

Policy Against Sexual Harassment, Discrimination, and Violence*

Section 1: Scope and Application

§ 1 General Objectives

Bielefeld University promotes equal learning and collaboration among women, men, and trans*, inter*, and non-binary (TIN*) individuals in academic studies, teaching, and research, as well as in technical and administrative fields. It reduces disadvantages in academic and professional life and contributes to the realization of equal opportunities in accordance with the Higher Education Act of the State of North Rhine-Westphalia (HG NRW), the State Equality Act of North Rhine-Westphalia (LGG NRW), and the General Equal Treatment Act (AGG).

Under the AGG, sexual harassment occurs when unwanted, sexually determined conduct is intended or results in the violation of the dignity of the person concerned (see definition in § 3).

Sexual harassment, discrimination, and violence are prohibited at Bielefeld University

Within its jurisdiction, Bielefeld University is responsible for ensuring that the right of members, affiliates, and guests to sexual self-determination is respected and that their individual personal rights are recognized in accordance with the Basic Law. Sexual harassment, discrimination, and violence constitute a violation of these personal rights. The freedom of research and teaching remains unaffected by this.

§ 2 Scope

2.1 Persons

This policy applies to all members and affiliates of Bielefeld University (Section 9 of the Higher Education Act of North Rhine-Westphalia), including in particular, all employees, students, trainees, student and research assistants, interns, lecturers, postdoctoral researchers, visiting scholars, and scholarship recipients.

This policy applies to all genders without exception, and they are equally granted the protection stipulated in this policy. This policy also explicitly applies to underaged members and affiliates.

Sexual harassment, discrimination, and violence committed by exploiting relationships of dependency in the training or workplace and during studies, under the threat of personal or professional disadvantages or the promise of advantages, are considered particularly serious offenses.

This policy also applies to sexual harassment, discrimination, and violence by or against third parties (e.g., guests) on university campus if at least one person involved is a member or affiliate of Bielefeld University.

**The [German version](#) of this policy is the legally binding one. The English translation is provided solely as a service for international users.*

2.2 Locations

This policy applies

- throughout the entire Bielefeld University campus, with the exception of the Laborschule/Oberstufenkolleg and the dormitories,
- on leased properties, real estate, and at all Bielefeld University branch campuses,
- on excursions, business trips, and other work or study-related events in Germany and abroad that fall under the organizational responsibility of Bielefeld University (including: summer festivals, Christmas parties, events during orientation week),
- for digital events (including, but not limited to: courses, official meetings), digital learning spaces, and all other digital communication tools provided by Bielefeld University (including, but not limited to: email, video conferencing software, chat rooms).

§ 3 Definitions

3.1 Sexual Harassment, Discrimination, and Violence

Sexual harassment, discrimination, and violence refer to any unwanted, sexually motivated (verbal or non-verbal) behaviour that has the purpose or effect of violating the dignity of the person concerned. Sexual harassment, discrimination, and violence include:

- sexual acts and behaviours that are punishable under criminal law (in particular under the German Criminal Code §§ 174 ff.),
- discrimination based on gender, sexual orientation, or gender identity
- other sexual acts and behaviours, including:
 - sexist or unwanted sexualized communication (e.g., staring at primary or secondary sexual organs, sexualized lewd remarks, jokes, whistling, derogatory gender-stereotypical depictions, intentional, repeated misgendering, and outing TIN* individuals)
 - sexualized, derogatory doodles, drawings, or graffiti on university premises
 - Verbal, visual, or electronic presentation and dissemination of pornographic or sexist depictions in a work or educational context (for example, on calendars, posters, software, or screensavers)
 - the use of university-owned computers and mobile devices for viewing or downloading materials with sexual content (see the Terms of Use of the Bielefeld IT Service Centre [BITS] at the University of Bielefeld)

**The [German version](#) of this policy is the legally binding one. The English translation is provided solely as a service for international users.*

- Repeated unwanted advances, stalking, or threatening behaviour (stalking/cyberstalking), as well as coercion with a sexualized motive (including indirect) or exhibitionist acts.
- Instructing or inciting (instigating) the aforementioned behaviours with specific content toward members and affiliates of the university.

The understanding of “sexual harassment, discrimination, and violence” relevant to this policy assumes that sexuality and sexual acts can also be instrumentalized and may constitute an abuse of power.

3.2 Trans*, inter*, and non-binary individuals

Trans* serves as a collective term for people whose gender identity does not align with the sex assigned at birth. Inter* people cannot be categorized according to the normative conceptions of masculinity and femininity. This may be due, for example, to hormonal or chromosomal factors. Intersexuality does not in itself indicate a person’s gender identity. An inter* person may identify solely as inter*, but may also identify as a woman, non-binary, etc.

