

## **Award Guidelines of the Scholarship Programme *Berufliche Anerkennung in Baden-Württemberg***

### **1. Goal of the Scholarship Programme**

The scholarship programme *Berufliche Anerkennung in Baden-Württemberg* (professional recognition in Baden-Württemberg) is intended to support individual persons in having professional qualifications and academic degrees acquired in foreign countries fully recognised.

It comprises the following areas:

- (1) Recognition procedure (determination of the equivalence of foreign professional and academic qualifications) and certificate assessment by the *Zentralstelle für ausländisches Bildungswesen* (Central Office for Foreign Education – ZAB)
- (2) Compensation measures and preparatory courses for knowledge tests and aptitude tests (the aim of both measures is to even out the essential discrepancies identified by the competent authority.)
- (3) Language courses preparing participants to reach a language level needed to qualify for a vocation
- (4) Measures to improve access to employment for people with foreign academic degrees in non-regulated professions

The scholarship programme is tested in the territorial state of Baden-Württemberg during a three-year model phase. On behalf of the Baden-Württemberg Stiftung, Interkulturelles Bildungszentrum Mannheim (Intercultural Education Centre – Ikubiz) is responsible for counselling applicants and implementing the scholarship programme.

### **2. Object of the Funding**

- (1) Eligible are expenses that occur during a recognition procedure or during the procedure to determine the equivalence of foreign professional and academic qualifications. The following particular expenses are eligible:
  - a) Expenses for translations

- b) Fees and expenses for the recognition procedure (first and additional application)
- (2) Also eligible are expenses for compensation measures for regulated professions (adaptation training course, aptitude test, knowledge test) as well as comparable measures for non-regulated professions if they even out significant discrepancies between the foreign professional qualification and the required domestic reference profession. Also eligible are expenses that are closely related to the compensation measure or the comparable measure for non-regulated professions. The following particular expenses are eligible:
- a) Expenses for adaptation period courses as well as comparable measures for non-regulated professions
  - b) Expenses for knowledge or aptitude tests as well as preparatory courses
  - c) Expenses for educational materials
  - d) Travel expenses for the least expensive regularly scheduled public means of transport (2nd class)
  - e) Childcare expenses, if the amount of freely available childcare is not sufficient
- (3) Eligible are expenses for language courses if the courses are above B1 level and their primary purpose is not to merely acquire the language or improve the general proficiency in German and if a certain proficiency in the German language is required by law to pursue the profession.
- (4) Eligible are expenses to secure a livelihood for persons who participate in compensation measures, eligible language courses or comparable measures for non-regulated professions and who cannot secure a livelihood in any other way.

### **3. Nature and Scope of the Funding**

There are two scholarship variants:

- (1) Monthly scholarship
- (2) One-time grant

#### **3.1 Monthly Scholarship**

- (1) The monthly scholarship covers the living expenses during a measure and/or the measure itself, as well as possible additional costs (travel expenses, childcare expenses etc., cf. 2. (1)-(3)).
- (2) It is not possible to award an additional one-time grant during the monthly scholarship.
- (3) The amount of the scholarship depends on the individual life circumstances, income and assets, and the marital status. The scholarship is paid out in the form of one of three staggered lump sums of EUR 500, EUR 800 or EUR 1,000 per month. The amount of the scholarship is determined by Interkulturelles Bildungszentrum Mannheim in consultation with the Baden-Württemberg Stiftung after reviewing the application.

- (4) The duration of the scholarship depends on the duration of the compensation measure or the comparable measure for a non-regulated profession. The minimum duration is 2 months; the maximum duration is 12 months. If the measure/the recognition procedure is suspended, the scholarship holder is not eligible for funding during the time of suspension. The suspension time will not be set off against the funding period. If the measure is terminated prematurely, the claim to funding is forfeited. In this case, the Baden-Württemberg Stiftung reserves the right to reclaim any funds already paid.
- (5) Payment begins with the beginning of the compensation measure or the comparable measure for a non-regulated profession. The scholarship is paid out monthly in advance directly to the eligible person. Funding payments end after a maximum of 12 months.

