Social Affairs Regulations

for the Student Body

at RWTH Aachen University

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Please note: This publication is an English translation. Only the German original of these regulations as published in the Official Announcements of RWTH Aachen University (“Amtliche Bekanntmachungen”) is legally binding.

Based on § 53 (4) of the Higher Education Act (HG) in the version of the announcement dated September 16, 2014 (Law and Official Gazette of the State of North Rhine-Westphalia p. 547), most recently amended by Article 1 of the Act on Membership of University Hospitals in the Employers’ Association of the State dated June 30, 2022 (Law and Official Gazette of the State of North-Rhine Westphalia p. 780b), the student body of RWTH Aachen University has issued the following regulations:
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§ 1 Social Affairs Committee

(1) The Social Affairs Committee is a standing committee of the Student Parliament.

(2) The Representative of the Social Affairs Department may also attend the meetings in an advisory capacity without being a member of the Social Affairs Committee.

(3) The Committee meets without the presence of the general public. Deputy members of the Committee shall attend the meetings only when representing a member.

(4) The invitation period for the Committee meeting is 3 days, in deviation from § 29 (2) of the Bylaws of the Student Parliament. In justified exceptional cases, this may be reduced to 12 hours between the invitation and the meeting.

(5) In the event of a shortening of the period of notice to 12 hours pursuant to § 4 (2), the presence of a two-thirds majority of the statutory members shall be required in deviation from § 30 (1) of the Bylaws of the Student Parliament.

§ 2 Tasks of the Social Affairs Committee

(1) The Social Affairs Committee has the following responsibilities:

1. Refund of mobility and student body fees in cases of hardship,
2. Awarding loans from the student aid fund,
3. Extension of the term of loans, the granting of which is governed by these regulations,
4. Deferment, forbearance and remission of claims arising from loans governed by these regulations,
5. Opinions on amendments to these regulations.

(2) The Social Affairs Committee may decide by absolute majority that regular cases of reimbursement of the mobility contribution shall be handled by the Finance Department of the ASTA Students’ Committee. In case of doubt, applications shall be submitted to the Social Affairs Committee.

(3) Decisions under § 1 (4) shall be made by the Finance Officer with the approval of the Social Affairs Committee.

§ 3 Representative of the Social Affairs Department

(1) The Representative of the Social Affairs Department provides counseling on loans and grants. They provide information not only about student body options, but also about other loans and financing options.

(2) The Financial Representative may not authorize the Representative of the Social Affairs Department to exercise their powers under these Regulations.
(3) The Representative of the Social Affairs Department may authorize another member of the ASTA in writing to exercise their powers in accordance with §19 (1) (2), (4) and (5) of the Statutes of the Student Body.

(4) The authorization must be in writing and it must be countersigned by the authorized individual and by the chairperson or vice-chairperson of the ASTA and kept on file.

(5) The authorization ends

- directly if it is revoked by the Representative of the Social Affairs Department,
- if a set time limit expires,
- if the relevant individual resigns from the ASTA,
- at the end of the term of office of the representative of the Social Affairs Department,
- if the relevant individual loses their legal capacity.

(6) The Representative of the Social Affairs Department is jointly responsible for actions of the authorized individual.

I. Assistance Services

§ 4 General

(1) In the case of married students and students living in a registered civil partnership, the financial circumstances of both spouses/life partners must be taken into account. If there is a cohabitation that is sufficiently similar to the above-mentioned partnership models, it is to be treated as one of the above-mentioned partnership models. This similarity is considered to be sufficient if

a. it can be assumed that all persons belonging to the partnership have the will to bear responsibility for each other and to be responsible for each other, as well as to do this in a financial way,

b. all persons belonging to the partnership live in the same household.

The Social Affairs Committee decides by simple majority whether there is sufficient similarity within the meaning of p. 2.

(2) In the case of applications pursuant to § 6 (2) and §§ 10, 11, 12, the economic situation of the applicant shall be disclosed.
II. Reimbursement of the Mobility and Student Body Fee

§ 5 Principles

(1) Requests for reimbursement of mobility and student body fees should be directed to the Social Affairs Committee.

(2) Appropriate supporting documentation shall be submitted to the Committee for each reimbursement request, indicating the reason for reimbursement.

(3) For applications according to § 6 (1) items 1 to 3, the deadline for application ends one month after the beginning of the respective semester (WS: November 1 and SS: May 1) Applications according to § 6 (2) can be submitted at any time during the semester, but at the latest at the end of the respective current semester (WiSe: March 31 and SuSe: September 30). The period ends in each case at the end of the day.

(4) Applications for partial reimbursement of the mobility contribution in accordance with § 6 (1) no. 4 must be submitted no later than the first of the first month of reimbursement applied for. Applications must be postmarked on or before this date.

(5) Applications for partial reimbursement of the mobility fee according to § 6 (1) no. 5 must be submitted no later than four weeks after enrollment. Applications must be postmarked on or before this date.

