

EXCEPTIONAL CASE APPLICATION GUIDE

Ministère de l'Éducation du Loisir et du Sport
Direction de l'accès à l'information et des plaintes
Secretariat du Comité d'examen des demandes dérogatoires

May 2011

1 INTRODUCTION

This guide provides the information students require to prepare an exceptional case application.

Below are some notions and principles related to derogation.

1.1 Contribution-based programs

The financial assistance programs, that is, the Loans and Bursaries Program and the Loans Program for Part-Time Studies are contribution-based programs. They were established according to the principle that the student is the principal person responsible for paying the cost of his or her education. However, if the student does not have the means to pursue studies, financial assistance can be awarded to him or her to cover basic needs deemed essential to pursue those studies.

1.2 Minister's discretionary power and power of derogation

The Minister has discretionary power which allows him or her to derogate from the the law for the purpose of awarding financial assistance to a person who is ineligible under the financial assistance programs or a person who is eligible, but was not entitled to a sufficient amount of financial assistance.

1.3 The mandate of the Examination Committee for Exceptional Cases

To exercise his or her discretionary power, the Minister must obtain the opinion of the Examination Committee for Exceptional Cases. That Committee, whose members are appointed by the Minister, has the mandate to analyze exceptional case applications submitted to it in relation to student financial assistance. Subsequently, the Committee members submit their recommendations to the Minister for final approval.

1.4 Studies in jeopardy

The Minister can derogate from the rules governing the awarding of financial assistance if he or she deems that the student's studies would be in jeopardy in the absence of that assistance. This is an essential criteria and the Committee is required to consider it when studying applications.

1.5 Applications analyzed case by case

Each exceptional case application has a specific profile that is the result of a combination of various elements. Consequently, each application submitted to the Committee is analyzed taking into account its individual characteristics.

2 IS YOUR APPLICATION VALID?

Before submitting your exceptional case application, you must be sure that the following conditions are satisfied:

2.1 Application for student financial assistance

You must have filed an application for student financial assistance under the Loan and Bursaries Program or the Loans Program for Part-Time Studies and received:

1) A reply informing you that you are ineligible for one of the following reasons:

- You have reached the maximum number of months of study for which you were eligible for financial assistance.
- You have accumulated the maximum debt allowed for your level of study
- You have attained the maximum number of months of study and debt allowed.

OR

2) An amount of student financial assistance that you deem insufficient to pursue your studies

2.2 False declaration or defaulted loan

If you have received a notice informing you that your student financial assistance file has been suspended, processing of your exceptional case application will be put on hold pending a decision in that matter. Moreover, if you have been declared ineligible under the student financial assistance programs due to a false declaration, your exceptional case application will be invalid for the full period of ineligibility.

If you have defaulted on a loan, you must reach an agreement with the Service du recouvrement (debt collection service) of Aide financière aux études before submitting your exceptional case application.

2.3 Student status

If you are currently a beneficiary under the Loans and Bursaries Program for full-time studies, you must maintain your student status. If you withdraw from one or more courses and are subsequently considered a part-time student, your exceptional case application will be invalid. However, if you are pursuing part-time studies that are deemed full-time, your application will be valid.

You must be enrolled (**not *deemed enrolled***) at the time your exceptional case application is received by the Secretary of the Examination Committee for Exceptional Cases. If you have completed your studies for the award year concerned

by your exceptional case application, those studies cannot be considered in jeopardy.

For example, if you complete your studies on May 31, 2011, you have until that date to send us your exceptional case application. Once that deadline has passed, your application will be invalid (even if you resume your studies in September 2011).

3 WHAT MUST BE INCLUDED WITH YOUR EXCEPTIONAL CASE APPLICATION?

It is essential that you first consult the person responsible for student financial assistance at your educational institution. He or she will guide you in the preparation of your exceptional case application and, in particular, ensure that the prerequisites for submitting an application are satisfied and that all requested documents are valid.

Only complete applications are submitted to the Examination Committee for Exceptional Cases. If the application is not complete, a request for information will be sent to you and processing will be suspended until the information or supporting documents have been provided.¹

Your exceptional case application must therefore include **all** the following documents:

3.1 A letter stating the grounds for your application, duly signed, in which you briefly explain:

If you are ineligible under the student financial assistance programs:

- The reasons why you have attained the maximum number of months of study or debt level (e.g. your reason for extending the prescribed period for that academic objective, your return to studies, your reorientation)
- How your studies will be in jeopardy if you are not awarded financial assistance
- The amount of financial assistance that you deem necessary to pursue your studies and a justification of that amount
- The efforts you have made to contribute to the cost of your education

If you deem that the amount of student financial assistance awarded is insufficient:

- How your studies will be jeopardized if you receive no additional financial assistance
- Why your situation should be considered exceptional or why, during the award year, you must incur exceptional expenses that are not provided for under the Loans and Bursaries Program
- The additionnel amount of financial assistance you deem necessary to pursue your studies and a justification of that amount
- The efforts you have made to contribute to the cost of your education

1. If you fail to reply within 45 days of receiving the information request, your file will be closed without prior notice.

