SIMON FRASER UNIVERSITY ATHLETIC FINANCIAL AID AGREEMENT

APPENDIX B

Appeals Procedure

If Simon Fraser University decides to reduce or cancel institutional financial aid based in any degree on athletics ability during the period of the award, Simon Fraser University’s Financial Aid & Awards Office shall inform the student-athlete in writing within 14 consecutive calendar days from the date Athletics notified the student-athlete of the reduction or cancellation of financial aid.

If Simon Fraser University decides to reduce or cancel institutional financial aid based in any degree on athletics ability for the ensuing academic year, Simon Fraser University's Financial Aid & Awards Office shall inform the student-athlete in writing on or before July 1 before the academic year in which the financial aid is to be effective.

The student-athlete shall be provided a hearing opportunity to appeal the decision.

A student-athlete wishing to appeal a decision to reduce, cancel, or not renew institutional financial aid based in any degree on athletics ability for the ensuing academic year must do so in writing. The written request shall include:

- A completed and signed copy of Athletic Financial Aid Appeal Application form;
- A short letter stating the reasons for believing that the decision was unfair. Include names of institutional staff members (e.g., coach, financial aid officer) with whom the student-athlete has discussed the financial aid; and
- Copies of any relevant documents (e.g., copy of the Athletic Financial Aid Agreement, medical documentation, email communications, etc.) to support the appeal.

The student-athlete must submit these materials to the Director, Financial Aid & Awards within fifteen (15) consecutive calendar days of receiving written notification of the action to reduce, cancel or not renew institutional financial aid based in any degree on athletics ability. When the student-athlete submits the materials, he/she may request to the Director, Financial Aid & Awards for a hearing before the Financial Aid Appeals Committee. The Financial Aid Appeals Committee shall conduct a hearing within thirty (30) consecutive calendar days of receiving a written request for such a hearing unless all parties agree to a delay.

The Financial Aid Appeals Committee will assess cases based on the evidence and documentation submitted, both written and oral, the academic record of the appellant, and the probable actions of a hypothetical “reasonable person” who might encounter circumstances similar to those encountered by the appellant.

The student-athlete may wish to contact the Office of the Ombudsperson for guidance.

All information submitted will be handled in a manner consistent with the Freedom of Information and Protection of Privacy (FOIPOP) Act.

At the conclusion of the hearing, the Chair of the Financial Aid Appeals committee shall in writing:

- Request additional information, to be considered at a future hearing, or
- Find that there is insufficient cause to rescind the decision to reduce, cancel or not renew institutional financial aid based in any degree on athletics ability, or
- Find that there is sufficient cause to modify or overrule the decision to reduce, cancel or not renew institutional financial aid based in any degree on athletics ability. The institutional financial aid based in any degree on athletics ability is then made available to the student as soon as possible.
The Financial Aid Appeals Committee shall consist of the following members:

- Chair - Associate Registrar (or designate)
- Elected Student official (or designate)
- Faculty Member

The Financial Aid & Awards Office shall provide staff support for the committee.

The Financial Aid Appeals Committee will issue a written decision to the student-athlete that sets out the reasons for the decision in a comprehensive manner.

The Financial Aid Appeals Committee’s recommendation to rescind, modify, or support the decision to reduce, cancel or not renew institutional financial aid based in any degree on athletics ability is left to a majority decision of the committee. The decision of this committee is final. There is no appeal beyond the Financial Aid Appeals Committee. The student-athlete shall be notified in writing within fifteen (15) consecutive calendar days of the committee’s final decision. If the student-athlete wishes to discuss the results of the appeal, a meeting with the Chair or a designated member of the Financial Aid Appeals Committee is arranged.

The Financial Aid Appeal Committee Chair shall submit an annual report summarizing the cases considered for the fall and spring terms by April 30th of the same academic year to the Associate Vice President, Students.

As indicated above, decisions of the Financial Aid Appeals Committee are final and not subject to further appeal unless significant new information is presented. The Associate Vice President, Students will consider such a further appeal taking into account the new information as presented.

**References**

**Renewals and Nonrenewals – Institutional Obligation:** The renewal of institutional financial aid based in any degree on athletics ability shall be made on or before July 1 before the academic year in which it is to be effective. The institution shall promptly notify in writing each student-athlete who received an award the previous academic year and who has eligibility remaining in the sport in which financial aid was awarded the previous academic year (under Bylaw 14.2) whether the grant has been renewed or not renewed for the ensuing academic year (NCAA Bylaw 15.3.5.1).

The recommendation for renewal or nonrenewal of institutional financial aid based in any degree on athletics ability shall be made by the Senior Director, Athletics and Recreation in conjunction with the Head Coach.

**Reduction and Cancellation during Period of Award Permitted:**

Institutional financial aid based in any degree on athletics ability may be reduced or canceled during the period of the award (NCAA Bylaw 15.3.4.1), if the recipient:

- Renders himself or herself ineligible for intercollegiate competition;
- Fraudulently misrepresents any information on an application, letter of intent or financial aid agreement;
- Engages in serious misconduct warranting substantial disciplinary penalty;
- Voluntarily withdraws from a sport at any time for personal reasons;
- Fails to attend, classes, team or individual meetings, study hall, assemblies, tutoring or study group sessions, athletic practice sessions or scheduled contests as specified by the team coach;
- Fails to adhere to training rules and regulations;
- Fails to comply with SFU’s policies, rules and regulations;
- There is a determination that the student-athlete has engaged in gambling activities prohibited by NCAA legislation;
- There is a determination that the student-athlete has engaged in the use, possession, or traffic of an illegal drug substance, tested positive for a banned substance or failed to take a drug test when requested to do so by the NCAA, SFU or by national or international sport governing bodies.

**Increase, Reduction or Cancellation Not Permitted:**

Institutional financial aid based in any degree on athletics ability may not be increased, decreased or canceled during the period of its award on the basis of a student’s athletics ability, performance or contribution to the team’s success, because of an injury, illness or physical or mental medical condition (except as permitted pursuant to Bylaw 15.3.4.1) or for any other athletics reason (NCAA Bylaw 15.3.4.3).