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## **Hardship Fund Regulation of the Verfasste Studierendenschaft of Heidelberg University**

In accordance with paragraph 65a, section 1 of the Landeshochschulgesetz (University Law of the State of Baden-Württemberg) of 1 January 2005 (Journal of Laws page 1 ff.), last amended by Article 2 on 23 February 2016 (Journal of Laws page 108, 118) in conjunction with paragraph 17, section 4 of the Statute of the Constituted Student Body of 31 May 2013 (President's Bulletin, page 517 ff.), last amended by the Statute of 9 April 2016 (President's Bulletin, page 645 f), the Student Council (StuRa) of Heidelberg University has approved the following Regulation on 15 November 2016.

The President's office has approved the regulation on 22 December 2016.

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### **§ 1 Scope**

- (1) The Verfasste Studierendenschaft of Heidelberg University awards hardship grants to individual members who find themselves in sudden financial difficulties, if necessary for the continuation of their studies and if they don't have any other possibility to bear inevitable costs. Such cases can be the unforeseen, short-term job loss, unexpected expenses or exmatriculation with a judicial clarification, which can lead to problems in paying rent or affording means of sustenance.
- (2) Hardship funds can be assigned to refugees as well, as long as they participate to a preparatory course for an academic study offered by the University, and they find themselves in a financial emergency, which doesn't allow them to enroll or continue their studies, and which cannot be solved otherwise.
- (3) A legal claim to a grant does not exist. The basic prerequisite for a grant is the financial resource availability.
- (4) The awarding office is obliged to comply with the principles of economy and efficiency. The budget is thought for single emergency circumstances.
- (5) In accordance with paragraph 4, information is exchanged between the awarding Commission and other awarding offices, especially with the Studierendewerk

Heidelberg. Applicants will be redirected to the awarding office which best fits their individual situation.

- (6) Recipients are obliged to allow the awarding Commission to relay information about the granting of funds, such as name, date of birth, and subject of the recipient, and the beginning, duration and amount of the grant to other awarding offices, in particular to the Studierendenwerk Heidelberg, in order to verify and exclude the possibility of a double-funding. In case of a double-funding, the grant will be revoked.

## **§ 2 Financing**

For the financing of the hardship grants two budget items will be created by the awarding office. Their expenditure item amounts to minimum 2,500€ and maximum 25,000€ for hardship grants pursuant to par. 1, section 1; minimum 15,000€ and maximum 20,000€ for hardship grants pursuant to par. 1, section 2. The budget items shall be incorporated in the budget planning of the following year, in accordance to the current budgetary situation.

## **§ 3 Payment Calculation**

- (1) Hardship funds are granted in the form of a subsidy.
- (2) The maximum amount for hardship grants pursuant to par. 1, section 1 consists of the maximum monthly BAföG amount (excluding the health insurance fund) multiplied by the maximum grant duration, in accordance with section 3. The monthly payment amount may not exceed the monthly BAföG amount (excluding the health insurance fund). The actual funding amount is determined on a case-by-case basis by the Commission. (Par. 4, section 1).
- (3) A hardship fund can be granted for a maximum of 3 months, in accordance with paragraph 1, section 1.
- (4) After receiving a hardship grant for the maximum duration term, in the maximum amount or after the third monthly payment, at least 18 months have to pass before submitting a new application, in accordance to par. 1 section 1. Should there have been months without payment during the grant period, these will be fully credited.
- (5) For hardship grants pursuant to par. 1, section 2, the payout depends on the respective needs of the recipients and corresponds to the maximum grant duration, multiplied with the monthly BAföG amount (excluding the health insurance fund).

Examples of need situations are:

1. Payment of the student fee ( administration fee, contribution for the Verfasste Studierendenschaft and for the Studierendenwerk, complementary finance of the semester ticket),
2. Payment of the insurance contribution,

3. Other study-related costs of a comparable level, which have to be described and attested by the applicant.

The actual monthly amount is regulated in accordance with paragraph 4, section 1. The monthly grant must not exceed the maximum monthly BAföG amount (excluding the health insurance fund).

- (6) A hardship fund can be granted for a maximum of 6 months, in accordance with paragraph 1, section 2.
- (7) The hardship fund for the maximum period can be granted only once, in accordance with paragraph 1, section 2. In accordance with paragraph 6, if someone has already been granted with a hardship fund for the maximum period of time, he cannot be granted a second hardship fund (paragraph 1, section 2). A further grant following a second application is only possible if the maximum granting period hasn't been exceeded and the maximal grant amount hasn't been exhausted with the first grant.

#### **§ 4 Awarding Commission**

- (1) An awarding Commission determines during a non-public meeting the amount and the duration of the grant, on the basis of information, facts and case description submitted by the applicants.
- (2) The awarding Commission consists of 5 members with a right to vote. 4 of the members are elected at the beginning of each legislature of the Student Council by simple majority. In order to establish the Commission, all 5 members are required.
- (3) The appointed Sozialreferent presides over the Commission. The awarding Commission elects during its constituent meeting a Vice-President from their midst. If the Social Services Department includes several referents, these will elect the Presidency of the Commission from their ranks. Should the Social Services Department be unoccupied, the Referatekonferenz (executive organ of the Verfasste Studierendenschaft) will elect a fifth member from the remaining referents by simple majority, until the vacant position is filled. In this case, the awarding Commission chooses the President from their midst. In accordance with this Statute, the Presidency of the Commission can delegate tasks to other members of the Commission. Maximum 2 students of the same faculty are allowed to be members of the awarding Commission. The term of office of the Commission members is bound to the legislature of the Student Council and ends with it. The recall, resignation and by-election of single members are allowed. All members remain provisionally in office until a new commission has been constituted. A re-election is permitted.
- (4) The members of the awarding Commission are obliged to maintain confidentiality.

