



Translation from the German language

[Übersetzung in die englische Sprache]

The accuracy and completeness of this translation
from the German language are hereby certified.

[Die Richtigkeit und Vollständigkeit dieser Übersetzung in die
englische Sprache wird bescheinigt.]

The translation has been made on the basis of the
submitted original document.

[Die Übersetzung wurde auf Grundlage des vorgelegten
Originaldokuments gefertigt.]

Kressbronn, **25. NOV. 2025**



Luis Josef Gronmayer



Vom Landgericht Hannover unter dem Aktenzeichen 316 E 2 - 90/24 ermächtigter Übersetzer
für die englische und spanische Sprache.

Certified Translator for English and Spanish, registered under the number
316 E 2 - 90/24 at the Regional Court of Hanover, Germany.

Traductor Certificado del Inglés y del Español, registrado bajo el número
316 E 2 - 90/24 en el Tribunal Regional de Hannover, Alemania.

ASH
Berlin

Alice Salomon Hochschule Berlin
(Alice Salomon University Berlin)
University of Applied Sciences

**OFFICIAL
BULLETIN**

17/2025

October 29, 2025

Anti-Discrimination and Equal Opportunities Statute*
of the Alice Salomon University of Applied Sciences Berlin
(ASH Berlin)

*) Adopted by the Academic Senate of ASH Berlin in the meeting on October 14, 2025.

PUBLISHER: President of the Alice Salomon University of Applied Sciences Berlin
ADDRESS: Alice-Salomon-Platz 5, 12627 Berlin, Tel.: (030) 992 45-0

Anti-Discrimination and Equal Opportunities Statute of ASH Berlin

Preamble

SECTION 1: OBJECTIVES AND FUNDAMENTAL UNDERSTANDING

§ 1 Objectives and Guiding Principles

§ 2 Scope of Application

§ 3 Definitions

§ 4 Prohibition of Discrimination, Sexualized Discrimination and Violence, Bullying, and Stalking

§ 5 Duties and Responsibilities of Persons in Leadership and Supervisory Roles

§ 6 Gender-Equitable and Discrimination-Sensitive Use of Language

§ 7 Compatibility of Studies and Employment with Family and Care Responsibilities

§ 8 Barrier-Free University

SECTION 2: STRUCTURES AND CONTACT PERSONS

§ 9 Anti-Discrimination Commission

§ 10 Department for Intersectional Practice and Transformation

§ 11 Tasks and Regulations of the Central and Decentralized Appointed and Contact Persons

§ 12 Anti-Discrimination and Diversity Officer and the Contact Persons for Diversity

§ 13 Central and Decentralized Women's* and Gender Equality Officers as well as Central and Decentralized Women's* and Gender Equality Councils

§ 14 Tasks and Regulations Concerning the Officer for Students with Disabilities and Chronic Illnesses

§ 15 Women's* and Gender Equality Councils

§ 16 Anti-Discrimination Advisors

SECTION 3: PROCESSES AND PROCEDURES

§ 17 Preventive Measures

§ 18 Recognition of Gender Self-Determination

§ 19 Appointment Procedures

§ 20 Personnel Selection Procedures

SECTION 4: INTERVENTION AND COMPLAINTS

§ 21 Low-Threshold Intervention

§ 23 Right to Lodge a Complaint

§ 24 Complaints Office

§ 25 Complaints Procedure

§ 26 Measures and Sanctions

SECTION 5: REPORTING AND ENTRY INTO FORCE

§ 27 Reporting and Evaluation

§ 28 Entry into Force

Preamble

The Alice Salomon University of Applied Sciences (ASH) Berlin is committed to fostering respectful, fair, discrimination-critical, diversity-sensitive, and appreciative interactions among all members of the university. This commitment is continuously challenged by overarching societal phenomena of power inequality and marginalization. Discrimination, sexualized discrimination and violence, bullying with discriminatory reference, stalking, and abuse of power constitute violations of the dignity and rights of the affected persons. They impair personal development, self-esteem, as well as learning ability, and freedom of action and decision-making. Incidents of this kind are not tolerated at ASH Berlin.

This statute serves to establish regulations and measures for dealing with discrimination, sexualized discrimination and violence, bullying with discriminatory reference, stalking, abuse of power, and inappropriate behavior within university life. This also includes preventive measures. With this statute, current legal prohibitions and protection provisions against discrimination at ASH Berlin are to be applied and expanded. It regulates the procedure pursuant to § 13 of the General Equal Treatment Act (AGG) and applies beyond the group of employees to all persons referred to in § 2.

It also contributes to fulfilling the university's tasks and obligations under the Berlin Higher Education Act (BerlHG), namely to enable discrimination-free education as a university of diversity (§ 5b BerlHG) and to consider the needs of people with different gender identities and gender attributions, as well as students with disabilities and chronic illnesses. This includes gender equality and protection against sexual harassment, sexualized discrimination and violence, as well as stalking pursuant to § 5c para. 1 BerlHG. This statute supersedes the Guidelines for the Promotion of Women dated March 14, 1995.

