

**Heinrich Heine University Düsseldorf Framework Regulations on Awarding
Scholarships (Scholarship Regulations)**

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Table of contents

Preamble

Art. 1 Scope

Art. 2 General principles

Art. 3 Selection committees

Art. 4 Call for applications

Art. 5 Announcement of selection decisions (in writing or electronically)

Art. 6 Cooperation obligations of the scholarship holder

Art. 7 Confidentiality obligation

Art. 8 Pausing of funding

Art. 9 Revocation, reversal of the decision, premature termination of the scholarship

Art. 10 Reimbursement of funding payments

Art. 11 Data protection

Art. 12 Entry into force and publication

Preamble

Heinrich Heine University Düsseldorf awards scholarships in accordance with a standardised framework that respects the requirements of research and teaching. To ensure equal treatment, transparency and legal certainty, the key principles documented below are to be observed. In addition, the framework regulations offer guidance for the legal handling of legal relationships with regard to scholarships, without affecting the underlying student/doctoral researcher relationship.

Art. 1 Scope

These Regulations apply to the award of scholarships by Heinrich Heine University Düsseldorf for undergraduate study programmes, stays abroad and the funding of doctoral studies. They serve to ensure scholarships are awarded in a verifiable way and in accordance with a standardised procedure. The University or its faculties may conclude supplementary or where necessary varying regulations in special regulations, implementation rules or procedural guidelines. Special account is taken of the requirements of structured training programmes (Research Training Groups or Graduate Schools) in these Regulations (Art. 2 (7), Art. 3 (5) and Art. 6 (6)).

Art. 2 General principles

- (1) A Heinrich Heine University Düsseldorf scholarship serves to provide financial support during university education. A scholarship may not be made dependent on a consideration, employment position or memorandum of understanding with regard to a subsequent employment position. This does not include the cooperation obligations set out under Art. 6.

- (2) The scholarship payments do not constitute remuneration in the meaning of Art. 14 German Social Code Book IV (*Sozialgesetzbuch – SGB*). Scholarships are therefore not subject to social security contributions. Scholarship periods do not have any effect under labour law with regard to subsequent employment in the public sector (e.g. pay scale grade/level assignment).
- (3) Scholarships can only be awarded within the framework of budget or third-party funds. University scholarships also include scholarships financed via third-party funds that the University is responsible for awarding, i.e. where a legal relationship with regard to the scholarship is established between the scholarship holder and the University.
- (4) Scholarships are awarded on the basis of applications submitted in due form and time as a result of a selection procedure.
- (5) These Regulations shall not constitute a legal claim to the granting of a scholarship.
- (6) All legally relevant decisions and all key process steps shall be documented in writing.
- (7) The financing of scholarships via third-party funding shall be regulated by the guidelines stipulated by the third-party funding provider.
- (8) The maximum rate of a scholarship is oriented to the amount needed to cover living costs and meet educational needs. A scholarship may not last less than three months. Exceptions are permitted in cases where a scholarship is extended and the extension immediately follows on from it to enable the completion of a qualification, where the funding guidelines of a third-party funding provider explicitly stipulate otherwise, or where the scholarship funds a short-term stay at HHU by an international student for research purposes (so-called summer/winter research stays) or participation in research-related classes (so-called summer/winter schools).
- (9) In principle, an HHU scholarship that serves to cover living costs cannot be awarded to employees covered by collective agreements or civil servants at Heinrich Heine University Düsseldorf unless this scholarship is financed via third-party funds explicitly approved as scholarship funding and there is a clear delineation between the scholarship and the work performed at Heinrich Heine University Düsseldorf. Student assistants are excepted from this rule. Mobility grants, which can also be awarded to employees covered by collective agreements in the form of allowances for travel costs – to be settled in accordance with the relevant travel expense laws – are not considered as scholarships in this context. Financial assistance that does not go towards covering living costs and does not serve to support a person's general lifestyle is not considered as a Heinrich Heine University Düsseldorf scholarship.
- (10) A person may not be awarded a Heinrich Heine University Düsseldorf scholarship immediately following an employment relationship at Heinrich Heine University Düsseldorf (with the exception of student assistants), unless this scholarship is financed via third-party funds explicitly approved as scholarship funding and there is a clear delineation between the scholarship and the work performed at Heinrich Heine University Düsseldorf. A period of at least three months must lie between a Heinrich Heine University scholarship and an employment relationship at Heinrich Heine University.

Art. 3 Selection committees

- (1) Scholarships are awarded by a selection committee comprising at least three people. Fact-based criteria (qualification, function, responsibility, the extent to which the individuals are involved) shall be applied when deciding on the composition of the selection committee in each case. A selection committee should define rules of procedure for its work.
- (2) In structured graduate programmes, the committee should be formed in accordance with the applicable rules of procedure. In all other cases, decision-making authority with regard to the formation of the committee for faculty-specific scholarships lies with the Dean or otherwise with the Rectorate. Decision-making authority may be transferred to other responsible function holders.
- (3) The resolutions of the committee shall be recorded in minutes.
- (4) In the case of structured training programmes (e.g. Research Training Groups or Graduate Schools), the requirements of paragraphs 1 to 3 may be supplemented or modified in the applicable rules of procedure or scholarship approval.