Non-binary refers to a gender identity or gender identities that do not fit into the binary concept of gender. Non-binary does not describe a specific mix of characteristics, but is a self-identification.

§ 4 Education, Prevention, and Support

Bielefeld University responds consciously and actively to all forms of sexual harassment, discrimination, and violence. This is done in the spirit of prevention, education, and intervention in cases of violations.

All members and affiliates are called upon to be vigilant against all forms of sexual harassment, discrimination, and violence. Everyone is encouraged to take appropriate action in response to any such incident and, where possible, to show moral courage and intervene. Incidents must not be tacitly accepted.

In a hierarchical organization characterized by relationships of dependency, such as a university, managers and leaders bear a responsibility. Bielefeld University expects its staff members with personnel responsibility, its lecturers, and its professors to demonstrate sensitivity in addressing the issues of “sexual harassment, discrimination, and violence.”

Bielefeld University develops and implements appropriate measures to raise awareness, educate, and break down taboos in the context of sexual harassment, discrimination, and violence. These include:

- low-threshold, inclusive, and accessible means of providing information on the topic of sexual harassment, discrimination, and violence
- Incorporating the topic of sexual harassment, discrimination, and violence into Bielefeld University’s welcome and onboarding programs

- Information, training opportunities, and counselling services for all employees, particularly for managers and staff at the complaint offices
- Regular empowerment, support, and workshop programs for students and other target groups
- Regular assessments of the physical and technical conditions on campus to reduce and ensure that environmental factors do not contribute to sexual harassment, discrimination, or violence, or trigger anxiety (e.g., inspection of lighting or adjustment of security patrol routes).

Section 2: Counselling, Reporting, Complaints

§ 5 General Principles

Those affected by sexual harassment, discrimination, and violence have the opportunity and are encouraged to seek counselling, report relevant incidents and discriminatory structures, and file complaints.

To this end, various avenues for counselling (§ 7), reporting (§ 8), and filing official complaints (§ 9) are available to members and affiliates of Bielefeld University. For urgent situations, short-term counselling options are offered.

The initial contact may be made by the affected person themselves or by a third party (acting on behalf of the affected person).

Official channels do not need to be followed.

Bystanders who observe incidents or become aware of them are encouraged not to look away, but to offer their help and support to those affected. Bystanders or confidants may also seek counselling.

When minors are involved, it must always be determined whether their legal guardians need to be involved.

For counselling, reports, and official complaints, a female contact person is made available to affected women and TIN* individuals.

§ 6 Anlaufstelle for Experiences of Harassment and Discrimination

Anlaufstelle for Experiences of Harassment and Discrimination serves as the primary and central point of contact for reports under Section 8 for affected persons, their supporters, and/or third-party witnesses in cases of (potential or actual) sexual harassment, discrimination, and violence. Here, an initial consultation is provided to outline the various options for action. This initial consultation can also be conducted anonymously. The contact point refers affected individuals to the appropriate counselling and complaint offices as well as to existing support services. If necessary, the contact point coordinates referrals to the relevant authorities.

**The [German version](#) of this policy is the legally binding one. The English translation is provided solely as a service for international users.*

§ 7 Counselling

Bielefeld University provides services to affected, involved, or observing individuals from the group of persons specified in § 2 so that they can receive personal, confidential, and, if desired, anonymous counselling in cases of sexual harassment, discrimination, and/or violence. Employees may generally also seek counselling during working hours. In all discussions, the affected person has the right to be accompanied by a confidant—including someone from outside the university.

The counselling centres are also expressly available in cases where the affected person is not (yet) able to assess for themselves whether the behaviour they have experienced or observed constitutes a case of sexual harassment, discrimination, or violence.

The goal of counselling is to provide competent support to those affected and those seeking advice regarding their concerns. This includes supporting those affected and those seeking advice in clarifying their interests, in the sense of psychosocial support, providing an opportunity for discussion, identifying individual options for action, and drawing attention to suitable sources of assistance and cooperating counselling centres.

Internal counselling centres include, in particular:

- Student Advising and Counselling for students and their support persons
- The Counselling Centre for Employees and Managers, serving employees, including managers and support staff

Independent, anonymous, and confidential external counselling provided by *Frauennotruf Bielefeld e.V.* [Women's Crisis Hotline] is available to all female students and employees from all fields (academic, technical, and administrative). The staff of *Frauennotruf Bielefeld e.V.* are not obligated to report the facts that come to their attention to the relevant offices at Bielefeld University.