The occurrence of abuse of power during doctoral studies is recognized as a structural problem of the academic system, fostered among other things by dependencies, hierarchies, and publication pressure. Therefore, the university takes measures during the doctoral phase to counteract abuse of power in supervisory and, where applicable, employment relationships. These measures include, in addition to networking structures for doctoral candidates, clear requirements regarding supervision agreements, publication activities, and in particular fair handling of authorship, measures and support in cases of conflict, as well as procedures for changing supervisors. The validity of other existing prohibitions of discrimination and requirements for equal treatment remains unaffected by this statute.

In addition to the offers regulated herein, the persons concerned also have access to the advisory and complaint options provided by the Berlin State Anti-Discrimination Act (LADG).

SECTION 1: OBJECTIVES AND FUNDAMENTAL UNDERSTANDING

§ 1 Objectives and Guiding Principles

(1) All members of the university are obliged to contribute to ensuring that ASH Berlin is a place of work and study characterized by equality, equal opportunities, openness, and mutual respect, and that it takes a clear stance against discrimination.

(2) The purpose of this statute is to prevent and eliminate disadvantages, in particular those based on racist or antisemitic attributions, appearance, gender or sexual identity and gender attributions, disability, chronic illness, social origin or status, age, language, family status, pregnancy, and/or religious and/or ideological orientation or political conviction, as well as other attributions and experiences that could be used for denigration, originating from or directed at the persons referred to in § 2 (1).

(3) The prohibition of victimization applies. Persons affected and witnesses shall be encouraged to exercise their rights and to report, seek advice, and file complaints about experienced cases of discrimination, sexualized discrimination and violence, bullying and stalking, as well as abuse of power. If they do not wish to do so, this must be respected.

(4) Abuse of power and the exploitation of relationships of dependency shall be firmly counteracted.

§ 2 Scope of Application

(1) This statute applies to all members of ASH Berlin pursuant to § 43 BerlHG as well as to persons working at the university, scholarship holders, freelance staff, guest and auditing students, participants in continuing education, and applicants.

(2) It also applies to discrimination, sexualized discrimination and violence, bullying and stalking, as well as abuse of power by or against third parties within the university context (in particular on the ASH campus, including all external locations and digital spaces of the university), provided that at least one of the persons involved belongs to the group specified in § 2 (1).

(3) It also applies to discrimination, sexualized discrimination and violence, bullying and stalking, as well as abuse of power, when these affect the ability to study or work of the persons specified in § 2 (1).

(4) This also applies to digitally supported communication spaces and infrastructures such as e-mail, learning platforms, social media, messenger systems, and video conference rooms and chat systems, digital teaching and learning tools, telecommunications, and administrative systems provided by the university.

(5) ASH Berlin undertakes, in its contractual arrangements or agreements with practical training institutions, cooperation partners, and external service providers, to point out, wherever possible,

the importance of fair treatment and the protection against and elimination of discrimination. Further details are regulated by the protection concepts for the practical training phases of the respective departments.

(6) In cases where discrimination occurs during the practical study semester or practical training phases at the placement institution, during accompanying supervision, or during a stay abroad within the framework of studies or employment, members of the university may make use of the counseling services in accordance with § 16, submit complaints to the complaints office pursuant to § 24, or, if applicable, file a complaint directly with the placement institution or cooperation partner.

If the placement institution or cooperation partner is unable to resolve the complaint directly, the affected university member may contact the ASH complaints office, which will seek clarification within the scope of its possibilities for action.

(7) The university is committed to ensuring equal opportunities for doctoral candidates at ASH Berlin who are affected by discrimination.

In the case of researchers employed at the university for the purpose of obtaining a doctorate, this also includes designing criteria for recruitment and contract extensions in a discrimination-critical manner and fully utilizing the provisions of the Academic Fixed-Term Contract Act (WissZeitVG) from a discrimination-critical perspective.

§ 3 Definitions

(1) Direct discrimination occurs when a person, on the basis of one or more actual or attributed group-specific characteristics pursuant to § 1 (2), is treated less favorably than another person is, has been, or would be treated in a comparable situation.

(2) Indirect discrimination occurs when apparently neutral provisions, criteria, procedures, or practices could particularly disadvantage persons because of one or more of the attributions mentioned in § 1 (2), unless the relevant provisions, criteria, procedures, or practices are objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

(3) An instruction to discriminate constitutes discrimination. The omission of actions or measures to end discrimination is equivalent to an act if there is a duty to act.

An action may constitute discrimination regardless of its intention.

(4) Associated discrimination is a disadvantage arising from a close relationship with a person who is subject to one or more of the attributions referred to in § 1 (2).

(5) Sexualized discrimination and violence include any unwanted, sexually colored behavior of a verbal or non-verbal nature that is intended to or results in violating the dignity of the affected person.

(6) Harassment constitutes discrimination when unwanted conduct related to one or more of the attributions mentioned in § 1 (2) is intended to or results in violating the dignity of the affected person and creates an environment characterized by intimidation, hostility, humiliation, degradation, or insult.

(7) Bullying with a discriminatory reference is the repeated hostility, harassment, and/or exclusion over an extended period of time that is connected to one or more of the attributions referred to in § 1 (2) and that is carried out with the aim or consequence of violating the dignity of the affected person and/or excluding them from their study or work environment.

(8) Stalking is the deliberate, intentional, and repeated pursuit, following, and/or harassment of a particular person against their explicit will.

