



FAQ: BAFÖG FUNDING IN TIMES OF COVID-19

Do I lose my BAFÖG funding status, § 8 I No. 3 BAFÖG, if I have lost my job due to the pandemic?

The decisive factor in this question is whether the employment relationship was actually terminated or whether it is just not possible to work.

If the employment relationship continues to exist, only without any work being done, it should not have any effect on the funding. If it has actually been terminated, this does not necessarily mean that the subsidy is no longer available either. In particular, interruptions of up to a maximum of two months do not affect the subsidy. There are, however, other exceptions.

At this point, we would like to point out the many current job offers, which are especially important in the current situation. Especially in agriculture, health care and social institutions support is desperately sought:

"Jobbing in the Corona crisis", tips from the portal Studis online: <https://www.studis-online.de/Jobben/jobben-in-der-corona-krise.php>

New online job portal for agriculture: <https://www.daslandhilft.de/>

More information about jobbing during your studies: <https://www.stwno.de/de/beratung/geld-im-studium/jobben>

Does the postponement of the semester have an effect on the funding?

The postponement of the start of the semester has no effect on funding- Students who are unable to begin their studies in the 2020 summer semester as originally planned will receive their BAFÖG as if the attendance lectures had begun at the originally planned start of the semester.

The postponement of the start of lectures in the winter semester 2020/2021 (postponed to November 2nd, 2020 at most universities) has no effect on the funding. First semester students can also be funded from October 2020 if the application is received by the "Amt für Ausbildungsförderung" in October 2020. This also applies if the lectures don't start until November 2020.

Background: In principle, training assistance is provided "from the beginning of the month in which studies commences, but at the earliest from the beginning of the application month", § 15 (1) BAFÖG. In this context, studies are "deemed to have commenced at the beginning of the month in which instruction or lectures actually begin", § 15b, paragraph 1 BAFÖG. Postponing the start of the semester would thus have had an impact on all students who begin studying at one of the universities concerned at the beginning of the 2020 summer semester and at the beginning of the



winter semester 2020/2021 and apply for BAföG. According to the statutory regulations, this would have meant that support would **only have been possible from April or November 2020** and not from March or October 2020.

Lectures at my university do not take place as planned. Does this have an effect on my funding?

The period during which the university remains closed due to the pandemic is considered a lecture-free period and BAföG continues to be paid. However, as far as the universities maintain the teaching and training company through online learning offers during the closing times, it applies to all students who receive BAföG benefits that they are obliged to make use of this offer to the same extent as in the normal course of studies, according to their possibilities, and in this way to actually continue their studies. The BAföG entitlement remains, even if the university only offers online courses.

Background: In principle, funding can only be granted to those who attend the universities, § 9 BAföG. Attendance at the university is only accepted if the student attends the courses and regularly takes part in them and if progress in his or her studies can be seen to be such that it can be expected that the desired study objective will be achieved.

I cannot present my matriculation certificate in time. What does this mean for my BAföG funding?

If, due to the Corona Pandemic, the necessary proofs for receiving BAföG benefits – such as the matriculation certificate (Immatrikulationsbescheinigung) – cannot be presented because special circumstances such as the restriction or discontinuation of teaching activities do not allow this, BAföG benefits can continue to be paid. The “Amt für Ausbildungsförderung” requires a declaration from the student with the following information:

- Subject of studies
- Number of semesters
- Name of the university
- Indication whether the studies are full-time
- Information that the student is not on leave during the summer semester
- Declaration by the student that he or she has not submitted an application for funding to another benefit agency (e.g. another BAföG office or with regard to SGB benefits).

We will be happy to send you a sample declaration on request, if you are actually unable to present your matriculation.

Background: In principle, the student must prove that he or she is enrolled at a university in a course of study that is eligible for support. For this proof, there is actually form 2. Presenting the matriculation certificate replaces the need to present form 2. Furthermore, the “Ämter für



Ausbildungsförderung“ at the Studentenwerke are only responsible if the student is enrolled at a university in their area of responsibility.

Does the pandemic semester automatically extend the standard period of study?

Yes, under certain conditions.

According to **Art. 99, Paragraph 2, Clause 1 BayHSchG**, students who are enrolled in a course of study at a state or state-recognized university in the summer semester 2020 and are not on leave of absence are subject to an individual standard period of study that deviates from the standard period of study and is extended by one semester and therefore based on Section 15a Para. 1 BAföG a correspondingly - automatically - extended maximum funding period by one semester.

