



Student Financial Assistance Policy Manual



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SECTION 1: INTRODUCTION

Section 1.01: Purpose

This manual explains the Northwest Territories (NWT) Student Financial Assistance Regulations and policies. Where there is a discrepancy between policies and legislation, the legislation takes precedence.

What is the Student Financial Assistance Program?

The Student Financial Assistance (SFA) Program is one of five (5) Income Security Programs delivered by the Department of Education, Culture and Employment (ECE).

The SFA program offers full-time and part-time assistance to Northwest Territories residents attending accredited post-secondary institutions and programs.

What are the Student Financial Assistance Regulations?

The Student Financial Assistance Regulations, R.R.N.W.T. 1990, c.S-20 (the Regulations), are part of the *Student Financial Assistance Act*. The Regulations outline how the Student Financial Assistance Program operates and how assistance is delivered to students.

What About Other Legislation?

Other legislation that can influence the SFA program is the Access to Information and Protection of Privacy Act (ATIPPA) and the Interpretation Act. This list is not inclusive.

Who is Responsible?

The head of the SFA program is the Deputy Minister of ECE, however the Director, Income Security Programs is responsible for the operations of the program.

Staff work out of ECE's headquarters office in Yellowknife. Whenever there is a situation that is not covered by the Act, the Regulations, or this Policy Manual, the Student Case Officer will work with the Manager, SFA to determine how to handle the situation.

A Shared Responsibility

The cost of post-secondary education is a shared responsibility. The SFA program is intended to supplement a student's own resources. It is essential that students plan their finances carefully before pursuing post-secondary education to be sure they have sufficient resources to cover all costs during the academic year.

**Must Students Use the Assistance for Which it Was Intended?**

Students are expected to use the assistance they receive through the SFA program for the purpose it was provided. Student Case Officers do not monitor spending except in unusual circumstances that require the Student Case Officer's discretion.

Our Services

Assistance is provided for eligible full-time post-secondary students as follows:

- Basic Grant
- Supplementary Grant
- Remissible Loan
- Repayable Loan
- NWT Study Grants for Students with Permanent Disabilities or Persistent and Prolonged Disabilities (NWT Study Grants for Students with Disabilities)

Assistance is provided for eligible post-secondary students not receiving full-time benefits as follows:

- Course reimbursement; and/or
- Grant for Services and Equipment for Students with Permanent Disabilities or Persistent and Prolonged Disabilities (Grant for Services and Equipment for Students with Disabilities)

Student Case Officers may guide a student towards an agency that can assist with other types of assistance, such as:

- Income Assistance
- Income Assistance for Seniors & Persons with Disabilities
- Indigenous Skills and Employment Training (ISET) Program
- Building Essential Skills/Employment Insurance/Labour Market Development
- Indigenous and Northern Affairs Canada (INAC), and/or
- Canada Student Financial Assistance as a resident of another province

Personal Information

To protect students' personal information, the SFA program will not release information to anyone without the written consent of the student. When a student may want others to access their personal information (parents, spouse, other individuals or organizations), they must notify the Student Case Officer and complete **Form B - Consent for the Release of Information**.

Students may also authorise ECE to release information to potential employers or other government departments for the purpose of being kept up to date about employment, training opportunities or other financial assistance that may be available. To do this, the student must complete **Section 9 of the Application Form - Applicant Consent for the Release of Personal Information Form**.



Section 1.02: Service Level Commitments

Income Security Programs guarantees we will:

- Provide courteous, quality service and answer all your questions.
- Ensure you are provided with information on all available programs and services.
- Treat you with dignity and respect.
- Protect your personal information and correct your personal information if there has been an error or omission.
- Only use your personal information for the purpose of determining program eligibility.

We will achieve this by:

- Seeing you within 10 minutes of an appointment.
- Returning telephone and email messages two (2) business days.
- Providing a written response to your application for benefits within 25 business days of receipt.
- Processing your application within 10 business days after we receive your last required document, but not before the first day of classes.
- Depositing your monthly living allowance by or on the first day of every month, even if it is a weekend or holiday.
- Providing a detailed statement of your loan account, outstanding principal of the loan, the interest rate, the advances and principal payments upon request.
- Performing audits on files to ensure the information provided is correct and current.
- Conducting periodic customer satisfaction surveys to ensure optimum service.



Section 1.03: How to Use the SFA Policy Manual

This manual groups the Regulations according to themes before providing a brief explanation of those Regulations.

Each section includes the following headings:

- **The Law** – a copy of the Regulation(s)
- **What it Means** – provides details of the Regulation(s)

Each section may also include:

- **Current Practice** – describes what approved practices are in place.
- **Example** – describes “real life” examples of how the Regulation(s) should be used.
- **Note(s)** – outlines any issues or circumstances that a Student Case Officer should be aware of.

Amendments

The Student Financial Assistance Policy Manual is a living document that is updated on a regular basis. The date that policies are changed by the Director are identified with each amendment in this manual.

Notes

1. The words “must”, “shall” and “will” in the Act and Regulations, or in this manual, refer to something that has to be done, there is no discretion.

2. The word “may” in the Act, Regulations, or in the manual will be used to express possibility, opportunity or permission and it is not a requirement.



Section 1.04: Student Responsibilities and Other Information

Tuition Fees

SFA benefits will be deposited directly into the student's bank account.

Students are responsible for paying their tuition fees to their post-secondary institution and for purchasing their own books.

Change in Program, Courses, or Personal Information

Students must inform the Student Case Officer when there is a change in:

- Post-secondary institution
- Program of Studies
- Number of Courses (e.g., if a student withdraws from a course)
- Income
- Number of dependants
- Address, phone number, banking information

This may result in a change to the current benefits the student was originally assessed for. In some cases, the student may be entitled to receive additional benefits, or they may be required to return some, or all the benefits received.

Copies of Documentation

Students should keep copies of their application, any form(s), official transcript(s), fax confirmation sheet(s) and any documentation they submit to the SFA program in the event that some, or all, of their documentation is not received.

Loan Repayment

While a student is considered a full-time student by the SFA program, their student loan repayment/remission obligations will be suspended.

When a student is no longer considered a full-time student, they must start repaying and/or remitting their loans. Students must contact their Finance Officer within six (6) months of ceasing to be a full-time student.

Post-secondary Strike

If a student remains a full-time student until the post-secondary strike has been resolved, they may continue to receive SFA benefits throughout the semester. The semester of funding will count towards any limits that may be applicable to the benefits.

If the strike is not resolved by the end of the semester, a student will not receive further SFA benefits for future semesters until the strike is resolved.



Extending a Semester

A student may request an extension to their semester for extenuating circumstances, such as a post-secondary strike. Students must submit official documentation from their institution outlining the extenuating circumstances to the Student Case Officer. Approvals may be granted on a case-by-case basis.

Audits of Student Files

The SFA program routinely audits student files to ensure students are receiving the benefits they are entitled to receive. If a student is audited, they may be asked for additional information to support the level of benefits that they received.



SECTION 2: STUDENT FINANCIAL ASSISTANCE REGULATIONS

Section 2.01: Interpretations – The Definition of Words

The Law

1. (1) In these regulations,

"Act" means the *Student Financial Assistance Act*;

"approved form" means a form approved by the Deputy Minister;

"approved institution" means an institution approved by the Deputy Minister for the purposes of these regulations that is

- (a) a university or college, or
- (b) a technical, occupational, trade, vocational or other school or college;

"dependant" means the child or stepchild of the student or the student's spouse where the child is financially dependant on the student ;

"distance learning program" means a program of studies at an approved institution in which students principally participate other than by physically attending classes at the institution;

"full-time student" means a person who is enrolled as a student in a program of studies at an approved institution for a semester during which the person will be attending and taking at least

- (a) 40% of a full course load of studies at a post-secondary level in the case of a person who has a permanent disability and elects to be considered as a full-time student,
- (b) 60% of a full course load of studies at a post-secondary level in the case of a semester
 - (i) for which the person does not receive student financial assistance,
 - (ii) that begins on or before August 15, 2000 and for which the person receives student financial assistance under the Act.
 - (iii) that begins after August 15, 2000 and on or before August 15, 2004 and that is one of the first four semesters after August 15, 2000 for which the person receives student financial assistance under the Act,
 - (iv) that begins after August 15, 2004 and on or before August 15, 2005 and that is one of the first six semesters after August 15, 2000 for which the person receives student

financial assistance under the Act, or

- (v) that begins after August 15, 2005 and for which the person receives student financial assistance under the Act, or
- (c) 75% of a full course load of studies at a post-secondary level in the case of a semester that begins
 - (i) after August 15, 2000 and on or before August 15, 2004 and that is a fifth or a subsequent semester after August 15, 2000 for which the person receives student financial assistance under the Act, or
 - (ii) after August 15, 2004 and on or before August 15, 2005 and that is a seventh or a subsequent semester after August 15, 2000 for which the person receives student financial assistance under the Act;

"high-performance athlete" means an individual who has achieved, or has been identified as having the potential to achieve, excellence at a world class high-performance sport competition such as the Olympic Games, Paralympic Games, World Championships, Commonwealth Games or Pan American Games;

"high-performance sport" does not include professional sport;

"loan" means

- (a) student financial assistance referred to in section 9 where the person has elected to receive the student financial assistance under that section as a remissible loan,
- (b) a remissible loan referred to in section 15, or a needs assessed repayable loan referred to in section 17;

"permanent disability" means any of the following that is expected to remain with the person for the person's life:

- (a) an impairment, including a physical, mental, intellectual, cognitive, learning, communication, or sensory impairment,
- (b) a functional limitation that restricts the



ability of a person to perform the daily activities necessary to participate in studies at a post-secondary level;
"persistent or prolonged disability" means any of the following that is expected to last for a period of at least 12 months:

- (a) an impairment, including a physical, mental, intellectual, cognitive, learning, communication, or sensory impairment,
- (b) a functional limitation that restricts the ability of a person to perform the daily activities necessary to participate in studies at a post-secondary level.

"permanent resident" means a permanent resident as defined in the *Immigration and Refugee Protection Act* (Canada);

"program of studies" means a course or program that is approved by the Deputy Minister and that is of a minimum duration of 12 continuous weeks;

"semester" means

- (a) a period of studies identified by an educational institution of not less than 12 continuous weeks and not more than 26 continuous weeks,
- (b) a period of studies during the spring or summer identified by an educational

institution of less than 12 continuous weeks if the student has attended one or more previous semesters of not less than 12 continuous weeks in the 12 months before the end of that period of studies, or

- (c) in the case of an educational institution that is not in Canada, a period of studies identified by the educational institution that, in the opinion of the Deputy Minister, is equivalent to a period of studies referred to in paragraph (a) or (b);

"spouse" means

- (a) a person to whom a student is married, or
- (b) a person with whom a student has lived in a conjugal relationship continuously for a period of not less than 12 months and has so cohabited within the 12 months immediately before the day on which the semester to which the person's student financial assistance relates begins;

"upgrading student" means a person who ceases to be a full-time student and enrolls in a program that is

- (a) classified by the approved institution as a full-time academic upgrading program, and
- (b) approved by the Deputy Minister as a full-time academic upgrading program

What it Means

Section 1 of the Regulations provide the exact meaning of significant words that are used throughout the Regulations.

Words in this Manual

The following are definitions of words and terms used in this manual:

Academic Year

For the purposes of post-secondary education, an academic year is a period of 12 continuous months. An academic year cannot have the same type of semester within the period.

Example: April 1, 2022, to March 31, 2023, is considered 12 continuous months. This period cannot have two winter semesters within one (1) academic year.

Actually Resident

A borrower who is physically living, eating, sleeping and carrying their normal activities in the NWT.

Example: To be eligible for loan incentives, you must be actually resident in the NWT.



Assess or Assessment

The procedure that SFA undertakes to determine a student’s benefit entitlement or loan payment.

Assistance (also known as Benefit)

Funding students may be eligible to receive from the SFA program.

Audit

Verification of information submitted in an application form.

Bankruptcy

The term used for a person who declares that their financial resources are exhausted and is, therefore, unable to pay their debts.

Benefit (also known as Assistance)

Funding students may be eligible to receive from the SFA program.

Borrower

A person who is receiving, or has received, a student loan from the SFA program.

Bursary

A bursary is financial aid that isn’t a loan and that students typically do not have to pay back. A bursary is usually awarded based on financial need and other factors.

Calendar Month

The same numerical day from one month to the next.

Example: August 3rd to September 3rd or January 7th to February 7th.

Conditional Approval

A temporary approval, advising the student that they may be eligible for SFA benefits once they provide the required information or documents. Students will not receive benefits under a conditional approval.

Continuing Education (also known as Professional Development)

Courses, seminars, webinars or any other similar type of programming that is provided to individuals for professional development purposes in order to expand their job skills. It is not considered post-secondary.

Consolidation of Loans

Combining a student’s SFA loans.



Deadline

The date a student/borrower must submit an application in order to be eligible for SFA benefits or loan incentives.

Dependant

Is a member of a student’s family who resides with them at least 50% of the time in each semester the student receives assistance and is financially dependent on the student. This includes a child, stepchild, adopted child or a child a student has legal custody or guardianship of (legal documentation signed by the parents is required).

SFA considers a person to be a child until they are 19 years of age. However, if the child is attending secondary school full-time or is permanently disabled, the SFA program may consider them to be a dependant on a case-by-case basis.

Designated Institution

An institution of learning, whether within or outside a province, that offers courses at a post-secondary school level and that is designated by the appropriate authority within that province. Designated educational institutions can include those located outside of Canada.

Distance Learning Program

A post-secondary program of study where teachers and students are not physically in the classroom but use the internet, e-mail or mail to complete a program.

Eligible Course, Program, or Institution

A post-secondary course, program and/or institution approved by the SFA program.

Eligible Expenses

The educational, post-secondary costs the SFA program considers eligible for assistance.

Example: Tuition and fees, rent, food, etc.

Expenses Not Covered (Ineligible Expenses)

The costs the SFA program does not recognize as an eligible expense.

Example: Pocket money, damage deposit, long distance phone calls, entertainment, vehicle expenses, etc.

Fellowship

Money granted to an individual by an educational institution, foundation or other agency for advanced study or research. A fellowship is also known as a grant.



Financial Need

A student’s education-related expenses minus their total household income (income – education expenses = financial need).

Full-time Student

A student who is enrolled in a post-secondary program taking 60% of a 100% full course load or a student with a disability who is enrolled in a post-secondary program taking 40% of a 100% full course load.

*Example: If an institution considers 15 credits to be equal to a full course load:
A student must be enrolled in 9 credits to be considered full-time (9/15 = 60%)
A student with a disability must be enrolled in 6 credits to be considered full-time (6/15=40%).*

Full-time Employment

A person who receives wages for working 30 hours per week or more, or 120 hours per month or more.

Grant

A sum of money provided for educational purposes, which does not have to be repaid under normal conditions. A grant is also known as a bursary.

Household Income

All sources of money that a student and their spouse receive, with the exception of part-time employment, scholarships or Residential School payments.

Household income may be referred to as gross (before taxes and mandatory deductions) or net (after taxes and deductions) income.

Indigenous

Coming from a specific place. NWT Indigenous means, from the Northwest Territories.

Intersession

The period of time between the end of one semester and the start of the following semester.

Intersession Travel

Travel during the break between semesters.

Loan

The money students borrow, either remissible or repayable, through the SFA program.



Monthly Living Allowance

The financial assistance a student receives every month the student is considered to be a full-time student. It is intended to assist students with the cost of their daily eligible educational expenses such as rent, food and utilities.

Official Transcript

An official transcript is one that is printed on an institution's official letterhead and bears the embossed or raised seal, date and Registrar's signature.