In cases that have the potential to escalate into violence (e.g., stalking), the Threat Management Office also supports those affected.

The aforementioned counselling centres do not accept reports (§ 8) or complaints within the meaning of the AGG; see § 9 for more details.

All information, personal data, and the content of conversations are treated confidentially. No further measures may be initiated based on a counselling session without the consent of the affected person or the person seeking advice, unless the parties involved jointly agree to disclose the content of the conversation—or parts thereof—to the complaint offices pursuant to § 9.

Section 8 Reporting

A report refers to a notification regarding an experienced or observed incident (potential or actual) of sexual harassment, discrimination, and/or violence. It serves to

record and document incidents without initiating disciplinary action. Bielefeld University provides both named and anonymous reporting options in appropriate formats. If desired, a report may also become a complaint pursuant to § 9. To do so, the report must describe a specific incident using real names and may then be forwarded to the competent complaints office (with the resulting consequences) (see § 9). The Anlaufstelle for Experiences of Harassment and Discrimination assesses the reports and regularly reports to the Rectorate on the reports received.

Section 9 Official Complaint

An official complaint constitutes an official report of an incident to the relevant complaint offices at the university and is thoroughly investigated by them.

The Legal Office of the Department of Academic Affairs is responsible for complaints regarding students. Complaints regarding employees are handled by the Legal Office of the Department of Human Resources and Organization.

A complaint must be submitted informally, in writing (including by email) or orally, to the appropriate complaints office within the Department of Human Resources and Organization or the Department of Academic Affairs. A complaint may only be filed if the complainant provides their full name.

If individuals with a complaint regarding employees contact the university administration, managers with personnel responsibility, and/or one of the complaint offices directly, these parties are obligated under Section 12(3) of the General Equal Treatment Act (AGG) to investigate every factual indication and take appropriate measures to clarify, address, and prevent the issue. This occurs regardless of whether the affected person wishes such action to be taken. It must be ensured that the measures taken do not result in any personal, professional, or educational disadvantages for the complainant.

The respective complaints office conducts a comprehensive review of the complaint. In doing so, it is obligated to act with neutrality and objectivity. The complaints office informs the complainant of the outcome of the review of the facts.

§ 10 Measures and Sanctions

If the review of the facts reveals misconduct within the meaning of § 4, it shall be determined, based on the degree or severity of the discriminatory conduct, whether and which measures and sanctions shall be imposed. Depending on the status of the person found guilty under higher education law, different measures or sanctions may result.

For employees, depending on their employment status and the nature and severity of the discriminatory conduct, the following measures, among others, are conceivable:

- Conducting a formal performance review
- Oral or written instruction

- Conduct of a disciplinary complaint procedure
- for civil servants: Conducting a disciplinary proceeding
- Warning
- (Immediate) termination

For students, the following measures are available, among others:

- Conducting a cautionary meeting
- Issuance of a reprimand
- Exclusion from the use of university facilities
- Exclusion from participation in individual courses
- Dismissal

The above measures regarding students or staff may, where appropriate, be accompanied by the imposition of a (partial) ban on campus access, which in general is temporary.

§ 11 Confidentiality/Data Protection

In accordance with the principles of data minimization and necessity, the circle of persons informed about a case must be kept as small as possible. The Anlaufstelle for Experiences of Harassment and Discrimination, as well as the other counselling and complaint offices, maintain confidentiality regarding personal data in accordance with Art. 4 No. 1, Art. 5 Para. 1 of the General Data Protection Regulation (GDPR) as well as the information to which they gain access or become aware of in the course of their work. This includes the obligation to regularly delete data and to protect the data of the individuals concerned and the information obtained from access by unauthorized third parties. An exception applies in cases where a disclosure has been expressly agreed upon with the data subject in accordance with Section 7.

Documents provided by the data subjects will be returned to them or destroyed. The destruction of documents and deletion of data comply with security standards for sensitive data carriers.

§ 12 Publication of the Policy and Entry into Force

This policy shall enter into force on the day following its publication in the Bielefeld University Gazette – Official Announcements. At the same time, the Bielefeld University Policy on Sexual Discrimination and Violence dated April 2, 2001 (Bielefeld University Gazette – Official Announcements – Vol. 30, No. 5, p. 52) shall cease to be in force.

This policy will be communicated internally within the university's faculties and departments and published in an appropriate section of Bielefeld University's website.

Issued pursuant to the resolution of the Senate of Bielefeld University dated July 17, 2024.

**The [German version](#) of this policy is the legally binding one. The English translation is provided solely as a service for international users.*