### **3.2 One-time Grant**

- (1) The one-time grant is a scholarship with an emergency or immediate aid character.
- (2) A one-time grant is awarded for:
  - a) the expenses mentioned under 2.
  - b) measures/courses with a duration of less than two months
- (3) The amount of the one-time grant is determined by the list of planned expenditures provided during application (quote, cost estimate, information on course fees etc.).
- (4) An individual can apply for multiple one-time grants. The sum of all grants may not exceed EUR 1,000 per person. It is possible to apply for a one-time grant in the run-up to or after a monthly scholarship.
- (5) The one-time grant is paid out directly to the eligible person, who is personally responsible for the appropriate use of the funds.
- (6) If the applicant only applies for a reimbursement of costs for a measure/course of less than two months duration, the funds can also be paid out directly to the organisation responsible for the measure. If the measure is suspended, the scholarship holder is not eligible for funding during the time of suspension. The suspension time will not be set off against the funding period. If the measure is terminated prematurely, the claim to funding is forfeited. In this case, the Baden-Württemberg Stiftung reserves the right to reclaim any funds already paid.

## **4. Persons Eligible for Application**

Eligible are persons with a foreign professional qualification or academic degree who

- (1) are German citizens  
or are citizens of another member state of the European Union  
or have a residence title  
or have an *Aufenthaltsgestattung* (temporary residence permit for the time of the asylum request) according to §55 *Asylverfahrensgesetz* (Asylum Procedure Law),

- (2) have had their primary residence in Baden-Württemberg for at least three months or can assure that they seek employment in Baden-Württemberg,
- (3) cannot pay for occurring expenses with their own funds. It must be ensured that no funds from employment promotion (SGB III = *Sozialgesetzbuch III* (German Social Code)) or basic social security (SGB II (cf. 5. (2))) are used to finance the expenses.

## 5. Funding Prerequisites

Prerequisite for funding is that

- (1) the recognition improves the long-term chances of scholarship holders to find employment that corresponds to their professional qualifications and to secure their own livelihood,
- (2) the applicant's personal funds are not sufficient to finance the expenses that occur during a recognition procedure or during the procedure to determine the equivalence of foreign professional and academic qualifications (criterion 'need for aid').
  - a) Income limit: The annual income of a single person may not exceed EUR 26,000 (gross); for people who are married or in a civil union, the income of the partner must be factored in and the income limit rises to EUR 40,000 (gross). If children belong to the household, the income is reduced by the respective child allowances.
  - b) Asset limit: The financial assets of the applicant may not exceed EUR 12,000. The limit is raised by EUR 3,000 for the spouse/civil partner and for each child,
- (3) one of the following particular situations applies:
  - a) the needed funding cannot be paid within the framework of §§ 44, 45, 81 SGB III or § 16 SGB II in connection with SGB III since the applicant demonstrates to be non-eligible for funds according to SGB II or SGB III, or
  - b) the needed funding cannot be paid within the framework of §§ 44, 45, 81 SGB III or § 16 SGB II in connection with SGB III since at the time of application, there is no measure available which offers the required support and is certified according to *Akkreditierungs- und Zulassungsverordnung Arbeitsförderung* (accreditation and authorisation regulation for the promotion of employment – AZAV), or
  - c) the needed funding cannot be paid within the framework of §§ 44, 45, 81 SGB III or § 16 SGB II in connection with SGB III and the applicant proves it with written notices of rejection from the federal employment office or the job centre.

## 6. Procedure

### 6.1 Consultation on Filing the Application and the Application Procedure

- (1) Interkulturelles Bildungszentrum Mannheim advises applicants on the application modalities. The application must be filed before the start of the project. Interkulturelles Bildungszentrum Mannheim is the central contact for the scholarship holders during the whole period of funding.

- (2) The application form as well as the accompanying information sheet can be downloaded from the homepages of the Baden-Württemberg Stiftung and of Interkulturelles Bildungszentrum Mannheim.