Ordinarily Resident

Actually residing in the NWT for a 12 continuous months or more (not in full-time post-secondary studies). An individual may continue to be considered ordinarily resident of the NWT if:

- They, or their spouse, is working outside of the NWT temporarily but the place of business is located in the NWT.
- They, or their spouse, is in approved full-time post-secondary studies and was considered actually or ordinarily resident before they left the NWT.
- Are in K-12 outside of the NWT where the parent who ordinarily resides with the person is actually a resident of the NWT.

If a student has been out of the NWT for more than 12 continuous months, but they have not resided in one specific province, territory or country for 12 continuous months, then they are still considered ordinarily resident of the NWT.

Overpayment

Financial assistance issued above and beyond their eligible entitlement. It is important to be aware that administrative errors will be corrected.

Part-time Employment

A person who receives wages for working 29 hours per week or less.

Permanent Residence

The community where students have been living and considered to be their home community.

Permanent Resident

A person who has been granted permanent residence (also known as a landed immigrant) in Canada.

Post-secondary

Education beyond secondary studies. Post-secondary does not include adult basic education, continuing education, professional development, transitional/bridging or English as a second language.



Practicum/Co-op

A course that involves the student taking part in supervised practical application of previously studied coursework.

Pre-Study Period

The four (4) months immediately before the month a student’s post-secondary studies begin.

Professional Development (also known as Continuing Education)

Courses, seminars, webinars or any other similar type of programming that is provided to individuals for professional development purposes in order to expand their job skills. It is not considered post-secondary.

Reassessment

A review of the procedure that determines a student’s funding entitlement or student loan payment.

Recovery

The collection of an amount due.

Resources

The money students are expected to contribute from income and assets, following the assessment of their application.

Scholarship

A grant or payment made to support a student’s education, awarded on the basis of academic or other achievement.

Semester

The time frame the post-secondary program is provided. A semester can be as short as 12 continuous weeks or as long as 26 continuous weeks, with the exception of a spring and/or summer semester. The first semester in an academic year must be at least 12 continuous weeks in length.

Spouse

A person to whom a student is married or a person with whom a student has lived within a marriage-type (conjugal) relationship (common-law), for a period of 12 continuous months.

An individual immediately becomes their common-law partner if the student previously lived together in a conjugal relationship for at least twelve continuous months. This includes any period that the couple were separated for less than 90 days because of a breakdown in the relationship.



Student with a Disability

A student who is considered to have a permanent, persistent or prolonged disability.

Student Case Officer

A staff member who is responsible for the delivery of the SFA program to residents of the NWT.

Student Category

The NWT resident group students belong to which determines the assistance students are eligible for under the SFA program. There are two categories, Northern Indigenous Resident and Northern Resident.

Successful Completion

Successful completion has two meanings: The grade a student's institution considers a pass for a course; or the percentage (60% or 40%) of a course load student were required to be enrolled in and pass.

Example: Student's must pass three (3) courses/60% or two (2) courses/40%, if five (5) courses are considered 100%.

Third-Party Funding

Funding that a student receives through an alternate source.

Top-up Funding

Funding provided by a third-party (E.g., church or Indigenous organizations) that is meant to assist with a student's educational expenses but not duplicate. Top-up funding is considered income when calculating repayable loans.

Transcripts

The official document labelled official transcript, from an educational institution noting their course marks.

Transfer

To change or move from one institution and/or program and/or course to another.

Tuition

A fee specifically for instruction at a post-secondary educational institution.

Tuition Fees

A fee for additional educational costs such as dental or medical insurance, student union, athletic club, etc.



Unclassified Student

A student who is enrolled in post-secondary credit courses that are not being applied towards a degree, diploma or certificate program.

Unofficial Transcript

A transcript that contains an “Unofficial Transcript” or “Void” watermark, is not printed on an institution’s official letterhead, and does not contain the registrar’s signature or official seal.

Withdrawal

When a student prematurely ceases to be a full-time student.

Years of Schooling

Elementary or secondary school completed (in attendance or through approved correspondence courses) in the NWT while being considered an ordinarily resident.

The number of days attended during the year must not be less than 133 and only the grades passed are considered. (This includes the elementary or secondary schooling completed in the territory now known as Nunavut prior to April 1, 1999.)

A year failed does not count as an additional year. A year skipped counts as a grade attended.

Notes

1. *The words “must”, “shall” and “will” in the Act and Regulations, or in this manual, refer to something that has to be done, there is no choice.*
2. *The word “may” in the Act, Regulations, or in the manual will be used to express possibility, opportunity or permission and it is not a requirement.*
3. *A Student Case Officer can provide students with a better understanding of the words or terms upon request.*



Section 2.02: Types of Assistance

The following explains what types of assistance can be provided to students through the SFA program.

Benefits for post-secondary expenses and living expenses are provided to students in the form of money through cheque or direct deposit.

Method of Payment

The student must identify their preferred method of payment on **Form E – Payment and Financial Transaction Authorization Form**. Payments will be deposited directly into the student’s bank account or mailed to their permanent address in the NWT.

Continuing Funding Between Semesters

The student must provide **Form D - Student Enrollment Form** for each semester within their academic year. When the student starts a new semester within the academic year, payments for living allowance will continue the first day of each month, uninterrupted, instead of the first day of classes.

***Example:** If a student’s Fall semester ends on December 14th and their Winter semester starts January 4th. In order for the student to receive their monthly living allowance payment on January 1st, they must submit their Form D – Student Enrollment Form in December*

Spring/Summer, Intersession Semesters

When a spring/summer semester is less than 12 continuous weeks, the student must have completed a semester of 12 continuous weeks or more in the 12 months before their semester begins.

***Example:** When a student was in school for a winter semester of 17 weeks, the student is eligible for SFA benefits for the spring session of six (6) weeks.*



Section 2.03: Transitional

The Law

42. (1) A semester for which a person was awarded student financial assistance in the form of a loan or grant before July 14, 2000 shall not be included in determining the number of semesters for which the person is eligible to be awarded student financial assistance for the purposes of subsection 33.1(1).

(2) An amount of student financial assistance that was awarded to a person in the form of a loan that has not been repaid before July 14, 2000 shall be included in determining the amount of student financial assistance that the person has been awarded for the purposes of subsection 33.1(2).

43. (1) Notwithstanding subsection 6(3), where a basic grant was awarded to a person for a semester under subsection 6(3) as it read immediately before July 14, 2000, the person is eligible for a basic grant to cover the applicable number of semesters set out in Schedule D for each year of schooling completed in accordance with subsection 6(4).

(2) In Schedule D, "semesters awarded" means the number of semesters begun before July 14, 2000 for which the person was awarded a basic grant under subsection 6(3) as it read immediately before July 14, 2000; "eligible semesters" means the number of semesters for which the person is eligible, subject to these regulations, to be awarded a basic grant on or after July 14, 2000.

44. (1) A semester for which student financial assistance was awarded to a person in the form of a basic grant under subsection 6(5) or a supplementary grant or a remissible loan under section 9 on or before August 15, 2000 shall be included in determining the maximum number of semesters of student financial assistance in the form of a basic grant under subsection 6(5) and a supplementary grant or a remissible loan under section 9 that may be awarded to the person after August 15, 2000.

(2) Notwithstanding subsection (1) of this section and subsections 6(5) and 9(4), a person who was awarded student financial assistance in the form of

a basic grant under subsection 6(5) or a supplementary grant or a remissible loan under section 9 on or before August 15, 2000 shall be eligible, subject to these regulations, to be awarded student financial assistance in the form of a basic grant under subsection 6(5) and a supplementary grant or a remissible loan under section 9 after August 15, 2000 for the greater of

- (a) Six semesters; and
- (b) the number of semesters required to complete the program of studies in which the person was engaged in the 12 month period immediately before August 16, 2000.

45. Section 27 applies, with such modifications as the circumstances may require, to any student financial assistance that could be written off in accordance with section 27 as it read immediately before July 14, 2000.

46. Where student financial assistance in the form of a loan, as defined in these regulations as they read before July 14, 2000, or in a form that was deemed to be a loan by subsection 12(7) as it read before July 14, 2000, has been awarded to a person before July 14, 2000, the Commissioner may, in accordance with subsection 23(4) or 25(2), as the case may be, consolidate all loans made to the person including the loans made before July 14, 2000, where the person, on or after July 14, 2000,

- (a) enters into a loan agreement under these regulations; or
- (b) becomes a full-time student after having entered into a consolidated loan agreement and has their obligations under the consolidated loan agreement suspended in accordance with subsection 25(1).

47. Except as provided in sections 42 to 46, these regulations as they read immediately before July 14, 2000, continue to apply in respect of any student financial assistance awarded to a person for a semester begun before July 14, 2000.



What it Means

Sections 42 through 47 of the Regulations explain the instances in which a student was awarded SFA in the form of a loan or grant before July 14, 2000.

Determining Semesters

Any semester(s) that a student received benefits for prior to July 14, 2000 should not be included in determining the number of semesters the student is eligible to receive benefits for.



SECTION 3: SFA ELIGIBILITY

Section 3.01: General Eligibility

The Law

Under Sections 6.(1), 12.(2.1), 12.(2.2) and 14.(1) a person is eligible for benefits for a semester if:

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
- (b) the person is accepted for registration at an approved institution as a full-time student; and
- (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins.

2. (1) For the purposes of these regulations, a course, course load of studies or program is at a post-secondary level if it is

- (a) at a level that is higher than a secondary school level and is offered for credit by an approved institution; or
- (b) is a program or a course in a program at Aurora College that is called an access

program by the College, that a student may want to or be required to complete before taking a course, course load of studies or program for a trade or for a profession.

(2) For greater certainty, for the purposes of these regulations, the following courses or programs are not at a post-secondary level:

- (a) an English as a second language course or program;
- (b) an adult basic education, bridging, preparatory, transitional or upgrading course or program, other than one referred to in paragraph (1)(b).
- (c) a pilot training course or program leading to a private pilot's licence;
- (d) a continuing professional development course or program

3. Notwithstanding any eligibility criteria with respect to residency for a form of student financial assistance set out in section 2 of the Act or in these regulations, a person is eligible for that form of student financial assistance if (a) he or she satisfies the other eligibility criteria for that form of student financial assistance; (b) he or she is not otherwise ineligible for student financial assistance under these regulations; (c) his or her parent is a resident of the Northwest Territories; and (d) he or she provides evidence, satisfactory to the Deputy Minister, that, because of the residency of the parent referred to in paragraph (c), the person is not eligible for financial assistance to participate in studies at a post-secondary level under a program offering financial assistance to students that is operated by any other government.

6. (6) Notwithstanding anything in this section, where a person is on education leave from the person's employment and has received or will receive financial assistance from his or her employer, the following rules apply:

- (a) if the financial assistance is for tuition and fees, the person is not eligible for that portion of the basic grant awarded



- for tuition and fees under subparagraph 7(a)(i);
 - (b) if the financial assistance is for books, the person is not eligible for that portion of the basic grant awarded for books under subparagraph 7(a)(ii);
 - (c) if the financial assistance is for travel, the person is not eligible for that portion of the basic grant awarded for travel under paragraph 7(b) or (c) for a person in respect of whom financial assistance for travel has been provided by the employer.
- (7) Notwithstanding anything in this section, where a person has received or will receive financial assistance from any source other than student financial assistance or from the person's employer as referred to in subsection (6), the following rules apply:
- (a) if the financial assistance is for tuition and fees, the Deputy Minister may reduce that portion of the basic grant awarded for tuition and fees under subparagraph 7(a)(i);
 - (b) if the financial assistance is for books, the Deputy Minister may reduce that portion of the basic grant awarded for books under subparagraph 7(a)(ii);
 - (c) if the financial assistance is for travel, the Deputy Minister may reduce that portion of the basic grant awarded for travel under paragraph 7(b) or c)
9. (2) Subject to these regulations, a person is eligible for student financial assistance in the form of a supplementary grant or a remissible loan for a semester if the person
- (a) is a Canadian citizen;
 - (b) is accepted for registration at an approved institution as a full-time student;
 - (c) has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins;
- (3) Notwithstanding subsection (2), a person is not eligible for student financial assistance under this section if the person is on education leave from their employment and receives financial assistance from the person's employer during the period the person attends an approved institution.
- (3.1) Notwithstanding anything in this section, where a person has received or will receive

financial assistance from any source other than student financial assistance or from the person's employer, the Deputy Minister may reduce the amount of student financial assistance granted under this section.

28. (4) Where a borrower has defaulted in respect of the repayment of a loan, the right of the borrower to an interest-free period under subsection 29(1) may be revoked by the Commissioner and a new loan may be denied to the borrower unless the borrower shows, to the satisfaction of the Commissioner,

- (a) that, during the 12 months preceding the application for a new loan, the borrower made every effort towards discharging the borrower's obligations under the consolidated loan;
- (b) that the borrower has made full restitution of the principal amount of the loan and the interest accrued on the loan, or a settlement has been paid on behalf of the borrower or a concession granted under paragraph (3)(d), and 12 months have elapsed since the payment of the loan and interest accrued on the loan or a settlement or a concession; or
- (c) that the default was occasioned by reasons beyond the borrower's control.

33.1 (1) Subject to these regulations, a person may be awarded student financial assistance under the Act in the form of a grant or a loan.

34. (1) An application for student financial assistance shall be made in an approved form.

34.1. (1) A person applying for student financial assistance, other than student financial assistance referred to in section 12 or 32, shall submit their application by

- (a) June 30, in respect of a semester starting after August 1 and before October 1;
- (b) October 31, in respect of a semester starting after December 1 and before February 1; or
- (c) Repealed.
- (d) the date one calendar month before the day on which the semester begins, in all other cases.

(1.1) Notwithstanding subsection (1), an application for student financial assistance submitted after the relevant date set out in



paragraphs (1)(a), (b) or (d) but before the day the semester ends may, in accordance with the directions of the Deputy Minister, be considered in determining whether to award student financial assistance in respect of that semester.

(2) An application for student financial assistance under subsection (1) may be considered in determining whether to award student financial assistance to the person for any additional semester that begins within 12 months after the day on which the first semester in respect of which the application was submitted begins.

(3) A person applying for student financial assistance referred to in section 12 shall submit his or her application

(a) before the day on which the semester begins; or

(b) within the 12 month period after the day on which the semester begins.

(4) A person applying for student financial assistance referred to in section 32 shall submit their application within the 12 month period after the day on which the person begins the course.

35. Except as provided in sections 12 and 32, student financial assistance shall be awarded only to a person registered as a full-time student at an approved institution

35.1. (1) A person who has a debt due to the Government of the Northwest Territories is not eligible for student financial assistance unless the person has made arrangements for the repayment of the debt that are satisfactory to the Government.

What it Means

Sections 2, 6, 9, 12, 14, 28, 34 and 35 of the Regulations explain the general eligibility for SFA benefits and how the Student Case Officer assesses an application.

Who is Eligible?

In order to be eligible to receive SFA, a student:

- Must be a Canadian citizen, a permanent resident of Canada or a protected person of Canada.
- Must be considered "Ordinarily Resident" of the NWT for at least 12 continuous months before the start of their program.
- Must be enrolled in an approved, post-secondary program or course as defined by SFA.
- Must ensure any previous SFA loan payments are up to date.
- Must make arrangements to repay any outstanding Government of the Northwest Territories (GNWT) debts.
- Must not be receiving student financial aid from another provincial, territorial or federal program.
- Must submit all required documents.
- Must apply with the correct application by their applicable deadline.

For students who have outstanding debts with the GNWT, payment arrangements may be available on a case-by-case basis. Students must declare any outstanding debts with the GNWT and should speak with the Student Case Officer to discuss payment arrangements.



Who is Not Eligible?

A student is not eligible to receive SFA if they:

- Receive assistance from another source that is intended for the same purpose as their SFA. Such as travel benefit or living allowance. This excludes scholarships.
- Receive Employment Insurance (parental benefits, maternity benefits, labour market development assistance, employer or other government benefits).
- Are not considered “ordinarily resident” for the 12 continuous months before their program starts.
- Are enrolled in a course and/or program not approved by SFA. This includes, but is not limited to, private pilot licence, apprenticeship programs, continuing education, professional development and academic upgrading programs.
- Are attending an institution that is not designated in accordance with the *Canada Student Loans Act* subsection 2. (1).



