

## **Unofficial reading version**

Statutes of the University of Freiburg on the implementation of the Act on Graduate Funding of the Land of Baden-Württemberg (LGFG) dated 30 September 2009 (Amtliche Bekanntmachungen<sup>1</sup> vol. 40, no. 68, pp 325-330) in the version of the eighth amendment of 30 June 2023 (Amtliche Bekanntmachungen vol. 54, no. 55, pp 293-296)

### **Statutes of the University of Freiburg on the implementation of the Act on Graduate Funding of the Land of Baden-Württemberg (LGFG)**

On the basis of section 8 subsection 5 and section 19 subsection 1 sentence 2 no. 10 of the Act on the Higher Education Institutions in the Land of Baden-Württemberg (LHG) as amended on 1 January 2005 (GBI<sup>2</sup> p 1 ff), last amended by article 2 of the Second Act on the Implementation of the Federalism Reform in the Higher Education Sector of 3 December 2008 (GBI p 435 ff) in conjunction with section 7 subsection 2 and subsection 3 sentence 3 of the Act on Graduate Funding of the Land of Baden-Württemberg (LGFG) of 23 July 2008 (GBI p 252 ff) the Senate of the University of Freiburg adopted the following statutes on 23 September 2009:

#### **Section 1 Purpose of funding**

- (1) To support particularly qualified junior researchers, the University of Freiburg awards scholarships for the preparation of the doctorate from state funds upon application.
- (2) In particularly justified cases, doctoral candidates who have exceeded their maximum funding period may receive short-term scholarships for up to six months to enable them to complete their doctorate in a timely manner. Short-term scholarships are subject to the availability of sufficient funds.
- (3) Research foci and disciplines of the university should be given appropriate consideration.
- (4) The funding is granted as a subsidy. It may not be made dependent on a consideration. The funding does not constitute an employment or service relationship between the University of Freiburg and the doctoral candidate.

#### **Section 2 - Funding requirements**

- (1) Anyone who has completed a university degree that qualifies for admission to doctoral studies may receive a scholarship to complete a doctorate if the academic project is expected to make an important contribution to research.
- (2) A scholarship may be awarded to anyone who can provide evidence of coursework and graded assessments that are well above the average requirements and who has been accepted as a doctoral candidate by the respective faculty.
- (3) The fulfilment of the eligibility requirements is assessed based on letters of recommendation issued by two university teachers or other persons authorized to supervise doctoral studies. At least one supervisor must be a member of the University of Freiburg.
- (4) The academic work required for the doctorate may also be completed outside the University of Freiburg. The doctoral process must be carried out at the University of Freiburg.
- (5) A scholarship cannot be awarded to anyone who receives corresponding funding from public or private bodies for the same project.
- (6) The applicant must enclose the documents required by the University of Freiburg in the respective call for applications with the application for funding.

#### **Section 3 Amount of funding**

- (1) The individual income situation is taken into account when awarding funding.
- (2) From 1 October 2016, the basic grant amounts to 1,300 euros per month. This includes a lump sum for material costs and travel expenses.

<sup>1</sup> official announcements

<sup>2</sup> Law Gazette

(3) The basic grant may be increased by resolution of the Central Grants Commission up to a maximum of 1,500 euros per month if this appears necessary in view of the circumstances of the subject-specific labour market in order to attract highly qualified applicants for the doctorate.

(4) The scholarship holder receives an additional amount of 300 euros per month (child allowance) if

1. they or their life partner are granted child benefit for a child they have in common in accordance with the Income Tax Act or the Federal Child Benefit Act,

2. they are granted child benefit for a child as a single person in accordance with the Income Tax Act or the Federal Child Benefit Act or

3. if they have no legal entitlement to child benefit pursuant to the Income Tax Act or the Federal Child Benefit Act due to their foreign nationality and prove that their child lives with them in the same household by submitting a certificate from the residents' registration office.

Proof is provided by submitting a certificate from the resident registration office stating that their child lives with them in the same household. The child allowance increases by 100 euros per month for each additional child.

(5) If both partners receive scholarships in accordance with the Act on Graduate Funding of the Land of Baden-Württemberg (LGFG) or if the life partner of the scholarship holder receives a scholarship according to regulations whose objectives correspond to that of the LGFG, the child allowance is only granted once in total.

#### **§ 4 Allowability of income**

(1) If the annual income of the scholarship holder exceeds an amount corresponding to a quarter of the annual income of pay group E 13, pay step 2 of the collective agreement for public employees of the German Länder (TV-L), it will be offset against the scholarship. The amount is increased by 1,100 euros for each child pursuant to section 3 subsection 3. The net income pursuant to subsection 2 earned during the funding period is decisive. In this case, the monthly grant is to be reduced by the twelfth part of the offsettable annual income. The amount resulting from the calculation must be rounded up to the nearest 5 euros. If the calculated scholarship amount is less than 100 euros, the scholarship will not be paid out.