(6) (redacted)

(7) (redacted)

(8) Applications received after the deadlines specified in paragraphs 3 to 5 above, as well as incomplete applications, will generally be rejected.

(9) The timeliness of applications is determined by the date of the received postmark in the case of submission to the AStA, and the date of the postmark in the case of postal delivery.

(10) In rejection notices, reference is made to the possibility of an out-of-court settlement (see Appendix 1).

§ 6 Reasons for Reimbursement

(1) The following students will be reimbursed the mobility fee upon request:

   1. Disabled or chronically ill persons who cannot use buses and trains due to their disability,
   2. Students who stay for more than 4 months in one semester either abroad or outside the area of validity of the semester ticket; they must be doing this in order to obtain study-related benefits,
   3. Students who are on leave of absence,
   4. Students who are deregistered before the end of the semester; they shall only be reimbursed for the remaining full months,
5. Students who were enrolled late in the current semester shall only be reimbursed for full months in which they were not enrolled.

(2) Students for whom the payment of the mobility and student body fee represents an unreasonable financial hardship shall be reimbursed the mobility and student body fee upon application.

(3) Late re-registration to the University is not a valid reason for a refund.

§ 7 Evidence

(1) A doctor’s note serves as suitable proof for reimbursements according to § 6 (1) no. 1.

(2) Suitable evidence for reimbursements according to § 6 (1) no. 2 are

- a certificate of enrollment at the foreign university,
- Certificate from the International Office or the supervising institute,
- Certificate of participation in an exchange program,
- Certificate of foreign student support payments, which provide evidence for the stay abroad,
- Certificate of admission / letter of approval,
- Visa for a study abroad stay (e.g. USA: J1),
- Internship or doctoral contract
- if applicable, certificate from the supervising institute that the work activity is being carried out as part of the degree program.

Evidence that is not suitable includes

- Employment contracts that make no mention of the internship or doctorate,
- Offers of a course of study
- Visa applications.

For doctoral contracts: the need for enrollment as a student must be demonstrated.

(3) Appropriate proof for reimbursements according to § 6 (1) no. 3 is a valid leave of absence certificate issued by the Registrar’s Office.

(4) Appropriate proof for reimbursements according to § 6 (2) is usually bank statements for the last full three months prior to application.

(5) As a rule, a refund in accordance with § 6 (2) is only possible if the average monthly payments received in the last full three months prior to application for adult students without children fall below 80% of the maximum amount in accordance with § 13 f. BAföG. Eligibility for specific surcharges pursuant to § 13 (2) and § 13a BAföG must be demonstrated. The applicant’s assets and their accessibility to these assets shall be taken into account. At the time of application, the liquid assets may not exceed 80 percent of the maximum amount applicable under sentence 1. Upon justified request, incoming payments and assets from loans and borrowings may be excluded from the assessment by means of a simple majority vote in the Social Affairs Committee.

(6) Transitory items for which there is a corresponding offsetting entry in the assessment period can be excluded from the assessment upon justified request.
(7) In justified exceptional cases, the Social Affairs Committee may deviate from the provisions of paragraphs 4 and 5 by a simple majority.

(8) For each minor child living in the applicant’s household, the maximum amount calculated in paragraph 5 is increased by the child supplement according to § 14 b BAföG and the child allowance according to § 6 BKGG.

(9) The age limit of § 14 b BAföG does not apply.

§ 8 Exemptions

(reacted)

§ 9 Amount of Reimbursement

(1) In the event of an approval according to § 6 (1) nos. 1 to 3, the full mobility contribution shall be reimbursed. In the event of approval according to § 6 (2), the full mobility and student body fee shall be reimbursed.

(2) In the event of approval for deregistration before the end of the semester or late enrollment, the following amounts will be refunded:

- 5 semester months 80%.
- 4 semester months 60%
- 3 semester months 40%
- 2 semester months 20%.

(3) No reimbursement will be made for only one semester month (i.e., the 6th or 1st month).

III. Short-Term Social Loans

§ 10 Principles

(1) In emergencies that are forseeably temporary in nature, short-term loans may be issued to members of the student body.

(2) Loans can only be granted by mutual agreement between the Representative of the Social Affairs Department and the ASTA Finance Representative.

(3) The treasurer shall keep records of loans issued.

(4) The person taking out the loan must provide the ASTA with evidence of at least one guarantor who is personally liable for all liabilities arising from the loan before the loan agreement is concluded. The guarantor shall sign a contract to that effect. The guarantor and the borrower must each submit to ASTA proof of their registered residence and a valid residence permit in the European Union valid for at least two months longer than the loan term, as well as a government-recognized identity document.

(5) No second short-term loan may be issued to the same individual before they have paid off
short-term loan that has already been issued.