(9) Abuse of power refers to the improper use of a relationship of dependency, particularly within a hierarchical structure.

(10) Unequal treatment is justified when it is carried out for a legitimate aim and on the basis of a sufficient objective reason. Unequal treatment is also justified when it aims to contribute to the equality and empowerment of structurally disadvantaged groups (positive measures).

§ 4 Prohibition of Discrimination

(1) The forms of discrimination listed in § 3 are prohibited. This also applies if the acting person merely assumes the existence of one or more of the characteristics referred to in § 1 (2) when engaging in unequal treatment.

(2) University regulations that violate the prohibition set out in § 4 (1) must be repealed.

(3) Discrimination may constitute a violation of contractual, employment, civil service, or higher education legal obligations.

§ 5 Duties and Responsibilities of Persons in Leadership and Supervisory Roles

(1) In particular, university members with personnel responsibility and/or with leadership, training, and qualification functions in teaching, research, administration, and self-governance have the duty to:

- a) contribute through their behavior and appropriate preventive measures to promoting respectful and discrimination-free interaction and to ensuring that the integrity of all members of the university is respected,
- b) ensure that relationships of dependency in study as well as in training and at the workplace are managed responsibly and not exploited,
- c) counter any misconduct of which they become aware within the meaning of this statute. They shall follow up on reports, support affected persons and witnesses, or refer them to appropriate assistance and seek solutions, if necessary, with the involvement of competent university offices,
- d) undertake further training in diversity competence, including the legal foundations of anti-discrimination, in accordance with the LADG.

(2) The university management has the duty, after the completion of a complaint procedure or in cases of imminent danger, to inform the relevant offices and persons of violations of this statute while maintaining data protection, particularly where necessary for the protection of members of the university.

If the university management is not legally obliged to file a report, it may only do so with the written consent of the affected persons.

§ 6 Gender-Equitable and Discrimination-Sensitive Use of Language

(1) Both in internal and external communication, ASH Berlin shall use gender-equitable, discrimination-sensitive, and prejudice-aware (visual) language. This is intended to ensure that all persons feel equally addressed and represented, while avoiding discrimination and stereotyping through language.

(2) The current regulations on language use are to be taken from the resolutions of the Academic Senate in force at any given time.

(3) The Department for Intersectional Practice and Transformation offers training sessions each semester on gender-equitable and discrimination-sensitive language. Participation is mandatory for new employees.

§ 7 Compatibility of Studies and Employment with Family and Care Responsibilities

(1) ASH Berlin operates with a broad concept of family. Family is understood to consist of all those with whom employees and students have a close personal relationship or from whom they experience and receive solidarity and care.

(2) ASH Berlin supports all members of the university in achieving the best possible balance between the demands of study and work and their family and care responsibilities. To this end, ASH Berlin continuously develops its organizational culture and structures as well as its teaching and learning culture in the spirit of family-friendliness and work-life balance.

(3) Employment relationships should be structured in such a way that family responsibilities and the care of dependents in need of assistance are compatible with the performance of official duties. Part-time employment shall not preclude the assumption of a leadership position.

If employees make use of legally regulated protection periods, ASH Berlin shall strive to ensure full representation of the position.

(4) Students must not be disadvantaged in their studies due to pregnancy, childcare, care of relatives with disabilities or chronic illnesses, or other caregiving responsibilities. Further details are regulated by the General Study and Examination Regulations of ASH Berlin.

(5) Courses relevant for examinations should, as far as possible, be scheduled in such a way that students with family and/or care responsibilities are able to attend. Digital teaching and learning formats shall also be used to facilitate flexibility in studies.

(6) Meetings, discussions, selection interviews, and internal training and continuing education sessions at ASH Berlin should, where possible, not take place before 9:00 a.m. or after 4:00 p.m.

(7) The Family Office advises and supports students and employees in organizing the compatibility of study and work with family and care responsibilities. It provides guidance on organization and on legally regulated protection periods for students and employees.

§ 8 Barrier-Free University

(1) ASH Berlin is obligated to ensure the implementation of the UN Convention on the Rights of Persons with Disabilities.

(2) An accessible recruitment and personnel selection process must be ensured.

SECTION 2: STRUCTURES AND CONTACT PERSONS

§ 9 Anti-Discrimination Commission

(1) To support and advise the university management and the Academic Senate (AS) on matters of anti-discrimination, the Academic Senate of ASH Berlin shall, in accordance with the Berlin Higher Education Act, establish a permanent Anti-Discrimination Commission.

(2) The Anti-Discrimination Commission consists of two representatives from each group of university members pursuant to § 45 of the BerlHG. The representatives from administration and technical staff, academic staff, and university professors are appointed by the Academic Senate for a term of two years; the student representatives are appointed for a term of one year.

(3) The Anti-Discrimination Commission:

- a) supports the Department for Intersectional Practice and Transformation,
- b) reviews and initiates proposals for maintaining and improving protection against discrimination at the university,
- c) proposes anti-discrimination advisors pursuant to § 16,
- d) may propose members for the complaints office to the Academic Senate pursuant to § 24,
- e) reviews proposals for the improvement of anti-discrimination measures at ASH Berlin pursuant to § 26 (1).