The following documents must be attached to the application for a **scholarship/one-time grant** in any event:

- (1) Proof of identity (copy of the identity card or the passport)
- (2) if applicable, a copy of the residence permit, the *Duldung* (certificate of suspension of deportation) or the *Aufenthaltsgestattung* according to § 55 *Asylverfahrensgesetz*
- (3) A certificate of registration or a written statement assuring that the applicant seeks employment in Baden Württemberg if the primary residence has not been in Baden-Württemberg for three months
- (4) Self-declaration of the applicant regarding assets (to be filled out in the application form)
- (5) Declaration regarding the income of the applicant before and during the period of funding (to be filled out in the application form) plus associated verifications if the applicant already receives other public benefits at the point of application (e.g. unemployment benefit (*Arbeitslosengeld I or II*), housing benefit (*Wohngeld*), educational support (*BAföG*), vocational training assistance (*Berufsausbildungsbeihilfe – BAB*))
- (6) List of planned expenditures (quote, cost estimate, information on course fees etc.)

In addition, the following documents are to be provided if **the scholarship has been applied for before the issuing of a notification of assessment or a Statement of Compatibility by the ZAB**:

- (1) Certified and translated certificates attesting professional experience and other training certificates
- (2) Tabular curriculum vitae in German which lists all training courses and all gainful employment.
- (3) Written statement from the job centre or from the federal employment office attesting that the applicant cannot be funded from the placing budget according to § 44 SGB III
- (4) Optional: Assessment of a recognition advice centre whether the measure would improve the long-term chances of the applicant to find employment that corresponds to their professional qualifications and of securing their own livelihood.

In addition, the following documents are to be provided if the applicant applies for **support for compensation measures or comparable measures after the issuing of a notification of assessment or a Statement of Compatibility by the ZAB**:

- (1) Written statement from the job centre or from the federal employment office attesting that the applicant cannot be funded through a measure for activation and professional integration (§ 45 SGB III) or a measure for further vocational training (§ 81 SGB III)

- (2) Notification from the competent authority as well as exact description of the planned compensation measure and list of the costs involved
- (3) Optional: Assessment of a recognition advice centre whether the measure would improve the long-term chances of the applicant to find employment that corresponds to their professional qualifications and of securing their own livelihood

## 6.2 Decision Procedure

- (1) Interkulturelles Bildungszentrum Mannheim checks the applications for completeness, plausibility and eligibility and produces a statement for the Baden-Württemberg Stiftung with a recommendation for the funding decision and the amount of the scholarship/one-time grant.
- (2) The final decision on the funding rests with the Baden-Württemberg Stiftung on the basis of the recommendation of Interkulturelles Bildungszentrum Mannheim.
- (3) There is no legal claim to be funded through the programme *Berufliche Anerkennung in Baden-Württemberg*.

## 6.3 Payment of the Funds and Financial Supervision

- (1) If a monthly scholarship/one-time grant is awarded, the payment of the funds is made by a financial service provider on the basis of the master data of the scholarship holders, which have been transmitted by Interkulturelles Bildungszentrum Mannheim (name, address, bank account details, amount of the monthly scholarship/one-time grant, duration).
- (2) Interkulturelles Bildungszentrum Mannheim draws up the scholarship contract, which contains information on the amount of the monthly scholarship/one-time grant, duration, designation of the measure and contract conditions, and notifies the scholarship holder. Funds are only paid out upon presentation of a signed scholarship contract.
- (3) Time of Payment
  - a) Monthly scholarship: Funds are paid monthly in advance. After having been notified by Interkulturelles Bildungszentrum Mannheim, the financial service provider usually pays out the scholarship to the scholarship holder at the last working day of the previous month (for the payment modalities of the monthly scholarship, cf. 3.1 (5)).
  - b) One-time grant: If the application has been filed in due time (at least three weeks before the measure begins) and the signed scholarship contract has been returned in due time, the one-time grant is usually paid by the financial service provider before the measurement begins, otherwise at the next possible date (for the payment modalities, cf. 3.2 (6)-(7)).
- (4) Interkulturelles Bildungszentrum Mannheim monitors the compliance with the contract conditions (e.g. the submission of attendance records), answers questions regarding the scholarship programme and documents change notifications. Interkulturelles

Bildungszentrum Mannheim informs the financial service provider about all changes relevant for the payment (e.g. change of bank account details, termination of the measure) and prompts the suspension of payments, if needed.

