

Linette A. Gibs

Subject: FW: Note of Response SF Ordinance
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Importance: High

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From: Nancy R. Guishard-Joubert
Sent: Wednesday, September 26, 2018 2:15 PM

From: Linger, Ruth <Ruth.Linger@sintmaartengov.org>
Sent: Wednesday, September 26, 2018 2:13 PM
To: Sarah A. Wescot-Williams <Sarah.Wescot-Williams@sxmparliament.org>
Cc: Nancy R. Guishard-Joubert <nancy.joubert@sxmparliament.org>; Powell-Richardson, Shermina <Shermina.Powell-Richardson@sintmaartengov.org>; Smith, Wycliffe <Wycliffe.Smith@sintmaartengov.org>; Eugenio, Michnella <Michnella.Eugenio@sintmaartengov.org>
Subject: Note of Response SF Ordinance
Importance: High

Dear Mrs. Wescot,

Please find attached the note of response to the report concerning the draft National Ordinance of Study Finance of the Hon. Minister of Education, Culture, Youth and Sport.
Hoping to have informed you sufficiently.

Best Regards,

Ruth Linger
Senior Vakspecialist to the Minister of Education, Culture, Youth and Sport
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Ministry of Education, Culture, Youth & Sport

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To: The President of the Parliament of Sint Maarten
Wilhelminastraat #1
Philipsburg, Sint Maarten
Attn: Mrs. S. Wescot-Williams

Our nr. Kabinet OCJS – 107 **DIV Nr.** 6228/188¹ **Philipsburg,** September 26, 2018

Subject: Note of Response to the Report concerning the draft National Ordinance
Study Finance

Dear Mrs. Wescot-Williams,

I hereby provide you with the Note of Response to the report concerning the draft National Ordinance, containing rules for granting Study Financing (National Ordinance Study Finance).

With great interest, I have taken note of the report of Parliament on the Draft National Ordinance Study Finance. I would like to thank the Parliament for issuing this report and for the confidence that the Parliament has in the handling of this draft in the public meeting.

In response, I hereby present to the Parliament this note to the report.

The United Democrats-Faction has taken note of the draft with interest.

The faction would like to know how the current financial state of the country will impact how students will be granted study financing and how it will affect those that are already receiving study financing.

Answer:

No negative financial consequences are expected for the students who have already been granted study financing, as all study financing expenditures are budgeted for in the draft 2019 budget. However, if necessary, temporary cost-cutting measures can be introduced to mitigate any shortfalls.

Has the Government looked into mandating a committee for handling study financing (granting, cancelling or the changing of studies) to avoid uncertainty in the decision-making process? Is there a provision in the national ordinance for this?

Answer:

The Ministry has not looked into mandating a committee for the handling of study financing as these tasks are currently being performed by the Division Study Financing. The Division Study Financing is an executing body within the Education sector, falling under the Ministry of Education, Culture, and Sport and only functions based on the laws that determine the parameters within which it can operate. This draft law ensures that functions being executed by the Division are not politically tainted. That is why this Ordinance is of great importance to ensure that the Division has the proper tools, vetted by Parliament, within which to work in order to prevent politically tainted decisions. However, ultimately, it is the Minister who decides on the granting of study financing after receiving advice from the Study Financing Committee and this law ensures that the relevant checks and balances related to the execution of this task are also in place. The Division Study Financing only facilitates the execution of this legislation. Also, it should be noted, taking the principles of good governance into consideration that outsourcing may not be a feasible way forward as these principles cannot be guaranteed through privatization.

Why only 1 out of 10 students' requests study financing to pursue a degree on the Masters level? Is it because of the priority list? Is there a reason why other fields of study do not come into consideration for Masters degrees?

Answer:

The statistics on slide 6 of the presentation give an overall picture of applicants who applied for study financing to pursue a Master's Degree, rather than who qualified. Awarding study financing to pursue a degree (Associates, Bachelor or Masters) is based on the applicants meeting the study financing criteria and on the available budget. This includes all studies which are deemed priority.

Can clarity be given regarding article 3, paragraph 1, under a and b? What rules apply to those who have recently acquired their Dutch nationality?