This means that you must be enrolled in a (the same) course of study (i.e. no language courses) at a state or state-recognized university in the summer semester 2020 (submission of the certificate of enrollment for the summer semester 2020 is therefore mandatory in all cases).

You may not be on leave in the 2020 summer semester and the 2020 summer semester must still be in the standard period of study.

Then the official period of study is increased by one semester.

However, due to this consideration, students cannot refer to study delays during the summer semester 2020. With the extension of the standard period of study, delays caused by the pandemic are usually taken into account.

Do I still have to present the proof of performance after four semesters, even if the fourth semester was the pandemic semester?

For students who were enrolled in a course of study at a state or state-recognized university in the summer semester 2020 and who have not been on leave, the submission deadline for proof of performance (“Leistungsnachweis”) is postponed by one semester (Art. 99 BayHSchG as applied).

Example: Students for whom the summer semester 2020 was the fourth semester, actually have to submit the proof of performance of the performance level of four semesters achieved by the end of the fourth semester in order to be eligible for funding for the fifth semester, the winter semester 2020/2021. Now the submission by the end of the winter semester 2020/2021 is sufficient. This means that it is sufficient to provide evidence that you have achieved the usual level of performance of four semesters by the end of the 2020/2021 winter semester, although in the example the 2020/2021 winter semester is already the fifth semester. If the proof of performance is positive, funding can be given for the sixth semester, the summer semester 2021.

If the proof of performance has already been submitted positively, you will not have any disadvantages.



Background: Fundamentally, training grants can only be paid from the fifth semester onwards if it can be proven that the trainee has achieved the usual level of performance by then. The exact regulations for this are contained in Section 48 (1) BAföG. Evidence is provided by submitting Form 5, which is issued by the performance evaluator (full-time member of the teaching staff). This **SUBMISSION IS REQUIRED** for funding from the fifth semester.

I cannot submit the necessary proof of performance because the performance evaluator is not on site or the university is closed. What can I do?

As a rule, these are reasons for which the student is not responsible. In order to be eligible for further support from the 5th semester onwards, the student must submit a declaration that he/she has actually completed/passed the corresponding examination as a substitute for the proof issued by the aptitude assessor (Form 5). For this purpose, the course of studies must be submitted, from which the ECTS points achieved in the respective semesters and/or the total sum of ECTS points achieved (plus a declaration of when the ECTS points were achieved) can be seen.

In advance, the student should ask the aptitude assessor (by e-mail or telephone) whether the proof of performance can be applied for digitally and, if necessary, also sent

However, it may be that no proof of performance is required for funding from the fifth semester onwards. Please read the previous question and answer.

Background: In principle, BAföG funding can only be granted from the fifth semester onwards if it can be proven that the student has achieved the usual level of performance by then. The exact regulations for this are contained in § 48 paragraph 1 BAföG. In the majority of cases, proof is provided by submitting form 5, which is issued by the aptitude assessor (full-time member of the teaching staff). This submission is mandatory for funding from the fifth semester onwards.

Due to the Corona crisis I am not able to complete my studies. The certificate of achievement is negative. What does this mean for my funding?

If you receive a negative performance record, **please contact the “Amt für Ausbildungsförderung”**, as the presentation of the performance record can be postponed, but each case must be examined individually.

For students who were enrolled in a course of study at a state or state-recognized university in the summer semester 2020 and who have not been on leave, the submission deadline for the proof of performance is postponed by one semester (Art. 99 BayHSchG as applied).

Example: Students for whom the summer semester 2020 was the fourth semester, actually have to submit the performance record of the performance level of four semesters achieved by the end of the fourth semester in order to be eligible for funding for the fifth semester, the winter semester 2020/2021. Now the submission by the end of the winter semester 2020/2021 is sufficient. This means that it is sufficient to prove that you have achieved the usual level of performance of four



semesters by the end of the winter semester 2020/2021, although in the example the winter semester 2020/2021 is already the fifth semester. If the proof of performance is positive, funding can be given for the sixth semester, the summer semester 2021.

However, further reasons for delays from the summer semester 2020 can no longer be taken into account, as all delays are compensated with the postponement option.

If, however, delays have already occurred before the pandemic, BAföG offers the possibility in these cases to postpone the submission of the proof of performance.

The "Amt für Ausbildungsförderung" checks the causation based on the course of studies (overview of the performance in the individual semesters - passed and failed exams) and based on the student's declaration.

