

STUDENTAID

Canada - Newfoundland and Labrador Student Financial Assistance

STUDENT FINANCIAL ASSISTANCE APPEALS BOARD

ANNUAL REPORT 2013-14



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Government of Newfoundland and Labrador
Student Financial Assistance Appeals Board

Chairperson's Message

Honourable Kevin O'Brien
Minister of Advanced Education and Skills
West Block, Confederation Building
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Minister:

I am pleased to submit the 2013-14 Annual Activity Report of the Student Financial Assistance Appeals Board. This report covers the period of April 1, 2013 to March 31, 2014. This is the third report detailing the work as outlined in the Activity Plan for 2011-2014.

This report also details the cumulative activity for the board for the 2011-2014 Activity Plan cycle.

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

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David Pike".

DAVID PIKE
Chairperson

OVERVIEW

Structure and Activity:

The Student Financial Assistance Appeals Board (the board) is established under the 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 consists of a panel of seven persons appointed by the Minister of the Department of Advanced Education and Skills, which includes:

- one representative from Memorial University,
- two students attending educational institutions in the province,
- one representative from the College of the North Atlantic,
- one representative from a private educational institution in the province, and
- two employees of the Provincial Government.

Board members serve without remuneration as per section 18 of the *Student Financial Assistance Administration Regulations*. Appointments to the board are for one, two or three year terms, and no member of the board can serve for more than two consecutive terms. Incidental expenses incurred by the board are minimal and are covered in their entirety by the Department of Advanced Education and Skills. The board is not required to prepare financial statements.

Board meetings are held at the Student Financial Services Office at Coughlan College. Appellants may participate in person, via teleconference or by video conference. They may appear with or without representation, or be represented by a person of their choosing.

Appeal and Review Process:

Tier One - The initial appeal:

A person who is not satisfied with the decision respecting the amount of financial assistance for which she or he is eligible may appeal. The appeal is to be in writing and submitted to the Minister for a review of that decision. The review will take place within 14 days. The applicant will be immediately notified of the outcome in writing once the review takes place.

Tier Two - The board appeal:

If a person is not satisfied with the tier one decision, they may submit their appeal to the 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 board are made by a majority vote of members present at the meeting in which the decision is made. The board must 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.

Values of the Department of Advanced Education and Skills:

The Student Financial Assistance Appeals Board performs its duties within the core values established by the Department of Advanced Education and Skills.

Diversity: Appreciating the individuality of others by words and actions.

Leadership: Empowering staff to guide and inspire others.

Service Excellence: Providing timely access to responsive programs and services that are delivered by knowledgeable and friendly staff.

Innovation: Encouraging new and efficient ways of developing and delivering programs and services.

Respect & Dignity: Showing acceptance and sincerity for the beliefs and behaviors of all individuals.

Teamwork & Partnership: Working together with colleagues and partners to develop and deliver appropriate supports and services.

Primary Clients:

The primary clients of the Student Financial Assistance Appeals Board are post-secondary students who applied for student financial assistance and wish to appeal the amount of student financial assistance for which they have been deemed eligible.

Vision and Mission:

The Student Financial Assistance Appeals Board is committed to supporting the vision and mission of the Department of Advanced Education and Skills by ensuring that all individuals in the province who require financial assistance to access post-secondary education have access to an appeal process. This process ensures that each applicant is treated with the principles of reasonableness, fairness and objectivity.

Vision of the Department of Advanced Education and Skills:

The vision of the Department of Advanced Education and Skills is growth through employment, strength in diversity, dignity by inclusion.

Mission of the Department of Advanced Education and Skills:

By March 31, 2017, the Department of Advanced Education and Skills will have improved the quality and the delivery of supports and services.

ACTIVITIES

Issue One: Hearings

The Student Financial Assistance Appeals Board is a quasi-judicial body established to ensure due process with respect to the student financial assistance appeals and operates in adherence with established legislated time frames.

With respect to the Student Financial Assistance Appeals Board, the following objective was the focus for the fiscal years ending March 2012, 2013, and 2014.

Objective:

By March 31, 2014, 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, and rendered decisions in a timely manner.

Measure: Heard appeals upon request

Indicator 1: Number of hearings heard for 2013-14

Result: Two appeal hearings were held, all within six weeks of being requested.

Indicator 2: Number of decisions rendered 2013-14

Result: Three decisions were rendered and subsequently communicated to relevant parties within 10 days of hearing.

For the three-year 2011-2014 Activity Plan, the cumulative totals for **Indicators 1** and **2** are as follows:

Measure: Heard appeals upon request

Indicator 1: Number of hearings heard 2011-2014

Result: 14 appeal hearings were held, all within six weeks of being requested.

Indicator 2: Number of decisions rendered 2011-2014

Result: 33 decisions were rendered and subsequently communicated to relevant parties within 10 days of hearing.