§ 10 Department for Intersectional Practice and Transformation

(1) The Department for Intersectional Practice includes, in particular, the Family Office, the Anti-Discrimination and Diversity Officer, the Women's* and Gender Equality Officer, as well as the Officer for Students with Disabilities and Chronic Illnesses, and works on the topics of anti-discrimination, inclusion, equal opportunities, diversity, and gender equality.

§ 11 Tasks and Regulations of the Appointed Persons

(1) The appointed persons act independently and are bound by confidentiality.

The central appointed persons have the right to receive appropriate, timely, necessary, and relevant information as well as the right to participate, submit motions, and speak in all committees of ASH Berlin.

The appointment is made by the Academic Senate. The appointed persons must not be hindered in the performance of their duties and must neither be disadvantaged nor favored as a result of their appointment.

(2) At the faculties, decentralized Women's* and Gender Equality Officers are elected by the decentralized Women's* and Gender Equality Councils. In addition, contact persons for diversity are appointed. Each of them is released from their regular duties for 25% of a full-time position (FTE). Professors receive a reduction of 4 teaching hours (SWS) in their teaching load. Academic staff as well as staff in technical, service, and administrative roles may correspondingly increase their working hours or, in the case of qualification positions, have their employment contracts extended. Students receive an employment contract as student assistants for 40 hours per month.

(3) All central and decentralized officers and contact persons jointly work on the development and implementation of the diversity strategy of ASH Berlin.

(4) All appointed persons shall be provided with the necessary personnel and material resources to perform their duties.

§ 12 Anti-Discrimination and Diversity Officers

(1) The tasks of the central Anti-Discrimination and Diversity Officer include, pursuant to §§ 59a, 5b (1) and (2) of the Berlin Higher Education Act (BerlHG):

- advising the university management and administrative bodies on the strategic development and implementation of measures in the field of diversity development,
- promoting equitable access and eliminating barriers to access, study, and working conditions at ASH Berlin. This also includes developing a diversity-sensitive and discrimination-free organizational culture in all areas of ASH Berlin, including study, teaching, research, and administration,
- accompanying appointment and recruitment procedures from a discrimination-critical perspective,
- organizing awareness-raising and qualification measures as well as training sessions.

(2) The decentralized contact persons for diversity are appointed by the respective faculty council. They

- serve as contact persons for students, teaching staff, and employees within their faculty, particularly concerning the integration of discrimination-sensitive teaching content and didactics,
- are involved in the planning and implementation of corresponding measures to reduce barriers within the faculty,
- accompany appointment and recruitment procedures.

§ 13 Tasks and Regulations Concerning the Officer for Students with Disabilities and Chronic Illnesses

(1) For students with disabilities, chronic, physical, or mental illnesses, as well as neurodivergent students, the Academic Senate shall elect an officer. A deputy may be appointed.

(2) The officer, in accordance with § 28a of the Berlin Higher Education Act (BerlHG), works toward ensuring equitable access, study, and examination conditions for applicants and students. This includes:

- advising and supporting students and applicants in all questions and concerns arising in connection with their intended or ongoing studies,
- planning and organizing teaching and study conditions according to individual needs,
- developing concepts and measures to remove barriers,
- participating in the planning of accessible technical and structural measures.

§ 14 Tasks and Regulations Concerning the Central and Decentralized Women's* and Gender Equality Officers

(1) The Women's* and Gender Equality Officers support the university in implementing its mandate for gender equality. They work toward achieving the constitutionally required equality of opportunity between genders at the university and toward eliminating existing disadvantages for female as well as trans*, intersex, and non-binary (TIN*) members of the university.

They advise and support the executive board and other bodies and institutions of the university in all matters concerning equality of opportunity and must be involved accordingly.

(2) The tasks and regulations concerning the central and decentralized Women's* and Gender Equality Officers, as well as their deputies, are set out in § 26 of the Basic Regulations of ASH Berlin.

§ 15 Women's* and Gender Equality Councils

(1) The composition and duties of the central Women's* and Gender Equality Council, as well as the decentralized Women's* and Gender Equality Councils of Faculties I and II, are determined by § 26 (2) of the Basic Regulations.

(2) The Women's* and Gender Equality Councils support the university's gender equality mandate and, in particular, bring the perspectives of their respective member groups into the committee.

The Women's* and Gender Equality Officers may call upon their respective electoral bodies, acting as Women's* and Gender Equality Councils, for support in carrying out their duties.

(3) Students as well as adjunct teaching members of the central and decentralized Women's* and Gender Equality Councils shall receive an attendance allowance for participating in meetings.

(4) Further details are regulated by the rules of procedure of the Women's* and Gender Equality Council.

§ 16 Anti-Discrimination Advisors

(1) The university shall provide, for persons pursuant to § 2 as well as for witnesses and support persons, easily accessible, suitable, and trained contact persons in the function of Anti-Discrimination Advisors.

(2) Information about available counseling services shall be published in a way that is accessible to all members of the university.

The affected person may use the counseling service while maintaining anonymity, either through the involvement of a trusted third party or by using a pseudonym.

(3) In all counseling sessions, affected persons and witnesses have the right to be accompanied by a person they trust — including someone from outside the university.