Answer:

There is no difference between persons that have just received their Dutch nationality compared to some who have had their Dutch nationality for some time. All Dutch nationals will have resided on Sint Maarten for at least 5 years.

What are the consequences for students who have lived on the island for less than the five years? Will they not be granted study financing? Is there any provision in the legislation for students whose parents are permanent residents, outside of studying in

the Caribbean Region? What happens to students that do not meet these criteria?

Answer:

Unfortunately, applicants who are Dutch nationals residing on St. Maarten for less than 5 years are in principle not eligible for Study Financing. However, the Ordinance does provide that for those cases we then look at the residency of the parents. The parents will have to have been residing on St. Maarten for at least 5 years. Again, even in this instance the applicant will have to be a Dutch National. The Ministry has determined that these requirements are cumulative in order to increase the chances that students will return home after studying abroad. Also it is important that applicants, who will be receiving study financing, or the applicant's parents have been contributing to the treasury. As these funds will serve as the continual injection to the budget for study financing. We consider the chance of return considerable and the contribution sufficient only after at least 5 years of residency.

Is there an exception for persons between the ages of 26 and 40 who apply for study financing? Or is it limited to just studying at the USM? Is it for attending the institution or is it also for online studies?

Answer:

The application or eligibility procedure is the same for applicants who fall within the age bracket of 26 and 40. This means that the choice of study will still need to be listed on the priority list, the study will need to be full time and the most appropriate education institution will be honored. The difference and so the need for the exception pertains to the fact that Study Financing will only be granted to applicants who fall within this category as a full loan. The government is of the opinion that these individuals should be in a better financial situation, which would allow them to carry a full loan.

Some students are applying specifically for online studies. How is that handled and dealt with in this legislation? Is that process the same as for a regular student attending classroom studies?

Answer:

Yes, online studies will fall under the scope of this Ordinance, as long as these are connected to an established and recognized accredited educational institution. Also the online course will have to be considered full time according to the standards of the educational institution.

Concerning students whose parents' earnings exceed the amount for which one can be eligible for study financing: What happens in the cases when students are unable

to get study financing because their parental income exceeds the maximum amount for the awarding of study financing? What happens when the parents do not have their taxes up to date? Is it possible for students to work for a year or two so that they can file for themselves? Are there any other provisions in the national ordinance for these situations?

Answer:

The general rule is that once the applicant is eligible, as determined in article 3, then the student will be granted study financing. The parental taxable income is not looked at to determine eligibility. It is only looked at to determine the ratio between a Grant and a Loan.

The ratios are:

- i. a taxable income under fl. 100.000 --> 40% Grant and 60% Loan*
- ii. a taxable income between fl. 100.000 -250.000 --> 20% Grant and 80% Loan*
- iii. a taxable income above fl. 250.000 --> 100% Loan.*

So even in cases of individuals having an income that exceed fl. 250.000 they will be able to receive Study Financing but in a form of 100% Loan.

Why do SBO students only obtain limited study financing? Can Government explain this? What about those students? Can some clarification be provided as to what the limitations are?

Answer:

Secondary Vocational Education falls within the scope of this Ordinance and consequently, students studying at that level can also receive study financing for vocational/technical studies.

The general rule is that SBO students have access to all categories of study financing, except when;

- i. they are attending schools in The Netherlands. Those students will not receive study financing for tuition as they will have access to study financing via DUO.*
- ii. they have decided to remain on the island. Those students have access to study financing for study materials.*

Students following Vocational Education: What are the possibilities for them other than the NIPA? What are their options? It would be unfortunate that this group of students would not have other options.

Answer:

As stated before Secondary Vocational Education definitely falls within the scope of this Ordinance and consequently students studying at the SBO level have a wide

variety of options and are not confined to the Country's borders (as long as the chosen educational institution is the most appropriate educational institution.) The criteria to determine the most appropriate education institution will be established by National Decree.

- i. In the draft Decree we have stipulated the guidelines for determining the most appropriate educational institution. In that regard, educational institutions with which Sint Maarten has agreements, get first preference, followed by educational institutions located on Sint Maarten.