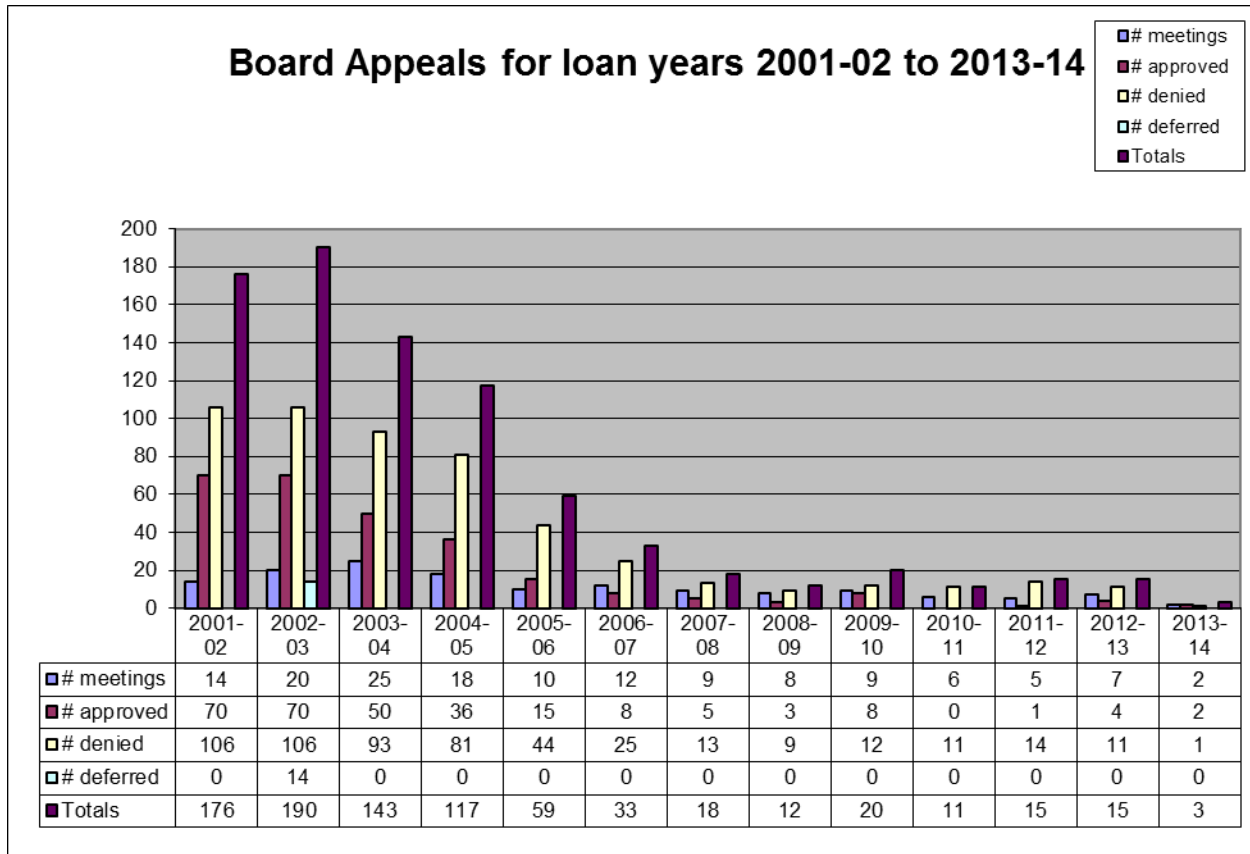
SUMMARY OF APPEALS

During fiscal year 2013-14 the board held two meetings during which three cases were heard. Of the three appeals, two (67 per cent) were approved and one (33 per cent) was denied. During the 2013-14 year, the board supported the Provincial Government's strategic direction relating to Higher Education particularly in the focus area of affordability. This was achieved by ensuring that post-secondary students were given every opportunity to access Student Financial Services through an effective, fair and timely process of appeal in which appeals were heard and decisions were relayed within the legislated timelines.

