

**Student Financial Assistance Appeals Board
Annual Activity Report
Fiscal Year 2010-11**

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Chairperson's Message

October 31, 2011

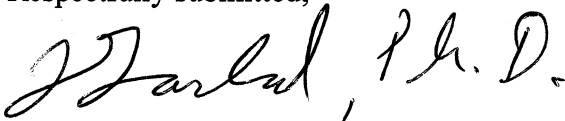
Honourable Joan Burke
Minister of Advanced Education and Skills
3 rd Floor, West Block, Confederation Building
P.O. Box 8700
St. John's, NL A1B 4J6

Dear Minister:

I am pleased to submit the 2010-11 Annual Activity Report of the Student Financial Assistance Appeals Board. This report covers the period of April 1, 2010 to March 31, 2011 and is the final report detailing the work completed during the 2008-2011 planning period.

My signature below is on behalf of the appeals board and indicative of the board's accountability for the actual results reported herein.

Respectfully submitted,



JOHN GARLAND
Chairperson

Overview

The Student Financial Assistance Appeals Board is established under authority of section 11 of the *Student Financial Assistance Act*. The board was established in November 2004 and holds regularly scheduled meetings. The board has regulated service standards establishing time limits during which it must hold hearings and communicate subsequent decisions.

The board currently consists of a panel of seven persons appointed by the Minister of Education. As of March 31, 2011 the panel included:

- one representative from Memorial University of Newfoundland, Mr. John Garland;
- two students attending educational institutions in the province, Mr. Daniel Smith and Mr. Michael Walsh;
- one representative from College of the North Atlantic, Ms. Shirley Woodward;
- one representative from a private educational institution in the province, Mr. James Loder; and
- two employees of provincial government, Ms. Ramona Cole and Ms. Virginia English.

Appeals board meetings are held at the Confederation Building in St. John's or the Student Financial Services Office at Coughlan College in St. John's.

Appeal and Review Process:

A person who is not satisfied with a decision respecting the amount of financial assistance for which she or he is eligible may apply to the Minister of Education in writing for a review of that decision and the review will take place within 14 days. The applicant will be immediately notified of the outcome in writing once the review takes place. If a person is still not satisfied with this decision, she or he may contact the appeals board for a hearing.

The board is required to hear and consider an appeal not more than six weeks after receiving a request. A person who makes an appeal to the board has the right to be present, with or without representation, or to be represented by a person of her or his choosing. Decisions of the appeals board are made by a majority vote of members present at the meeting in which the decision is made. The board will notify the appellant of its decision, including the reasons for the decision, in writing not more than ten days after the appeal is heard. Decisions from the board regarding appeals are final and binding.

Mandate

The Student Financial Assistance Appeals Board's mandate is established under section 12 of the *Student Financial Assistance Act*, as follows:

- (1) A person may make an appeal to the appeal board with respect to a denial, term, condition, amount of a student loan, financial assistance, interest or payment relief made or established under this Act.
- (2) Appeals made under subsection (1) shall be made in accordance with the regulations.
- (3) The appeal board or a committee of the appeal board shall, in writing and not more than 10 days after the hearing and consideration of an appeal, notify the appellant of its decision and the reasons for that decision.

- (4) A decision of a committee of the appeal board and of the appeal board on an appeal is final and binding.

Vision and Mission

Over the previous two planning periods (2007–2008 and 2008-2011), the Student Financial Assistance Appeals Board was committed to supporting the vision and mission of the Department of Education by ensuring that all individuals in the province, who require financial assistance to access post-secondary education, had access to an appeal process to verify proper entitlement.

Vision of the Department of Education

The vision of the Department of Education is citizens with the values, knowledge and skills necessary to be productive and contributing members of society.

Mission of the Department of Education*

By 2011, the Department of Education will have maintained an educational system for the people of Newfoundland and Labrador which is of high quality, safe and affordable.

*Please refer to the Department of Education Strategic Plan 2008-11 for the complete mission statement.

Since the Student Financial Assistance Appeals Board has adopted the mission of the Department of Education, please refer to the department's 2010-11 Annual Report for a report on the achievement of this mission.

