



Bundesministerium
für Bildung
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Pregnancy and Childrearing

Information sheet

regarding financial support and assistance pursuant to
the German Federal Education and Training Funding Act (BAföG)
in pregnancy and childrearing cases

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Information sheet

regarding financial support and assistance pursuant to the German Federal Education and Training Funding Act (BAföG) in pregnancy and childrearing cases

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BAföG has a host of special rules for pregnant women and students with children.

I. Childcare allowance pursuant to § 14b BAföG

1. Prerequisites

For the first child the allowance amount shall be increased by EUR 113 a month for students who live in one household with the least one child of their own, which has not yet attained 10 years of age. For each additional child thereafter, this allowance amount shall be increased by EUR 85. The allowance shall be paid out as a fixed sum without the requirement of furnishing proof about any corresponding childcare costs.

Only biological or adopted children are considered to be one's own children; § 25(5) BAföG shall not be applicable.

A childcare allowance shall only be granted to one parent for any given period of time. If both parents are eligible for financial aid and support pursuant to BAföG and are cohabitating in the same household, then they must decide amongst themselves which one of them shall receive the childcare allowance. The other parent must then respectively indicate in the new Schedule 2 supplied with Form 1 that he or she is not receiving the allowance nor has applied for it and that he or she assents to the payment to the student submitting the application.

An entitlement to the childcare allowance will not be denied because other benefits pursuant to the German Federal Parental Pay Act (Bundeselterngeldgesetz) or any other social benefits are being received.

2. Types of financial aid and support (§ 17 (2)(3) BAföG)

The childcare allowance shall be awarded as a grant pursuant to § 17 (2)(3) BAföG, which shall only be subordinately used to calculate income and assets pursuant to § 11 (2) sentence 1 BAföG.

The childcare allowance shall nevertheless be awarded as a grant pursuant to § 17 (3) sentence 3 BAföG, even when all other financial aid being received is in the form of bank loans.

II. Additional special provisions for pregnant women and students with children

1. Financial aid upon interruption of education or training (§ 15 (2a) BAföG)

Generally, financial aid will only be awarded so long as training and education are being pursued. However, financial aid will also be awarded to the extent students are impeded from continuing to pursue education and training by virtue of pregnancy. This notwithstanding assistance shall not continue beyond the end of the third calendar month in which **education**

or training was discontinued because of pregnancy (§15 (2a) BAföG). The month in which training or education was discontinued shall not be counted.

The question then arises for students who have new born children whether or not they wish to temporarily discontinue their training or education, or despite childrearing obligations, continue studying.

If training or education is interrupted beyond the period of time specified above, financial aid and support shall be discontinued. However, it is possible for you to later resume receiving financial aid and support. Before discontinuing your training or education you should first contact your nearest Amt für Ausbildungsförderung (Financial Aid and Support Office for Education and Training).

While your training or education is interrupted you may be entitled to benefits in order to secure a means of subsistence pursuant to Title II of the German Social Security Code (SGB II).

If you **do not discontinue** your training or education, you shall be awarded a childcare allowance pursuant to the conditions specified in section 1 above. If your child has any special needs your child may also be eligible to entitlements in its own right pursuant to SGB II.

2. Extension of financial aid and support (§ 15 (3)(5) BAföG)

BAföG helps alleviate the additional burden over time that you are faced with by virtue of a pregnancy and childrearing. Pursuant to § 15 (3)(5) BAföG **financial assistance and support** may be granted for a “reasonable time” **in excess of the maximum financial aid period**, if this period has been exceeded as a consequence of a pregnancy or the care and upbringing of a child that has not yet attained ten years of age.

The following periods of extension are recognized as “reasonable” for pregnancy and childrearing within the meaning of § 15 (3)(5) BAföG:

1. For the pregnancy: 1 semester
2. Up until the child attains 5 years of age: 1 semester for each year of age
3. For ages 6 and 7 of the child: altogether 1 semester
4. For ages 8 through 10 of the child: altogether 1 semester

The pregnancy and/or the care or upbringing of the child must **be the cause for need to extend the time of study**. The authorized Amt für Ausbildungsförderung (Financial Aid and Support Office for Education and Training) must decide on a case-by-case basis about whether these prerequisites have been satisfied.