(2) The annual income as specified in subsection 1 is the sum of the positive income pursuant to section 2 subsections 1 and 2 of the Income Tax Act (EStG), reduced by the assessed income tax, the church tax, the solidarity surcharge and the expenses of a provident nature that are recognized under German tax law for the relevant calendar year. Income replacement benefits pursuant to section 32 b subsection 1 EStG, such as unemployment benefit, parental allowance or sickness benefit, are also considered income.

(3) The provisions on gainful employment in section 5 of these statutes remain unaffected.

#### **Section 5 Gainful employment and other compatible activities**

(1) Scholarship holders must prioritize the use of their time for the advancement of their doctoral thesis proposal. Activities compatible with funding are permitted for up to a quarter of the monthly working hours of a full-time employment in accordance with TV-L.

(2) The following activities are compatible with funding:

a) Collaboration on research tasks and academic collaboration on teaching tasks at the University of Freiburg, if they can be separated from the scholarship holder's doctoral project in terms of content, time and location. If the scholarship holder is or is to be employed at the University of Freiburg during the funding period, the scholarship holder must notify the Human Resources Department of the scholarship.

b) Other activities within and outside the university as well as training programmes or internships, provided they do not interfere with the work on the doctoral thesis proposal.

(3) The university must be notified in writing of the commencement of gainful employment or the existence of other income.

## **Section 6 Duration of funding**

(1) The maximum duration of the funding is three years. Scholarships are usually granted for three years. Before the end of the first and second year, the scholarship holder must submit an interim report on the doctoral thesis proposal and a letter of recommendation issued by the responsible supervisor of the doctoral thesis to the Central Grants Commission. If, based on the interim report and the letter of recommendation, timely progress of the doctoral thesis is not recognizable, funding may be revoked.

(2) By way of derogation from subsection 1 sentence 2, scholarships may be awarded for a shorter period if the purpose of funding can be achieved within this period. This can already be specified in the call for applications. If the scholarship is awarded for a period of two years or more, an interim report issued by the scholarship holder on the doctoral thesis proposal and a letter of recommendation issued by the responsible supervisor of the doctoral thesis must be submitted to the Central Grants Commission before the end of the first half of the funding period; subsection 1 sentence 4 applies accordingly. Funding can be extended to a maximum period of three years upon application by the scholarship holder, if the application for extension is successful. The application for extension, which must include an interim report of the scholarship holder on the doctoral thesis proposal and a letter of recommendation issued by the supervisor responsible for the doctoral thesis, must be submitted to the Central Grants Commission before the end of the funding period.

(3) Scholarships are granted at the earliest from the first day of the month in which the grant award notification is issued. The grants are disbursed after the grant award notification has become final. Disbursement in the cases referred to in section 5 subsection 2 a is subject to the final decision of the Human Resources Department.

(4) Funding ends at the latest:

1. at the end of the month of the oral doctoral examination or
2. at the end of the month in which the scholarship holder takes up an activity that is not compatible with section 5.

(5) In justified cases, the duration of funding in accordance with subsection 1 or subsection 2 may be extended by a maximum of one year to a maximum of four years in total upon successful application. A justified case exists in particular if the scholarship holder has to care for a child under the age of fourteen or a relative in need of care or is considerably restricted in their work on the doctoral thesis proposal due to not only temporary or chronic health impairments. The application must include suitable evidence of the reason for the extension claimed.

(6) If funding is granted by other organizations for short research stays (up to a maximum of 4 months) that serve preparatory measures (e.g. collection of material), it is usually not counted towards the funding period. For this purpose, the scholarship of the state graduate funding programme can be interrupted upon application.

## **Section 7 Interruption and cancellation of the project**

The current version of section 8 LGFG applies to cases of interruption and cancellation.

### **Section 7 a Final report**

A confirmation of submission of the doctoral thesis must be handed in to the university no later than six months after the end of funding. If a confirmation is not handed in, a report explaining the reasons for the delay and describing the status reached and the intended progress of the thesis, as well as a statement from the supervisor, must be submitted within the period specified in sentence 1. On the completion date stated in the report, either a confirmation of the submission of the doctoral thesis must be submitted or, if the submission has not yet taken place, a further report with a new completion date and a further statement from the supervisor must be submitted in accordance with the requirements of sentence 2. The obligation pursuant to sentence 3 remains in force until two years after the end of funding.

## **Section 8 Responsibilities**

(1) The scholarships are awarded by the university and administered by the International Graduate Academy (IGA).

(2) The scholarships are publicly advertised by the IGA on an annual basis. Funding usually starts on 1 May or 1 October of each year, provided there are sufficient funds.

### **Section 9 Central Grants Commission**

(1) The university appoints a Central Grants Commission with equal numbers of men and women, including the following members:

1. the member of the Rectorate responsible for research as chairperson,
2. two university teachers,
3. a spokesperson of a structured doctoral programme or their deputy,
4. one academic staff member holding a doctorate,
5. a doctoral candidate who has obtained at least a master's degree or has an equivalent qualification.

A deputy must be elected for each member pursuant to sentence 1 numbers 2 to 5.

(2) The Senate elects the members pursuant to subsection 1 sentence 1 numbers 2 to 5 and their deputies.

