



The Government of the Republic of Trinidad and Tobago

MINISTRY OF EDUCATION

Understanding Your Scholarship Agreement

The Legal Toolbox



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Presentation Roadmap

- What are the objectives of this presentation?
- Why must you sign a Scholarship Agreement?
- What is the Scholarship Agreement about?
- What are the obligations of the Government of Trinidad and Tobago (GoRTT)?
- What are your obligations?
- What happens if you abandon your studies?
- What happens when you complete your studies?
- What happens when you complete your service to the GoRTT?
- What is a Breach of the Scholarship Agreement?
- When and how does Repayment take place?



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Objectives

➡ To give you a clear understanding of the nature of the Scholarship Agreement between you, your Guarantor and the GoRTT

➡ To explain key terms and conditions of the Agreement

➡ To highlight your legal obligations during your course of study

➡ To discuss the consequences of a breach of the Agreement between you and the GoRTT



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Why must you sign a Contract/Scholarship Agreement?





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The intent of the Scholarship is:

- ☐ To provide financial assistance to the Scholar to allow you to pursue further studies.
- ☐ To ensure that Trinidad and Tobago has the required skills and competencies for continued development of our resource base.

The Scholarship Agreement represents:

- ☐ A legally binding document between you, the Scholar and the GoRTT whereby promises are made by both parties that they will fulfill certain obligations.



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Who are the Parties to this Agreement?

- ❑ The Government of Trinidad and Tobago [GoRTT] through the Permanent Secretary, Ministry of Education and its agency, the Scholarship and Advanced Training Division (SATD)
- ❑ You, the Scholar
- ❑ Your Guarantor



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What does the Scholarship Agreement entail?





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The Scholarship Agreement, inclusive of the appendices, outline:

- ☐ Your legal obligations/promises
- ☐ The GoRTT's legal obligations/promises

You are also provided with:

- ☐ A Letter to inform your University of GoRTT's financial support
- ☐ A Visa Letter in support of Scholars going abroad and
- ☐ A Letter authorising GoRTT's access to your transcripts and other information relevant to your course of study.



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Key understandings about the Scholarship and the Scholarship Agreement

- ❑ The GoRTT regards the scholarship as an investment in you which takes the form of a **loan**.
- ❑ Like other loans, the agreement outlines important issues as amount and types of funding, what actions are expected from you by the Lender (scholar do's and don'ts), and *most importantly*, how you are expected to repay (your obligation to serve).



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Key understandings about the Scholarship and the Scholarship Agreement

- ❑ There will be some time between signing and first payment of entitlements
- ❑ If there is some failure or non-compliance on your part, your scholarship can be suspended or even terminated and you must repay the Government all monies expended on your scholarship(s) *plus interest*.
- ❑ It is therefore critical that you read and review this document together with your Parent/Guardian and/or other trusted advisor e.g. an attorney and seek clarification from SATD before you sign.



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The importance of the Student Authorisation letter

- ❑ This document authorises your Academic Institution to release any and all information relating to your course of study.
- ❑ Including your:
 - ✓ academic transcripts for each year or semester
 - ✓ registration/re-registration (status) letter
 - ✓ statement of tuition and other compulsory fees (invoice)
 - ✓ Progress report from supervisors of postgraduate scholars



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What are some obligations and rights of the GoRTT?

- ❑ To pay your tuition or part-tuition and other compulsory fees and all applicable allowances.
- ❑ To offer you employment within three (3) – six (6) months of your return upon the completion of your studies.
- ❑ The GoRTT reserves the right:
 - ✓ to publish information related to the administration of scholarships;
 - ✓ to assess and respond to your non-compliance with the terms and conditions of the Scholarship Agreement, especially your academic performance.



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What are your obligations?

- ❑ Your obligations can be divided into several do's and don'ts.
- ❑ These obligations extend from the beginning of your course of study until you have completely served your obligatory period or you have repaid the GoRTT with interest.



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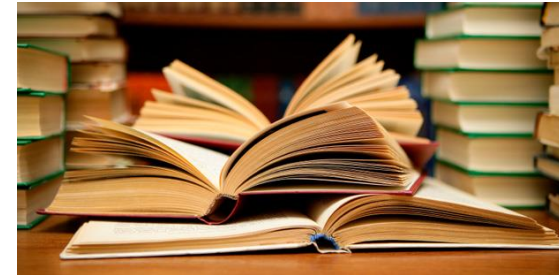
SCHOLAR DO'S





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Academic Obligations



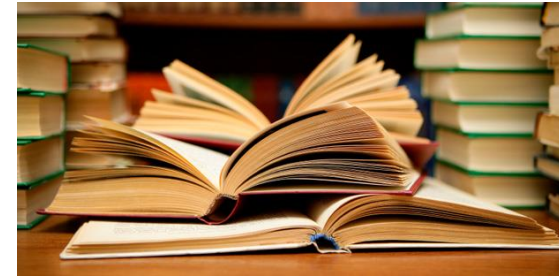
You are required to:

- ❑ Pursue your studies diligently throughout your course of study.
- ❑ Obtain within the **stipulated time** or **any shorter period of time**, the qualification for which you were granted the Scholarship.
- ❑ Submit to the discipline, supervision and control of the academic institution you are attending.
- ❑ Maintain a Grade Point Average of **2.50** or its equivalent *per academic year*.
- ❑ Follow up requests that you have made with SATD personnel.