Activities

Issue One: Hearings

The Student Financial Assistance Appeals Board is a quasi-judicial body established to ensure due process with respect to student financial assistance. The board meets as required upon receiving a request for an appeal hearing. To ensure a timely response for the appellant, the board is required to hear and consider an appeal not more than six weeks after receiving a request, and has to communicate its decision no more than ten days after the hearing.

Over the 2008-11 period, the Student Financial Assistance Appeals Board met regularly to hold hearings for students who had appealed their eligibility for the student loan program. In doing so, they successfully achieved their objectives as outlined in the 2008-11 Activity Plan.

With respect to the Student Financial Assistance Appeals Board, the following objective was the focus for the fiscal year ending March 31, 2011, which is the last year in the current strategic planning period.

Objective:

By March 31, 2011, the Student Financial Assistance Appeals Board will have met regularly to hold hearings for students accessing the student loan program who have appealed their eligibility.

Measure: Heard appeals upon request

The following details the board's successful achievement of the indicator presented in the activity plan.

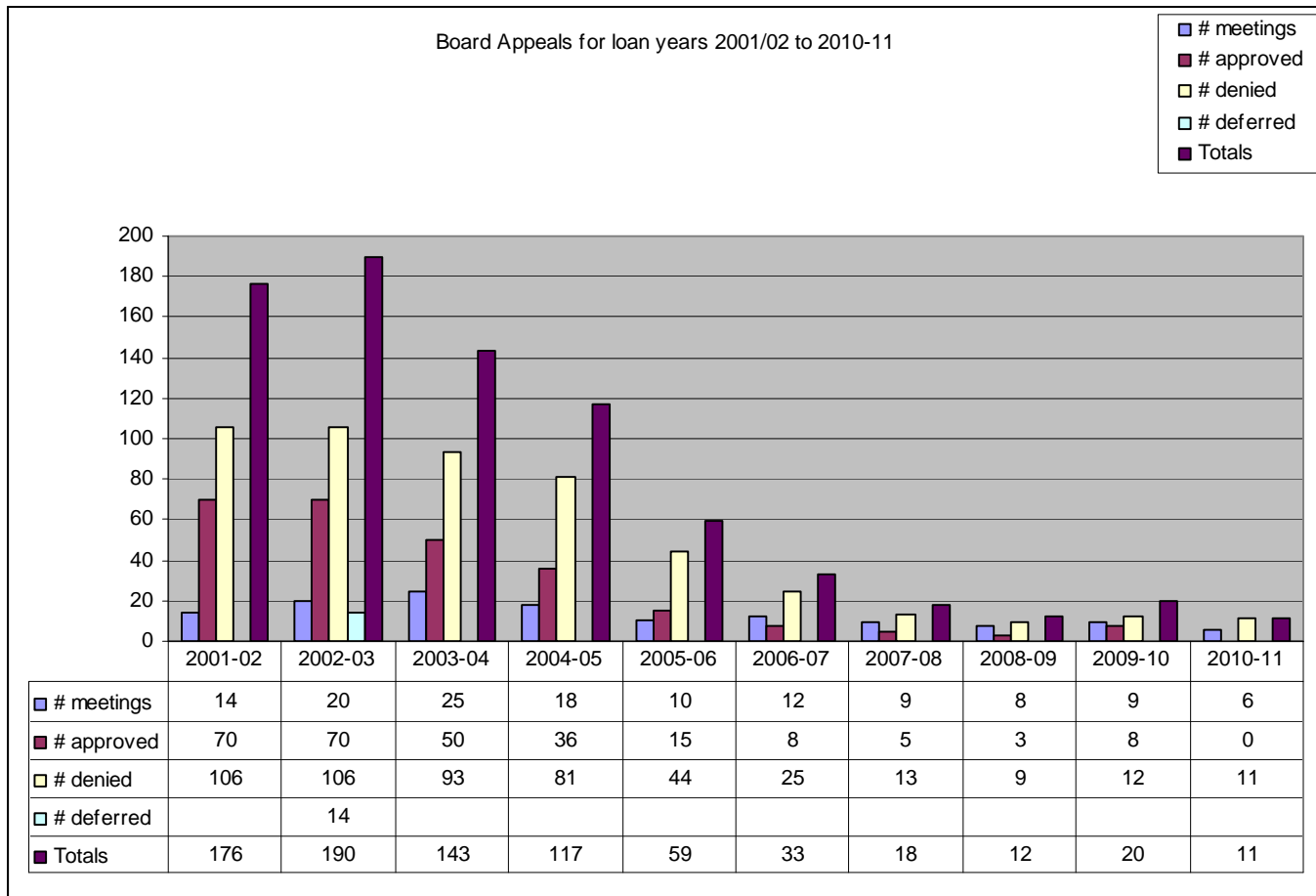
Indicator:

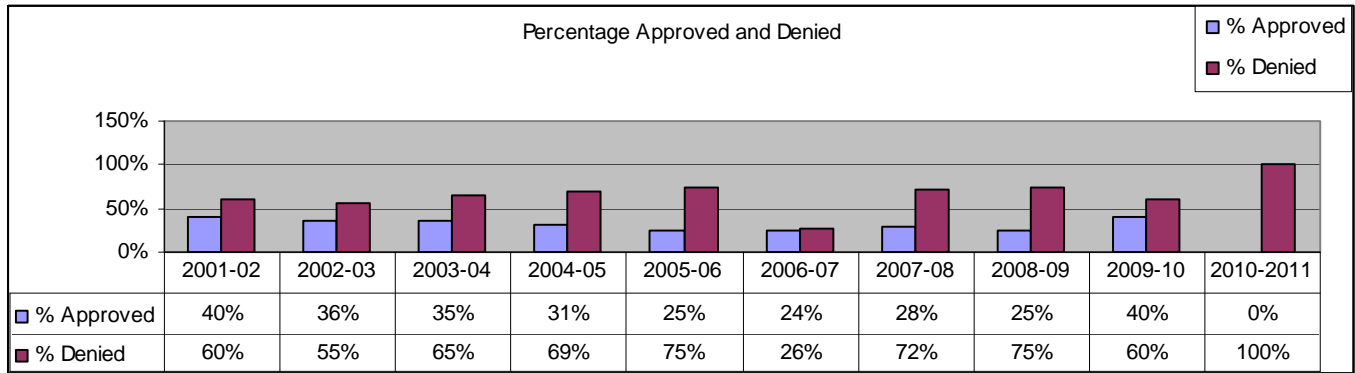
Number of hearings held

During fiscal year 2010-11 the board held six meetings during which 11 cases were heard. All 11 cases (100 percent) were denied. During the 2010-11 year, the board supported the post-secondary strategic direction of government by ensuring that post-secondary students who required financial assistance had access to an effective and fair process of appeal.

Over the past several years there was a significant decline in the number of requests being forwarded to the board. This decline is attributed to the enhanced overall services provided to students by the Student Financial Services Division of the Department of Education. The Division offers career and financial counseling services to students relating to the student loan process, career choices and funding available.

Comparison with Previous Fiscal Years





The figures indicated in the 2001-02, 2002-03 and 2003-04 years include combined data from the Student Financial Assistance Appeals Board and the Student Loan Remission Appeals Committee. As of November 2004, these boards were abolished and the New Student Financial Assistance Appeals Board was established.

Financial Statements

The Student Financial Assistance Appeals Board members serve without remuneration as per section 18. (8) of the Student Financial Assistance Administration Regulations. Incidental expenses incurred by the board were minimal and were covered in their entirety by the Department of Education. The board is not required to prepare financial statements.

Conclusion

The Student Financial Assistance Appeals Board is committed to supporting the mandate of the Minister of Advanced Education and Skills and will continue to do its part to further the vision and mission of this newly-created department by ensuring that individuals who require financial assistance to access post-secondary education have access to an appeals process to verify proper entitlement. An activity plan for 2011-2014 has been developed which will help guide the work of the Student Financial Assistance Appeals Board over the coming years.