



**Guidelines for fair and respectful interaction
and protection from discrimination for staff and students of the
School of Jewish Theology at the University of Potsdam**

Preamble

“Who is honored? One who honors others.” (mAvot 4:1)

The members of the School of Jewish Theology at the University of Potsdam are committed to ensuring that no person shall be disadvantaged in university life because of their gender identity, ethnic or social background, age, body, disability, sexual orientation, religion or worldview, political stance, or professional or academic status.

The School of Jewish Theology therefore promotes a culture of awareness based on respectful and appreciative interactions among staff and students. In this work and study environment, value shall be placed on fairness, equal treatment, appreciative communication and cooperative behavior among all staff and students, especially in conflict situations.

This requires first and foremost that perceived problems are addressed, that mutual solutions are sought and implemented, and that those affected by discrimination are comprehensively supported. At the School of Jewish Theology, the character of every single person shall be respected and their dignity shall be upheld. Behaviors intended to harm the character of another person will not be tolerated.

These guidelines are designed to create a shared sense of responsibility among all members of the university in order to prevent discrimination, harassment, violence, stalking and mobbing and, in cases of conflict, to identify possible action steps and points of contact to support those who are affected. These guidelines are intended to eliminate and prevent discrimination.

First Article:

Guiding Principles and Definitions

§ 1 Scope

- (1) These guidelines hold for all members of the School of Jewish Theology – professors, research staff, research assistants, administrative staff and students – as well as for all guests of the School of Jewish Theology, such as guest auditors, doctoral candidates, visiting researchers, private lecturers, honorary professors, instructors, students attending courses at the School of Jewish Theology and all members of the Abraham Geiger College and Zacharias Frankel College who carry out activities at the School of Jewish Theology.
- (2) They also serve to support those individuals named in clause 1 above if they encounter discrimination, harassment, violence, stalking or mobbing by third parties on the University of Potsdam campus.

§ 2 Guiding Principles

- (1) To the fullest extent of its authority, the members of the School of Jewish Theology will work to ensure that the personal rights of all individuals listed in § 1 clause 1 are respected and protected regardless of their gender identity, ethnic or social background, physical appearance, age, body, disability, sexual orientation, religion or worldview, political stance, or professional or academic status.
- (2) All individuals listed in § 1 clause 1 are obligated to help ensure that the School of Jewish Theology is and remains a place of work and study characterized by tolerance, openness and mutual respect.
- (3) In particular, members of the School of Jewish Theology fulfilling leadership, educational and assessment roles have to behave according to these guidelines in addition to addressing any violations to these guidelines that are brought to their attention.
- (4) Affected individuals are encouraged to inform themselves of their rights and report any cases of discrimination, harassment, violence, stalking or mobbing. They may seek advice from one of the counselling offices at the University of Potsdam and, if necessary, file a complaint. See § 9–11.
- (5) Bystanders are urged not to look away when they observe cases of discrimination, harassment, violence, stalking or mobbing, and instead to offer assistance to the affected individual and support them in solving the problem.
- (6) Affected individuals as well as bystanders who report incidents are assured that they will not be penalized in any way pursuant to the stipulation forbidding penalties, AGG § 16.

§ 3 Prohibition of and Protection against Discrimination

The General Law of Equal Treatment (Allgemeines Gleichstellungsgesetz/AGG) forbids discrimination against employees for reasons of ethnic background, gender, religion or worldview, disability, age or sexual identity (AGG § 7). Employers are further obliged to enact measures to protect against such discrimination (AGG § 12).

§ 4 Definition of Terms

The definitions provided here are not a comprehensive list, but rather are intended to raise as much awareness as possible around the actions through which people may be discriminated against, harassed, etc. Cases are considered particularly serious when discrimination, sexual or racist harassment or violence, stalking or mobbing is carried out by people serving leadership or mentoring roles towards someone in a subordinate position.

1. Discrimination

Discrimination occurs when a person experiences detrimental or character-harming treatment due to one of the characteristics listed in § 2 clause 1. Any form of detriment, neglect, contempt, disparagement, marginalization or unlawful unequal treatment of individuals or groups based on actual or attributed group-specific characteristics is discriminatory.

2. Multiple discrimination

Because human identity and experience are a combination of the characteristics listed in § 2 clause 1, often more complex, multifaceted patterns of discrimination occur. Hence, people can be discriminated against for multiple separate reasons as well as for multiple reasons simultaneously. For example, both sexual and racist violence are connected in the life experiences of many people. A lack of sensitivity to multiple discrimination has the result that discrimination categories are hierarchized, and affected individuals are predominantly categorized into contexts in which they enjoy a privileged position (cf. bukof handout "Mehrfachdiskriminierungen und SDG im Kontext Hochschule").

