

**Student Financial Assistance Appeals Board
Annual Activity Report
Fiscal Year 2009-10**

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Chairperson's Message

April 28, 2010

Honourable Darin King
Minister of Education

Dear Minister:

I am pleased to submit the 2009-10 Annual Activity Report of the Student Financial Assistance Appeals Board. This report covers the period of April 1, 2009 to March 31, 2010.

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. As of March 31, 2010 the panel included:

- one representative from Memorial University, Mr. John Garland;
- two students attending educational institutions in the province, Mr. Daniel Smith and Mr. Cameron Campbell;
- one representative from College of the North Atlantic, Ms. Shirley Woodward;
- one representative from a private educational institution in the province, Ms. Pricilla Rose; 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.

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 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, they 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

The Student Financial Assistance Appeals Board is 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, have 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.

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 their decision no more than ten days after the hearing.

With respect to the Student Financial Assistance Appeals Board, the following objective was the focus for the fiscal year ending March 31, 2010.

Objective:

By March 31, 2010, 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.

Number of hearings held

During fiscal year 2009-10 the board held nine meetings during which 20 cases were heard. Eight cases (40 percent) were approved in favour of the appellant and 12 (60 percent) were denied.

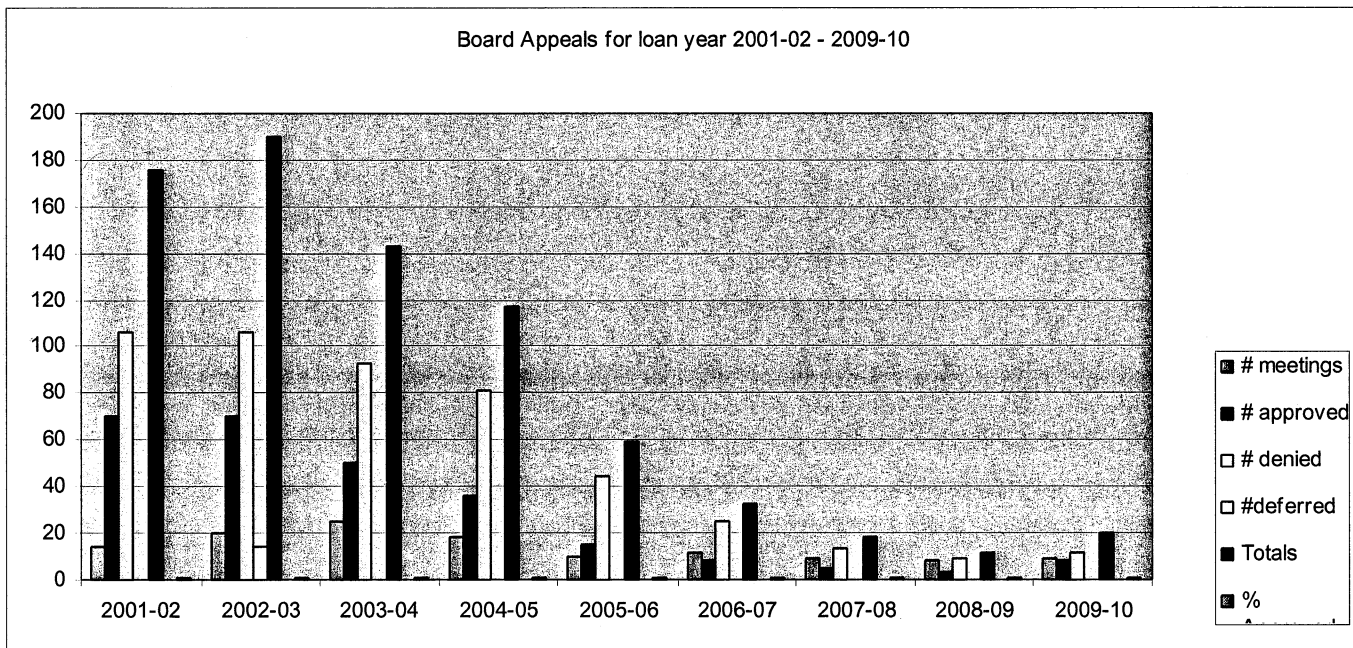
During the 2009-10 year, the board supported the Post-Secondary strategic direction of government by ensuring that post-secondary students who required financial assistance had access to an effective and fair process of appeal.

Year Three Objective

With respect to the issue of hearings, the previous year's objective, measure and indicator are also the focus for the fiscal year ending March 31, 2011. Activities associated with this objective will be reported in next year's annual report.

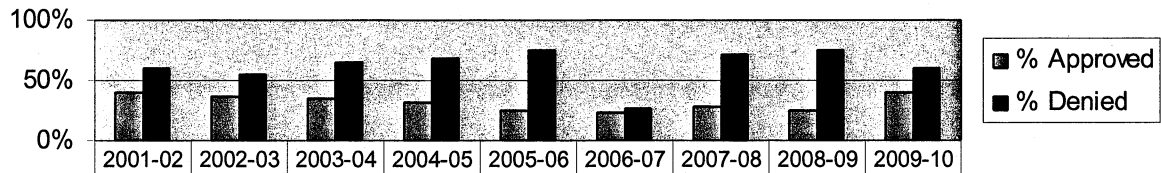
Comparison with Previous Fiscal Years

Board Appeals for loan year 2001-02 - 2009-10



	# meetings	# approved	# denied	#deferred	Totals	% Approved	% Denied
2001-02	14	70	106		176	40%	60%
2002-03	20	70	106	14	190	36%	55%
2003-04	25	50	93		143	35%	65%
2004-05	18	36	81		117	31%	69%
2005-06	10	15	44		59	25%	75%
2006-07	12	8	25		33	24%	76%
2007-08	9	5	13		18	28%	72%
2008-09	8	3	9		12	25%	75%
2009-10	9	8	12		20	40%	60%

Percentage Approved and Denied



% Approved	40%	36%	35%	31%	25%	24%	28%	25%	40%
% Denied	60%	55%	65%	69%	75%	26%	72%	75%	60%

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 replacing both.

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 are minimal and are covered in their entirety by the Department of Education. The board is not required to prepare financial statements.