

## Guidelines

### Recommendations concerning reasonable adjustments for students on maternity leave and students with children or caring responsibilities

#### 1. Aim of these guidelines:

Students on maternity leave (during pregnancy, after giving birth or while breastfeeding) and students with children or caring responsibilities may be placed at a disadvantage during their studies because of their special circumstances. There are provisions for reasonable adjustment in such cases. These guidelines outline and explain the policy that applies at TU Braunschweig, aiming to provide maximum transparency for all process stakeholders, students and teaching staff alike. The guidelines explain who is eligible for an adjustment, the legal basis, available types of adjustment, and give details of the process. Reasonable adjustments are granted to ensure equality of opportunity with other students (putting a student neither at a disadvantage nor at an advantage). The guidelines thus support a smooth process that helps to improve equality at TU Braunschweig.

#### 2. Eligible applicants:

For students with children or students caring for relatives, it can be a particular challenge to **balance their studies with family life**. Because of their childcare or caring responsibilities, they need greater flexibility in planning their studies and often have less time for studying than their fellow students without family responsibilities. A range of legal instruments are available to counterbalance these constraints.

TU Braunschweig has a very broad **definition of family**:

“A family is a social network of people who assume long-term social responsibility for each other. We consider as a family not only the traditional nuclear family, but also:

- single parents,
- unmarried and same-sex couples with children or relatives requiring care,
- patchwork and foster families,
- grandparents who regularly look after their grandchildren.”

The following groups in particular are eligible to apply for reasonable adjustment:

- Students on maternity leave
- Students who are single parents
- Students with caring responsibilities
- Students who are (temporarily) unable to rely on a support network to help with their family or caring responsibilities
- Students requiring greater flexibility because of fixed nursery hours

The following are examples of groups who are not eligible to apply:

- People living in shared accommodation (Wohngemeinschaften)

### 3. Legal and structural framework:

The following laws and legal instruments contain provisions and recommendations relating to support for students with family responsibilities:

- **Lower Saxony University Act (Niedersächsisches Hochschulgesetz, NHG)**  
Section 3 Subs. (1) Para. (1) Subpara. (7) NHG specifies that it is the university's responsibility to take into account the special needs of students with children or relatives requiring care.
- **Act on Maternity Protection (Mutterschutzgesetz, MuSchG)**  
The legal provisions of the Act on Maternity Protection apply to students during pregnancy, after giving birth and while breastfeeding. Where protective measures are necessary that may disadvantage these students during education or slow down their education, the university has to take steps to counterbalance this disadvantage. Unlike female employees, students can waive some of their rights.
- **General Examination Regulations of TU Braunschweig (Allgemeine Prüfungsordnung, APO)**  
Section 9 Subs. (15) of the General Examination Regulations refers to students in special social circumstances (such as pregnancy, parenting or caring for relatives). Such students can apply for reasonable adjustment. To be granted an adjustment, a student is required to show that s/he is unable to take an examination in the specified form.

The Board of Examiners will then grant an adjustment.

- **Central equality plan at TU Braunschweig**

Family stress caused by, for instance, pregnancy, parenthood or looking after relatives requiring care should not disadvantage a student in their studies or their degree outcome. They should be allowed different examination schedules and deviations from formally specified procedures for the course and examinations.

- **Guidelines for family-friendly management at TU Braunschweig**

The guidelines approved by the Senate and Executive Office in 2016 are evidence of TU Braunschweig's goal to create a needs-based family-friendly environment for study. Among the areas covered are, for instance, family-friendly examination times, adjusted expectations regarding attendance, agreement of alternative coursework or examinations, and first choice of compulsory courses.

- **“Family-friendly university audit“**

TU Braunschweig first passed the “family-friendly university audit” in 2007. The audit objectives include, for instance, the existence of formal provisions for ways of organising study in a family-friendly manner and for handling reasonable adjustments, and communication of these options. In 2019, TU Braunschweig was again awarded the audit certificate.

- **“Families in higher education” charter**

By signing the “Families in higher education” charter, TU Braunschweig joined the Best Practice Club in 2017. One aim of the Best Practice Club is to give students who have family responsibilities maximum scope for organising their study and examinations, and to identify individual approaches.

Based on these provisions, the Board of Examiners will review applications for reasonable adjustments regarding their feasibility and take suitable measures. These must ensure equal opportunities for all students.

#### 4. Types of adjustment:

The precise type of adjustment is **determined in each individual case and on application**. There can be no global recommendation of specific adjustments for specific social circumstances, because the individual circumstances and the relevant rules for study and examinations need to be taken into account in each case. Different types of adjustment could therefore be applied even where social circumstances are similar.

In addition to the examples listed in APO, many other reasonable adjustments can be granted. The following list is therefore not exhaustive, but only shows some common types of adjustment that can be adapted to specific cases:

- Extending the total examination period
- Allowing more time (for completing written examinations, assignments and dissertations, for instance)
- Rest breaks (during written examinations, for instance)
- Replacing written work with oral work, or practical work with theoretical work and vice versa, provided the work is equivalent
- Waiving any compulsory attendance (replacing it with alternative work)
- Consulting candidates when scheduling examinations whenever possible

#### 5. Process:

Since the person concerned is best qualified to judge how the desired adjustment can be achieved, specific suggestions on how to implement the adjustment are helpful. There is, however, no entitlement to a specific type of adjustment.

Students have to submit their applications for reasonable adjustment to the relevant Board of Examiners and include all necessary supporting evidence (such as proof of maternity leave, medical certificate (sick note) for the child, proof of nursery hours). They can arrange a preliminary meeting with the Board of Examiners and, where this is necessary, with their degree course coordinator. Students have to submit their applications for reasonable adjustment in good time, generally eight weeks before an examination.

The competent bodies need adequate time to review each application and may ask for clarification or additional certificates. It may also take the person responsible additional time to organise and put in place the modified examination arrangements applied for. Students have to submit their applications for extension of an examination deadline before the relevant deadline has passed. The competent Board of Examiners will adequately consider all submitted applications and decide on their approval. Examiners are not allowed to challenge the principle of granting an adjustment.

### Data protection

- All applications must be addressed to the Board of Examiners via the competent Examinations Office, who are both obliged to maintain full confidentiality.
- Applications for reasonable adjustment are treated as confidential and cannot be mentioned on a certificate.
- The Board of Examiners or another authorised body (Examinations Office) will notify applicants of the outcome of their application in writing.

### Overview of the process



Students can discuss possible solutions in an advance meeting with the Examinations Office and, where this is necessary, with the degree course coordinator.



Students need to clearly state the special circumstances that make an adjustment necessary. It is helpful if they can suggest specific types of adjustment. Students may need to give proof of the circumstances they have described.



Students have to submit their application via the competent Examinations Office to the Board of Examiners, who will give it adequate consideration.



The Board of Examiners decides on applications as quickly as possible and notifies students in writing of the outcome.



There is no entitlement to a **specific** type of adjustment.



## 6. Contact and advice:

Students can contact the degree course coordinators of the departments and the departmental examinations offices for information about the responsibilities and processes in individual degree courses. The Family Information Office (Familienbüro) at TU Braunschweig can provide information and advice on balancing family and studies, and about the creation of a needs-based family-friendly environment for study.

### **Familienbüro**

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