3. Sexual, racist, religious or politically motivated harassment and violence

include the following examples of verbal, nonverbal or physical actions:

- a) displaying, circulating or showing images of sexist, racist or religious/politically discriminatory content (e.g. posters, screensavers, calendars, software),
- b) sexist, racist or religious/politically discriminatory slogans,
- c) copying, application and/or use of audiovisual files with pornographic, racist or otherwise discriminatory content on the institute's or university's computers or AV equipment,
- d) addressing people in a sexist, racist or religious/politically discriminatory way (including the use of "pet names") and insulting expressions,
- e) undesired verbal sexual advances,
- f) sexually obscene, racist or religious/politically discriminatory remarks, notes, utterances, jokes, comments about other people, their appearance or their body,
- g) undesired, unnecessary physical contact,
- h) requests for sexual activity,
- i) threats of violence, stalking, coercion,
- j) physical attack and rape.

4. Stalking

Stalking describes the deliberate and repeated pursuit, lurking around or harassment of a person, such that their life is severely impaired or whose perceived safety is threatened (cf. StGB § 238).

Stalking occurs in many different forms:

- a) telephone calls, text messages and contact over other messenger services, messages left on an answering machine, emails at all times of day or night,
- b) "signs of affection" such as love letters, flowers, gifts,
- c) ordering parcel deliveries in the name of the affected individual,
- d) physical presence as well as following and lurking, e.g. in front of a residence, workplace or supermarket,
- e) false accusations, e.g. reported to an employer,

- f) interrogation of members of the affected individual's social circle,
- g) damaging property,
- h) insults, slander,
- i) threats, coercion.

5. Mobbing

Mobbing can be understood as systematic and repeated hostility, harassment and marginalization, with the aim or consequence that the mobbed individual(s) are intimidated, humiliated and ostracized from their study or work environment. These actions can also be carried out via digital media. Mobbing can include the following examples of verbal, nonverbal or physical actions:

- a) circulating rumors about staff or students,
- b) systematic withholding of study- or work-relevant information,
- c) refusal of study- or work-relevant contact, exclusion from conversation,
- d) assigning meaningless, offensive, impossible, health-damaging or no tasks by people in a leadership or mentoring position,
- e) insults, defamation and humiliating treatment,
- f) threats, coercion, humiliation in front of others,
- g) deliberately causing stress,
- h) bodily conflict up to and including direct violence.

§ 5 General Principles

- (1) Discrimination in the sense of § 4 involves injuries to an individual's personal rights and can also include damage to fulfilling contractual employment or service obligations or even criminal offenses.
- (2) The Brandenburg Higher Education Law (Brandenburgisches Hochschulgesetz/BbgHG) § 15 clause 1 classifies the intentional application or threat of violence as well as the solicitation of violence by students as unlawful if and when it hinders operating procedures of the university (e.g. courses) or prevents university staff from exercising their rights and obligations. As a consequence, regulatory measures up to and including expulsion from courses or permanent dismissal can be imposed (BbgHG § 15 clause 2).
- (3) Instances of noncompliance with these guiding principles can be brought up and addressed, e.g. within the status group or as a part of internal institutional meetings, if desired by the affected individual(s), and anonymized upon request. In particular, all individuals named under § 1 clause 1 are encouraged to report any discriminatory language used inside of the School of Jewish Theology and to raise awareness among its members about this issue.
- (4) Independent of the internal institutional measures listed in clause 3, affected individuals shall be comprehensively supported in making use of advising opportunities and complaint procedures.

Second Article: Prevention

§ 6

Duties of Institutional Directors and Individuals in Leadership and Advisory Roles

- (1) The School of Jewish Theology is forbidden from directly or indirectly discriminating against the individuals named in § 1 clause 1 for the reasons laid out in § 2 clause 1 (AGG § 7). It is also obligated to protect these people from discrimination by other employees, students or other third parties within the School of Jewish Theology (AGG § 12).
- (2) The School of Jewish Theology is further obligated, in agreement with the affected individuals, to confront those who can be proven to have violated the principles formulated in § 2 about their offences and to support the affected individuals if they choose to file a complaint.
- (3) The School of Jewish Theology shall ensure that individuals affected by discrimination, witnesses, and especially those filing a complaint will not be penalized in any way for coming forward (stipulation forbidding penalties, cf. AGG § 16).
- (4) Members of the School of Jewish Theology with hiring duties and/or leadership, educational and assessment functions in teaching, research, administration and self-governance are obligated to
 - a) contribute, through their behavior and appropriate preventative measures, to ensuring that appreciative and discrimination-free interactions are promoted and that the integrity of all staff and students is respected,
 - b) ensure that dependency relationships in the study program as well as in trainings and the workplace are not taken advantage of,
 - c) pursue complaints about and reported cases of discrimination, harassment, violence, mobbing and stalking, to advise affected individuals and to support them in providing the relevant aid and searching for possible solutions, including utilizing the designated university counselling opportunities.
 - d) In the case of failure to observe a) through c), the institutional directors or the next higher in rank are to remind them of their duties.