Background: The BAföG contains the possibility of postponing the presentation of the performance record, i.e. in justified exceptional cases, trainees can be given more time to complete the usual work, § 48 Para. 2 in conjunction with § 15 paragraph 3 BAföG. Thus, unavoidable interruptions in training due to a pandemic can also constitute a serious reason within the meaning of § 15, paragraph 3, no. 1 BAföG. According to § 48 paragraph 2 BAföG, the presentation date for performance certificates may also be postponed accordingly.

Due to the pandemic, I cannot finish my studies in the regular study period. Am I still entitled to a BAföG funding?

According to **Art. 99 Para. 2 Clause 1 BayHSchG**, students who are enrolled in a course of study at a state or state-recognized university in the summer semester 2020 and are not on leave of absence are subject to an individual standard period of study that deviates from the standard period of study and is extended by one semester, and thus on the basis of Section 15a Para. 1 BAföG a correspondingly - automatically - extended maximum funding period by one semester.

This means that you have to be enrolled in a (the same) course (i.e. no language courses) at a state or state-recognized university in the summer semester 2020 (presentation of the certificate of enrollment for the summer semester 2020 is therefore mandatory in all cases).

You may not be on leave in the 2020 summer semester and the 2020 summer semester must still be within the standard period of study.

Then the official period of study is increased by one semester.

By taking this into account, the students cannot refer again to study delays in the summer semester 2020. With the extension of the standard period of study, delays caused by the pandemic are usually taken into account.

However, if delays occurred before the 2020 summer semester, these can of course also be taken into account.



But here too, the reasons for the delay must be the cause of the overshoot. Please contact the “Amt für Ausbildungsförderung”, as each case must be checked individually. The “Amt für Ausbildungsförderung” checks the causation based on the course of studies (overview of the performance in the individual semesters - passed and failed exams) and on the basis of the student's declaration.

Background: The BAföG contains the possibility of being granted beyond the maximum duration of funding, § 15 Abs. 3 BAföG. Thus, unavoidable interruptions in studies due to a pandemic can also constitute a serious reason in the sense of § 15, paragraph 3, no. 1 BAföG and students can be supported for an appropriate period of time longer.

Is the receipt of graduation assistance (Studienabschlusshilfe) influenced?

Trainees who are receiving graduation assistance and cannot complete their studies as planned within the duration of the graduation assistance due to the closure of their university or the postponement of the start of lectures will continue to receive the graduation assistance for up to 12 months even during the restrictions caused by the pandemic. **However, the students remain obliged to participate in the online course offerings and to complete their studies quickly.**

In the event that you have already been approved for graduation aid for the winter semester 2020/2021, although the increase in the standard period of study would also mean that one semester of regular funding would be available, speak to the “Amt für Ausbildungsförderung”. The “Amt für Ausbildungsförderung” then checks whether a conversion of the funding type is possible.

I would like to get involved in the fight against the novel coronavirus in system-relevant fields of work. How will my income be credited to BAföG?

So that the applicant's income from an activity in system-relevant branches and professions as long as the activity to combat the COVID-19 pandemic, which has been started since March 1, 2020 or has been increased in its working hours, for the duration of this activity or increased working hours, should not be counted as income within the meaning of the BAföG law, various laws have been passed, repealed and new ones passed. With the last amendment to the law, the legislature has come at least a little closer to its intended goal.

The changes to § 21 and § 53 BAföG were announced on May 28, 2020. Section 53 (2) new BAföG was repealed and Section 21 (4) No. 5 BAföG was added.

The changes will come into force on March 1st, 2020 - i.e. retrospectively.

The changes apply until the lifting of the established epidemic situation of national scope as a result of the COVID-19 pandemic is announced in accordance with Section 5 (1) sentence 3 of the Infection Protection Act - i.e. they no longer apply from the following month.

Now, "**additional** income from an activity of the applicant in **system-relevant branches and professions**, insofar as the activity to combat the COVID-19 pandemic and its social consequences



has been **started since March 1, 2020** or has been **increased in its working hours**, for the duration of this activity or increase in working hours” are not considered when calculating the income.

The income must be income from an activity in system-relevant branches and professions. These are, for example, activities in the health sector, in social institutions (care facilities e.g. care for the elderly, etc.) or in agriculture.

The activity must be carried out to combat the COVID-19 pandemic and its social consequences. It must have been added since March 1st, 2020 or increased in time. The income from the new activity and income from the time increase can then be exempted from crediting.

However, the students are still obliged to report all income earned immediately. The “Amt für Ausbildungsförderung” checks in each individual case whether and to what extent income can be released.