(6) (redacted)

(7) The following students are not eligible for a loan,
   a) those for whom it is foreseeable that they will not be able to repay the loan,
   b) those whose residence permit for the European Union expires in less than two months after the end of the agreed term,
   c) those who have received a loan from the student body and have repaid it only after a dunning procedure has been initiated.

(8) A loan may not exceed 500 euros.

(9) The term of the social loan may not exceed four months. A deferral is possible upon request. The request shall be addressed to the Social Affairs Committee.

IV. Long-Term Social Loans

§ 11 Principles

(1) Students who, through no fault of their own and due to unforeseen circumstances, find themselves in a financial emergency or whose studies are endangered due to their financial situation through no fault of their own, may be granted a long-term loan from the Student Assistance Fund by the Social Affairs Committee of the Student Parliament if a loan under Chapter III of the Social Regulations is not sufficient. The loan is based on the maximum amount according to § 13 (1) f. BAföG as well as the available funds in the student aid fund.

(2) Depending on the decision of the Social Affairs Committee, the payment may be made to the applicant in cash or, in the case of repayment of debts, transferred directly to the creditor.

(3) Students who have received a short-term loan from the student body and have either repaid it only after dunning proceedings were initiated or have still not done so without an approved deferment request are excluded from receiving such funds. If a short-term loan is still outstanding but either deferred or not yet due, the loss of short-term loan eligibility is the primary factor to be documented when applying for a long-term loan.

(4) Applications for a long-term loan are submitted to the representative of the Social Affairs Department or the chairperson of the Social Affairs Committee.

(5) The maximum total amount of all open long-term loans should not exceed €3,900. Loans can be granted per person per year, usually up to a maximum of €1,600.

(6) The annual maximum amount of a long-term loan that can be applied for increases by €325 per minor child living in the applicant's household. Accordingly, the limit of the total debt also increases.

(7) In the event that the applicant is no longer covered by family health insurance and has to pay an increased health insurance premium, the maximum amount of a long-term loan that can be applied for annually shall be increased by €250.00. In the event that the applicant is no longer
covered by student health insurance, the maximum amount of a long-term loan that can be applied for annually shall be increased by €500.00. Accordingly, the limit of the total debt also increases. In the event of a significant discrepancy in monthly insurance contributions, the Social Affairs Committee shall decide on the matter.

(8) The long-term loan is paid monthly. As a rule, the monthly payment amount may not exceed €900.

(9) The payment period is limited to a maximum of 4 months per application.

(10) In the event that the loan amount approved by the Committee is below the maximum annual limit, the applicant shall have the opportunity to resubmit the application within one year from the date of the initial application.

(11) The loan shall be repaid in accordance with a repayment agreement agreed with the Finance Officer, which shall be decided by the Social Affairs Committee and shall not exceed a maximum period of 10 years. The repayment agreement is binding and can only be changed or extended upon application to the Social Affairs Committee; a total period of 11 years may not be exceeded in this case.

(12) The borrower agrees to provide proof of enrollment within the first month of each new semester. Failure to do so will result in the committee assuming that the borrower has deregistered at the end of the last verification period.

§ 12 Decision Criteria

(1) The possibility of taking out a short-term social loan must be examined by the officer with the Social Affairs Department and the AStA Finance Officer prior to the submission of any application for a long-term loan.

(2) In making its decisions, the Social Affairs Committee has to consider, among other things:

1. the financial situation of the applicant,
2. the prospect of academic success of the applicant (the prospect of academic success is present in any case if an average of 15 credit points per semester has been achieved at the time of application),
3. if applicable, any illnesses that the applicant may have
4. their family situation

zu berücksichtigen.

§ 13 Entry Into Force

These regulations come into force as an official announcement of RWTH on the day following their publication.

It is pointed out that, in accordance with § 12 (5) NRW HG, any claims regarding a violation of procedural or formal requirements of the regulatory or other autonomous rights of the University may no longer be asserted after one year has elapsed since the official publication of this announcement unless:

1) the announcement has not been properly published,
2) the Rectorate has objected, prior to publication, to the decision of the committee adopting the regulations,
3) the University has been previously notified about the defect of form or of procedure in a complaint, specifying the infringed legal provision and the fact which gives rise to the defect, or
4) the legal consequence of the exclusion of complaints was not pointed out in the public announcement.

The Rector of RWTH
Aachen University

Aachen, dated March 02, 2023

sgd. Rüdiger

Univ.-Prof. Dr. rer. nat. Dr. h. c. mult. Rüdiger
Appendix 1:

An appeal against the Social Affairs Committee’s decision not to refund the mobility fee can only be submitted to the Verwaltungsgericht Aachen due to the administrative objection proceedings in North Rhine-Westphalia (NRW) having largely been eliminated. However we offer the option to resolve the issue outside of court. This service is intended to help represent the interests of both parties and avoid unnecessary legal proceedings and costs. As a precaution, we would like to point out that the deadline for filing an action will not be extended by such an out-of-court settlement attempt.