The Study Finance Committee Members should be experienced persons. What does this experience entail exactly? Is the four-year appointment similar to the Monument Council? Who are the members on the Committee right now? How long have they been serving? How does the appointment take place?

Answer:

The regulations on the Study Financing Committee are to be found in articles 18-22 of the Ordinance. The members of the Study Financing Committee are appointed, suspended and dismissed by National Decree. The chairperson and deputy chairperson are appointed by or on behalf of the minister and only have an advisory or consultative voice. In addition to the chair and deputy chair, the Study Finance Committee consists of five members and two deputy members.

These members should have the following expertise:

- knowledge or experience in the field of labor market policy;
- knowledge or experience in education at secondary or tertiary level;
- financial knowledge or experience; and,
- knowledge or experience in the field of economics and tourism.

Profile sketches will be laid down by ministerial regulation.

The members are appointed for a period of four years and can be reappointed once.

The current members and respective expertise are:

- i. Ms. Cassandra Wilson (2011-) (Financial)
- ii. Ms. Lisa Coffi (2013-) (Tourism and Economics)
- iii. Ms. Caroline Gibbes (2018-) (Legal)
- iv. Ms. Cassie-Ann Robin (2017-) (Labor)
- v. Mrs. Joan Stephen- Kartokromo (2018-) (Education)

What is meant with unsolicited information in article 25 and 26?

Answer:

Unsolicited information is information that should be provided automatically by the

student or debtor about him/herself; it is information that can lead to the granting of less Study Financing or can cause an increase in the monthly payment of student debt.

Is a parent required to submit a change in his/her income? If the parent does not send in the change, how will this affect the student? If so, what are the consequences if the parent loses his/her job? This can cause some misunderstandings in the previous filed information. Can some clarity be given on this issue?

Answer:

Yes, parents are required to submit their tax papers every year about the preceding year. This information is used to determine the ratio of grant and loan every year. In the case of a change of income it will be reflected in the tax papers. Parents should be responsible enough to submit their tax papers. Under the old regulation if the taxes were not submitted a student was not eligible for Study Financing. However, with this new Ordinance, the applicant is still eligible. Nevertheless, the ratio of study financing can be affected. Also, as a result, the non-submission of the documents could lead to study financing being suspended. If the situation persists for longer than 12 months, study financing can then be terminated. It should be noted in this regard, that the Ordinance does provide for the Minister to request information from the tax office, in cases where the parents are not cooperative. The exact procedure and when this will be deemed feasible will be further regulated in the National Decree.

Repayment and collection of Study Debt – Who determines the number of months and years to repay? What are the criteria to determine the amount of interest and who decides that? If the student returns within 2 years of completion of the study, 20% will be a loan and 40% a grant. Will 20% be additional to the 40% grant? So, the student will actually receive 60% grant?

Answer

In Article 35 of the Ordinance, the Minister is the competent authority to establish the repayment plan. In the repayment plan the amount of repayment years is established. The rules of the calculation of the amount of years will be further established by National Decree and is determined by the total amount of debt after the deduction of the gift part (if applicable). The following ratio will be applied.

- i. a debt of less than fl. 15.000 within a period of 5 years;*
 - ii. a debt of between fl. 15.000 and 25.000 within a period of 10 years;*
 - iii. a debt of between fl. 25.000 and 45.000 with a period of 15 years,*
 - iv. a debt of more than fl. 45.000 within a period of 20 years;*
- 20 years being the maximum to avoid students having to pay back for rest of their lives.*

The 20% grant will be subtracted from the 60% loan that was granted.

What is the total financing for 2018? Which are the countries where students are graduating from? List of study locations per year. Can they be named per year? Is there a surplus of NAFI. 3 million still in the budget? What will this be used for?

Answer:

In 2013, approximately 39 students notified the Division Study Financing that they completed their studies. The number of expected graduates were approximately 132. As such, approximately 30% of the study financing recipients are reported to have graduated in 2013.

Place of study	Graduates	%
Aruba	2	5%
Canada	4	10%
Curacao	8	20%
Dominican Republic	1	3%
England	1	3%
Holland	8	20%
St. Maarten	2	5%
St. Thomas	1	3%
USA	12	31%
TOTAL	39	100%

In 2014, approximately 48 study financing recipients notified the Division Study Financing that they completed their studies. The number of expected graduates for 2014 were approximately 136. As such, it can be concluded that approximately 35% of the study financing recipients are reported to have graduated in 2014.