(4) The university management appoints Anti-Discrimination Advisors as advisory structures pursuant to § 5b BerlHG, including:

a) representatives of the staff councils,

b) mandated representatives of structurally disadvantaged groups, such as:

- the central and decentralized Women's* and Gender Equality Officers,
- the representative body for severely disabled persons,
- the officer for students with disabilities, chronic illnesses, and/or mental impairments, the contact persons for diversity within the faculties,

c) relevant departments of the student union (AStA), in particular the Anti-Discrimination Department, Queer Department, Anti-Classism Department, and the BIPOC Department,

d) the coordinator of the Family Office,

e) other relevant officeholders of the university,

f) additional university members where required.

The Anti-Discrimination Commission holds the right to make nominations.

To ensure low-threshold access for discriminated groups, the university aims for the Anti-Discrimination Advisors to represent as much diversity as possible regarding the attributions listed in § 1 (2) (from an intersectional perspective).

(5) The task of the Anti-Discrimination Advisors is to provide persons affected by discrimination, as well as witnesses and support persons, with the following:

- an opportunity to speak, support, and receive advocacy-oriented counseling,
- information about other suitable internal and external counseling and support services,
- initial counseling on low-threshold intervention and the complaints procedure.

(6) If it is the explicit wish of the affected person to take further steps beyond counseling discussions to resolve the issue, these steps shall be agreed upon and coordinated with them. Upon the request of the affected person, the Anti-Discrimination Advisor may, for example:

- a) accompany the person to meetings and discussions, including meetings with the Human Resources Department, advise them, and support them in representing their interests,
- b) assist in formulating a written version of an orally submitted complaint,
- c) accompany the affected person throughout the complaints procedure.

(7) Each Anti-Discrimination Advisor is subject to confidentiality for this activity and is obligated to protect data privacy and confidentiality in handling personal data.

This obligation extends beyond their period of activity. They may only be released from their duty of confidentiality by the affected persons themselves.

The obligation of confidentiality also applies among Anti-Discrimination Advisors. A change of advisor requires the consent of the advised person. Anti-Discrimination Advisors must keep all information or documents received or processed in the course of their work separate from other matters. These documents must be stored securely to prevent access by others. Electronic documents must be stored in encrypted form.

(8) The university management is responsible for the training and quality assurance of the Anti-Discrimination Advisors, as well as for financing these tasks. Implementation may be delegated, provided that appropriate resources are made available.

(9) Anti-Discrimination Advisors pursuant to paragraph (1) generally perform their duties within the scope of their primary employment or respective appointment. If necessary, they shall be released from their official duties to a reasonable extent to fulfill these tasks or may, upon request to the university management, receive compensation for their efforts.

(10) The university must ensure, and develop appropriate mechanisms to guarantee, that persons seeking advice, as well as, where applicable, witnesses and support persons, do not suffer any personal, professional, or study-related disadvantages as a result of using the counseling services.

(11) This statute does not prevent the affected person from seeking legal counsel from third parties or independently initiating legal action.

SECTION 3: PROCESSES AND PROCEDURES

§ 17 Preventive Measures

(1) The university shall take preventive measures to prevent discrimination and promote effective equality. Preventive and positive measures include, among others:

- a) publication of this statute as well as internal and external support services for the information of all members of the university, including through informational events and permanent publication on the ASH Berlin website,
- b) ensuring that this statute is brought to the attention of all concerned in an appropriate manner on the occasion of taking office, new employment, the beginning of studies, and when drafting contracts with external service providers,
- c) measures to raise awareness of discrimination and training opportunities for all groups within the university, in particular regarding the General Equal Treatment Act (AGG) and the Berlin State Anti-Discrimination Act (LADG),
- d) assessment of needs and empowerment programs for structurally disadvantaged groups,
- e) consideration of discrimination risks in planning and development projects, concepts, and infrastructural changes,
- f) health promotion programs that take into account the minority stress model,
- g) creation of conditions that enable barrier-free studying and working,
- h) consideration of discrimination risks in curricula, study program development, and the framework conditions of courses,
- i) promotion of engagement with discrimination, sexualized discrimination, bullying, and stalking in research and teaching,
- j) further development of the guiding principle of “equal-opportunity university” and the creation and implementation of a diversity concept to promote the equal and balanced participation of all members of the university,
- k) development of quality standards in the field of diversity, including the establishment of diversity monitoring that records diversity-related developments at ASH Berlin,
- l) the respectful interaction within the university community shall be defined in a Code of Conduct, which shall be appropriately communicated to all new members of the university.

(2) The implementation of preventive and other measures shall be coordinated by the Department for Intersectional Practice and Transformation. The department shall be provided with the necessary resources for this purpose.

§ 18 Recognition of Gender Self-Determination

(1) In accordance with § 5b (4) BerlHG, ASH Berlin supports the strengthening and visibility of gender diversity. To this end, it creates conditions that enable all members of the university, regardless of their gender identity and gender attributions, to study and work as free from discrimination as possible.

(2) In all areas of the university, and in particular in appointments and recruitment procedures, the diversity of genders shall be taken into account, and discrimination on the basis of gender identity or gender attributions shall be counteracted.

(3) ASH Berlin strives for the greatest possible diversity in the composition of committees and commissions with regard to gender as well as other attributions referred to in § 1 (2).