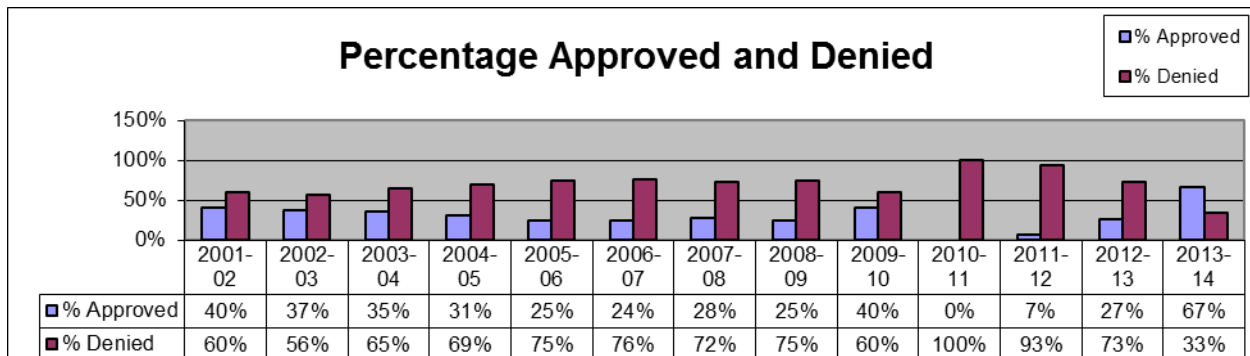
During three year period 2011-2014 the board held 14 meetings during which 33 cases were heard. Of the 33 appeals, 26 (79 per cent) were denied and seven (21 per cent) were approved.

There continues to be a decline from earlier years 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 Advanced Education and Skills. The Division offers career and financial counseling services to students relating to the student financial assistance process, career choices and funding available.

Comparison with Previous Fiscal Years

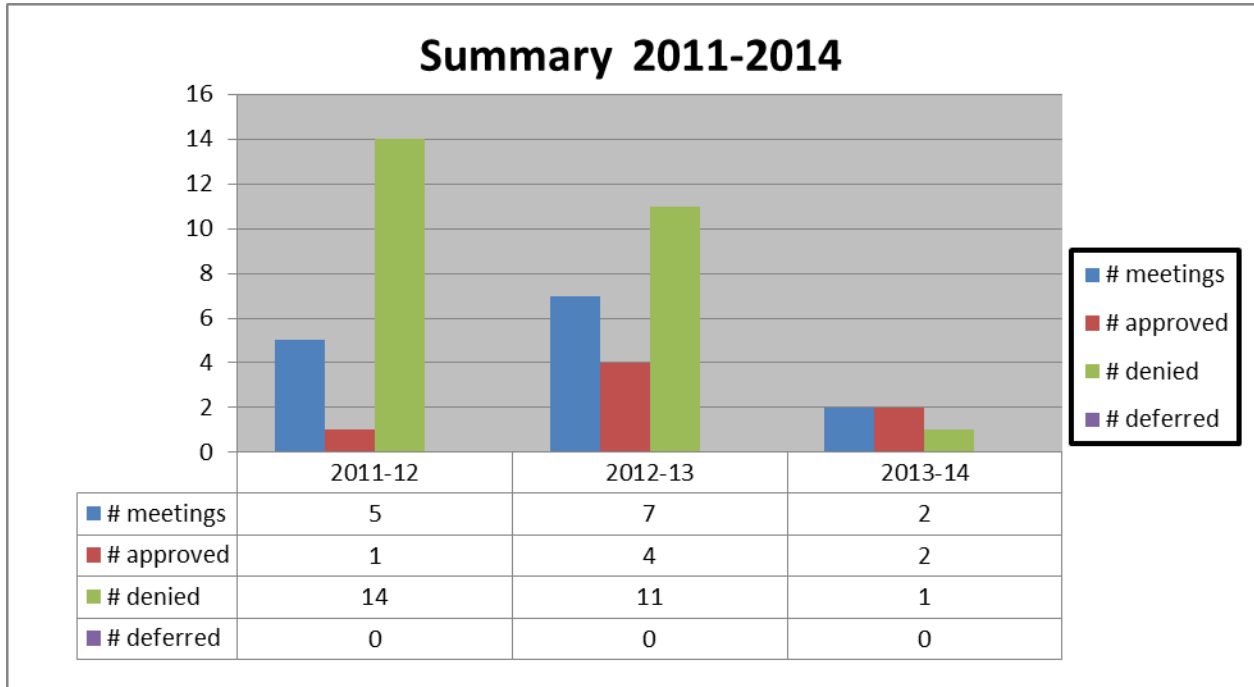


The figures indicated in the 2001-02, 2002-03 and 2003-04 years include combined data from the Student Financial Assistance Appeals Board and the Student Loan Remission Appeals Committee. As of November 2004, these boards/committees were abolished and the Student Financial Assistance Appeals Board was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



Note: In 2002-03, there were 14 appeals (7%) which were presented to the board which were deferred back to the Division for further analysis. This occurs when new information is presented to the board which has not been reviewed by the Division.

**Three Year Activity Summary
2011-2014**



CONCLUSION

The Student Financial Assistance Appeals Board is committed to supporting the mandate of the Department of Advanced Education and Skills and will continue to do its part to further the vision and mission by ensuring that individuals who require financial assistance to access post-secondary education have access to an appeals process to verify proper entitlement. The activity plan developed for 2011-2014 has now concluded.

The board has submitted an activity plan for the next 3-year cycle (i.e., 2014-2017) which will form the basis of future reports.