Place of study	Graduates	%
Aruba	4	8%
Canada	2	4%

Curacao	7	15%
England	1	2%
Holland	9	19%
St. Maarten	7	15%
St. Kitts	1	2%
St. Lucia	1	2%
USA	16	33%
Total	48	100%

In 2015, approximately 80 study financing recipients notified the Division Study Financing that they completed their studies. The number of expected graduates for 2015 were approximately 152. As such, it can be concluded that approximately 53% of the study financing recipients are reported to have graduated in 2016.

Place of study	Graduates	%
Barbados	0	0%
Canada	8	10%
Curacao	22	27.5%
England	1	1.25%
Holland	16	20%
St. Maarten	5	6.25%
St. Thomas	0	0%
Trinidad	2	2.5%
Barbados	0	0%
USA	26	32.5%
Total	80	100%

In 2016, approximately 67 study financing recipients notified the Division Study Financing that they completed their studies. The number of expected graduates for 2016 were approximately 149. As such, it can be concluded that approximately 45% of the study financing recipients are reported to have graduated in 2016.

Place of study	Graduates	%
Aruba	3	4.5%
Canada	3	4.5%
Curacao	6	9%

England	2	3%
Holland	19	28%
St. Maarten	2	3%
USA	32	48%
Total	67	100%

In 2017, approximately 64 study financing recipients notified the Division Study Financing that they completed their studies. The number of expected graduates for 2017 were approximately 80. As such, it can be concluded that approximately 80 % of the study financing recipients are reported to have graduated in 2017.

Place of study	Graduates	%
Aruba	2	3%
Canada	5	8%
Curacao	6	9%
England	2	3%
Holland	14	22%
St. Maarten	7	11%
St. Lucia	1	2%
Thailand	1	2%
Trinidad	1	2%
USA	25	38%
Total	64	100%

Please see the graph below for the overview of applicants per year and study locations (2016-2018).

The annual budgets are established for the respective calendar years. As such, unused funds of any particular post cannot be seen as a surplus to be used in subsequent years.

Place of Study	2016		2017		2018		Totals		
	Applicants	Granted	Applicants	Granted	Applicants	Granted	Total applied	Total granted	%

Aruba	7	3	2	1	3	2	12	6	50%
Barbados	1	0	0	0	0	0	1	0	0%
Bonaire	1	1	0	0	1	0	2	1	50%
Canada	11	8	12	11	17	14	40	33	82.5%
Curacao	5	4	2	1	2	1	9	6	67%
Dominica	0	0	1	1	0	0	1	1	100%
England	11	10	1	1	0	0	12	11	92%
France	0	0	0	0	1	0	1	0	0%
Holland	48	38	51	47	55	41	154	126	82%
Jamaica	1	0	0	0	0	0	1	0	0%
Mexico	1	0	0	0	0	0	1	0	0%
Panama	5	4	2	1	0	0	7	5	71%
Puerto Rico	2	2	0	0	0	0	2	2	100%
Scotland	1	1	0	0	0	0	1	1	100%
St. Kitts	0	0	0	0	1	1	1	1	100%
St. Maarten	31	21	23	21	19	12	73	54	74%
St. Thomas	1	1	0	0	0	0	1	1	100%

What is the overall picture of collection, repayment and data base of such thus far?

Answer:

Currently the total outstanding study loans from December 2015 to August 2018 is ANG 1,820,955.35. Based on information received from the Receiver's Office, a total of fl. 273,780.21 has been collected. As such, it can be concluded that approximately 15% in study loans has been collected over that period.

With regard to the repayment scheme as it is stipulated in the Ordinance, every student will receive an individual repayment schedule. This schedule is based on the original study finance decision, so from day 1 the student knows what they have to repay.