Section 3.02: Eligibility Requirements for Full-Time Studies

The Law

36. (2) A student referred to in subsection (1) who is provided with a ticket or cheque shall, if he or she registers and attends classes, provide proof acceptable to the Deputy Minister, from the appropriate institution, that the student is registered and attending classes at that institution (2.1) The Deputy Minister may pay a student's tuition fees to the student or to an approved institution out of the student financial assistance awarded to the student on receipt of an invoice from the institution and on the student submitting written confirmation, acceptable to the Deputy Minister, that he or she is accepted for registration by the institution.

(2.2) A student whose tuition fees are paid under subsection (2.1) shall, when he or she begins to attend classes at the approved institution, provide proof acceptable to the Deputy Minister, from the institution, that he or she is registered and attending classes at that institution.

(3) Except for the items referred to in subsection (1) and (2.1) and reimbursement under section 32, the Deputy Minister shall not provide a student with money for student financial assistance unless the student provides proof acceptable to the Deputy Minister, from the appropriate approved institution, that the student is registered and attending classes at that institution.

(6) Where a person

- (a) at the time of the awarding of student financial assistance fulfils the eligibility criteria required of him or her at that point, and
- (b) subsequently ceases to be eligible for student financial assistance before commencing his or her course of studies or before the commencement of a semester, he or she shall not be entitled to receive a part of the student financial assistance applicable to that or a subsequent semester, as the case may be.

What it Means

Section 36 of the Regulations explains the eligibility criteria for a student to receive full-time SFA benefits. Students must also meet the criteria under Section 3.01 – General Eligibility.

Course Load

To be considered eligible for full-time SFA benefits, a student must be enrolled as follows:

- 60% of a 100% full course load at a post-secondary level.
- 40% of a 100% full course load at a post-secondary level if students have a permanent disability.

Example: *If a student's educational institution considers 15 credits per semester as a 100% course load, the student would need to be enrolled in at least nine (9) credits (60%) to qualify for full-time SFA benefits.*

If a student audits a course or enrolls in an upgrading course, that course is not considered part of their course load.



Proof of Enrolment

Every semester, a student must provide proof of enrollment in an approved post-secondary program that is at least 12 continuous weeks in length and will lead to a license, certificate, diploma or degree. The program must not exceed more than 26 continuous weeks.

Required Documents

The following documents must be submitted to determine student eligibility:

- Completed application form (or online application) each year
- Letter of acceptance from the institution
- Form D - Student Enrollment Form each semester
- Official transcript(s) for each academic year
- Documentation outlining any third-party funding
- Form E - Payments and Financial Transaction Authorization 'Individual'
- Other documents, as requested by the Student Case Officer

Graduate Work

The SFA program recognizes graduate students as long as students meet the full-time eligibility criteria, and the student is enrolled in full-time studies.

Co-op Programs/Practicum

A student who is required to participate in a co-op program or practicum may be entitled to receive SFA benefits as long as they are still considered a full-time student by their institution and by the SFA program.

More than a Full Course Load

If a student takes more than a full course load, they are not entitled to receive additional benefits from the SFA program.

Fast Track Programs

Some institutions offer programs that can be completed in a condensed time period.

Example: Offering a continuous 18-month program which is a condensed version of a two (2) year program.

If a student enrolls in a fast-track program, they are not entitled to receive additional benefits from the SFA program. Students are only eligible to receive benefits for the time they attend post-secondary studies.



Note

Students attending full time studies year-round may submit an unofficial transcript/statement of grades approved by a school official in order to release a student's first payment in lieu of an official transcript, however, a copy of official transcripts are required for continued funding beyond the first month.



Section 3.03: Eligibility Requirements for Course Reimbursement

The Law

32. (0.1) In this section, "course-related expenses" means expenses incurred by a person in respect of tuition, fees or books for a post-secondary course approved by the Deputy Minister.

(1) Subject to these regulations, a person is eligible for student financial assistance in the form of a grant to reimburse the person for course-related expenses if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
 - (b) the person was credited by the approved institution with having passed the course;
 - (c) the person was ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the course began;
 - (d) the person continued to be ordinarily resident in the Northwest Territories while taking the course;
 - (e) the person was ordinarily resident in the Northwest Territories at the time the person completed the course; and
 - (f) the person has not received, for the semester in which the course begins, student financial assistance under any of the following provisions:
 - (i) section 6,
 - (ii) section 9,
 - (iii) paragraph 12(2)(b),
 - (iv) section 12.2,
 - (v) section 12.3,
 - (vi) section 14,
 - (vii) section 15,
 - (viii) section 17.
- (3) The amount of grant that may be awarded to a person under this section shall not exceed (a) a maximum of \$880 per course; and (b) a cumulative total of \$8800.
- (4) A person who is eligible for student financial assistance under this section may be reimbursed for the expenses referred to in subsection (1) if they send to the Deputy Minister, within the 12 month period after the day on which they begin the course,
- (a) the receipts for payment of the expenses; and
 - (b) a course transcript indicating that they passed the course.

What it Means

Section 32 of the Regulations set out the rules regarding course reimbursement. Students must also meet the criteria under Section 3.01 – General Eligibility.

Eligible Courses

For a course to be eligible for course reimbursement, it must be a post-secondary course that is being provided by an approved post-secondary institution.



Course Reimbursement Eligibility

To be eligible for course reimbursement, the student must:

- Meet the general SFA eligibility requirements. See Section 3.01 of this manual for more information.
- Be enrolled in an eligible post-secondary course.
- Not be receiving benefits as a full-time student during the semester the course begins.
- Must apply with the application and all required documentation by the course reimbursement deadline.

Place of Residence

The student must be considered “ordinarily resident” for a period of 12 continuous months prior to the start date of the course, for the duration of the course, and when the course was completed.

Course Reimbursement Deadline

A student must submit an **Application for Course Reimbursement**, along with official transcripts and receipts, within one year of the course start date. Late applications will not be eligible for reimbursement.

Refusing Reimbursement

A student who does not meet the eligibility criteria for course reimbursement will be notified in writing of the Student Case Officer’s decision.



Section 3.04: Institution and Program Eligibility

The Law

2. (1) For the purposes of these regulations, a course, course load of studies or program is at a post-secondary level if it is

- (a) at a level that is higher than a secondary school level and is offered for credit by an approved institution; or
- (b) is a program or a course in a program at Aurora College that is called an access program by the College, that a student may want to or be required to complete before taking a course, course load of studies or program for a trade or for a profession.

2. (2) For greater certainty, for the purposes of these regulations, the following courses or programs are not at a post-secondary level:

- (a) an English as a second language course or program;
- (b) an adult basic education, bridging, preparatory, transitional or upgrading course or program, other than one referred to in paragraph (1)(b).
- (c) a pilot training course or program leading to a private pilot's licence;
- (d) a continuing professional development course or program.

35. Except as provided in sections 12 and 32, student financial assistance shall be awarded only to a person registered as a full-time student at an approved institution.

What it Means

Sections 2. (1) and 2. (2) of the Regulations explains approved post-secondary institutions and what programs are considered to be a post-secondary level.

Institution Eligibility

Designation is a status assigned to a post-secondary program at an approved or licensed post-secondary educational institution. The designation status is assigned if the program has met specific federal/provincial/territorial designation criteria.

To determine whether an educational institution is designated, the SFA program uses the federal [Master List of Designated Educational Institutions](#) as well as other provincial/territorial and international listings of approved institutions for the purpose of awarding student financial aid.

There are certain programs that are not eligible for SFA funding, this includes, but is not limited to, the following:

- Programs that are less than 12 weeks in total length (program length is specified by the educational institution)
- Additional practical or professional training or exams offered by professional bodies, organizations or associations required to become accredited/approved/validated for the practice of any profession (E.g., medical residency, law articling, accounting designation, etc.)
- Adult Basic Education
- Commercial Truck Driving Training or Class 1 Extended Driver Training



- College preparatory or upgrading courses
- English as a Second Language (ESL)
- High school equivalency
- Literacy training
- Language instruction for Newcomers to Canada (LINC)
- Personal or professional development programs, hobby, self-interest or 'Continuing Education' or other programs that do not lead to a credential
- Private Pilot Licence



Section 3.05: Application Process and Requirements

The Law

34.1. (1) A person applying for student financial assistance, other than student financial assistance referred to in section 12 or 32, shall submit the person’s application by

- (a) June 30, in respect of a semester starting after August 1 and before October 1;
- (b) October 31, in respect of a semester starting after December 1 and before February 1; or
- (c) Repealed,
- (d) the date one calendar month before the day on which the semester begins, in all other cases.

(1.1) Notwithstanding subsection (1), an application for student financial assistance submitted after the relevant date set out in paragraphs (1)(a), (b) or (d) but before the day the semester ends may, in accordance with the directions of the Deputy Minister, be considered in determining whether to award

student financial assistance in respect of that semester.

(2) An application for student financial assistance under subsection (1) may be considered in determining whether to award student financial assistance to the person for any additional semester that begins within 12 months after the day on which the first semester in respect of which the application was submitted begins.

(3) A person applying for student financial assistance referred to in section 12 shall submit their application (a) before the day on which the semester begins; or (b) within the 12 month period after the day on which the semester begins.

(4) A person applying for student financial assistance referred to in section 32 shall submit their application within the 12 month period after the day on which the person begins the course.

What it Means

Section 34.1 of the Regulations sets out the rules a student must follow when applying for SFA and the rules the Student Case Officer must follow when refusing a student.

Application and Forms

Students must submit all required forms and documents to the Student Case Officer in order for them to determine SFA eligibility. If a student is unable to complete their form, they may be able to request assistance from another adult member of their family or from the Student Case Officer.

If any of the required forms or documents are not submitted, the Student Case Officer will not be able to complete an assessment to determine eligibility for benefits and the student’s file will be put on hold until all required forms and documents are received.

Request for Additional Information

The student may be asked to provide additional information if the Student Case Officer believes it is necessary to complete the application.



Changes in a Student’s Circumstances

The student must contact the Student Case Officer as soon as possible if:

- There are changes to their financial circumstances
- They are thinking of dropping a class or withdrawing from school
- They are thinking of changing programs or institutions

Application Deadlines

A student must complete an application every academic year. Applications must be submitted by the following deadlines:

| Academic Year Begins | Deadline |
|-------------------------|--------------------------|
| August 1 - September 30 | June 30 |
| December 1 – January 31 | October 31 |
| All Other Months | One Calendar Month Prior |

Example: A student’s academic year starts on March 1. The deadline for the student to apply for SFA is one month prior, being February 1.

Late Applications

If a student does not meet the application deadline, they may still submit an application as long as they apply one month prior to the program start date. Late applications are considered low priority and can take 90 days or more to be assessed. Students are responsible for all post-secondary expenses that they may occur during this time.

Applying for SFA Online

Students who apply online must submit supporting forms and documents by mail, fax, e-mail, or in person to the SFA program office.

Conditional Approval

When a student receives a Conditional Approval letter, it means that they will be eligible for SFA funding once the additional information or documentation is provided to the Student Case Officer.

The student will not receive any SFA funding until the requested information or documentation is received, verified, and approved by the Student Case Officer.

Other Sources of Funding

If a student receives funding from another source during the semester, the student must inform the Student Case Officer. If the funding is intended for the same or similar purpose of SFA (e.g., for the cost of tuition) it may impact the student’s eligibility for SFA benefits.



Personal Information

It is a student's responsibility to provide the SFA program with personal information updates such as financial status, change of address, change in school enrolment, phone number and banking information to ensure that their application is completed accurately and truthfully.

Pre-Authorized Airline Reservations

A student must provide proof of enrolment (such as a copy of their letter of acceptance from their institution) to the Student Case Officer before travel assistance can be granted. Students can travel to their school up to three weeks before their start date. Students must make airline reservations through a travel agent at least two weeks before the date they want to travel.

If a student does not provide proof of enrolment prior to travel, the student is not eligible for the travel benefit and must reimburse the GNWT for the cost of the SFA travel benefit. See Section 7.02 of this manual for more information.

Proof of Residency

The SFA program may request proof of NWT residency from a student upon application to determine eligibility for funding from SFA. Acceptable documents proving NWT residency include:

- Formal rental/ lease agreement
- Mortgage statement if the student owns their home
- Property Tax assessment if the student owns their home
- Utility bills in their name (electricity, cable, heat, power, telephone)
- Bank statements (including credit card statements)
- A signed letter on letterhead from their employer verifying the start and end date of employment or pay stubs
- Employment Insurance statements
- Income Assistance financial case reports
- Alternative documentation must be approved by the Manager, SFA



Section 3.06: Changing Course load, Program or School

The Law

35.2. (1) In this section, "academic year" means a period of 12 months beginning on the first day of a student's program of studies.

(2) In order for a student to maintain their eligibility for student financial assistance, the student must, for an academic year,

- (a) pass courses that comprise a percentage of a full course load of studies that is equal to or greater than the overall percentage of a full course load of studies that the student is required to take in order to be considered a full-time student for the semesters in that academic year for which the student receives student financial assistance; and
- (b) demonstrate to the satisfaction of the Deputy Minister that the student is willing and able to discharge the responsibilities of managing the student financial assistance.

(3) Notwithstanding subsection (2), the Deputy Minister may authorize a student to maintain their eligibility for student financial assistance where the student was unable to comply with paragraph (2)(a).

(4) Where the Deputy Minister determines that a student has received student financial assistance to which they were not or are not entitled, the student shall refund full amount of student financial assistance to which they were or are not entitled.

(5) A student who has not fully refunded the student financial assistance to which they were not entitled is not eligible for further student financial assistance unless the student has made arrangements, for repayment of the full amount of student financial assistance to which they were not entitled, that are satisfactory to the Deputy Minister.

36. (5) If a student, in receipt of student financial

assistance, withdraws * from their program of studies during a semester before completion of the program, the student shall inform the Deputy Minister within 30 days of the withdrawal from the program.

(5.1) The Deputy Minister may, when informed under subsection (5), require the student to refund a part of the student financial assistance that has been paid and that is applicable to the whole of that semester.

(7) Where a person fulfils the eligibility criteria required of him or her at the time of the awarding of the student financial assistance but subsequently ceases to be eligible for student financial assistance during a semester, the person shall be entitled to receive that part of the student financial assistance that is applicable to that semester but shall not be entitled to receive a part of it that is applicable to a subsequent semester.

(8) A student who receives a ticket or cheque under subsection (1) and does not provide proof of registration and attendance at an approved institution shall be treated as automatically forfeiting his or her right to any part of any financial assistance for that semester, and he or she shall refund to the Deputy Minister an amount that is equal to the cost of the ticket or the amount of the cheque.

37. (1) Where a student makes a refund under subsection 36(5), he or she shall, subject to these regulations, be eligible to receive student financial assistance in respect of an additional semester in lieu of the semester that was wholly or partially missed.

(2) Where a student makes a refund under subsection 36(5), he or she shall not be treated as having received student financial assistance in respect of the relevant semester.

What it Means

Sections 35.2 (3) to (5) and 36. (5) to (8) and Section 37 of the Regulations explain how eligibility may be affected if a student drops out of course(s) or withdraws from full-time studies.



If a student is considering dropping a course or withdrawing, they should notify the Student Case Officer who can advise if it impacts their SFA benefits.

Non-attendance

If the student does not attend school, they must notify the Student Case Officer and return any funding they received back to the SFA program. This includes the Basic Grant, Supplementary Grant or Remissible Loan, and the Repayable Loan.

Withdrawing from or Dropping a Course

If a student decides to drop a course or withdraw, they must notify the Student Case Officer to determine if they are still considered a full-time student. If the reduction in courses makes the student a part-time student, they will no longer be eligible for SFA benefits. In these cases, any benefits a student received after dropping/withdrawing from the course must be returned to the SFA program.