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Academic Obligations



You are required to:

- ❑ Authorise the GoRTT to have access to all information related to your course of study.
- ❑ Submit your academic transcripts at the end of each semester/trimester or ensure that your academic institution does so.
- ❑ Submit a status letter from your academic institution at the beginning of each academic year.



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Non-Academic Obligations

You are required to:

- ❑ Behave lawfully and maintain citizenship of Trinidad and Tobago.
- ❑ Check and respond to emails and notices on your scholarship profile on a continuous basis, including notification of changes to your status or contact information for the full duration of your studies.
- ❑ Report in person to the SATD with the relevant documents upon completion of your studies.
- ❑ Contribute to national development by undertaking your obligatory service as soon as possible by taking up employment with the GoRTT or an agency of the GoRTT.



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SCHOLAR DON'TS





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Academic Don'ts

Without prior written consent from the GoRTT, do not:

- ❑ abandon or change your course of study;
- ❑ change your academic institution;
- ❑ take up employment or accept any other scholarship, grant, bursary, financial aid, or monetary award from a foreign or local source;
- ❑ add electives or another major that impedes or extends the time for completion of your contracted course of study.



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Other Don'ts

Do not

- ❑ Assume that extensions to the period of scholarship or deferrals of service will be granted simply on written application.
- ❑ Apply for residency status or apply for or acquire permanent residence/citizenship in any country other than Trinidad and Tobago.
- ❑ Participate in activities which are or are likely to be harmful or damaging to the reputation of Trinidad and Tobago and the GoRTT.
- ❑ Impede or frustrate the GoRTT's attempts to obtain employment for you.



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What happens if you abandon your studies?

If you abandon your studies, or do not report to the GoRTT, the GoRTT will:

- ❑ cease the payment of tuition, other compulsory fees to your academic institution and allowances to you.
- ❑ regard you as being in breach of contract
- ❑ demand the repayment of any and all monies **(with interest)** spent up to the date of your discontinuance.



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What happens when you have completed your studies?






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Reporting – What does it mean?

- ❑ ALL scholars are required to report **in person** to the SATD.
- ❑ When you “report” you must submit the required reporting documents to the SATD, which may include:

- 
- A yellow folder icon with several white documents sticking out of it.
- An Updated CV
 - Two (2) references
 - Academic Certificate
 - Current transcript
 - Letter stating availability for employment



- ❑ The Reporting process is **not completed** until all required documents have been submitted.



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Scholars studying locally



- ☐ You must report in person to SATD within **fourteen (14) days** of the completion of your course of study.

Scholars studying abroad



- ☐ You must report in person to SATD within **one (1) month** of the completion of your course of study.



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Lengths of Obligatory Service

Cost of Scholarship	Period of Obligatory Service
Up to \$100,000	One (1) Year
Over \$100,000 and up to \$300,000	Two (2) Years
Over \$300,000 and up to \$400,000	Three (3) Years
Over \$400,000 and up to \$600,000	Four (4) Years
Over \$600,000 and above	Five (5) Years



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GoRTT's Obligation to employ

- ❑ The GoRTT will make every reasonable attempt to offer you “suitable employment” within 3 to 6 months of reporting.
- ❑ Suitable employment is employment in Ministries in Trinidad and Tobago and other government agencies or employment that is approved, in writing, by the GoRTT, which the GoRTT views as consistent with the particulars of the course of study in which you were engaged. Alternatives will be considered where placement is disputed.
- ❑ If the GoRTT **does not offer** you employment within 3 to 6 months, you are expected to seek and remain in suitable employment in Trinidad and Tobago for the applicable Prescribed Period. Alternatively, you may seek permission to further your studies.



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Employment during obligatory service periods

- ❑ The GoRTT may offer you employment after the **three (3) month** period has expired.
- ❑ If at the time of the GoRTT offer, you are either **unemployed** or **do not have an offer of suitable employment**, you are required to accept this offer *provided* that it is made during the applicable prescribed period of obligatory service.
- ❑ You are required to provide to SATD, on a bi-annual basis for the full duration of the prescribed period, documentary evidence of your employment status.





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What happens when you have served your period of obligatory service

- ❑ You would have fulfilled your contractual obligation and this will be communicated to you, in writing, by the SATD.
- ❑ This does not mean that you have to leave GoRTT employment at the end of your obligatory period.
- ❑ The expectation is that your place of work will transition you into a longer period of employment





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Breach of Contract

- ❑ A breach is a failure by the scholar to abide by the contractual obligations. Such failures include:
 - ✓ Not reporting within the given time-frame or within a reasonable time
 - ✓ Not completing qualification within reasonable time
 - ✓ Not obtaining written permission where required
 - ✓ Non-compliance with laws, regulations, policies of the academic institution, foreign country and Trinidad and Tobago
 - ✓ Making requests to repay rather than provide service
- ❑ Where the scholar breaches the Agreement, the GoRTT will take appropriate legal action via the Attorney General's Office.



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Situations requiring Repayment

- ❑ There are two (2) situations where a scholarship loan can be repaid
 - Where a scholar prefers to repay instead of serving or
 - Where a scholar has breached his/her scholarship agreement.
- ❑ Your repayment will be the total sum expended on your scholarship plus interest at **7.75% per annum** which is calculated from the first month of payment of tuition, other compulsory fees or allowances to you or on your behalf **less** any time spent in service.
- ❑ This sum must be paid either by you or your Guarantor.