For example, a student who is studying in the US gets a maximum of fl. 26.700 a year for a 4-year program to complete a bachelor. If the student falls within the normal grant/loan ratio of 40%/60%. After completion of his/her studies the calculation should then be $4 \times 26.7000 - 40\% = \text{fl. } 64.080$. According to the rule in the National Decree, that student would fall within the highest bracket and would then have a maximum of 20 years to repay the debt. 20 years = 240 months. The total amount of debt, is divided by the number of months of the repayment period. In this case, monthly this student would have to pay: $64.080 / 240 = \text{fl. } 267$, - per month.

Every 5 years a new calculation is made to recalculate the amount of repayment that

is still outstanding. As stated previously, the number of years to repay has been maximized. If one cannot pay the amount that was determined, then applicant can request a review of this amount. The Receivers Office is authorized to collect the loans. If a student does not pay, after 3 months (90 days) the Receiver can start enforcement of payment through a special procedure. This procedure is the same as the Receivers is accustomed to apply to enforce payment.

What is the Government's policy regarding the working agreements with universities? And especially with the universities in the USA? Which universities and where? Are there agreements with universities outside the USA? Which universities are these?

Answer:

Government's policy regarding government's relationships with working with Universities is to create, promote and expand affordable study opportunities for its students by establishing partnership agreements with educational institutions in the USA and elsewhere.

These institutions are located in the United States of America, its territories and St. Maarten, such as:

- *Keiser university*
- *Flagler College*
- *Florida State University (FSU)*
- *Florida Agricultural and Mechanical University (FAMU)*
- *Johnson & Wales University (JWU)*
- *Pittsburgh Technical Institute (PTI)*
- *Tallahassee Community College (TCC)*
- *The University of the Virgin Islands (UVI)*

Panama:

- *Florida State University (FSU)*

St. Maarten

- *AUC School of Medicine (AUC)*

2017-2018 academic year

School	Amount of Students	%
FAMU	19	20%
FSU	9	9%
TCC	39	41%
JWU	14	15%
Monroe College	10	11%
Keiser University	1	1%

AUC	3	3%
Total	95	100%

2018-2019 academic year

School	Amount of Students	
FAMU	15	13%
Flagler College	2	1.5%
FSU	8	7%
TCC	53	45%
JWU	16	14%
Monroe College	18	15%
Keiser University	2	1.5%
AUC	4	3%
Total	118	100%

In terms of agreements as it relates to the goal of reducing tuition. What are the conditions? How many students are making use of this?

Answer:

Students are eligible for the following based on the respective MoU's:

- *Tuition matching program – The institution will match the amount awarded by the Government of St. Maarten. In some cases, with a maximum aggregate amount.*
- *Volume discount on tuition*
- *Instate tuition – fixed total rate (reduced tuition)*

Several European Union universities offer students incentives, such as reductions in tuition. St. Maarten students can make use of these types of programs in Europe being holders of European passports. Has the Government looked into this and informed students as it relates to these avenues in obtaining study financing? What is the Government doing to stimulate this?

Answer:

The Ministry will have to research that matter and see where we can incorporate these aspects into the assessment process for granting of Study Financing. As it stands now, the Division Study Financing is free to advise students of additional options. If the students do make use of those options, they would need to notify Study Financing so that it can be considered for the amount of study financing.

Students that didn't graduate from the H.A.V.O, will they always have to do the G.E.D. to be able to get student financing? Does the G.E.D. number have to be high as it was in the past? Is it possible to remove the Expat article from this draft national

ordinance?

Answer:

Based on the MOU with Pittsburgh Technical Institute (PTI), provisions are in place for students to pursue technical vocational education on the priority list.

For persons who wish to apply, the General Academic criteria for Technical Vocational Education are that the applicant must be in possession of a GED diploma with a score of at least 460 (in the old format) or a minimum of 145 (per subject) in the new GED testing format GED® which went into effect on January 26, 2016. Or the students will be required to submit Accu Placer Test results (can be done at the Division Study Financing) with the following scores:

- *Reading 63 or more*
- *Science Skill 51 or more.*
- *Elementary Algebra 45 or more*

This academic requirement is less than the requirement for students applying for study financing to pursue a Bachelor's degree. Presently, the minimum required score for Bachelor's degree is 520 (old format) or 165 in the new testing format.