§ 7

Preventive Measures

- (1) The School of Jewish Theology commits to implement the following measures for the prevention of discrimination, harassment, violence, mobbing and stalking:
 - a) All individuals named in § 1 clause 1 shall be informed and agree to follow the “Guidelines for fair and respectful interaction and protection from discrimination for staff and students of the School of Jewish Theology at the University of Potsdam.”
 - b) These self-obligating guidelines will be adopted in the institutional statutes.
 - c) These self-obligating guidelines will be published on the homepage of the School of Jewish Theology.
 - d) Updated visualizations of key points from the guidelines and materials raising awareness around these topics shall be displayed in the institutional buildings, including current

contact information for counselling centers at the University of Potsdam,

- e) Familiarity and compliance with these self-obligating guidelines will be reviewed on a regular, at least yearly, basis, along with adding new information, raising awareness, educating the individuals listed in § 1 clause 1, and updating the guidelines by the institutional board of the School of Jewish Theology when necessary.
- (2) For the general protection of the individuals listed in § 1 clause 1, these same shall be informed and regularly trained regarding the general security concept of the School of Jewish Theology.

Third Article: Complaint Procedures

§ 8

General Information

A complaint procedure consists of receiving advice (informal procedure) and filing the complaint at the complaints office (formal procedure).

§ 9

Advice and Assistance with Complaint Procedures

- (1) The group of people listed in § 1 clause 1 have at their disposal different advising offices at the University of Potsdam that can counsel them on possible protective mechanisms and actions they can take against discrimination, harassment, violence, stalking and mobbing (clause 3). The advising offices support affected individuals regarding the perception of their issues and assist them if they choose to file a formal complaint (cf. § 11). This also requires that verbal complaints lodged by the affected individuals are written down for submission to the complaint office (§ 10), to the extent that the individual filing the complaint desires this and wants to initiate formal complaint procedures. More information on complaint procedures will be given here in § 11.
- (2) All advising sessions pursuant to clause 1 shall be treated with absolute confidentiality, unless the parties involved mutually agree to release the content of the conversation or parts of it to third parties.
- (3) The following advising offices are available to affected individuals:
 - a) Central and decentral equal opportunity officers of the University of Potsdam,
 - b) Ombudsperson pursuant to Art. 19 of the Basic Regulations of the University of Potsdam (on moderation in conflict situations),
 - c) Staff representatives of the University of Potsdam,
 - d) Representatives of severely disabled employees of the University of Potsdam,
 - e) Department for legal and staffing matters at the University of Potsdam,
 - f) Psychological counselling for students at the University of Potsdam,
 - g) Advising for students of the University of Potsdam with health impairments/disabilities,
 - h) AStA project on gender policy at the University of Potsdam,
 - i) AStA project on antiracism at the University of Potsdam.

§ 10 Complaint Office

The complaint office pursuant to § 13 AGG is the staffing and legal department for the University of Potsdam (D3). This is located on the Campus Neues Palais, building 3. The designated contact person here is the department director and their representative.

§ 11 Complaint Procedure

- (1) The University of Potsdam, following the General Law on Equal Treatment (Allgemeines Gleichstellungsgesetz/AGG), is obligated to receive employee complaints when they experience discrimination from employers, supervisors, other employees or third parties based on their “ethnic background, gender, religion or worldview, disability, age or sexual identity” (§ 1 AGG).
- (2) The AGG in its current version applies only to employees, not students. Therefore, when the new university contract takes effect (signed on 21 March 2019), the University of Potsdam will create a university-wide strategy for protection against discrimination within 2 years. Part of this strategy will involve guidelines adopting the AGG’s statutes forbidding discrimination, which will then be valid for all university members. Until this is implemented, the reception and advising offices for students listed in § 9 clause 3 will provide opportunities for support.
- (3) An official complaint can usually only be filed after an advising session has taken place. Affected individuals should use the reception and advising offices for this listed in § 9 clause 3. If desired, the equal opportunity officers can also provide support with complaint procedures.
- (4) The complaint office named in § 10 must review the complaint in question according to § 13 AGG and report the results to the employee responsible for the complaint (known as the complaint rights).
- (5) Subsequently, pursuant to § 14 AGG, appropriate measures must be taken on the part of the employer to prevent sexual or other types of harassment. Should the employer fail to do this or the measures prove to be clearly inappropriate, the affected individuals have the right to cease their activity without loss of compensation, to the extent that this is necessary for their protection (§ 273 BGB remains unaffected) (known as the right to withdraw from performance).

§ 12 Entry into Force

These self-obligating guidelines will be published on the homepage of the School of Jewish Theology and distributed to all individuals named in § 1 clause 1. It takes effect on the day after its acceptance by the institutional board of the School of Jewish Theology.

Issued based on the ruling by the institutional board from April 29, 2020.