- (5) If the scholarship holder does not comply with the contract conditions, the financial service provider prompts the suspension of payments after having been notified by Interkulturelles Bildungszentrum Mannheim. Should scholarship funds already paid be reclaimed, the first request to repay the funds is sent to the scholarship holder by the financial service provider.
- (6) The financial service provider is responsible for monitoring the payment flows (returns etc.).
- (7) The scholarship holders themselves are responsible for tax assessment and tax payments.

## **7. Premature Termination of Funding**

Funding according to these guidelines ends

- (1) when the criterion 'need for aid' (cf. 5. (2)) is no longer met, e.g. due to a change in the income or assets situation, and/or
- (2) as soon as the scholarship holder is awarded federal funding that serves the same purpose as the funding according to these guidelines, in particular benefits from the *Berufsausbildungsförderungsgesetz* (Federal Training Assistance Act – BAföG) or comparable benefits.

## **8. Cooperation Duties and Other Funding Regulations**

- (1) It is the obligation of the scholarship holder to participate in measures for success control and scientific evaluation of the scholarship programme by the Interkulturelles Bildungszentrum Mannheim or by the Baden-Württemberg Stiftung or by a third party commissioned by one of the two.
- (2) The scholarship holder must immediately notify Interkulturelles Bildungszentrum Mannheim of a suspension or termination of the measure as well as of a change in personal data and in the income or assets situation. This also applies to the event that the scholarship holder should receive further federal funding or comparable benefits/scholarships.
- (3) Interkulturelles Bildungszentrum Mannheim must be notified as soon as a recognition decision has been issued. The notification must be in written form and suitable proofs must be provided.
- (4) Monthly Scholarship
  - a) At the end of the measure, the scholarship holder must provide proof of attendance without being asked. If a scholarship for a qualification measure with a duration of at

least three months is awarded, Interkulturelles Bildungszentrum Mannheim is entitled to request a monthly proof of attendance.

- b) It is the duty of the scholarship holders to write a report on their participation in the funded measure. The report must be submitted to Interkulturelles Bildungszentrum Mannheim at the latest one month after the scholarship has expired. The experience report should not exceed three DIN A4 pages and should briefly summarise the course of the measure, the central results/conclusions and your professional plans for the future. Attached to the report should be suitable proof of the actual expenses for the measure (e.g. bill, confirmation of the responsible organisation, etc.)

#### (5) One-time Grant

- a) For measures with a maximum duration of two months that are funded by a one-time grant, the scholarship holder must provide proof of completion instead of monthly proof of attendance. If an exam is funded, the scholarship holder must provide proof of having passed the exam without being asked.
- b) It is the duty of the students to submit suitable proof of the actual expenses for the measure (e.g. bill, confirmation of the responsible organisation, etc.) to Interkulturelles Bildungszentrum Mannheim immediately after receipt.

### 9. Data Protection Provisions

- (1) Personal data are recorded, saved and passed on by the organisations concerned with the implementation and scientific monitoring of the scholarship programme (Baden-Württemberg Stiftung, Interkulturelles Bildungszentrum Mannheim, financial services provider, research institution) according to the provisions of the *Bundesdatenschutzgesetz* (Federal Data Protection Act).
- (2) Personal data and supporting documents you provide in the application form are used by us only for the purposes outlined in these guidelines in connection with awarding and scientifically monitoring scholarships. The data are deleted when they are not needed for these purposes anymore.
- (3) Right of access: According to § 34 *Bundesdatenschutzgesetz*, Interkulturelles Bildungszentrum Mannheim on behalf of the Baden-Württemberg Stiftung will provide you with information on whether and which personal data about you are stored with the organisations concerned with the programme (cf. 9. (1)) upon your written request.

### 10. Entry into Force

These guidelines become effective as of 25 July 2016 and are valid until 31 December 2018.