With regards to removing the expat article it should be noted that this provision can indeed limit the amount of Expats that can qualify, the only thing that we can do within the framework would be to increase the amount years. Removing the article would actually enable Expats to qualify immediately and have access to Study Financing without the additional requirement. If we would remove the requirement of the Dutch nationality, we would also open of the SF to every person who is not Dutch.

Based on the slides, the conclusion is that less than 50% of students graduate every year. What are the main causes for students not being able to complete their studies as mentioned in slide 26 and 27? Students go to other countries to study, can the amounts be specified per year?

Answer:

The data provided is based on confirmation received from students. However, most students tend to cease communication with the Division Study financing. As such, the actual amount of graduates may be much higher.

Slide 28 is based on the current study financing recipients.

What can be done for St. Maarten students that are graduating Cum Laude outside of

St. Maarten?

Answer:

This falls outside of the scope of the Ordinance. However, to further stimulate academic excellence, the Minister can look into ways of recognizing students that perform on that level.

Is it possible to increase the years of an Expat in this draft national ordinance?

Answer:

Firstly, it should be stated that the provisions that are referred to as an "expatriate or expat rule" are stipulated in article 3, paragraph, 1 under a. and b. These provisions however, should not be referred to as an "expatriate rule" as this label diminishes the scope of this provision which encompasses many more groups of individuals other than expatriates.

These provisions apply to all persons wishing to apply for study financing, as they regulate who is eligible for study financing. A change in these provisions would mean that the change will apply to all applicants, in essence making eligibility equally difficult for all applicants.

We are unable to make rules that are stricter solely for expatriates, because once an applicant meets the criteria set out in article 3, paragraph 1, they will fall within the group that has rights to study financing. It is unethical and illegal to single out this group and administer stricter rules, solely because they are expats. Such a measure would be discriminatory in nature and in violation of the right to equal treatment. These principles are enshrined in our constitution under article 16 and have been uniquely protected, as there is no exception or restriction of this fundamental human right.

This observation leaves us with only one option; to adjust the requirement of the amount of years of residency for all applicants. This criterion was originally set in accordance with the 5-year requirement of residency in order to apply for naturalization. This 5-year requirement has been established in the Kingdom Law on the Dutch Nationality and cannot be changed on the Country level. In keeping with the Kingdom Law, the 5-year residency requirement was chosen for all applicants for study financing.

As the rules are now, we believe that they are restrictive enough to limit the amount of expatriates that will be eligible for Study Financing. Over the years there have been very few cases of abuse that would warrant an increase in the amount of years for this criterion. The 5-year requirement has been in effect since 1995 with the introduction of the Eilandsverordening studiefinanciering, which functions as the policy guideline. Lastly, if we implement stricter rules we could hinder students that we actually want

to allow access to study financing.

The Sint Maarten Christian Party-faction has taken note of the draft and is pleased with the manner in which it was presented. However, the faction wants to know what legislation was being applied prior to this national ordinance and what is being applied now? Was there ever a legal basis to collect the money from student loans under the current policy being executed by the Government?

Answer:

The current legal basis for granting study financing is to be found in the national ordinance 'Landsstudietoelagenregeling' 1961. In 1995 and 1997 'new' regulations were drafted but never ratified. Those regulations from 1995 and 1997 are what were followed in practice in the form of policy. The court acknowledged the policy and the fact that the policy/practice is based on the regulations from 1997, which stem from the legal basis of the 1961 Ordinance. So there is a legal basis, for government to grant study financing as a loan and that loan has to be repaid, but without interest.

What does the Government have in place to obtain student loans from students who do not return to the island? Does the Government have agreements with the Netherlands or other islands in the region or in the world on how student loans are to be collected?

Answer:

The collection of study loans is equivalent to the collection of taxes and fees and therefore falls under the responsibility of the Receiver's Office. Presently, the Receiver's Office only collects taxes on the island. In the future, efforts may be made to pursue those study financing recipients who remain abroad.

The National Alliance-faction

has taken note of the draft with great satisfaction. The faction indicates that it appreciates that former Ministers of Education were also recognized for their work in the preparation of this extensive draft national ordinance.

The faction would like to know if the Government is working on other regulations including the national decrees containing general measures (LBhams) to ensure that this national ordinance can be enforced.