If a student withdraws from or drops a class and gets reimbursed by the post-secondary institution for a portion of the tuition, the student will no longer be eligible for that portion of the Basic Grant and must return the funding to the SFA program.

Student Case Officers regularly verify that students only receive the benefits that they are entitled to.

Changing Programs/Institutions Partway through the Academic Year

If a student changes their program or post-secondary institution partway through the academic year, they must inform the Student Case Officer. The student may still be entitled to receive SFA benefits, so long as the student is taking approved courses at an approved post-secondary institution. The student must provide official documentation indicating the transfer is approved by the institution, such as an acceptance letter from the new school and a favourable departure letter from the original school.

The student must provide the official transcript from the original school to the Student Case Officer before continued funding can be approved.



Section 3.07: Incarceration

The Law

35.1. (2) A person who is incarcerated is not eligible for student financial assistance, except for the following:

(a) a basic grant for tuition, fees or books under section 6;

(b) a study grant under paragraph 12(2)(a);

(c) remittance of a remissible loan under section 27;

(d) a grant to reimburse the person for expenses incurred to take a course under section 32.

What it Means

Section 35.1 (2) of the Regulations explains eligibility for students who are incarcerated in the NWT to receive SFA.

Eligibility

NWT residents who are currently incarcerated in the NWT may be eligible to receive SFA benefits for:

- Basic Grant (tuition and/or books)
- Course Reimbursement
- Grant for Services and Equipment for Students with Permanent Disabilities

When completing the application, the student must identify that they are incarcerated in the NWT under Section 8 – Comments and Notes of the **Application for Full-Time Assistance**.



SECTION 4: NORTHERN INDIGENOUS RESIDENT

Section 4.01: Eligibility

The Law

6.(5) Notwithstanding subsections (1) to (4), where a person is eligible for student financial assistance under section 9, the person is eligible for a basic grant for each semester for which the student financial assistance may be awarded under that section or, if applicable, subsection 44(2).

9. (1) The provision of student financial assistance under this section and basic grants under subsection 6(5) to persons described in subsection (2) of this section is an affirmative action program for the amelioration of the conditions of those persons through post-secondary school education.

(2) Subject to these regulations, a person is eligible for student financial assistance in the form of a supplementary grant or a remissible loan for a semester if the person

- (a) is a Canadian citizen;
- (b) is accepted for registration at an approved institution as a full-time student;
- (c) has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins; and
- (d) is
 - (i) a member of or is eligible to become a member of a Dene Band listed in Schedule A,
 - (ii) a person who on or before December 31, 1921 resided in that part of Canada that on April 1, 1999 comprised the Northwest Territories and who is of aboriginal descent,
 - (ii.1) a descendant of a person described in subparagraph (ii),
 - (iii) a person who is enrolled or eligible to be enrolled as a beneficiary under section 5 of the Inuvialuit Final Agreement entered into between the Inuvialuit of the Inuvialuit Settlement Region and the Government of Canada on June 5, 1984, as amended,
 - (iv) a descendant of a person described in subparagraph (iii),
 - (v) a person who is enrolled or eligible to

be enrolled as a Délíne citizen under Chapter 5 of the Délíne Agreement as defined in section 2 of the Délíne Final Self-Government Agreement Act (Canada); and

- (vi) a person who is enrolled or eligible to be enrolled as a Tłıchų citizen under Chapter 3 of the Land Claims and Self-Government Agreement among the Tłıchų, the Government of the Northwest Territories and the Government of Canada signed on August 25, 2003.

(3) Notwithstanding subsection (2), a person is not eligible for student financial assistance under this section if the person is on education leave from their employment and receives financial assistance from their employer during the period the person attends an approved institution.

(3.1) Notwithstanding anything in this section, where a person has received or will receive financial assistance from any source other than student financial assistance or from their employer, the Deputy Minister may reduce the amount of student financial assistance granted under this section.

(5) The amount of student financial assistance awarded under this section for a semester shall not exceed the amount of the applicable living allowance, as set out in Schedule B.

(6) A person who is eligible for student financial assistance under this section shall, on first applying for the student financial assistance after this section comes into force, elect to receive the student financial assistance and any future student financial assistance under this section as a supplementary grant or as a remissible loan.

(7) All student financial assistance awarded to a person under this section shall be in the form in which the person has elected to receive it under subsection (6).

15. (2) A person who receives student financial assistance under section 9 is not eligible for a remissible loan under this section.

**What it Means**

Section 6. (5), Section 9, and Section 15. (2) of the Regulations explain the eligibility requirements for a student to be considered a Northern Indigenous Resident and the benefits they are entitled to. Students must also meet the criteria under Section 3.01 – General Eligibility and Section 3.02 – Eligibility Requirements for Full-Time Studies.

Northern Indigenous Eligibility

A student is considered a Northern Indigenous Resident for the purposes of accessing SFA benefits if they meet one of the following:

- i) a member of or is eligible to become a member of an NWT Dene Band;
- ii) a person, or a descendant of a person who, on or before December 31, 1921 resided in that part of Canada that on April 1, 1999, comprised the NWT and is of Indigenous descent;
- iii) person, or a descendant of a person who is enrolled or eligible to be enrolled, as a beneficiary under section 5 of the Inuvialuit Final Agreement;
- iv) person who is enrolled, or eligible to be enrolled, as a Tłıchǝ citizen under Chapter 3 of the Land Claims and Self Government Agreement among the Tłıchǝ, the Government of the Northwest Territories and the Government of Canada signed on August 25, 2003; or
- v) person who is enrolled, or eligible to be enrolled, as a Dłı́nǝ́ citizen under Chapter 5 of the Dłı́nǝ́ Agreement as defined in section 2 of the Dłı́nǝ́ Final Self-Government Agreement Act (Canada).

Non-NWT Indigenous Eligibility

When a student is Status Indian or Inuit from another jurisdiction in Canada, the student is not eligible to be considered under the Northern Indigenous Resident category. However, a student may be eligible for assistance under the Northern Resident category.

If the student wants to receive benefits as an Indigenous person, the student will need to apply to their band of origin or land claim organization.



SFA Benefits for Northern Indigenous Residents

The following table outlines the benefits that are available to Northern Indigenous Residents:

| SFA Benefits for Full-time Northern Indigenous Resident | | |
|--|---|----------------------|
| Basic Grant | Up to \$3,320 for Tuition and Fees per Semester \$875 for Books per Semester Travel within the NWT or to Edmonton, AB | |
| Remissible Loan | Single | With a Spouse |
| 0 Dependants | \$1,000 | \$1,400 |
| 1 Dependant | \$1,700 | \$1,700 |
| 2 Dependants | \$1,950 | \$1,950 |
| 3 Dependants | \$2,200 | \$2,200 |
| Each Additional Dependant | \$200 | \$200 |
| Repayable Loan | Up to \$1,400 per Month | |
| NWT Study Grants for Students with Disabilities | Up to \$4,000 per academic year for tuition, books, travel and accommodations | |
| | Up to \$20,000 per academic year for services and equipment | |



Section 4.02: Basic Grant

The Law

6.(1) Subject to these regulations, a person is eligible for a basic grant for a semester if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
- (b) the person is accepted for registration at an approved institution as a full-time student; and
- (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins.

(5) Notwithstanding subsections (1) to (4), where a person is eligible for student financial assistance under section 9, the person is eligible for a basic grant for each semester for which the student financial assistance may be awarded under that section or, if applicable, subsection 44(2).

(6) Notwithstanding anything in this section, where a person is on education leave from the person's employment and has received or will receive financial assistance from their employer, the following rules apply:

- (a) if the financial assistance is for tuition and fees, the person is not eligible for that portion of the basic grant awarded for tuition and fees under subparagraph 7(a)(i);

- (b) if the financial assistance is for books, the person is not eligible for that portion of the basic grant awarded for books under subparagraph 7(a)(ii);
- (c) if the financial assistance is for travel, the person is not eligible for that portion of the basic grant awarded for travel under paragraph 7(b) or (c) for a person in respect of whom financial assistance for travel has been provided by the employer.

(7) Notwithstanding anything in this section, where a person has received or will receive financial assistance from any source other than student financial assistance or from the person's employer as referred to in subsection (6), the following rules apply:

- (a) if the financial assistance is for tuition and fees, the Deputy Minister may reduce that portion of the basic grant awarded for tuition and fees under subparagraph 7(a)(i);
- (b) if the financial assistance is for books, the Deputy Minister may reduce that portion of the basic grant awarded for books under subparagraph 7(a)(ii);
- (c) if the financial assistance is for travel, the Deputy Minister may reduce that portion of the basic grant awarded for travel under paragraph 7(b) or (c).

7. The amount of a basic grant shall not exceed the total of the following amounts:

- (a) for each semester for which the grant is awarded,
 - (i) those amounts approved by the Deputy Minister in respect of the tuition and fees set by an approved institution;
 - (ii) those amounts approved by the Deputy Minister for books;
- (b) subject to Section 7.1, in the case of a student enrolled in a distance learning program where the student's attendance at an on-site location is required for the program of studies to which the grant relates, for each semester for which the grant is awarded, those amounts approved by the Deputy Minister for travel of the student and the person's dependants from



the student's place of residence in the Northwest Territories to

- (i) in respect of an approved institution outside the Northwest Territories, Edmonton, or
 - (ii) in respect of an approved institution in the Northwest Territories, the location of that institution;
- (c) subject to section 7.1, in any case other than that described in paragraph (b), for each semester for which the grant is awarded, those amounts approved by the Deputy Minister for travel of the student the person's dependants from the student's place of residence in the Northwest Territories to:

- (i) in respect of an approved institution outside the Northwest Territories, Edmonton, or
- (ii) in respect of an approved institution in the Northwest Territories, the location of that institution.

7.1.(1) A person's eligibility for financial assistance for travel is limited to two trips per academic year.

(2) For the purposes of paragraph 7(c), trips must be taken either at the beginning or the end of the semester, unless the Deputy Minister is of the opinion that exceptional circumstances warrant travel at another time.

What it Means

Sections 6. (1) (5) (6) (7) and Section 7 through 7.1 of the Regulations explains how much Northern Indigenous Residents may receive under the Basic Grant for tuition, books and travel expenses.

Basic Grant

The Basic Grant is a territorially subsidized, non-repayable grant to be used for educational expenses related to tuition, tuition fees, books and travel.

Tuition and Fees

A Northern-Indigenous student is eligible to receive up to \$3,320 per semester to assist with the costs of tuition and fees. The student will either receive the tuition and fee amount listed on the Form D or \$3,320; whichever is the lesser amount.

Books and Supplies

A Northern Indigenous student is eligible to receive \$875 per semester to assist with the cost of books and other relevant educational services and supports (such as the cost of program-specific materials). Any book and supplies cost that exceed \$875 are the responsibility of the student.

Travel

A student is able to receive two round-trip visits from their home community to their post-secondary institution within the NWT or to Edmonton, AB per academic year. Students are only able to use the travel benefit between semesters; it cannot be used for travel within a semester (such as spring break or reading week). See Section 7.03 of this manual for more information.



Basic Grant Tax Implications

The Basic Grant is taxable and must be reported to the Canada Revenue Agency when filing taxes. Students will receive a T4A federal income tax information slip.

Semester Limit – Basic Grant

There is no limit on the number of semesters an eligible Northern Indigenous Resident can access the Basic Grant.



Section 4.03: Supplementary Grant/Remissible Loan

The Law

9. (1) The provision of student financial assistance under this section and basic grants under subsection 6(5) to persons described in subsection (2) of this section is an affirmative action program for the amelioration of the conditions of those persons through post-secondary school education.

(2) Subject to these regulations, a person is eligible for student financial assistance in the form of a supplementary grant or a remissible loan for a semester if the person

- (a) is a Canadian citizen;
- (b) is accepted for registration at an approved institution as a full-time student;
- (c) has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins; and
- (d) is
 - (i) a member of or is eligible to become a member of a Dene Band listed in Schedule A,
 - (ii) a person who on or before December 31, 1921 resided in that part of Canada that on April 1, 1999 comprised the Northwest Territories and who is of aboriginal descent,
 - (ii.1) a descendant of a person described in subparagraph (ii),
 - (iii) a person who is enrolled or eligible to be enrolled as a beneficiary under section 5 of the Inuvialuit Final Agreement entered into between the Inuvialuit of the Inuvialuit Settlement Region and the Government of Canada on June 5, 1984, as amended,
 - (iv) a descendant of a person described in subparagraph (iii),
 - (v) a person who is enrolled or eligible to be enrolled as a Déline citizen under Chapter 5 of the Déline Agreement as defined in section 2 of the Déline Final Self-Government Agreement Act (Canada); and

- (vi) a person who is enrolled or eligible to be enrolled as a Tłı̨chǫ citizen under Chapter 3 of the Land Claims and Self-Government Agreement among the Tłı̨chǫ, the Government of the Northwest Territories and the Government of Canada signed on August 25, 2003.

(3) Notwithstanding subsection (2), a person is not eligible for student financial assistance under this section if the person is on education leave from their employment and receives financial assistance from their employer during the period the person attends an approved institution.

(3.1) Notwithstanding anything in this section, where a person has received or will receive financial assistance from any source other than student financial assistance or from their employer, the Deputy Minister may reduce the amount of student financial assistance granted under this section.

(4) Repealed.

(5) The amount of student financial assistance awarded under this section for a semester shall not exceed the amount of the applicable living allowance, as set out in Schedule B.

(6) A person who is eligible for student financial assistance under this section shall, on first applying for the student financial assistance after this section comes into force, elect to receive the student financial assistance and any future student financial assistance under this section as a supplementary grant or as a remissible loan.

(7) All student financial assistance awarded to a person under this section shall be in the form in which the person has elected to receive it under subsection (6).

15. (2) A person who receives student financial assistance under section 9 is not eligible for a remissible loan under this section.

What it Means

Section 9 and Section 15. (2) of the Regulations explains the benefit amounts Northern Indigenous Residents may receive for monthly living expenses.



Students who are eligible for the student category of Northern Indigenous Resident must select whether they want to receive their monthly living allowance as a Supplementary Grant or a Remissible Loan. A student cannot receive both nor can a student change their mind or switch after their selection. Students are encouraged to speak with their parents or an accountant before making their final decision; or to call the Canada Revenue Agency to get information about how they may impact the student's taxation year.

Supplementary Grant

The Supplementary Grant is a territorially subsidized, non-repayable grant available only to Northern Indigenous residents. The Supplementary Grant assists students with monthly living expenses while a student is attending post-secondary studies.

Semester Limit – Supplementary Grant

There is no limit on the number of semesters an eligible Northern Indigenous Resident can access the Supplementary Grant.

Remissible Loan

The Remissible Loan is a loan that assists with monthly living expenses while a student is attending post-secondary studies. The Remissible Loan may be forgiven if a student returns to the NWT after they complete their studies.

Revolving Loan Limit

The Remissible Loan and Repayable Loan are limited to a revolving loan limit of \$60,000. A student may continue to access the Remissible Loan until they meet this limit. If a student repays a portion of their loan, the student will be able to access additional funding.

***Example:** If a student receives \$1,000 per month in the Remissible Loan for eight (8) months in an academic year (\$8,000), this will count toward the revolving loan limit, lowering it from \$60,000 to \$52,000.*

***Example:** A student has reached the \$60,000 loan limit and returned to the NWT after studies. The student resided in Yellowknife for two (2) years and earned a remission of their loan of \$12,000. The student is now eligible to receive \$12,000 in additional SFA funding.*

Note

It is important for a student to plan their revolving loan needs.

***Example:** A student who intends to take a four (4) year program would have up to \$15,000 in loans per year available to them. If a student is eligible and chooses to use*



more than \$15,000 in loans per year, they will reach their loan limit before completing their studies.