Art. 4 Call for applications

- (1) Calls for applications for scholarships must be made public on the University website. By way of exception, a call for applications may be dispensed with for doctoral scholarships where a sufficient number of qualified applications is already available.
- (2) The call for applications may also be publicised in other media, in particular in scientific journals.
- (3) The call for applications should include the following information in particular: purpose of the funding, addressees, form of application and deadline for submission, award criteria, documents to be submitted and the designation of the selection committee.

Art. 5 Announcement of selection decisions

The Central Scholarship Office at the University shall inform the applicant of the result of the selection procedure in writing (by post or electronically), usually within 10 working days. An information sheet providing details about the rights and obligations of the scholarship holder shall be sent with the notification.

Art. 6 Cooperation obligations of the scholarship holder

- (1) By accepting a scholarship, the holder undertakes to pursue the purpose of the scholarship and their degree/doctoral studies with the due level of commitment. This notwithstanding, the obligations arising from the student/doctoral researcher relationship on which the scholarship relationship is based (principles of good research practice, maintenance of confidentiality, further obligations and duties applicable under law or as a result of contractual agreements) must be observed.
- (2) By accepting the scholarship, the scholarship holder undertakes to observe the supervision agreements, obligations and conditions related to the scholarship.
- (3) During the funding period, the scholarship holder is obligated to participate in the aptitude tests and performance reviews stipulated in the guidelines of the corresponding programme.

- (4) The scholarship holder must observe the cooperation and notification obligations with regard to all circumstances relevant to the granting of the scholarship.
- (5) The obligations for doctoral researchers arising from the applicable doctoral regulations shall remain unaffected.
- (6) In the case of structured training programmes (e.g. Research Training Groups or Graduate Schools), the applicable rules of procedure or scholarship approval shall supplement or modify the content of the cooperation obligations of the scholarship holder.

Art. 7 Confidentiality obligation

Scholarship holders are obligated to maintain confidentiality in connection with their activities at the University (research, teaching, provision of medical care).

Art. 8 Pausing of funding

- (1) In the event of pregnancy and birth, a scholarship shall continue to be paid in accordance with the periods of protection as set out in the German Maternity Protection Act (*Mutterschutzgesetz*). Unless the guidelines of the individual programme stipulate otherwise, the scholarship conditions and term shall remain unchanged.
- (2) Within the framework of postgraduate funding with a scholarship term of at least one year, the scholarship holder may – subject to agreement with their supervisor – pause the research project for a reasonable period to take holiday without this affecting the scholarship.
- (3) It is only possible to put degree/doctoral studies on hold and pause scholarship payments accordingly in exceptional cases. The funding provider must be notified without delay and reasons must be provided in each individual case.

Art. 9 Revocation, reversal of the decision, premature termination of the scholarship

- (1) A scholarship approval may be revoked in whole or in part with retroactive effect or effect for the future if it is found to be based on false pretences, to have been obtained by providing inaccurate information or where the scholarship holder has not met their obligations pursuant to Arts. 6 and 7.
- (2) The scholarship approval shall be revoked at the end of the month in which the student abandons or puts their studies on hold, switches to a different university or study programme or ends their doctoral relationship, or in which the eligibility conditions are no longer met for another reason, unless the corresponding scholarship programme stipulates other regulations.
- (3) The scholarship holder may terminate a scholarship prematurely to the end of a month.
- (4) In the case of structured training programmes (e.g. Research Training Groups or Graduate Schools), the applicable rules of procedure or the regulations supplementing the scholarship approval with regard to revocation, reversal of the decision or premature termination of the scholarship shall apply.
- (5) Moreover, the regulations of the Administrative Procedures Act of the State of North Rhine-Westphalia (*Verwaltungsverfahrensgesetz NRW*) shall apply.

Art. 10 Reimbursement of funding payments

In the event that a scholarship holder has received payments for which there are no legal grounds, the University shall have the right to claim repayment. Payments received must be reimbursed without delay. The right to claim repayment exists irrespective of whether the funding amount has already been used or consumed in whole or in part.

Art. 11 Data protection

- (1) The scholarship holder shall consent to the collection, storage and processing of the personal data required for the purposes of awarding and managing the scholarship. These data may include the intended degree, education/training to date, subject, number of semesters, any funding already received, any payments received under the Federal Training Assistance Act (*Bundesausbildungsförderungsgesetz – BAföG*) and data required to assess the suitability of the individual within the framework of the selection decision in the corresponding programme. Data shall be deleted when they are no longer required.
- (2) Moreover, the Data Protection Act of the State of North Rhine-Westphalia (*Datenschutzgesetz NRW*) shall apply.

Art. 12 Entry into force and publication

- (1) These Framework Regulations shall enter into force on the day following their announcement in the Official Bulletin of Heinrich Heine University Düsseldorf. They shall be made available on the website of Heinrich Heine University Düsseldorf.
- (2) Existing selection committees for ongoing programmes shall continue their work in accordance with these Regulations.

Issued on the basis of the resolution of the Senate of Heinrich Heine University Düsseldorf dated 10 July 2012.

President of Heinrich Heine University Düsseldorf

Univ.-Prof Dr jur. Anja Steinbeck