- 3.2 An **official letter from the services pédagogiques (educational services)** indicating the name of your program of study and the date you expect to receive your diploma.

The letter can be written by the person in charge of student financial assistance if that person can confirm the information requested. For university graduate or doctoral studies, include a letter from your thesis supervisor.

- 3.3 An **official copy of all transcripts** of your post-secondary studies (if you are currently pursuing vocational studies, a copy of your high school diploma is required).
- 3.4 The form ***Student's Budget Within the Framework of an Exceptional Case Application***, duly completed and signed. That form is available at the financial assistance office of your educational institution or on the Web site of Aide financière aux études.
- 3.5 The form ***Spouse's Budget Within the Framework of an Exceptional Case Application***, duly completed and signed. That form is available at the financial assistance office of your educational institution or on the Web site of Aide financière aux études.
- 3.6 Any **official document in support of your exceptional case application** that will enable the Committee to determine, for the purposes of providing an opinion to the Minister, whether or not your studies are in jeopardy and the amount of financial assistance that is required, if applicable (e.g. lease, medical report, letter from a psychosocial rehabilitation specialist).

- 3.7 A **letter of accompaniment**, duly signed, by the person responsible for student financial assistance, who must send your exceptional case application to the following address:

Ministère de l'Éducation, du Loisir et du Sport
Direction de l'accès à l'information et des plaintes
Secrétariat du Comité d'examen des demandes dérogatoires
Édifce Marie-Guyart
1035, rue De La Chevrotière
Québec (Québec) G1R 5A5

(Note that neither faxes nor e-mails are accepted.)

4 WHAT HAPPENS TO YOUR APPLICATION ONCE IT HAS BEEN RECEIVED BY THE SECRETARY OF THE EXAMINATION COMMITTEE FOR EXCEPTIONAL CASES?

- As soon as your exceptional case application has been registered by the Secretary of the Examination Committee for Exceptional Cases, an acknowledgement of receipt will be sent to you in writing.
- Your exceptional case application will be studied to ensure that the prerequisites have been satisfied, that all required documents have been submitted and that the explanations are clear, concise and relevant.
- If your exceptional case application is complete, the Committee Secretary will study it and prepare it to be submitted to the members of the Examination Committee for Exceptional Cases.

You will receive a notice in writing informing you that your application will be submitted to the Committee at the next meeting. (See meeting calendar, item 5.)

- The Examination Committee for Exceptional Cases then examines each application on the basis of the documents and explanations provided.
- All notices relating to an exceptional case application are referred to the Minister for a decision.
- Once the Minister has rendered a decision, it is recorded in the computer system of the Secretary of the Examination Committee for Exceptional Cases. You will be informed of that decision in writing in a letter.
- Notwithstanding unusual circumstances, you will receive a reply to your exceptional case application within two to three weeks of the Committee meeting.

If you have questions regarding your exceptional case application status, please contact the person responsible for financial assistance at your educational institution.

5 2011-2012 MEETING CALENDAR – EXAMINATION COMMITTEE FOR EXCEPTIONAL CASES

Month	Dates *	Applications received by the Secretary by
August	17-18-19	July 1
September	21-22-23	August 26
October	26-27-28	September 30
Nov. / Dec.	30-1-2	November 4
January	25-26-27	December 16
Feb. / Mar.	29-1-2	February 3
April	3-4-5	March 9
May	2-3-4	April 13
June	6-7-8	May 11

* Subject to change without prior notice. Please contact the person in charge of student financial assistance at your educational institution.

REQUIRED DOCUMENTS



3.1	A letter stating the grounds for your application , duly signed, and addressing the questions applicable to your situation
3.2	An official letter from the services pédagogiques (educational services) indicating the name of your program of study and the date you expect to receive your diploma
3.3	An official copy of all transcripts of your post-secondary studies
3.4	The form <i>Student's Budget Within the Framework of an Exceptional Case Application</i> , duly completed and signed
3.5	The form <i>Spouse's Budget Within the Framework of an Exceptional Case Application</i> , duly completed and signed, if applicable
3.6	Any official document in support of your exceptional case application that will enable the Committee to determine, for the purposes of providing an opinion to the Minister, whether or not your studies are in jeopardy and the amount of financial assistance that is required, if applicable
3.7	A letter of accompaniment , duly signed, by the person responsible for student financial assistance