(4) The Women's* and Gender Equality Officers provide counseling and support in matters related to gender identity, gender attributions, and the change of name and gender entry, as well as in cases of discrimination on the basis of gender identity.

(5) All members of the university may, upon request, change their first name and gender entry even before an official change has been registered.

For students, the prerequisite is the submission of an application to the Admissions Office. The indication of the correct name and/or gender is already possible during initial data collection processes, such as during enrollment or recruitment.

For employees, the change of name and gender entry for internal university communication purposes can be made upon request without proof.

Furthermore, the following applies:

- a) All personal data and documents, such as student ID cards, certificates, and pay slips, shall be uniformly recorded in the university's internal systems under the self-chosen name.
- b) A retroactive change of name and gender entry is possible. Documents already issued, such as certificates, may be reissued upon request to the relevant offices.

(6) If a family name contains gender-specific markers common in some languages, these parts of the surname may also be changed.

§ 19 Appointment Procedures

(1) ASH Berlin is committed to conducting appointment procedures in a discrimination-sensitive and gender-equitable manner.

(2) The respective Women's* and Gender Equality Officer must be comprehensively involved in appointment procedures from the outset in accordance with their legal rights. The same applies to the participation of the Officer for Diversity and Anti-Discrimination.

(3) ASH Berlin actively seeks to increase the proportion of women, TIN* persons, and persons with experiences of racism or antisemitism among professorships. Professorships shall, as a general rule, be publicly advertised.

(4) Further details on the gender- and diversity-sensitive design of appointment procedures, as well as the specific participation rights of the appointed officers, are regulated by the Appointment Regulations.

§ 20 Personnel Selection Procedures

(1) Personnel selection procedures must be designed in a gender-equitable and discrimination-sensitive manner.

(2) In job advertisements, gender and diversity competence shall be specified as at least desirable.

(3) Before conducting interviews, the selection committees shall establish a standardized questionnaire to assess this competence.

(4) In calls for applications and personnel selection procedures, persons with experiences of discrimination shall be specifically addressed and invited in order to increase their representation within the university.

(5) The Women's* and Gender Equality Officer, as well as the Anti-Discrimination and Diversity Officer, must be involved in the entire selection procedure, starting from the drafting of the job advertisement. Both officers shall have 14 days to submit their statements.

(6) Job advertisements for adjunct lecturers, guest lecturers, academic staff, and research management personnel in the fields of teaching and research should include, within the description of the respective subject area, issues related to gender relations and dimensions of diversity.

(7) If women are underrepresented in specific departments, pay grades, salary groups, or professional categories, job advertisements must be made public. In addition, women shall be given preferential consideration in new hires, position expansions, and promotions until their share in the respective career path or professional field reaches at least 50%, provided they have qualifications (aptitude, ability, and professional performance) equivalent to those of other applicants.

SECTION 4: INTERVENTION AND COMPLAINTS

§ 21 Low-Threshold Intervention

(1) Where the underlying circumstances allow, persons and witnesses who have experienced and/or observed discrimination, or who have become aware of it, may contact the Department for Intersectional Practice and Transformation or the Complaints Office for a low-threshold intervention.

(2) The objectives of the low-threshold intervention are:

- to provide relief for persons affected by discrimination so that they do not have to file a formal complaint if they do not wish to do so,
- to support persons and witnesses who have experienced and/or observed discrimination in naming the discrimination and regaining their capacity for action.

- to support persons accused of discriminatory actions in developing a respectful, discrimination-sensitive, and constructive approach to dealing with the allegation of discrimination,
- to reach, on this basis, mutual understanding for future interactions or alternative arrangements.

(3) Possible methods for carrying out the low-threshold intervention include:

- moderated discussions between persons and witnesses who have experienced and/or observed discrimination and persons accused of discriminatory actions,
- direct contact with the person(s) perceived as discriminatory or with their supervisor,
- initiation of measures to minimize the risk of discrimination,
- initiation of preventive measures and interventions, provided that the protection of the affected persons is ensured,
- informing the university management in order to fulfill its duty of care.

(4) All information, personal data, and discussion content shall be treated as strictly confidential. Employees shall be offered the opportunity to involve the staff council.

No further measures may be taken by the Department for Intersectional Practice and Transformation or by the Complaints Office without the consent of the persons and witnesses who have experienced and/or observed discrimination or become aware of it.

(5) The low-threshold intervention does not replace a formal complaint.

Affected persons continue to have the right to initiate a complaint procedure, for example, if a low-threshold intervention is deemed inappropriate or if the outcome is not experienced as satisfactory.

§ 22 Right to Lodge a Complaint

(1) Persons pursuant to § 2 who feel affected by discrimination by other persons, regulations, criteria, procedures, or practices within the meaning of § 3 have the right to file a complaint.

This applies irrespective of whether or not they have used counseling services.

(2) They must not be disadvantaged for exercising this right to lodge a complaint.

The same applies to supporters and witnesses of the affected person.

(3) A complaint may be filed anonymously.

The university's obligations to review and, if necessary, take appropriate measures remain unaffected.

If the complaint is submitted anonymously, the complainant waives the right to be informed of the outcome pursuant to § 24 (11), and the procedural steps set out in § 24 (3), (5), (6), (7), (9), (12), and (13) can only be carried out to a limited extent. It is also possible to submit a complaint through an initial advisor or a trusted person; in such cases, the complainant remains anonymous and will be informed of the outcome of the complaint via the initial advisor or trusted person.