(3) The term of office of the members pursuant to subsection 1 sentence 1 numbers 2 to 5 and their deputies has a duration of two years and begins on 1 October of each year. Members can be re-elected. If an elected member leaves the Commission early, a new member must be elected for the remainder of the term of office. The same applies to the deputy. If the election of the members pursuant to subsection 1 sentence 1 numbers 2 to 5 does not take place until after the start of the regular term of office, the existing members continue to exercise their tasks until the election of the new members, whose term of office will be shortened accordingly.

(4) The Central Grants Commission has a quorum if the chairperson and at least three other members are present. Resolutions are passed by a majority vote of the members present. In the event of a tie, the chairperson has the casting vote.

### **Section 10 Tasks of the Central Grants Commission**

(1) The Central Grants Commission decides how many new scholarships can be awarded each year based on the available funds.

(2) On the basis of the recommendations of the expert commissions, the Central Grants Commission determines whether the subject-specific requirements for the award of a scholarship are met in each individual case. The Central Grants Commission decides on the funding and determines the funding period. It is responsible for revocations and withdrawals in accordance with section 12.

(3) The Central Grants Commission is authorized to adopt guidelines for the implementation of these statutes.

(4) Pursuant to section 7 subsection 4 LGFG, the Central Grants Commission may delegate its responsibilities to the management bodies of organizational units involved in structured doctoral funding, insofar as members of these units are affected.

### **Section 11 Expert commissions**

(1) The faculties form expert commissions that make recommendations on:

- a. whether and in what order the applicants fulfil the subject-specific funding requirements and on
- b. the funding period.

(2) The expert commissions must have an equal number of men and women. The members of the expert commissions each consist of four university teachers or other persons with the authorization to supervise doctoral studies and one academic staff member; at least one member must belong to the group of professors. Each expert commission elects a professor from among its members as its chairperson.

(3) The responsible faculty council appoints the members of the expert commission for a period of two years. A deputy must be elected for each member. Members can be re-elected. If an elected member leaves the commission early, a new member must be elected for the remainder of the term of office. The same applies to the deputy. Section 9 subsection 3 sentence 5 applies accordingly.

(4) The expert commission has a quorum if the chairperson and at least three other members are present. Resolutions are passed by a majority vote of the members present. In the event of a tie, the chairperson has the casting vote.

(5) Closely related faculties may form a joint commission. The provisions in subsections 1 to 4 apply accordingly.

### **Section 12 Revocation of the grant award notification**

(1) The grant award notification must be revoked with effect for the future if facts indicate that the scholarship holder has not made the necessary efforts to realize the purpose of funding and is responsible for it. If these facts already existed during the past funding period, the grant award notification can also be revoked with effect for the past.

(2) The fact that the scholarship holder has not made the necessary efforts to realize the purpose of the funding and is responsible for it is determined by the Central Grants Commission after hearing the scholarship holder.

(3) The grant award notification must be revoked with effect for the future if false information or deception on the part of the scholarship holder led to the unlawful granting of a scholarship. If these circumstances already existed during the past funding period, the grant award notification can also be revoked with effect for the past.

(4) The provisions on the revocation of administrative procedures, sections 48 and 49 Administrative Procedure Act of the Land of Baden-Württemberg (LVwVfG), remain unaffected.

### **Section 13 Entry into force**

These statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Amended statutes:**

**Statutes of the University of Freiburg on the implementation of the Act on Graduate Funding of the Land of Baden-Württemberg (LGFG) of 30 September 2009** (Amtliche Bekanntmachungen vol. 40, no. 68 pp 325-330)

**First amendment dated 7 June 2010** (Amtliche Bekanntmachungen vol. 41, no. 38, pp 217-218):

**Article 2 Entry into force**

These amended statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Second amendment dated 18 July 2012** (Amtliche Bekanntmachungen vol. 43, no. 87, p 345):

**Article 2 Entry into force**

These amended statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Third amendment dated 19 September 2014** (Amtliche Bekanntmachungen vol. 45, no. 67, p 562):

**Article 2 Entry into force**

These amended statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Fourth amendment dated 3 August 2016** (Amtliche Bekanntmachungen vol. 47, no. 55, p 347):

**Article 2 Entry into force**

These amended statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Fifth amendment dated 12 October 2016** (Amtliche Bekanntmachungen vol. 47, no. 66, p 434):

**Article 2 Entry into force**

These amended statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Sixth amendment dated 17 October 2017** (Amtliche Bekanntmachungen vol. 48, no. 58, p 275):

**Article 2 Entry into force**

These amended statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Seventh amendment dated 29 July 2021** (Amtliche Bekanntmachungen vol. 52, no. 59, pp 257-258):

**Article 2 Entry into force**

These amended statutes enter into force on the day following their publication in the official announcements (Amtliche Bekanntmachungen) of the University of Freiburg.

**Eighth amendment dated 30 June 2023** (Amtliche Bekanntmachungen vol. 54, no. 55, pp 293-296):

**Article 2 Entry into force**

These amended statutes enter into force on 1 July 2023.