Semester Limit – Remissible Loan

There is no limit on the number of semesters an eligible Northern Indigenous Resident can access the Remissible Loan, as long as they remain within the \$60,000 revolving loan limit.

Maximum Monthly Rate

The amount of monthly living allowance a student is eligible for is based on the number of dependants that are residing with the student while they are attending fulltime studies.

The dependants must be residing with the student for at least 50% of the time while the student is in school in order to receive a living allowance for them. If both parents are receiving SFA benefits, each parent will receive half the additional assistance they would have received if they had the dependants 100% of the time.

A student must inform the Student Case Officer if there is a change in the number of dependants residing with them during the academic year.

Note

If a student is attending school for nine (9) months but will only have full custody of their children for three (3) of those months, the student will receive a living allowance as a single student for six (6) months and will receive a living allowance for their children for three (3) months.

Living Allowance Rates

Living allowance rates are based on the calendar days students are attending full-time studies. The following chart outlines the amount of living allowance a student may be entitled to:

| Calendar Days Considered in School | Monthly Living Allowance |
|------------------------------------|--------------------------|
| 0 - 4 | \$0.00 |
| 5 - 14 | Half a Month |
| 15 or More | Full Month |

Receiving Assistance between Semesters

A student will continue to receive their full living allowance if they attend both fall and winter semesters as a full-time student within the same academic year.



***Example:** If a student attends school for their first semester from September to December 14 and then starts their second semester on January 4, they will receive the full living allowance for the months of December and January.*

Supplementary Grant Tax Implications

The Supplementary Grant is taxable and must be reported to the Canada Revenue Agency when filing taxes. Students will receive a T4A federal income tax information slip.

Indigenous Dene residents are exempt under federal taxation rules and regulations but must still include the T4A on their income tax return.

Remissible Loan Tax Implications

The Remissible Loan is not taxable. Once a student has completed their studies and begins repayment, they will receive a letter from the SFA program stating the amount of interest paid on the loan during the year. The interest payment can be claimed as a deduction on the student's income taxes.



SECTION 5: NORTHERN RESIDENT, SCHOOLED IN THE NWT

Section 5.01: Interpretation and Application

The Law

- 6.(1) Subject to these regulations, a person is eligible for a basic grant for a semester if
- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
 - (b) the person is accepted for registration at an approved institution as a full-time student; and
 - (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins.
- (2) In subsections (3) and (4), "year of schooling" means a year of school from grade one to 12 in relation to which a person
- (a) attends not less than 133 school days or is enrolled in a program of correspondence courses approved by the Deputy Minister, and
 - (b) passes from a grade to a higher grade or, in the case of a person in grade 12, passes grade 12,
- and where the person passes from more than one grade in a year of school and meets the requirements of paragraph (a), each grade passed is a year of schooling.
- (3) Subject to these regulations, a person is eligible for a basic grant to cover one semester of studies at a post-secondary level for each year of schooling completed in accordance with subsection (4).
- (4) A year of schooling may be
- (a) with respect to a person who attends school, a year of schooling in the Northwest Territories;
 - (b) with respect to a person who attends school, a year of schooling outside the Northwest Territories where a parent who ordinarily resides with the person is
 - (i) actually resident in the Territories, or
 - (ii) ordinarily resident in the Territories and attends an approved institution outside the Territories as a full-time student; or
 - (c) with respect to a person who is enrolled in a program of correspondence courses approved by the Deputy Minister, a year of schooling while being actually resident in the Northwest Territories.
14. (1) Subject to these regulations, a person is eligible for a remissible loan under section 15 or a needs assessed repayable loan under section 17 for a semester if
- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or



- (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the Immigration and Refugee Protection Act (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
 - (b) the person is accepted for registration at an approved institution as a full-time student; and
 - (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day that the semester begins; and
 - (d) the person is not receiving student financial assistance from another province or territory.
15. (1) A person described in section 14 is eligible for a remissible loan for each semester, in an amount that must not exceed the amount of the applicable living allowance set out in Schedule B.

What it Means

Sections 6. (1) through 6. (4), Section 14. (1) and Section 15. (1) of the Regulations explains how to determine if a person is a Northern Resident, schooled in the NWT and what benefits they are entitled for. Students must also meet the criteria under Section 3.01 – General Eligibility and Section 3.02 – Eligibility Requirements for Full-Time Studies.

Northern Resident, Schooled in NWT

A student is considered a Northern Resident, Schooled in the NWT if they:

- Successfully completed one or more of grades 1 through 12 in the NWT; or
- Completed one or more years of schooling outside the NWT where the parent(s) with whom the student normally resided with were considered ordinarily residents of the NWT.

Note

Years of schooling in the area now known as Nunavut prior to April 1, 1999 count toward years of schooling in the NWT. Students moved to the NWT after April 1, 1999, may be considered a Northern Resident.

Eligible Grades

Each grade is counted towards a semester of funding if:

- Students attended not less than 133 school days during the school year, and
- The grade was successfully completed.

Note

Each grade passed is counted as one year of schooling.

**SFA Benefits for Northern Residents, Schooled in NWT**

The following table outlines the benefits that are available to Northern Residents, schooled in the NWT:

| SFA Benefits for Full-time Northern Resident Students, schooled in the NWT | | |
|---|---|----------------------|
| Basic Grant | Up to \$2,655 for Tuition and Fees per Semester \$700 for Books per Semester Travel within the NWT or to Edmonton, AB | |
| Remissible Loan | Single | With a Spouse |
| 0 Dependants | \$1,000 | \$1,400 |
| 1 Dependant | \$1,700 | \$1,700 |
| 2 Dependants | \$1,950 | \$1,950 |
| 3 Dependants | \$2,200 | \$2,200 |
| Each Additional Dependant | \$200 | \$200 |
| Repayable Loan | Up to \$1,400 per Month | |
| NWT Study Grants for Students with Disabilities | Up to \$4,000 per academic year for tuition, books, travel and accommodations | |
| | Up to \$20,000 per academic year for services and equipment | |



Section 5.02: Basic Grant

The Law

6.(1) Subject to these regulations, a person is eligible for a basic grant for a semester if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act (Canada)* and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act (Canada)*, whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
- (b) the person is accepted for registration at an approved institution as a full-time student; and
- (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the semester begins.

(2) In subsections (3) and (4), "year of schooling" means a year of school from grade one to 12 in relation to which a person

- (a) attends not less than 133 school days or is enrolled in a program of correspondence courses approved by the Deputy Minister, and

- (b) passes from a grade to a higher grade or, in the case of a person in grade 12, passes grade 12,

and where the person passes from more than one grade in a year of school and meets the requirements of paragraph (a), each grade passed is a year of schooling.

(3) Subject to these regulations, a person is eligible for a basic grant to cover one semester of studies at a post-secondary level for each year of schooling completed in accordance with subsection (4).

(4) A year of schooling may be

- (a) with respect to a person who attends school, a year of schooling in the Northwest Territories;
- (b) with respect to a person who attends school, a year of schooling outside the Northwest Territories where a parent who ordinarily resides with the person is
 - (i) actually resident in the Territories, or
 - (ii) ordinarily resident in the Territories and attends an approved institution outside the Territories as a full-time student; or
- (c) with respect to a person who is enrolled in a program of correspondence courses approved by the Deputy Minister, a year of schooling while being actually resident in the Northwest Territories.

7. The amount of a basic grant shall not exceed the total of the following amounts:

- (a) for each semester for which the grant is awarded,
 - (i) those amounts approved by the Deputy Minister in respect of the tuition and fees set by an approved



- institution;
- (ii) those amounts approved by the Deputy Minister for books;
- (b) subject to section 7.1, in the case of a student enrolled in a distance learning program where the student's attendance at an on-site location is required for the program of studies to which the grant relates, for each semester for which the grant is awarded, those amounts approved by the Deputy Minister for travel of the student and the person's dependants from the student's place of residence in the Northwest Territories to
 - (i) in respect of an approved institution outside the Northwest Territories, Edmonton, or
 - (ii) in respect of an approved institution in the Northwest Territories, the location of that institution;
- (c) subject to section 7.1, in any case other

than that described in paragraph (b), for each semester for which the grant is awarded, those amounts approved by the Deputy Minister for travel of the student the person's dependants from the student's place of residence in the Northwest Territories to

- (i) in respect of an approved institution outside the Northwest Territories, Edmonton, or
- (ii) in respect of an approved institution in the Northwest Territories, the location of that institution.

7.1.(1) A person's eligibility for financial assistance for travel is limited to two trips per academic year.

(2) For the purposes of paragraph 7(c), trips must be taken either at the beginning or the end of the semester, unless the Deputy Minister is of the opinion that exceptional circumstances warrant travel at another time.

What it Means

Section 6, and Section 7.1. (1) of the Regulations explain how much Northern Residents, schooled in the NWT may receive to pay tuition, books and travel expenses.

Basic Grant

The Basic Grant is a territorially subsidized, non-repayable grant to be used for educational expenses related to tuition, tuition fees, books and travel.

Tuition and Fees

A Northern Resident, schooled in the NWT is eligible to receive up to \$2,655 per semester to assist with the costs of tuition and fees. The student will either receive the tuition and fee amount listed on the Form D or \$2,655; whichever is the lesser amount.

Books and Supplies

A Northern Resident, schooled in the NWT is eligible to receive \$700 per semester to assist with the cost of books and other relevant educational services and supports (such as the cost of program-specific materials). Any book and supplies cost that exceed \$700 are the responsibility of the student.

Travel

A Northern Resident, schooled in the NWT may be eligible for up to two round-trip visits from their home community to their post-secondary institution within the NWT or to Edmonton, AB per academic year. Students are only able to use the travel benefit between



semesters, it cannot be used for travel within a semester (such as spring break or reading week). See Section 7.03 of this manual for more information.

Basic Grant Tax Implications

The Basic Grant is taxable and must be reported to the Canada Revenue Agency when filing taxes. Students will receive a T4A federal income tax information slip.

Semester Limit – Basic Grant

A Northern Resident, schooled in the NWT is entitled to receive one semester of Basic Grant for each year of Grades one (1) to 12 that they successfully completed in the NWT.

***Example:** If a student completed Grades one (1) to 12 in the NWT, they are entitled to 12 semesters of the Basic Grant. If a student completes Grades six (6) to 12, they are entitled to seven (7) semesters of the Basic Grant.*



Section 5.03: Remissible Loan

The Law

14.(1) Subject to these regulations, a person is eligible for a remissible loan under section 15 or a needs assessed repayable loan under section 17 for a semester if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and has not been rejected, suspended, abandoned or withdrawn;
 - (B) the person is accepted for registration at an approved institution as a full-time student; and
- (b) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day that the semester begins; and
- (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day that the semester begins; and

(d) the person is not receiving student financial assistance from another province or territory.

(1.1) A person is not eligible for a remissible loan under section 15 if the person is on education leave from their employment and receives financial assistance from their employer during the period the person attends an approved institution.

(2) Where a person who receives a guaranteed student loan under the *Canada Student Loans Act* defaults in repaying the loan, other than for the reason that the person is permanently disabled, and the Secretary of State for Canada makes a payment to a bank in respect of that default, that person is not eligible for a loan under the *Student Financial Assistance Act* until the person re-establishes their eligibility for a guaranteed student loan under the *Canada Student Loans Act*.

15. (1) A person described in section 14 is eligible for a remissible loan for each semester, in an amount that must not exceed the amount of the applicable living allowance set out in Schedule B.

(2) A person who receives student financial assistance under section 9 is not eligible for a remissible loan under this section.

18.(1) A student who is awarded a loan shall enter into a loan agreement with the Commissioner.

(2) The loan agreement may be in a form approved by the Deputy Minister and must include the terms and conditions of the loan subject to the Act and these regulations.

33.1 (1) Subject to these regulations, a person may be awarded student financial assistance under the Act in the form of a grant or a loan.

(2) No further student financial assistance in the form of a loan may be awarded to a person with a student loan the outstanding principal amount of which equals or exceeds \$60,000.

What it Means

Section 14, Section 15 and Section 18 of the Regulations explain the benefit amounts Northern Residents, schooled in the NWT may receive to assist with monthly living expenses.

**Remissible Loan**

The Remissible Loan is a loan that assists with monthly living expenses while a student is attending post-secondary studies. The Remissible Loan may be forgiven if a student returns to the NWT after they complete their studies.

Revolving Loan Limit

The Remissible Loan and Repayable Loan are limited to a revolving loan limit of \$60,000. A student may continue to access the Remissible Loan until they meet this limit. If a student repays a portion of their loan, the student will be able to access additional funding.

***Example:** If a student receives \$1,000 per month in the Remissible Loan for eight (8) months in an academic year (\$8,000), this will count toward the revolving loan limit, lowering it from \$60,000 to \$52,000.*

***Example:** A student has reached the \$60,000 loan limit and returned to the NWT after studies. The student resided in Yellowknife for two (2) years and earned a remission of their loan of \$12,000. The student is now eligible to receive \$12,000 in additional SFA funding.*

Note

It is important for a student to plan their revolving loan needs.

***Example:** A student who intends to take a four (4) year program will have up to \$15,000 in loans per year available to them. If a student is eligible and chooses to use more than \$15,000 in loans per year, they will reach their loan limit before completing their studies.*

Semester Limit – Remissible Loan

There is no limit on the number of semesters a Northern Resident, schooled in the NWT can access. A student can access the Remissible Loan, as long as they remain within the \$60,000 revolving loan limit.

Maximum Monthly Rate

The amount of monthly living allowance a student is eligible for is based on the number of dependants that are residing with the student while they are attending fulltime studies.

The dependants must be residing with the student for at least 50% of the time while the student is in school in order to receive a living allowance for them. If both parents are receiving SFA benefits, each parent will receive half the additional assistance they would have received if they had the dependants 100% of the time.



A student must inform the Student Case Officer if there is a change in the number of dependants residing with them during the academic year.

Note

If a student is attending school for nine (9) months but will only have full custody of their children for three (3) of those months, the student will receive a living allowance as a single student for six (6) months and will receive a living allowance for their children for three (3) months.

Living Allowance Rates

Living allowance rates are based on the calendar days a student is attending full-time studies. The following chart outlines the amount of living allowance a student may be entitled to:

| Calendar Days Considered in School | Monthly Living Allowance |
|------------------------------------|--------------------------|
| 0 - 4 | \$0.00 |
| 5 - 14 | Half a Month |
| 15 or More | Full Month |

Receiving Assistance between Semesters

A student will continue to receive their full living allowance if they attend both fall and winter semesters as a full-time student within the same academic year.

Example: If a student attends school for their first semester from September to December 14 and then starts their second semester on January fourth (4), they will receive the full living allowance for the months of December and January.

Remissible Loan Tax Implications

The Remissible Loan is not taxable. Once a student has completed their studies and begins repayment, they will receive a letter from the SFA program stating the amount of interest paid on the loan during the year. The interest payment can be claimed as a deduction on the student's income taxes.



SECTION 6: NORTHERN RESIDENT NOT SCHOOLED IN THE NWT

Section 6.01: Eligibility

The Law

14.(1) Subject to these regulations, a person is eligible for a remissible loan under section 15 or a needs assessed repayable loan under section 17 for a semester if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and has not been rejected, suspended, abandoned or withdrawn;
 - (B) the person is accepted for registration at an approved institution as a full-time student; and
- (b) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day that the semester begins; and
- (c) the person is not receiving student financial assistance from another province or territory.

(1.1) A person is not eligible for a remissible loan under section 15 if the person is on education leave from their employment and receives financial assistance from their employer during the period

the person attends an approved institution.

(2) Where a person who receives a guaranteed student loan under the *Canada Student Loans Act* defaults in repaying the loan, other than for the reason that the person is permanently disabled, and the Secretary of State for Canada makes a payment to a bank in respect of that default, that person is not eligible for a loan under the *Student Financial Assistance Act* until the person re-establishes their eligibility for a guaranteed student loan under the *Canada Student Loans Act*.