Answer:

Yes, the Ministry is currently drafting the supporting LBham and Ministerial Decree to further implement the Study Financing Ordinance

The faction also hopes that the general public is paying attention to this national ordinance, especially where the responsibilities for the students and parents are

concerned.

Furthermore, the faction is particularly happy that other than academically talented students that excel in the arts or sports are now also being recognized with this national ordinance.

Answer:

The Ministry thanks the National Alliance faction for these comments.

How many students who have received study financing returned back to St. Maarten and entered the workforce? Which amendments or incentives does the Government intend to introduce to encourage persons to return to the island? The Expat article will have to be amended or else all Dutch students will misuse this.

Answer

Generally speaking, this information is not something the Ministry compiles as the Ministry is still unable to track students once they are no longer going to school. We can infer from data that we do have what the estimated amount could be. However, it should be noted that without additional information from the Ministry of VSA or the Statistical Department this will only be an assumption and therefore may not be accurate.

- i. In that regard, I would then rather not provide this inaccurate information at this time.*
- ii. In order to secure this information for future references, the Department of Education has requested the cooperation from the Department of Statistics to include a section within the Labor Market Research questionnaire on Students returning to St. Maarten after completing their studies, having received study financing.*

An incentive for students to return to St. Maarten and contribute towards brain gain is that students who have decided to return to St. Maarten and work for at least 3 years, can have their debt lowered by 20%. This can be very beneficial for students.

Another incentive that students enjoy is that after they have completed their study they receive as a grant a ticket back home. Also once the student decides to return home directly after his/her study, he/she can receive payment to cover resettlement cost. The Ministry is of course open to work with other Ministries to establish additional incentives and welcomes any further recommendations that Parliament may have.

The faction agrees that students that excel should be recognized when coming back to the Island or when they act as an ambassador for St. Maarten. The challenge would be to remain in contact with these students. Perhaps Government can look into

formalizing this communication.

Answer:

The Minister thanks the National Alliance –faction for their suggestions;

The United St. Maarten Party-faction has taken note of the draft and mentions that the ultimate goal of study financing is to leave the island in order to get an education and then return home to make a meaningful contribution to society. This is very important to the island. What are the reasons or what is preventing students from returning to St. Maarten? Is the repayment a discouraging factor? Do they believe that it doesn't make economic sense?

Are there any provisions for internships on the island? Or writing a thesis/dissertation and getting it financed? Is there any room in this national ordinance for incentives for persons who do internships or write a thesis in St. Maarten?

Answer:

Article 6, paragraph 3, subsection f, provides for a 100% grant with regards to obligatory internships as determined by the educational institution. The criteria to determine which internships will qualify for the grant will be established in the National Decree. Applicants will have to provide proof that the internship is mandatory for the completion of the study and that the travel cost will not be incurred by the educational institution. Once these criteria have been met then the applicant will be eligible for this 100% grant.

Is the national ordinance aligned with the repayment terms that DUO is offering?

Answer:

Yes, the regulations on repayment are aligned with the current rules of repayment with regards to the grace period that has been granted and the monthly payment that is determined based on one's financial capacity. Where there are significant differences are to be found in the method of calculating interest rates. In our case, the interest is added whereas for DUO it is compounded. It should be noted that Study Financing is granted to a variety of students, who study throughout the wider world. With that in mind, it is more important to make sure that measures under this ordinance are efficient and practical for our local situation. DUO is just one of the systems that we can draw reference from.

Why aren't students of the M.A.V.O and VSBO qualifying for NCAA study financing? The students from Aruba and the Netherlands do qualify. Can the Government explore the possibility for St. Maarten students on that level to qualify for NCAA

scholarships?

Answer:

The Division Study Financing has had no contact with the NCAA regarding St. Maarten students qualifying for a scholarship. Note that as an execution division, the Division Study Financing is predominantly tasked with the responsibility of administering government's allocated budget for study financing.

The Ministry can report that based on the NCAA Eligibility Center report of 2018-2019, Countries where the Dutch education system is used The NCAA has been consistent in determining which levels of education are acceptable and which levels of education are not.