(5) Members of the awarding Commission are not allowed to participate in neither an advising or a deciding capacity, if their decision can directly benefit or disadvantage themselves or the following persons:

1. The spouse or life partner, in accordance with paragraph 1 of the Lebenspartnerschaftsgesetz (Civic Partnership Act),
2. A direct or close relative to the third degree,
3. Anyone in direct or close relationship by marriage up to the second degree, as far as the marriage exists (par. 1 of the Civic Partnership Act), or a person represented by him by virtue of law or by power of attorney.

This shall also apply when a member of the Commission, his/her spouse, his/her life partner in accordance with paragraph 1 of the Lebenspartnerschaftsgesetz (Civic Partnership Act) or a relative in the first degree is employed against payment by someone who can be directly advantaged or disadvantaged by the decision.

(6) A member of the Commission is obliged to inform the Presidency before the beginning of the consultation if circumstances exist, which could lead to possible bias. Should the President have a reasonable apprehension of bias, he should inform the Vice-President. The Commission will determine by simple majority the existence of any reason for exclusion. Those who are not allowed to take part to the consultation and to the decision, are also not allowed to participate in meetings or have access to these parts of the Protocol.

(7) A member of the awarding Commission may participate in an advising but not deciding capacity, if the decision could directly benefit or disadvantage a member or his/her own faculty, in accordance with Annex B of the Statute.

## **§ 5 Awarding procedure**

(1) Prerequisite for receiving a hardship grant ( par. 1, section 1) is being enrolled at the time of the application and during the funding period at Heidelberg University or at a Hochschule whose students belong to a Student Body represented by the Student Council (Annex B, Statute of the Verfasste Studierendenschaft).

(2) Article 1 pertains hardship grants, in accordance with par.1, section 2, provided that the enrollment certificate is not necessary at the time of the application, if the enrollment is only possible through a hardship grant.

(3) In case of paragraph 1, section 1, the financing of studies must be secured. In case of paragraph 1, section 2, the financing of studies must be secured through a hardship fund in combination with other financial sources.

(4) A simultaneous hardship scholarship, in accordance with par.1, section1 and par.1, section 2, is not possible. The Commission will inform the applicants of the most suitable funding type for each of them.

(5) The order in which applications are processed depends on the entry date of a complete application.

- (6) The requirement is a written application to the Social Services Department of the awarding office. It shall at least include:
1. written information and documents about income and expected expenditures,
  2. a description of the facts and the negative effect on one's studies,
  3. an explicit declaration that the claims made are truthful,
  4. an explicit declaration, that the individual involved has no access to patrimonial reserves, a maintenance debtor or other sources of income,
  5. a declaration of agreement to the information exchange with other awarding offices, in accordance with par. 1, section 5 and 6,
  6. for applications under par.1, section 1, a current enrolment certificate, which also includes the current course of study, and for applications under par.1, section 2 the certificate of admission to a preparatory course at Heidelberg University.
- (7) At the invitation of the Social Services Department the awarding Commission has to meet within seven days after receiving a complete request. The commission shall have a quorum if at least 50% of its members are present. To award a scholarship a 2/3 majority of the present and voting members is needed.
- (8) The decision is justified and documented in writing.
- (9) Recipients receive a grant letter, which includes the decision about the grant duration, the amount and the specific purpose of the subsidy. Students which won't benefit from a subsidy will receive a rejection letter, in which the essential factual and legal grounds for the decision are listed. Rectifications and renewed applications are possible. Rectified applications will be considered new applications.
- (10) Recipients must inform immediately about changes in circumstances, which are significant for the award of the grant. Recipients are obliged to use the grant for the sanctioned purposes only.
- (11) The subsidy will be immediately revoked if:
1. The recipients have breached their obligation of informing about changes in circumstances
  2. The Verfasste Studierendenschaft determines that the conditions for a grant no longer exist.
  3. The recipient doesn't use the grant for the sanctioned purposes.
- (12) The retroactive revocation of the grant is possible especially in case of double-funding, and furthermore in case the grant is based on false information given by the recipient.
- (13) In the case that the recipient drops out or interrupts his/her studies or preparation courses, the grant will be revoked with effect from the end of the month.

## **§ 6 Retention of the documents and information**

- (1) The commission must collect separately the files about the hardship grants and must securely archive them for at least 10 years.
- (2) At the end of the financial year the Commission will inform the Student Council separately about the total amount of the hardship funds which were granted.

### **§ 7 Entry into force**

This regulation enters into force on the day following its publication in the President's Bulletin.

Heidelberg, 20 December 2016

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