(4) Persons who witness or become aware of alleged discrimination against third parties cannot file a complaint themselves.

They may, however, propose a low-threshold intervention to the Complaints Office pursuant to § 20, provided that this does not have negative consequences for the affected persons.

§ 23 Complaints Office

(1) The university shall establish a Complaints Office. This office is responsible for handling complaints concerning violations of § 4 of this statute. It also serves as a complaints body within the meaning of § 13 (1) of the General Equal Treatment Act (AGG).

To support the Complaints Office, an administrative office shall be established. This office is located within the Department for Intersectional Practice and Transformation.

(2) The Complaints Office shall consist of at least two university members with expertise in the field of discrimination and one person with legal expertise in anti-discrimination law.

(3) The Complaints Office shall be composed, to the greatest extent possible, in a diverse manner with regard to the characteristics listed in § 1.

(4) The Complaints Office generally consists of four members. Two members of the Complaints Office shall be appointed by the university management for a term of two years. These members constitute the Complaints Office within the meaning of § 13 AGG. Two members of the Complaints Office shall be appointed by the Academic Senate for a term of one to two years.

The Anti-Discrimination Commission holds the right to make nominations.

If a member leaves before the end of their term of office, a new member shall be promptly elected by the Academic Senate or appointed by the university management.

University members shall be released from their official duties to a reasonable extent to perform their tasks or, upon request to the university management, receive an allowance for their work.

During transitional periods, the Complaints Office may consist of more than four members. Further details are regulated by its rules of procedure.

(5) It shall be ensured that, prior to commencing their duties, the members of the Complaints Office receive training on anti-discrimination issues, including the AGG, the Berlin State Anti-Discrimination Act (LADG), and sexualized violence, pursuant to § 24 (2), and that they have the opportunity for continuing education during their term of service.

(6) The members of the Complaints Office shall perform their functions independently and act impartially. They must not be disadvantaged due to their work within the Complaints Office. The prohibition of victimization applies.

(7) The Complaints Office shall establish its own rules of procedure.

(8) The contact information of the Complaints Office and information about the complaints procedure shall be made known to all members of the university.

(9) The effective performance of the duties of the Complaints Office must be ensured by providing an appropriate hearing room, technical equipment, and material resources within the university's budget as needed, as well as supervision and/or participation in an intervision group when required.

§ 24 Complaints Procedure

(1) The complaints procedure is initiated by filing a complaint with the Complaints Office. The complaint must be submitted in writing or declared orally for the record at the Complaints Office. The complaint must provide an objective description of the events that were experienced as discrimination, sexualized discrimination, bullying, or stalking. It must also specify which other offices have already been informed of the incidents and whether any measures have already been initiated by them.

(2) Barrier-free access to the Complaints Office must be ensured. If necessary, a language mediator or interpreter shall be provided.

(3) The Complaints Office shall promptly inform the complainant of their rights and of the further procedure. It shall also refer them to the available support services pursuant to § 16.

(4) The confidentiality of the procedure and the protection of the legitimate interests of the parties shall be ensured as far as possible.

(5) If the complaint is directed against civil servants, the circumstances shall be reviewed upon submission of the complaint to determine whether they justify the initiation of disciplinary proceedings. If disciplinary proceedings are initiated, the Complaints Office shall no longer be responsible. If the Complaints Office remains competent, the imposition of immediate measures and the investigation of facts shall be carried out by the Human Resources Department in cooperation with the Complaints Office.

(6) The party against whom the complaint is directed shall be informed of the essential content of the complaint and shall be asked to provide a statement within a reasonable period, but no longer than three weeks.

The request for a statement shall be made:

- a) for civil servants and university employees, by the Human Resources Department,
- b) for adjunct lecturers, freelance staff, supervisors, or in cases of complaints against existing statutes, regulations, and policies of ASH Berlin, by the Complaints Office,
- c) for complaints against students, by the program director.

(7) The Complaints Office shall investigate the facts of the case. It is authorized and obliged to use all suitable means available to it for this purpose. Further details are regulated by the rules of procedure. All parties involved have the right to be accompanied by a person they trust during discussions.

(8) The Complaints Office may also consult additional persons for advice and involve responsible representatives from the affected departments. In cases involving examination law, consultation with the Examination Committee shall be held. This particularly applies when immediate measures are required to stop discrimination, bullying, and/or stalking. These persons are not members of the Complaints Office.

(9) The Complaints Office shall examine the established facts to determine whether discrimination or a violation of equal opportunity has occurred, propose measures and sanctions, and inform the responsible offices and representative bodies (e.g., the Women's* and Gender Equality Officers) of the results of its review:

- a) the Chancellor, in cases involving administrative and non-academic staff,
- b) the President, in cases involving teaching and academic staff,
- c) the President or the deans, depending on jurisdiction, in cases involving adjunct lecturers, freelance staff, supervisors, or complaints against existing statutes, regulations, and policies,
- d) the program director, in cases involving complaints against students.

At the request of the complainant, the complaint may be forwarded to the LADG Ombudsperson's Office. The wishes of the complainant shall be taken into consideration insofar as legal requirements do not prevent this.