15. (1) A person described in section 14 is eligible for a remissible loan for each semester, in an amount that must not exceed the amount of the applicable living allowance set out in Schedule B.

(2) A person who receives student financial assistance under section 9 is not eligible for a remissible loan under this section.

17. (1) Subject to these regulations, a person is eligible for a needs assessed repayable loan in an amount not exceeding \$1,400 each month or \$16,800 each year if, after taking into account the following, the Deputy Minister is of the opinion that the person needs additional financial assistance to attend an approved institution:

- (a) the financial position of the person and his or her spouse and dependants;
- (b) the financial assistance the person will receive to attend the approved institution for which the person is accepted for registration.

18.(1) A student who is awarded a loan shall enter into a loan agreement with the Commissioner.

(2) The loan agreement may be in a form approved by the Deputy Minister and must include the terms and conditions of the loan subject to the Act and these regulations.

**What it Means**

Section 1. (1), Section 2, Section 14, Section 15, Section 33.1. (2) and Section 34. (2) to 34. (3) of the Regulations explain how to determine if a person is a Northern Resident and what benefits they are entitled to. Students must also meet the criteria under Section 3.01 – General Eligibility and Section 3.02 – Eligibility Requirements for full-time Studies.

Northern Resident

A student is considered a Northern Resident if they:

- Have actually resided in the NWT for 12 months prior to the date of their application; and
- Do not meet the criteria to be considered a Northern Indigenous Resident or a Northern Resident, Schooled in NWT.

SFA Benefits for Northern Residents

The following table outlines the benefits that are available to Northern Residents:

| SFA Benefits for Full-time Northern Resident Students | | |
|--|---|----------------------|
| Remissible Loan | Single | With a Spouse |
| 0 Dependants | \$1,000 | \$1,400 |
| 1 Dependant | \$1,700 | \$1,700 |
| 2 Dependants | \$1,950 | \$1,950 |
| 3 Dependants | \$2,200 | \$2,200 |
| Each Additional Dependant | \$200 | \$200 |
| Repayable Loan | Up to \$1,400 per month | |
| NWT Study Grants for Students with Disabilities | Up to \$4,000 per academic year for tuition, books, travel and accommodations | |
| | Up to \$20,000 per academic year for services and equipment | |



Section 6.02: Remissible Loan

The Law

14.(1) Subject to these regulations, a person is eligible for a remissible loan under section 15 or a needs assessed repayable loan under section 17 for a semester if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed

to be referred, and

(B) has not been rejected, suspended, abandoned or withdrawn;

- (b) the person is accepted for registration at an approved institution as a full-time student; and
- (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day that the semester begins; and
- (d) the person is not receiving student financial assistance from another province or territory.

18.(1) A student who is awarded a loan shall enter into a loan agreement with the Commissioner.

(2) The loan agreement may be in a form approved by the Deputy Minister and must include the terms and conditions of the loan subject to the Act and these regulations.

33.1 (2) No further student financial assistance in the form of a loan may be awarded to a person with a student loan the outstanding principal amount of which equals or exceeds \$60,000.

What it Means

Sections 14. (1) and Section 18 of the Regulations explains the amount Northern Residents, schooled in the NWT may receive to assist with monthly living expenses.

Remissible Loan

The Remissible Loan is a loan that assists with monthly living expenses while a student is attending post-secondary studies. The Remissible Loan may be forgiven if a student returns to the NWT after they completed their studies.

Revolving Loan Limit

The Remissible Loan and Repayable Loan are limited to a revolving loan limit of \$60,000. A student may continue to access the Remissible Loan until they meet this limit. If a student repays a portion of their loan, the student will be able to access additional funding.



Example: If a student receives \$1,000 per month in the Remissible Loan for eight (8) months in an academic year (\$8,000), this will count toward the revolving loan limit, lowering it from \$60,000 to \$52,000.

Example: A student has reached the \$60,000 loan limit and returned to the NWT after studies. The student resided in Yellowknife for two (2) years and earned a remission of their loan of \$12,000. The student is now eligible to receive \$12,000 in additional SFA funding.

Note

It is important for a student to plan their revolving loan needs.

Example: A student who intends to take a four (4) year program will have up \$15,000 in loans per year available to them. If a student is eligible and chooses to use more than \$15,000 in loans per year, they will reach their loan limit before completing their studies.

Semester Limit – Remissible Loan

There is no limit on the number of semesters a Northern Resident can access the Remissible Loan, as long as they remain within the \$60,000 revolving loan limit.

Maximum Monthly Rate

The amount of monthly living allowance a student is eligible for is based on the number of dependants that are residing with the student while they are attending fulltime studies.

The dependants must be residing with the student for at least 50% of the time while the student is in school in order to receive a living allowance for them. If both parents are receiving SFA benefits, each parent will receive half the additional assistance they would have received if they had the dependants 100% of the time.

A student must inform the Student Case Officer if there is a change in the number of dependants residing with them during the academic year.

Note

If a student is attending school for nine (9) months but will only have full custody of their children for three (3) of those months, the student will receive a living allowance as a single student for six (6) months and will receive a living allowance for their children for three (3) months.



Living Allowance Rates

Living allowance rates are based on the calendar days a student is attending full-time studies. The following chart outlines the amount of living allowance a student may be entitled to:

| Calendar Days Considered in School | Monthly Living Allowance |
|------------------------------------|--------------------------|
| 0 - 4 | \$0.00 |
| 5 - 14 | Half a Month |
| 15 or More | Full Month |

Receiving Assistance between Semesters

A student will continue to receive their full living allowance if they attend both fall and winter semesters as a full-time student within the same academic year.

Example: If a student attends school for their first semester from September to December 14 and then starts their second semester on January fourth (4), they will receive the full living allowance for the months of December and January.

Remissible Loan Tax Implications

The Remissible Loan is not taxable. Once a student has completed their studies and begins repayment, they will receive a letter from the SFA program stating the amount of interest paid on the loan during the year. The interest payment can be claimed as a deduction on the student’s income taxes.



SECTION 7: OTHER SFA BENEFITS

Section 7.01: Study Grants for Students with Disabilities

The Law

12. (1) The provision of study grants under this section to persons described in subsection (2) is an affirmative action program for the amelioration of the conditions of those persons through post-secondary school education.

(2) Subject to these regulations, a person who has a permanent disability or a persistent and prolonged disability is eligible for a study grant

- (a) to cover expenses for services and equipment for participating in post-secondary school education; and
- (b) to cover expenses incidental to participating in post-secondary school education.

(2.1) A person who has a permanent disability or a persistent and prolonged disability is eligible for a study grant to cover expenses under paragraph (2)(a) if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
- (b) the person is accepted for registration at an approved institution;
- (c) the person has been ordinarily resident in

the Northwest Territories for a continuous period of 12 months immediately before the day on which the course or semester begins; and

- (d) the person provides to the Deputy Minister a medical or learning ability assessment, from a qualified professional acceptable to the Deputy Minister, of the person's disability and the manner in which it limits the person's ability to participate fully in post-secondary school education.

(2.2) A person who has a permanent disability or a persistent and prolonged disability is eligible for a study grant to cover expenses under paragraph (2)(b) if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
- (b) the person is accepted for registration at an approved institution as a full-time student;
- (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the course or semester



- begins; and
- (d) the person provides to the Deputy Minister a medical or learning ability assessment, from a qualified professional acceptable to the Deputy Minister, of the person’s disability and the manner in which it limits the person’s ability to participate fully in post-secondary school education.
- (3) The Deputy Minister may, in determining whether to award a study grant and the amount of study grant to be awarded,
 - (a) take into consideration the necessity for the expense; and
 - (b) limit the amount of the study grant to the amount normally charged for the item or service to which the expense relates.
- (4) The maximum amount of study grant that a person may receive under paragraph (2)(a) is
 - (a) \$20,000 in any 12-month period if that person is a full-time student and is not receiving student financial assistance under section 32; and
 - (b) \$1,000 for each post-secondary course approved by the Deputy Minister if that person is not a full-time student or is receiving student financial assistance under section 32.
- (5) The maximum amount of study grant that a person may receive under paragraph (2)(b) is \$4,000 for a 12 month period.

What it Means

Section 12 of the Regulations explains how to determine if a person is a student with a disability and what benefits they are entitled to.

Student with a Disability

A student may be considered a student with a disability if they:

- Have a permanent disability; or
- Have a persistent or prolonged disability that is expected to impact them during the academic year.

To determine if the student is eligible, they must submit a **Form G – Disability Assessment Form** to the Student Case Officer.

Study Grants

The SFA program has two (2) study grants available for Students with Disabilities. These study grants are available to all student categories that meet the student with disability eligibility requirements and are on over and above other SFA benefits.

| NWT Study Grants for Students with Disabilities | |
|---|---|
| Grant for Students with Disabilities | Up to \$4,000 per academic year for tuition, books, travel and accommodations |
| Study Grant for Services and Equipment | Up to \$20,000 per academic year for services and equipment |

**Grant for Students with Disabilities**

This grant is intended to cover exceptional educational-related costs, such as the cost of:

- Tuition, Fees and Books
- Travel
- Accommodation

An eligible student is entitled to receive \$4,000 per academic year, disbursed in an increment of \$2,000 over two (2) years.

Grant for Services and Equipment for Students with Disabilities

This grant is intended to assist with the educational-related costs of:

- Tutor
- Interpreter – oral, sign, note taker
- Reader
- Transportation – to and from school daily depending on circumstance
- Attendant Care (while in school)
- Special equipment – such as a Braille writer, alternative keyboard and alternate formats such as large or Braille print or voice activated programs
- One-time medical assessment – 75% of the cost up to a maximum of \$1,000

An eligible student is entitled to receive up to \$20,000 per academic year to assist with these expenses. A student may apply for this benefit at any time during the academic year and must submit **Form G-Disability Assessment Form**. The form must indicate what services are needed to assist the student in order to participate in post-secondary studies.

Course Reimbursement

A student with a disability who is accessing Course Reimbursement through the SFA program is entitled to receive a Study Grant up to \$1,000 for services and equipment for each approved course a student successfully completes.

Expenses Not Eligible

The Study Grants for Students with Disabilities does not cover:

- Capital costs, such as a wheelchair, hearing aids, computer, printer, monitor, glasses, etc.
- Repairs or modifications to capital equipment
- Vehicle related expenses such as parking, insurance or registration
- Ongoing costs such as a medication, catheters, etc.

Note

The SFA program only reimburses education-related costs.



***Example:** If a student requires a personal care attendant, the SFA program may only provide funding for the costs incurred while the student is in school and not for when their attendant provides the student with services at home.*

Study Grant Tax Implications

The Study Grants for Students with Disabilities is taxable and must be reported to the Canada Revenue Agency when filing taxes. Students will receive a T4A federal income tax information slip.

Other Assistance for Students with Disabilities

A student with disabilities may contact the NWT Disabilities Council, Inclusion NWT, as well as the institution the student is attending to find out about other forms of assistance.



Section 7.02: Repayable Loan

The Law

14.(1) Subject to these regulations, a person is eligible for a remissible loan under section 15 or a needs assessed repayable loan under section 17 for a semester if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) has, under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
- (b) the person is accepted for registration at an approved institution as a full-time student; and
- (c) the person has been ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day that the semester begins; and
- (d) the person is not receiving student financial assistance from another province or territory.

17.(1) Subject to these regulations, a person is eligible for a needs assessed repayable loan in an amount not exceeding \$1,400 each month if, after taking into account the following, the Deputy Minister is of the opinion that the person needs additional financial assistance to attend an approved institution:

- (a) the financial position of the person and the person's spouse and dependants;
- (b) the financial assistance the person will receive to attend the approved institution for which the person is accepted for registration.

33.1 (2) No further student financial assistance in the form of a loan may be awarded to a person with a student loan the outstanding principal amount of which equals or exceeds \$60,000.

34. (2) A person applying for student financial assistance shall, in respect of the course or semester for which the person is applying to receive student financial assistance, declare in the person's application,

- (a) Repealed,
- (b) the amount and source of all income, including any financial assistance,
 - (i) that the person has received or will receive relating to the course or semester, and
 - (ii) that the person
 - (A) has received or will receive during the four months immediately before the course or semester begins, and
 - (B) will receive during the course or semester.

(3) The Deputy Minister shall, when determining or making recommendations respecting whether student financial assistance should be awarded to a person for a course or semester and the amount of the student financial assistance to be awarded, take into account the income, including any financial assistance,

- (a) that the person has received or will receive relating to the course or semester; and
- (b) that the person
 - (i) has received or will receive during the four months immediately before the course or semester begins, and
 - (ii) will receive during the course or semester.

**What it Means**

Sections 14, Section 17, Section 33.1 (3) and Section 34. (2)(3) explains how to determine if a student is eligible for the Repayable Loan and the benefits amount the student is eligible for. Students must also meet all general eligibility requirements under Section 6 of the Regulations.

Repayable Loan

The Repayable Loan is a loan that assists with educational expenses, such as tuition, books, travel and monthly living expenses, while a student is attending post-secondary studies. The Repayable Loan must be paid back.

Revolving Loan Limit

The Remissible Loan and Repayable Loan are limited to a revolving loan limit of \$60,000. A student may continue to access Repayable Loans until they meet this limit. If a student repays a portion of their entire loan, the student will be able to access additional funding.

***Example:** If a student receives \$1,000 per month in the Repayable Loan for eight (8) months in an academic year (\$8,000), this will count toward the revolving loan limit, lowering it from \$60,000 to \$52,000.*

A student has reached the \$60,000 loan limit and returned to the NWT after studies. The student resided in Yellowknife for two (2) years paid back \$12,000 of their Repayable Loan. The student is now eligible to receive \$12,000 in additional SFA funding.

Note

It is important for a student to plan their revolving loan needs.

***Example:** A student who intends to take a four (4) year program will have up to \$15,000 in loans per year available to them. If a student is eligible and chooses to use more than \$15,000 in loans per year, they will reach their loan limit before completing their studies.*

Semester Limit – Repayable Loan

There is no limit on the number of semesters a student can access the Repayable Loan, as long as they remain within the \$60,000 revolving loan limit.

Repayable Loan Tax Implications

The Repayable Loan is not taxable. Once a student has completed their studies and begins repayment, they will receive a letter from the SFA program stating the amount of interest paid on the loan during the year. The interest payment can be claimed as a deduction on the student's income taxes.



Repayable Loan Eligibility

The Repayable Loan is based on a student's financial need. The Student Case Officer will assess the student's financial need and the amount of assistance the student is entitled to receive by taking into consideration the allowable educational costs and financial resources the student is considered to be able to contribute.

Maximum Monthly Rate

A student can receive up to \$1,400 per month from the Repayable Loan. The allowable amount is based on:

- The student and spouse's net income from full-time employment;
- The student's eligible education expenses; and
- The number of dependants the student has.

Eligible Expenses for Dependants

The dependants must be residing with the student for at least 50% of the time while the student is in school in order to be eligible to claim expenses. In cases of a joint custody arrangement, the student must provide the Student Case Officer with the appropriate legal documentation.

In cases where the student is already in receipt of a Remissible Loan or Supplementary Grant, the student will not be able to claim the dependants as their monthly living allowance is already adjusted to assist with the day-to-day expenses of the dependant children.

In cases where the student is not in receipt of a Remissible Loan or Supplementary Grant and they have 100% custody, the student can include the cost of supporting their dependant(s) in the Repayable Loan calculation.

Allowable Educational Costs

The SFA program recognizes the following educational expenses when determining eligibility for the Repayable Loan:

- Tuition and tuition fees
- Books
- Rent, Utilities, Food (up to the maximum amounts available through the Remissible Loan for monthly living expenses)
- Personal Care

Ineligible Educational Costs

The SFA program does not recognize all expenses when determining eligibility for the Repayable Loan. Ineligible educational costs include, but are not limited to, the following:

- Pocket money
- Damage deposit
- Long distance phone calls
- Entertainment



- Costs for pet expenses
- Horticultural supplies
- Household furnishings
- Equipment and related services
- Interest on loans, union dues or association memberships
- Lottery tickets
- Recreation equipment
- Sports fees or gym memberships
- A computer, printer and computer soft/hardware
- Vehicles, vehicle maintenance and services
- Home entertainment equipment and services
- Investments
- Gambling
- Tobacco products, alcoholic beverages and prescriptions
- Vacations
- Family emergencies, and/or
- RRSP's, RESP's, etc.