Extension periods for childrearing may be **apportioned between both parents who are studying**. In such a case, parents must provide information about how childcare has been divided up between them.

Please be aware that financial aid benefits pursuant to § 15(3)(5) BAföG are limited to the **duration of one semester** even for the simultaneous care of several children.

What is important is the fact that the financial aid that is awarded beyond the maximum financial aid period pursuant to § 15 (3)(5) is awarded **entirely as a grant**. This has the effect of not increasing your “BAföG debt”.

3. Proof of course participation (§ 48 (2) BAföG)

If you continue your training or education despite your childrearing obligations you may be required under certain circumstances to furnish the Amt für Ausbildungsförderung (Financial Aid and Support Office for Education and Training) **proof that you have made the required educational progress**.

Average tuitional progress is sufficient, which may be evidenced by the student providing:

- a transcript that an interim examination has been passed, which according to educational provisions may only be completed from the end of the third advanced semester, and that it has been completed before the end of the fourth advanced semester, or
- written confirmation issued by the educational or training institution after the commencement of the fourth advance semester indicating that the student has performed as is customary within the regular course of his or her education and training for each advance semester to date (the so-called 48 Certificate), or
- a transcript of the usual ECTS credit points earned for the respective course of study.

Section 48 (2) BAföG permits the Amt für Ausbildungsförderung (Financial Aid and Support Office for Education and Training) to request the **submission of a transcript of course participation at a later date**, if circumstances are at hand, which justify the anticipated exceedance of the maximum financial aid period pursuant to § 15 (3) BAföG, i.e. this includes cases where educational objectives are delayed on account of a pregnancy or care and upbringing of a child that has not yet attained ten years of age.

4. Income exemption for earnings from part-time employment (§ 23 (1)(3) BAföG)

If you earn **income** while studying and raising your children, your **children have the effect of raising your exemption allowance**, i.e. the amount that you may earn without abating BAföG amounts received. The exemption amount equals EUR 485 for each child that a student has pursuant to § 23 (1)(3) BAföG, unless however, the child or children are themselves enrolled in a financial aid eligible educational or training program in accordance with BAföG or § 59 in Title III of the German Social Security Code. Furthermore please be aware that the exemption allowance will be reduced in accordance with any income earned by children.

5. Loan repayment (§ 18 et seq. BAföG)

Children also play a role in the repayment of BAföG student loans from the government according to § BAföG. If you are already in the repayment phase (which commences 5 years after the end of the maximum financial aid period: § 18 (3) BAföG) and are a low-income earner, you may apply for deferment pursuant to § 18a BAföG, which is in effect an interest-free deferment. For the calculation of your allowable income you will receive not only a personal exemption for each child totaling EUR 1,070 (provided that the child or children themselves are

not eligible for financial aid pursuant to BAföG or SGB III), but will also receive a EUR 485 income exemption allowance. Single parents, who can substantiate independent childcare expenses for their children, may credit up to EUR 175 a month for the first child and EUR 85 a month for each child thereafter towards their income exemption allowance (§18a (1) sentence 4 no. 2 BAföG).

Please send your applications to the German Federal Office of Administration in 50728 Cologne (www.bundesverwaltungsamt.de; bafeog@bva.bund.de)

III. Further information

You can obtain information regarding questions you may have about the economic wellbeing of your family in the brochure entitled “Soziale Sicherung im Überblick” (in German only, An Overview of Social Security), which can be downloaded from the German Federal Ministry of Labour and Social Affairs at <http://www.bmas.de/>. For more information about family matters please visit the website of the Bundesministerium für Familie, Senioren, Frauen und Jugend (the German Federal Ministry for Family, Senior Citizens, Women and Youth Affairs) at <http://www.bmfsfj.de/>.

You can find information about the German Advance Payment of Child Support Act (Unterhaltsvorschussgesetz) in the brochure entitled “Der Unterhaltsvorschuss” (in German only, Advance Payment of Child Support) published by the Bundesministerium für Familie, Senioren, Frauen und Jugend (the German Federal Ministry for Family, Senior Citizens, Women and Youth Affairs), which can be downloaded at <http://www.bmfsfj.de/>.