(10) The competent authorities shall review the legal situation and decide without delay, at the latest within three weeks of notification, on appropriate, necessary, and reasonable measures. They shall inform the Complaints Office accordingly. If the competent authority does not agree with the recommendations of the Complaints Office, it must provide a written explanation. The competent authority shall ensure that the measures are implemented promptly and that the necessary resources are made available for this purpose.

(11) The complainant and the person or party against whom the complaint is directed may, at any time during the procedure, request information on the status of the proceedings and shall receive such information. At the conclusion of the procedure, the Complaints Office shall, without delay and in writing, inform both the complainant and the person or party against whom the complaint is directed of the outcome and the reasoning of the decision, without the need for a prior request. After the conclusion of the procedure, the university management shall be informed of the complaint and the result of the review.

(12) The Complaints Office shall document the entire course of the procedure. It must keep all information or documents received or processed in the course of its activities separate from other matters. These documents must be stored securely to prevent access by unauthorized persons. Electronic documents must be stored in encrypted form.

(13) The complainant may withdraw the complaint or request the suspension of the procedure at any time, provided that the university management is not legally obliged to act (e.g., under civil service law requirements).

(14) The complainant, their support persons, and the persons against whom the complaint is directed must not suffer any personal, professional, or study-related disadvantages as a result of the complaint. Further details are regulated by the General Study and Examination Regulations.

§ 25 Measures and Sanctions

(1) In cases of discrimination, sexualized discrimination, bullying, or stalking pursuant to § 4, the appropriate, necessary, and reasonable measures to protect the person(s) affected and to eliminate the discrimination must be taken without delay (duty to intervene).

For students, efforts shall be made to ensure their ability to continue studying.

The university management shall take or strengthen measures to prevent comparable violations in the future (duty to prevent).

(2) If the result of the complaints procedure is that no violation of this statute has occurred, but a conflict remains that continues to strain the study, employment, or supervisory relationship, the university management may initiate or require measures for conflict resolution.

For this purpose, a conflict management system shall be implemented at the university.

(3) In disciplinary proceedings against civil servants, the following sanctions may be imposed depending on the severity of the offense, in accordance with civil service law:

- a) reprimand,
- b) fine,
- c) reduction of salary and performance-related pay,
- d) demotion or removal from civil service.

(4) In complaint procedures against civil servants within the competence of the Complaints Office, the following measures may be recommended, depending on the severity of the offense:

- a) recommendation of a mediation or regulatory meeting,
- b) recommendation to issue an apology to the complainant,
- c) recommendation to participate in training sessions,
- d) urgent request to refrain from contacting the complainant.

(5) For employees, the following sanctions may be imposed depending on the severity of the offense:

- a) regulatory meeting,
- b) verbal and/or written instruction or warning; written reprimand,
- c) initiation of disciplinary proceedings,
- d) mandatory participation in anti-discrimination training,
- e) exclusion from the use of certain internal university services and facilities,
- f) transfer or reassignment to another position or location within ASH Berlin,
- g) ordinary or extraordinary (immediate) termination of employment,
- h) filing of a criminal complaint.

(6) For adjunct lecturers, the following sanctions may be imposed depending on the severity of the offense:

- a) regulatory meeting,
- b) exclusion from the use of certain internal university services and facilities,
- c) non-renewal or revocation of a teaching assignment,
- d) filing of a criminal complaint.

(7) For students as well as all persons referred to in § 2 (1) who are not in an employment relationship with ASH Berlin, the following measures may be considered depending on the severity of the offense:

- a) regulatory meeting,
- b) verbal or written instruction or warning,
- c) initiation of disciplinary measures pursuant to § 16 (2) BerlHG, such as the threat of expulsion, exclusion from the use of ASH Berlin facilities, or exclusion from participation in individual courses for up to one semester.

- d) filing of a criminal complaint,
- e) termination of cooperation, service relationship, or recognition as a practical training site.

(8) An act shall be considered particularly serious if it is committed by exploiting a relationship of dependency and/or within a context in which a duty of care exists.

SECTION 5: REPORTING AND ENTRY INTO FORCE

§ 26 Reporting and Evaluation

(1) Any member of the university may submit written proposals for improvements regarding the prevention of discrimination or for structural, organizational, or other improvement measures to the Department for Intersectional Practice and Transformation, the Anti-Discrimination Commission, or the Academic Senate.

The Department for Intersectional Practice and Transformation or the Anti-Discrimination Commission shall review each proposal and forward it to the Executive Board together with a statement.

The Executive Board shall, where appropriate, enact corresponding measures.

The person submitting the proposal shall, in every case, be informed whether and, if applicable, which measures have been taken.

(2) The number of cases and categories of discrimination, in anonymized form and in compliance with all data protection regulations, shall be documented and collected at the end of each year by the Department for Intersectional Practice and Transformation.

The Department for Intersectional Practice and Transformation and/or the Complaints Office shall report annually, in anonymized and data protection-compliant form, to the university management and the Academic Senate on the documented counseling and complaint cases.

(3) This statute shall be evaluated at least every five years. The evaluation report shall be submitted to the Academic Senate. The statute shall be amended as necessary.

§ 27 Entry into Force

This statute shall enter into force on the day following its publication.