Financial Resources

The SFA program expects a student to contribute to their post-secondary studies and considers the amount of money that the student should have available to help pay for educational and living costs when calculating the Repayable Loan.

The calculation used by the SFA program is 10% of the student and the student's spouse's net income from the period four (4) months before classes begin and 100% of full-time income during school.

The SFA program does not count part-time employment income, scholarships, or Indigenous Residential School payments as income.

***Example:** If a student worked full-time prior to attending school and earned net income of \$2,000 each month for the four (4) months prior to starting school, the student is expected to contribute \$800 towards their education expenses (\$2,000 x 4 = \$8,000 x 10%).*

Financial support a student receives for their dependant(s), such as maintenance payments or a childcare subsidy, must be included as income in the Repayable Loan calculation.



Section 7.03: Travel

The Law

7. The amount of a basic grant shall not exceed the total of the following amounts:

- (a) for each semester for which the grant is awarded,
 - (i) those amounts approved by the Deputy Minister in respect of the tuition and fees set by an approved institution;
 - (ii) those amounts approved by the Deputy Minister for books;
- (b) subject to section 7.1, in the case of a student enrolled in a distance learning program where the student's attendance at an on-site location is required for the program of studies to which the grant relates, for each semester for which the grant is awarded, those amounts approved by the Deputy Minister for travel of the student and the person's dependants from the student's place of residence in the Northwest Territories to
 - (i) in respect of an approved institution outside the Northwest Territories, Edmonton, or
 - (ii) in respect of an approved institution in the Northwest Territories, the location of that institution;
- (c) subject to section 7.1, in any case other than that described in paragraph (b), for each semester for which the grant is

awarded, those amounts approved by the Deputy Minister for travel of the student and the person's dependants from the student's place of residence in the Northwest Territories to

- (i) in respect of an approved institution outside the Northwest Territories, Edmonton, or
- (ii) in respect of an approved institution in the Northwest Territories, the location of that institution.

7.1. (1) A person's eligibility for financial assistance for travel is limited to two trips per academic year.

(2) For the purposes of paragraph 7(c), trips must be taken either at the beginning or the end of the semester, unless the Deputy Minister is of the opinion that exceptional circumstances warrant travel at another time.

36. (1) The Deputy Minister shall not provide a student with a ticket or cheque to be used for the transportation of the student or his or her dependants to an approved institution unless the student provides proof acceptable to the Deputy Minister, from the appropriate approved institution, that the student has been accepted at that institution.

What it Means

Section 7 through 7.1 and Section 36. (1) of the Regulations set out the rule's students must follow regarding travel and benefits students may receive to assist with travel expenses.

Students who are eligible for the Basic Grant are entitled for travel assistance to help the student get to and from their home community and their post-secondary institution within the NWT or to Edmonton, Alberta.

Travel Assistance Eligibility

A student may receive up to a maximum of two (2) return trips per academic year. Typically, a student will travel at the start and end of the academic year and to travel home during intersession (such as Christmas/New Year break). Travel assistance is not available for travel that occurs within a semester (such as Thanksgiving, spring break or reading week).



If the student must travel outside of intersession for an extraordinary circumstance, they can notify the Student Case Officer who can seek approval from the Deputy Minister. Travel will still be limited to no more than two (2) return trips per academic year.

Note

Only one (1) parent can claim travel for their dependant(s) when both parents are receiving the Basic Grant from the SFA program. No exceptions are made to travel assistance eligibility.

Travel with Distance Learning

A student studying on a full-time basis in a distance learning program may be eligible for travel assistance if the program of studies requires the student's attendance at an on-site location. The student must provide a letter from the institution outlining their attendance is required.

Travelling to Institutions Outside of the NWT

Travel assistance is only provided up to Edmonton, Alberta. The student is responsible for any travel expenses beyond Edmonton.

Travel to Complete a Practicum/Internship

Travel assistance is not available for a student who must complete a practicum, internship or training-on-the-job in their program of study.

Determining Start and End Destinations

If students want to change their home community in the NWT, students will need to inform the Student Case Officer in writing of a change of permanent address and the reasons why. SFA can change a home community address only for special circumstances, such as their family moving from one community to another.

Travelling by Plane

The SFA program will provide assistance with basic airfare to and from a student's home community in the NWT to the nearest approved institution offering their program in the NWT or Edmonton, AB. The student should book their airline tickets through an approved travel agency (see approved travel agencies in the chart in this section).

The following expenses associated with airfare are not eligible under the travel benefit:

- food and/or beverages, even if students must overnight
- Accommodations when it is possible to reach their destination in one day
- Charges to change ticket dates, which includes emergencies
- Travel on airline points, tickets paid for by another agency, company or gift or prize
- Fees associated with pre-selecting seats
- Baggage fees
- Expenses beyond those approved by the program

**Note**

If there is an extraordinary circumstance that causes a student to change their ticket date, the SFA program may pay for the airline charge for the change. The student must contact the Student Case Officer in this situation to determine if the expense is eligible.

Example: *If a student's final exam is scheduled for April 23 and the student booked their flight to their home community for April 25, but the institution later changes the exam date to April 27, the SFA program will pay any charges to change the flight.*

Approved Travel Agencies

To receive travel assistance before school starts, a student must contact one (1) of the NWT travel agencies in the table below at least two (2) weeks prior to their travel date. The travel date may not be more than three (3) weeks prior to the official start date of a student's academic year.

| Travel Agency | Email Address | Phone Number |
|--|-------------------------------|----------------------------------|
| Aurora TPI Travel | bmcarter@northwestel.net | 1-867-872-2462 |
| Okpik Travel | okpiks@tpi.ca | 1-867-678-0180 |
| Top of the World Travel Hay River | sfa@topoftheworldtravel.com | 1-867-874-3711 |
| Top of the World Travel Inuvik | sfa@topoftheworldtravel.com | 1-877-777-3316 1-877-277-6325 |
| Top of the World Travel Yellowknife | sfa@topoftheworldtravel.com | 1-867-766-6000 1-800-837-8922 |
| Wintergreen Travel Fort Smith and Inuvik | service@wintergreentravel.com | 1-888-675-4955 |
| YYZ Travel | gnwt@yyztravel.com | 1-867-988-3160 1-800-667-2949 |
| The student must identify themselves as being sponsored by the SFA program. Most travel agencies have toll-free numbers or will accept collect calls | | |



Travelling by Land/Water

The SFA program will provide travel assistance for a student who elects to travel by land/water. To be eligible for expenses related to travelling by land/water, the student must notify the Student Case Officer in writing as to where and when they travelled and must submit **Form A – Travel Claim**. Only one (1) eligible student per vehicle may claim the travel benefit.

The following expenses associated with land/water travel are not eligible under the travel benefit:

- Actual fuel costs beyond the approved rate
- Accommodation and food
- Repairs to their vehicle
- Towing charges
- Moving expenses
- Local transportation while in school
- Expenses beyond those approved by the program

Combining Travel

A student who chooses to fly one (1) way and drive one (1) way is eligible for travel assistance up to the maximum cost of the one (1) way travel.

***Example:** If a student drove down in the fall and wants to fly home in the spring, the SFA program will reimburse the travel to drive down at the government rate per kilometre and will allow the student to receive the one (1) way air travel portion for the return trip. Each trip is considered one (1) way.*

Driving includes all modes of land travel such as motorcycle or snowmobile.

Payment for Travel

A student must provide the following documents to the Student Case Officer before their travel can be authorized:

- New Student - institution acceptance letter
- Continuing Student (uninterrupted) – official transcript, and if applicable, an acceptance letter for a new institution and/or program, or
- Continuing Student (after a break of a year or more) – last official transcript if students received SFA within the last seven (7) years, and the institution acceptance letter

If the student does not make their travel reservation directly through an approved travel agency, the student must pay for the ticket themselves and submit **Form A-Travel Claim** along with a copy of their itinerary and receipt for reimbursement.

Overnight Travel

If a student is unable to reach their destination in one day and are required to overnight, the SFA program may be able to cover the additional expenses. The student



can notify the Student Case Officer to arrange for the SFA program to reserve the student's hotel and pay the eligible costs directly. Alternatively, the student can pay for the accommodations themselves and submit their receipts to the Student Case Officer for reimbursement.

The SFA program will not reimburse food, beverages or additional room charges.



Section 7.04: Course Reimbursement

The Law

32. (0.1) In this section, "course-related expenses" means expenses incurred by a person in respect of tuition, fees or books for a post-secondary course approved by the Deputy Minister.

(1) Subject to these regulations, a person is eligible for student financial assistance in the form of a grant to reimburse the person for course-related expenses if

- (a) the person
 - (i) is a Canadian citizen,
 - (ii) is a permanent resident,
 - (iii) is a protected person within the meaning of subsection 95(2) of the *Immigration and Refugee Protection Act* (Canada) and the person
 - (A) has applied for permanent resident status, and
 - (B) has been issued a social insurance number, or
 - (iv) has made a claim for refugee protection inside Canada under subsection 99(1) of the *Immigration and Refugee Protection Act* (Canada), whose claim
 - (A) Has under section 100 of that Act, been referred to the Refugee Protection Division of the Immigration and Refugee Board, or is deemed to be referred, and
 - (B) has not been rejected, suspended, abandoned or withdrawn;
 - (c) the person was credited by the approved institution with having passed the course;
 - (d) the person was ordinarily resident in the Northwest Territories for a continuous period of 12 months immediately before the day on which the course began;
 - (e) the person continued to be ordinarily resident in the Northwest Territories while taking the course;
 - (f) the person was ordinarily resident in the Northwest Territories at the time the person completed the course; and
 - (g) the person has not received, for the semester in which the course begins, student financial assistance under any of the following provisions:
 - (i) section 6,
 - (ii) section 9,
 - (iii) paragraph 12(2)(b),
 - (iv) section 12.2,
 - (v) section 12.3,
 - (vi) section 14,
 - (vii) section 15,
 - (viii) section 17.
- (3) The amount of grant that may be awarded to a person under this section shall not exceed (a) a maximum of \$880 per course; and (b) a cumulative total of \$8800
- (4) A person who is eligible for student financial assistance under this section may be reimbursed for the expenses referred to in subsection (1) if the person sends to the Deputy Minister, within the 12-month period after the day on which the person begins the course,
- (a) the receipts for payment of the expenses; and
 - (b) a course transcript indicating that the person passed the course.

What it Means

Section 32 of the Regulations explains how to determine if a student is eligible for course reimbursement and what they are eligible for. Students must also meet the criteria under Section 3.03 – Eligibility Requirements for Course Reimbursement.

Course Reimbursement

Course Reimbursement is non-repayable grant that a student can receive to assist with the costs of completing a post-secondary course. A student cannot be receiving other SFA benefits as a full-time student.



The student is responsible for paying for all course related expenses. Reimbursement takes place after the student successfully completed the course.

Note

In order to be considered for a course reimbursement, all required documents, including the application for course reimbursement, official transcripts, and applicable receipts must be submitted within one (1) year of the start date of the course.

Example: *A student started a course on July 3, 2022, the student will have until July 3, 2023, to request a reimbursement from the SFA program.*

SFA Benefits for Course Reimbursement Students

The following table outlines the benefits that are available to students accessing course reimbursement:

| SFA Benefits for Course Reimbursement | |
|---|---|
| Reimbursement | Up to \$880 per credited course |
| NWT Study Grant for Students with Disabilities | Up to \$1,000 per full-credit course for services and equipment |

Eligible Course Expenses

The SFA program may approve reimbursement for approved post-secondary courses taken at an approved post-secondary institution to assist with expenses related to tuition, fees and books.

Ineligible Course Expenses

A student may not be eligible for reimbursement if the student receives assistance from another source that duplicates or is intended for the same purpose as their SFA benefits.

Course Reimbursement Tax Implications

Course Reimbursement is a grant, which means it is taxable and must be reported to the Canada Revenue Agency when filing taxes. Students will receive a T4A federal income tax information slip.



SECTION 8: ADDITIONAL INFORMATION

Section 8.01: Reassessment and Verification

The Law

40. (1) If the Deputy Minister has reason to believe that an application for student financial assistance or other document in respect of student financial assistance contains a false statement or a misrepresentation, the Deputy Minister may take such action as they consider appropriate in the circumstances to investigate the contents of the document.

(2) If the Deputy Minister is satisfied that a false statement or a misrepresentation has been made by the person applying for or in receipt of student financial assistance, the Deputy Minister may

- (a) deny the student financial assistance applied for or, in the case of a loan which the Commissioner has agreed to make, recommend to the Commissioner that the loan be denied;
- (b) demand, on behalf of the Commissioner, repayment of the student financial assistance so granted to the person together with interest on the student financial assistance;
- (c) where repayment is not forthcoming under paragraph (b), recommend to the Commissioner that legal proceedings be commenced against the person for recovery of the student financial assistance and interest; or
- (d) take any other action that the Deputy Minister considers appropriate.

What it Means

Section 40 of the Regulations explains what may happen if a verification determines a student made false statements or misrepresentations.

Students are entitled to a fair and reasonable assessment of their needs and appropriate assistance.

Reasons for Reassessment

A student must inform the Student Case Officer in writing if any information on their application changes after the student submits it. The change(s) may require a reassessment of the student's SFA entitlement which may impact the benefits that they receive.

A student must inform the Student Case Officer when there are changes to:

- The financial position of the student and/or their spouse (income, assets, investments, etc.)
- Relationships with their spouse, parent(s), stepparent, sponsor or legal guardian
- Their banking information
- The information provided about their dependants
- Their program of study or study period, and/or
- Their institution
- Their course loads

**Reassessments Are Conducted in the Current Academic Year Only**

The SFA program may only assist with student's educational expenses in the current academic year. A student may ask for a reassessment at any time during their current academic year. Retroactive payments will not be provided to a student, even if it was determined to be an error from the SFA program staff.

***Example:** A married student receives the Repayable Loan. At the start of the academic year, their spouse had employment income but during the academic year the spouse left their job. In February 2022, the student notified the Student Case Officer and requested to have their Repayable Loan reassessed. The reassessment will be based on the change of the spouses income and will be for the period of February 2022 to the end of the academic year in June 2022.*

Verification and Audit

All files are subject to verification and audit.

Each year a percentage of SFA files are audited to verify the accuracy of information. Information provided by the student must also be verified with other federal and provincial/territorial student aid programs, government agencies, ISET groups, employers, banks, etc.

If a student's file is verified or audited, the student may be required to provide documentation to confirm the information the student and their spouse have submitted is correct. The student must submit all required documents by the date provided by the SFA program staff. If the student does not submit the requested information, their SFA benefits may be withheld until the audit is completed.

Students should keep all receipts and supporting documentation that may be needed for audit purposes, such as rent receipts, child support/alimony payment receipts, income statements, etc.

Note

A student should read the conditions of their SFA benefits, as noted in the Applicant Declaration and Consent on their Application for full-time Student Financial Assistance or Application for Course Reimbursement. If a student and/or their spouse fail to meet the conditions, the student may not be eligible for assistance and/or may be required to immediately repay benefits they already received.

Fraud

Students must be truthful with all information and documentation that they provide to the Student Case Officer and other SFA program staff. The following may be considered fraud:

- False or misleading statements



- Failure to fully disclose information, and/or
- Tampering with documents or forgery

Files identified as fraud may be transferred to the GNWT's Audit Bureau for further investigation and may be referred to the RCMP for a formal investigation which could result in charges under the Criminal Code of Canada.