In that regard it should be noted that levels of secondary education not acceptable are:

Completion of the Brugperiod

MAVO

Completion of leerlingwezen

Completion of voorbereidend beroepsonderwijs

Completion of VMBO

What is the annual procedure for the compilation of the priority list? Are there opportunities for pilots for aviation and maritime studies? Are they included on the priority list?

In the past the Priority List was compiled by the Student Support Services Division. This was done using surveys based on online research. These surveys were then sent to various stakeholders on the island, in the public and private sectors. The survey included an unstructured format consisting of open ended questions to reduce bias. Interviews were also held to discuss either the completed survey or to complete the survey with the stakeholders.

Stakeholders from the public and private sector that were included in the 2014 sample included forty-five public entities, four school boards, five secondary schools, two universities, one-hundred and twenty-four private entities.

The data received was analyzed and the Study Finance Priority List was developed, with a keen eye on ensuring that there would not be a saturation in any career field upon students' return and that careers on the Priority List reflected what was still needed for the island according to the responses of the stakeholders.

Moving forward the Priority List will be developed based on the research that has been gathered on additional study areas (trending new courses and degrees) -List of renewed employment permits 2017 -List of newly requested employment permits 2017- List of vacancies 2018 (based of labor market research by the Department of

Statistics)- and potential by assessing the data on the Graduate turnover percentage over the years 2013, 2014 and 2017. This process will be done in close collaboration with the Department of Education, the Division Study Financing and key stakeholders such as the Department of Labor and Statistics. Currently, the 2019 Priority List is being drafted. However, commercial pilot was listed as a priority in 2017 and 2018 and Maritime was listed in 2017.

Students receiving financing from the Netherlands. Does a student receive their funds directly from DUO? Or does it go through the Government's administration? Has the Government explored the possibility for the awarding of scholarships under this current national ordinance? Are there guidelines for the Education Department to follow and be able to raise funds for more study financing for students?

Answer:

Students will receive their study financing directly from DUO as it has always been. The study financing that they receive from DUO is a separate matter. These students as a result of access to DUO only receive limited Study financing. Limited in the sense that they do not receive the 40% grant and 60% loan payment for tuition fee.

- i. These students however have access to all other study financing just the same as other students and it relates to: book money (bi-annually), relocation funds (one-time), one-way ticket to the Netherlands, round trip tickets for internship, reallocation funds (upon completion of studies) and insurance.

The Ordinance does allow for a 100% grant. However only for the items listed in article 6, paragraph 3. These items pertain to travel, insurance and settlement. All study financing granted is either a combination of a loan and grant or a 100% loan.

The Ministry is continuously looking into opportunities to fund education via other avenues outside of Study Financing. This includes informing students of other sources of funding that they may have access to, locally and internationally as well as forging and maintaining agreements with educational institutions or other entities.

What kind of synergy exists between the Department of Sports and the Study Financing Department? Does the Sport Department advise the Study Financing Department if it knows some gifted students in sports in the community? Do extremely gifted students have to do a G.E.D. if they didn't graduate H.A.V.O? What kind of help is there for gifted students (sports related) in this draft ordinance?

Answer:

Exceptions are made for applicants who fall within the category of talented students in the areas of the creative arts and sports. The exception is that the course of study in which they enroll does not have to culminate with a degree, and the requirements for eligibility which may deviate from the regular requirements in the ordinance, will

be further specified by National Decree.

Study Financing for Sport awards has not been introduced as yet. However, this type of cooperation will be fostered between the Division Study Financing and the Department of Sport.

Exceptions are also made for applicants who fall within the category of talented students. Talented students are gifted students (meaning that they have a high IQ), exceptional students (based on their performance as reflected in their school/exam results), students who excel in the areas of the creative arts and sports.

The exception that applies to this group of applicants is that their desired study does not have to be on the Priority List. Another exception that applies specifically to the creative arts and sports is that the course of study in which they enroll does not have to culminate with a degree.

As it relates to scholarships, there are no provisions made in the ordinance for complete scholarships at this time. All awards to students using this ordinance refer to Study Financing which consist of part loan and grant. The criteria to qualify for these exceptions are to be established by National Decree.

Respectfully yours,



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