

**Student Financial Assistance Appeals Board
Annual Activity Report
Fiscal Year 2012-13**

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Chairperson's Message

September 10, 2013

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

Dear Minister:

I am pleased to submit the 2012-13 Annual Activity Report of the Student Financial Assistance Appeals Board. This report covers the period of April 1, 2012 to March 31, 2013. This is the second report detailing the work as outlined in the Activity Plan for 2011-2014.

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,



DAVID PIKE
Chairperson

Overview

The Student Financial Assistance Appeals Board (the 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 consists of a panel of seven persons appointed by the Minister of Advanced Education and Skills. As of March 31, 2013 the panel included:

- one representative from Memorial University of Newfoundland, Mr. Tom Brophy;
- two students attending educational institutions in the province, Ms. Candice Simms and Mr. Michael Walsh;
- one representative from College of the North Atlantic, Mr. Chris Mercer;
- one representative from a private educational institution in the province, Heather Ball (currently on leave); and
- two employees of provincial government, Mr. David Lewis (Chair) and one vacant.

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 Advanced Education and Skills. The Board is not required to prepare financial statements.

Appeals Board meetings are held at the Student Financial Services Division 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 Advanced Education and Skills in writing 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. If a person is still not satisfied with this decision, she or he may request a Board 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 will notify the appellant of its decision, including the reasons for the decision, in writing not more than 10 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 continues to be 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, had access to an appeal process to verify proper entitlement.

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 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 legislative time frames.

With respect to the Student Financial Assistance Appeals Board, the following objective is the focus for the fiscal years ending March 2012, 2013, and 2014. This objective and indicators will be reported on in each of the respective annual reports.

Objective 1: By March 31, 2013, 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

Result: 15 appeal hearings were held, all within six weeks of being requested.

