY390 course deliverables about which she requested review (Student’s Request, pp. 5-9); the number and nature of the in-person interactions she had with the course instructor (Student’s Request, pp. 10-11); and the type of exam viewing she received in April 2025 (Student’s Request, pp. 12-13). The Student also takes issue with the Report’s characterization of the course instructor’s subjective reaction to certain aspects of the Student’s interactions with him (Student’s Request, pp. 14-15).

The Student submits that her requested revisions relate to “minor errors,” in that her request is limited to ensuring that the Report “accurately reflect[s] the factual and procedural context, based on the objective documentary materials already before the Committee” (Reply, pp. 5-6). She adds that the requested revisions “do not alter the Committee’s reasons or result” (Student’s Reply, p. 6).

While I agree with the Student that the changes she seeks do not alter the result, they are nevertheless not “minor” because they require the chair to agree with her that the hearing panel incorrectly interpreted some of the material before it; drew incorrect inferences from that material; and/or incorrectly preferred, in some respects, the Division’s characterization of certain events over the Student’s characterization of those events. In short, the Student invites the chair to reassess the material that was before the panel and to draw different conclusions from that material. Such an exercise differs significantly from the correction of typographical and calculation errors and is instead akin to the correction of (what the Student perceives to be) erroneous findings by the panel.

A further difficulty with the position put forward by the Student becomes apparent if one considers the roles that the AAC’s *Terms of Reference* give respectively to panels and chairs. The

Terms of Reference assign specific responsibilities to the panel chair in connection with (for example) the conduct of a hearing, the determination of questions of law and the dismissal of an appeal on jurisdictional grounds (sections 3.1.2, 3.1.4, and 3.1.8). However, it is the panel as a whole (if necessary, by majority vote) that has decision-making authority regarding the final disposition of the appeal (section 3.1.3) and, by implication, regarding the findings on which that disposition rests. It would not be consistent with these roles to interpret rule 81 as empowering a chair, acting alone, to revise a panel's findings on the ground that those findings do not "accurately reflect the factual and procedural context" (Reply, p. 3).

The Student argues that, as the Report is part of the record of the proceeding maintained by the Secretary of the AAC pursuant to rule 83, the "accuracy of factual and procedural statements contained in the written reasons is [...] relevant to the integrity of the record maintained under the Rules." (Reply, p. 9.) However, the fact that the reasons of the panel form part of the record of the proceeding does not assist the Student's overall argument. The panel's report remains an accurate record of what the panel decided and of the reasons for the decision, even if one or both parties disagree with some or all of the panel's interpretations or characterizations.

In summary, the revisions requested by the Student do not relate to "minor errors" because they would require the chair to revisit the panel's interpretation of the material, the inferences the panel chose to draw from the material, and/or the panel's choice between competing characterizations of events. It follows that rule 81 does not empower a panel chair to make the requested revisions. The Student's request is, therefore, denied.