Suspension

The Manager, SFA reviews all false statement and misrepresentation files on a case-by-case basis.

A student who is found to have provided false statements or misrepresentation may be suspended from the SFA program for a period of one (1) to two (2) years.



Section 8.02: Recoveries

The Law

41. (1) Where money is paid under the Act or these regulations to a person who is not entitled to the money, that person shall refund the money so paid on demand of the Minister, on behalf of the Commissioner.

(2) Where a person is required under these regulations to refund money and the money is not refunded, the Minister may recommend to the

Commissioner that legal proceedings be commenced against the person for recovery of the money and interest on the money.

(3) The repayment of money demanded under paragraph 40(2)(b) and money to be refunded under these regulations are a debt due to the Commissioner.

What it Means

Section 41 of the Regulations explain when a recovery of assistance must be completed.

Reasons for Recovery

A student may be required to repay some or all of the SFA benefits they received if they no longer met the eligibility requirements of the SFA program.

Students may be required to repay SFA benefits for:

- Being considered part-time by their institution
- Completing a course that is not an approved post-secondary course (such as academic upgrading)
- Withdrawing or being asked to withdraw from their studies

Recovery of Benefits for Withdrawal or Non-Attendance

When a student who applied for and received assistance as a full-time student decides to drop a class or stop attending classes full-time, the student will no longer be eligible for SFA benefits.

If a student drops the class and is no longer considered full-time during the semester, the student will no longer be eligible to receive future monthly living allowance payments. If the student fails to notify the Student Case Officer and continues to receive the monthly living allowance, the student will be required to reimburse the SFA program for the benefits they are no longer entitled to.

If the student withdraws early in the semester, they may be entitled to a reimbursement of a portion of their tuition, tuition fees or books by their institution. If the student receives a reimbursement, they will have to repay the portion they got back from their institution to the SFA program.



Notification of Owing a Debt

A Notice of Recovery outlining how much a student owes will be emailed and/or mailed to the student. After the Notice of Recovery is sent, the SFA program will provide the student with an invoice and information on how to pay the debt. The student must make payment arrangements with the Financial Management Board Secretariat (FMBS) within 90 days of the date of the invoice.

Failure to Make Payments on the Debt

When a student fails to make payment arrangements with the FMBS, their file will be transferred to a collection agency.

The collection agency will then be responsible to collect the outstanding debt from the student. When a file goes to a collection agency, it is also reported to a Canadian credit bureau which will have a negative effect on a student's credit rating.

Impacts Outstanding Debts have on SFA Eligibility

When a student has an outstanding debt to the Government of NWT, such as an overpayment of SFA benefits or outstanding property taxes, the student will not be eligible to receive SFA benefits until the debt is repaid or if the student has made payment arrangements to address the outstanding debt that is acceptable to the Government of the NWT.

False Information

If the information a student provided in their application and/or supporting documentation are false, the student will be reassessed and/or audited. If it is suspected that a student was defrauding the Government of the NWT, they may be reported to the Audit Bureau for investigation. Depending on the amount of money received, the student may be reported to the RCMP for formal investigation, which could result in charges under the Criminal Code of Canada.



Section 8.03: Income Tax

The following explains how a student's income tax may be affected by receiving SFA.

Income Tax and SFA Grants

Grants received through the SFA program are taxable. The Government of the NWT will provide a student's T4A taxation form to the permanent address students provide to SFA on their application for assistance. The student may contact the Student Case Officer if they have questions about the amount indicated on the T4A.

Grants include:

- Basic Grant
- Supplementary Grant
- Grants for Students with Permanent Disabilities

T4A

The Government of the NWT will issue a T4A to students in late-February of each year. The T4A will outline the total amount received in the prior year and must be included with the student's income tax return when it is filed.

Income Tax and SFA Loans

Loans received through the SFA program are not taxable. However, once a student completes their education and begins repayment, they will receive a letter from the SFA program stating the amount of interest paid on their loan during the year. This interest payment can be claimed as a deduction on a student's income tax.

Loans include:

- Remissible Loan
- Repayable Loan

Withholding Income Tax Refunds for Outstanding Debts

The Government of the NWT has the option of withholding a student's tax refund and using it towards an outstanding government debt. A student may contact the Government of the NWT to make arrangements to repay the outstanding debt instead of having their tax refund withheld.



SECTION 9: APPEALS

Section 9.01: Interpretation and Application

For the purpose of this section, the meanings of some additional words relating to an appeal are:

Representative

Any person that the appellant has chosen to assist and/or represent them during the appeal process.

Respondent

The responding party named in an appeal.

Quorum

The number of members of an appeal panel that must be present for a decision to be rendered.

Natural Justice

Allowing an applicant, the right to a fair and unbiased hearing with reasonable opportunity to present their case.



Section 9.02: The Players in an Appeal

The Law

- 8.1. (1) An applicant who
- (a) is refused a grant or a loan on the ground that the applicant is considered ineligible, or
 - (b) is subject to a decision to award a grant or a loan for a shorter period or in a lesser amount than that for which the applicant considers himself or herself eligible, may, within 30 days after receiving notice of the decision, request that the Deputy Minister cause the decision to be reviewed.
- (2) On receiving a request for a review, the Deputy Minister shall designate an employee within the department of the Government of the Northwest Territories that administers this Act to review the decision.
- (3) The person reviewing a decision may affirm, reverse or vary the decision.
- (4) The person who reviewed a decision shall, within 15 days after the completion of the review, send a notice to the applicant setting out whether the decision has been affirmed, reversed or varied and the reasons for the affirmation, reversal or variation
- 8.2. (1) The Student Financial Assistance Appeal Board is established, composed of five members appointed by the Minister.
- (2) One of the members of the Student Financial Assistance Appeal Board must
- (a) be a current post-secondary student; or
 - (b) have been a post-secondary student not more than five years prior to the member's appointment.
- (3) A member of the Student Financial Assistance Appeal Board shall be appointed for a term not exceeding four years.
- (4) Where a vacancy occurs on the Student Financial Assistance Appeal Board, the Minister may appoint a person to fill the vacancy for the unexpired term of office of the member being replaced.
- (5) Three members of the Student Financial Assistance Appeal Board constitute a quorum.
- 8.3. (1) An applicant who has been advised that a decision has been affirmed, reversed or varied under subsection 8.1(3), may, in accordance with the regulations, appeal the decision as affirmed, reversed or varied to the Student Financial Assistance Appeal Board.
- (2) The Student Financial Assistance Appeal Board may affirm, reverse or vary a decision appealed to it.
- (3) The decision of the Student Financial Assistance Appeal Board is final

What it Means

Section 8.1. (1) through 8.3. (3) of the *Student Financial Assistance Act* provides information on who is responsible for conducting the appeals.

First Level Appeal - SFA Internal Review

The internal review committee consists of staff from the Department of Education, Culture and Employment and is responsible for reviewing the student's appeal. Decisions on appeals will be based on approved Legislation, Regulations and policies. Rulings will be verified at each level to ensure that they have been applied correctly for a student's situation.

When reviewing an appeal, a quorum of four (4) members must be present.



The Manager, SFA programs, assists in the operation of the appeal but does not vote. Students are not invited to participate at this level.

Second Level Appeal -SFA Appeal Board

The Minister is required to create the SFA Appeal Board to hear SFA appeals.

SFA Appeal Board members are appointed for a term, or any length of term that is decided upon by the Minister. No official from SFA is eligible for appointment to the appeal board.

When hearing an appeal, a quorum of three members must be present. If a quorum is not reached, the hearing is rescheduled.

Students are invited to participate at the second level of appeal. The student may choose to represent themselves or have someone act as a representative, including legal counsel on their behalf.

The Appeal Board will base its decision on approved Legislation, Regulations and policies. Decisions made by the SFA Appeal Board are final.



Section 9.03: Commencing an Appeal

The Law

39. (1) When an applicant is notified of the decision regarding whether or not the applicant has been awarded a grant or a loan, the applicant shall be advised in writing of the right to request a review of the decision under section 8.1 of the Act and the time within which a request must be made.

(2) When an applicant is notified of the decision of the person who conducted the review under section 8.1 of the Act, the person shall be advised in writing of the right to appeal the decision under section 8.3 of the Act and the time within which an appeal must be made.

(3) An applicant shall, on request, be provided with instructions respecting the procedures for a review or appeal.

39.1 A notice sent to an applicant under subsection 8.1(4) of the Act is deemed, in the absence of evidence to the contrary, to have been received

- (a) 10 days after it is sent, if it is sent by mail; or
- (b) two days after it is sent, if it is sent by e-mail or fax.

What it Means

Section 39. (1) through 39.1 (a) and (b) provides an explanation on how a student can appeal a decision made by a Student Case Officer.

A student must file their appeal with the SFA program office in writing within 30 days of receiving the Student Case Officer's decision.

Note

The *Student Financial Assistance Act* does not allow for appeals regarding loan repayment/remission.

Deemed Receipt of Decision

The Student Case Officer may notify the student of their decision by phone, email or letter. The decision is deemed to have been received:

- The day of the call (including voice mail messages) if the decision was provided by phone
- Two (2) calendar days if sent by email
- 10 calendar days if sent by mail

Example: *The Student Case Officer sent a student a letter regarding a decision of their SFA file on February 10, the letter will be deemed received in 10 calendar days. The student will have 30 days from February 20 to submit an appeal.*



Section 9.04: Location, Time and Manner of the Appeal

The Law

- 39.2 (1) An appeal under subsection 8.3(1) of the Act must be made
- (a) within 30 days after the day on which the applicant receives notice of the decision of the person who conducted the review; and
 - (b) by submitting a notice of appeal, in an approved form, to the chairperson of the Student Financial Assistance Appeal Board.
- (2) An applicant may withdraw an appeal at any

time before the appeal is heard by notifying the chairperson of the Student Financial Assistance Appeal Board in writing.

39.3 (6) The Student Financial Assistance Appeal Board shall hear and decide an appeal within 45 days after the day on which the chairperson receives the notice of appeal.
(6.1) For greater certainty, the time period of 45 days referred to in subsection (6) may not be extended.

What it Means

Sections 39.2, 39.3 (6) and 39.3 (6.1) sets out when an appeal must take place.

The SFA Appeal Board must hold a hearing and provide a decision within 45 days of receiving the appeal.

This period may not be extended.

Appeals may proceed by either oral hearing or by written submission if requested by the appellant. Oral hearings can be conducted in person or by video, electronic or telephone conference.

An appeal must take place by using the most practical, cost-effective method available.

Example: *If all parties to the appeal are not in the same location, a teleconference would be the most economical method.*

The Registrar will ensure that all parties of an appeal are notified at least five (5) days before a hearing as to:

- How the appeal will be heard (oral or written).
- The time, date and location of the hearing, and any relevant information.

Withdrawing an Appeal

A student may withdraw their request to appeal at any time. To withdraw from an appeal, the student must inform the SFA Appeal Board in writing.



Section 9.05: Procedural Matters

The Law

39.3 (1) On receiving a notice of appeal under subsection 39.2(1), the chairperson of the Student Financial Assistance Appeal Board shall cause to be assembled such documents as are necessary to decide the appeal and schedule a hearing.

(2) The Student Financial Assistance Appeal Board may require the applicant, the person who dealt with the applicant's application and the person who conducted a review under section 8.1 of the Act to provide any documents and other information that may be necessary to decide the appeal.

(3) The applicant, the person who dealt with the applicant's application and the person who conducted a review under section 8.1 of the Act shall be given five clear days notice of the hearing.

(4) Where the applicant, the person who dealt with the applicant's application or the person who conducted a review under section 8.1 of the Act has been given notice of a hearing and the person

fails to appear, the hearing may proceed in the person's absence.

(5) An appeal hearing must be conducted in private and information relating to the proceedings may only be disclosed to the applicant and the person's representative and officials of the department of the Government of the Northwest Territories that administers the Act.

(6) The Student Financial Assistance Appeal Board shall hear and decide an appeal within 45 days after the day on which the chairperson receives the notice of appeal.

(6.1) For greater certainty, the time period of 45 days referred to in subsection (6) may not be extended.

(7) The Student Financial Assistance Appeal Board shall provide copies of its decision to the applicant and the person who conducted a review under section 8.1 of the Act within 15 days of making its decision

What it Means

Section 39.3 provides information on how an appeal is conducted and when a decision will be provided.

A student who has requested an appeal can request instructions on the procedure process of an internal review or appeal.

Supporting Documentation for an Appeal

The SFA Appeal Board may request the parties to provide additional documentation that are necessary for them to decide the appeal.

Supporting documentation may include:

- A letter from students (and their spouse or parent(s), if applicable) explaining their situation.
- Detailed documentation from a professional third party who was directly involved with their situation (court reports, letters from police, social workers, counsellors, children's shelters and/or doctors).
- Proof of payment for the costs students are claiming.
- Certificate from a physician outlining the nature of illness or permanent disability, the care required and the period of time.
- Documentation from their employer confirming employment, and/or



- Budget outlining estimated educational and/or living expenses.

Proceedings

The appeal hearing is conducted in private and may only be disclosed to the student (or their representative) and the SFA program staff who are representing the Government of the NWT.

Issuing a Decision

The SFA Appeal Board must issue their decision, along with reasons, within 45 days of the Appeal Board receiving notice of the appeal. These 45 days cannot be extended and includes the issuing of decision.

The Registrar must forward copies of the finding or decision to all parties within 15 days of making the decision.

Issuing of Assistance

If at any level of the appeal, the SFA program office or the appeal board finds that assistance should be provided to the student, the Department shall ensure such assistance is provided within ten days of the finding.



Contact Information

Student Financial Assistance

Income Security Programs Division
Department of Education, Culture and Employment
P.O. Box 1320
Yellowknife, NT X1A 2L9

Phone: 1-867-767-9356
Toll Free: 1-866-768-8145
Fax: 1-867-873-0423

Department of Education, Culture and Employment
Street Address
1st Floor Lahm Ridge Tower
4501-50th Avenue
Yellowknife, Northwest Territories

Email
nwtsfa@gov.nt.ca

Website
www.gov.nt.ca/sfa

Dehcho ECE Service Centre

Chief Baptiste Cazon Building
9802 - 98th Ave

Phone: 1-867-695-7338
Toll Free: 1-833-995-7338
Fax: 1-867-695-7351

Department of Education, Culture and Employment
BOX 740
FORT SIMPSON NT X0E 0N0

North Slave ECE Service Centre

Main Floor, Nova Plaza
5019 - 52nd Street

Phone: 1-867-767-9356
Toll Free: 1-866-768-8145
Fax: 1-867-873-0423

Department of Education, Culture and Employment
BOX 1320
YELLOWKNIFE NT X1A 2L9

Sahtu ECE Service Centre

Office #106, Edward G. Hodgson Building
1A Raven Road

Phone: 1-867-587-7159
Toll Free: 1-866-814-9840
Fax: 1-867-587-2612

Department of Education, Culture and Employment
BOX 147
NORMAN WELLS, NT X0E 0V0



South Slave ECE Service Centre – Fort Smith

McDougal Square 195 McDougal Street

Department of Education, Culture and Employment
BOX 1406
FORT SMITH, NT X0E 0P0

Phone: 1-867-872-7425
Toll Free: 1-833-926-2110
Fax: 1-867-872-4507

South Slave ECE Service Centre – Hay River

Courthouse Building
8 Capital Drive

Phone: 1-867-874-5050
Toll Free: 1-833-926-2110
Fax: 1-867-874-5062

Department of Education, Culture and Employment
8 Capital Drive
HAY RIVER NT X0E 1G2

Appeals Office – ECE Programs and Services

Registrar of Appeals
Department of Education, Culture and Employment
P.O BOX 4215
HAY RIVER, NT X0E 1G3

Phone: 1-867-874-2359
Toll Free: 1-855-546-1232
Fax: 1-867-874-2361

Email: appeals_office@gov.nt.ca