Indicator 2: Number of decisions rendered

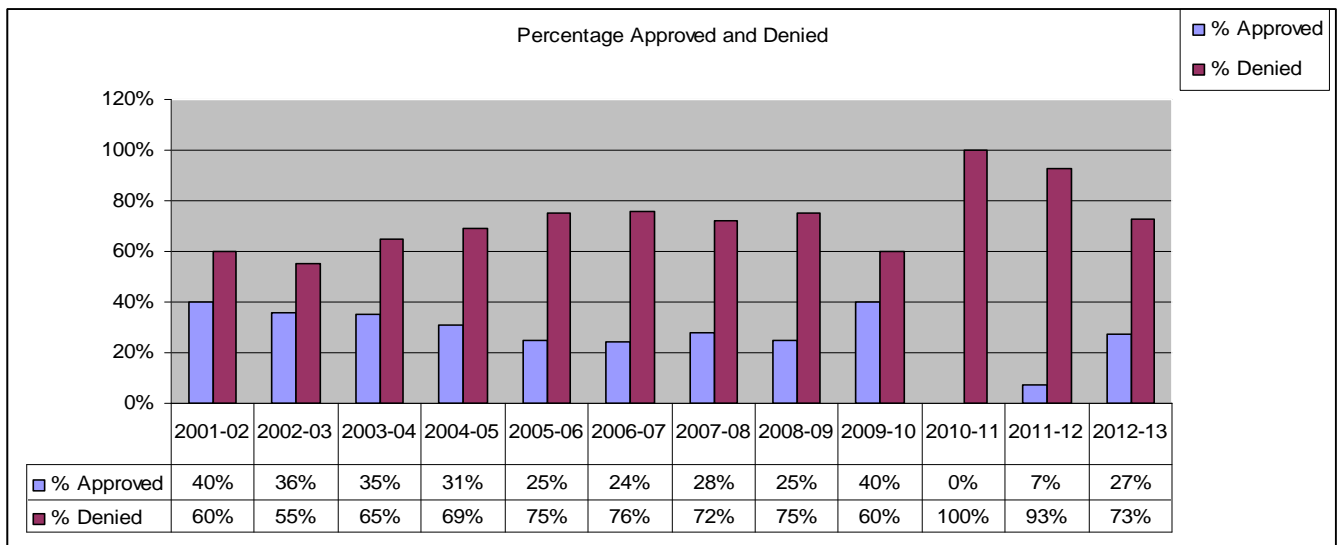
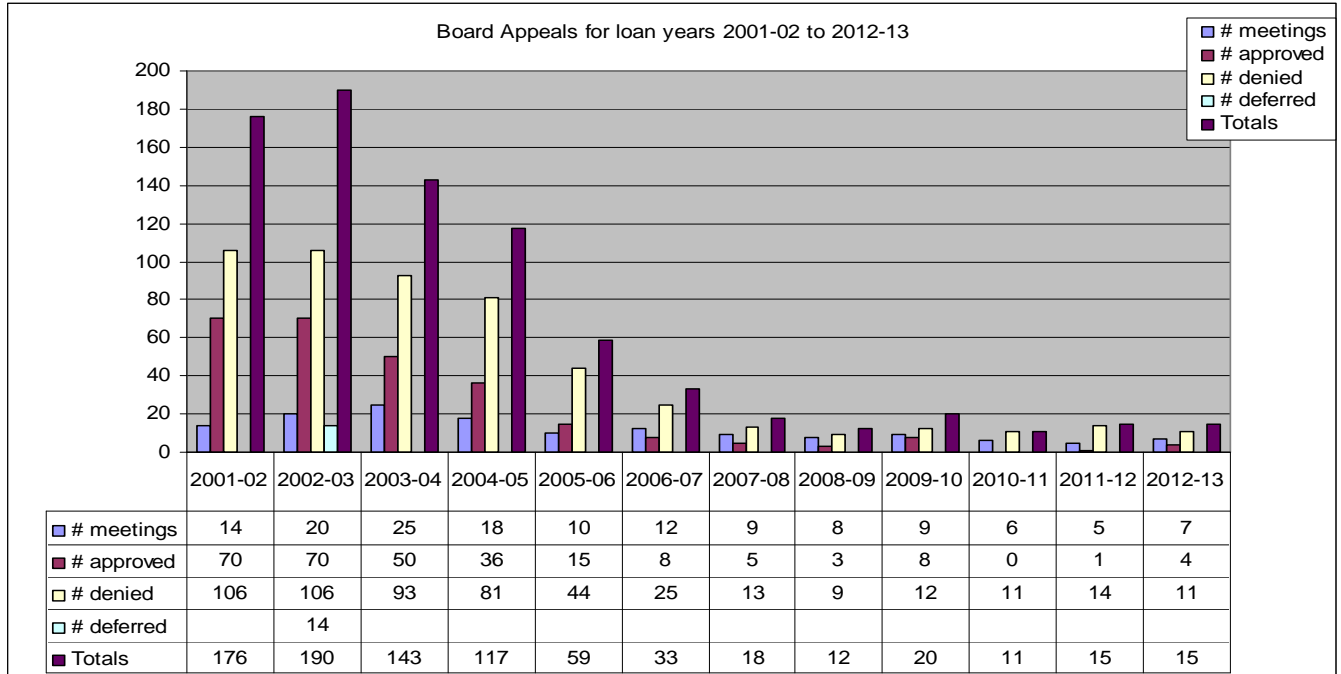
Result: 15 decisions were rendered and subsequently communicated to relevant parties within 10 days of hearing.

Summary of Appeals

During fiscal year 2012-13 the Board held 7 meetings during which 15 cases were heard. Of the 15 appeals, 11 (73%) were denied and 4 (27%) were approved. During the 2012-13 year, the Board supported the Provincial Government's strategic direction relating to Higher Education by ensuring that post-secondary students who required financial assistance had access to an effective and fair process of appeal in which appeals were heard and decisions were relayed within the legislated timelines.

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 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/committees were abolished and the Student Financial Assistance Appeals Board was established.

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 department 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 will continue to help guide the work of the Student Financial Assistance Appeals Board.

The Board's goal for the 2013-14 year will be to ensure that all appeals are heard and written decisions provided within the legislated timelines.