

Information on the University of Kassel's Directive on Protection against Discrimination and Sexual Violence

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U N I K A S S E L
V E R S I T Ä T



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HOW TO READ THIS BROCHURE



Important information and definitions are in yellow boxes marked with an exclamation mark.



Practical tips are printed in green and marked with a speech bubble.



The golden reading glasses indicate additional sources of information, mostly in German.



The brochure's contents are augmented with citations from the University of Kassel's Directive on Protection against Discrimination and Sexual Violence printed in blue.

FOREWORD

There are many different types of discrimination – people can be discriminated against on the basis of their social or ethnic origin, their appearance, their sexual orientation, their religion or their age. But regardless of how many forms of discrimination manifest, we need to uncover and stop them all. People who have experienced discrimination need our support.

By signing the Charta der Vielfalt (Diversity Charter) the University of Kassel has committed to fostering and promoting the appreciation and participation of all members of the university in its organisational culture. In our “Directive on Protection against Discrimination and Sexual Violence” we have written down the rights of people experiencing discrimination.

We are all jointly responsible for making this document’s principles reality – by challenging every form of discrimination that we perceive in our environment. Our university’s commitment has already been acknowledged, the Stifterverband für die Deutsche Wissenschaft (Association for the Promotion of German Science and Humanities) has certified our efforts with the diversity audit Vielfalt gestalten (Shaping Diversity).

This brochure is a valuable aid – it contains both compact explanations of the different forms of discrimination as well as guidelines for dealing with them. As a university, our aim with this brochure is to offer assistance to all people who are affected by discrimination.

Special thanks go to all those involved in creating the brochure and in particular to the staff of the Equal Opportunities Office who put their heart and soul into developing this publication. I wish all readers an enriching and informative read!

Yours,



Prof. Dr. Reiner Finkeldey
President of the University of Kassel



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1 WHY THIS BROCHURE?

Surveys by the Federal Anti-Discrimination Agency show that discrimination is an everyday problem. In 2019 more than one third of the requests for advice received by the Federal Anti-Discrimination Agency related to discrimination at the workplace. But the need for advice also exists in the field of education, even though it is not covered by the General Equal Treatment Act.¹ In order to protect students from discrimination, sexual harassment and violence, the University of Kassel has drawn up a **Directive on Protection against Discrimination and Sexual Violence**. The directive identifies the following characteristics that enjoy special protection: gender, ethnic or social origin, appearance, age, disability or chronic illness, sexual orientation or gender identity, religion or worldview, marital and family status. At the University of Kassel, diversity and anti-discrimination belong together. In addition to valuing diverse capabilities, diversity-sensitive and anti-discriminatory practice at the university aims to achieve equal opportunities, to reduce disadvantage and to facilitate ways of compensating for impairments. The University of Kassel was founded in 1971 as a modern university and still has above average levels of heterogeneity among its students in terms of diversity characteristics. Results of the 21st Social Survey of the German National Association for Student Affairs (DSW) show that in 2016 one quarter of the students studying at the University of Kassel had previously attained either the entrance qualification for a university of applied sciences or had completed an apprenticeship.² This means that, on average, students at the University of Kassel are older, they are more likely to work on the side and to have children than students at other universities. In the same year, 18 percent of students either had

“Discrimination, sexual harassment and violence are unlawful. The Directive aims to raise awareness and focus attention on such behaviour, to take preventative measure as well as to offer help to members of the University of Kassel in case of assaults.” (§1 Paragraph 2)

¹ Cf. Federal Anti-Discrimination Agency (2020): Annual Report 2019. Equal rights, equal opportunities – Annual Report of the Federal Anti-Discrimination Agency, p. 43f.

² Cf. Studentenwerk Kassel (2018): Genau hinsehen. Ergebnisse der 21. DSW-Sozialerhebung für den Bereich des Studentenwerks Kassel, p. 5ff. (Results of the 21st DSW Social Survey for the Association for Student Affairs Kassel).

migration experience or had at least one parent with migration experience. Nearly three-quarters of students at the University of Kassel told the 21st Social Survey for the Association for Student Affairs Kassel that their health was not impaired. Fifteen percent reported that their health is impaired to an extent that makes it harder for them to study. A further 12 percent reported impaired health but that it did not affect their studies. These figures correspond to those for Hesse and Germany as a whole. But not only the students at the University of Kassel are diverse. People from different social groups with different nationalities, religions and worldviews, educational pathways, life plans and motivations teach, research and work here too.

“The university sensitises its members to the problems of discrimination, sexual harassment and violence. Affected people should be encouraged not to accept discrimination and violence, but to make their rejection unmistakably clear and to actively resist.” (§2 Paragraph 4)

The **University of Kassel’s Directive on Protection against Discrimination and Sexual Violence**, which came into effect in April 2019, is the regulatory foundation and basis for the contents of this brochure. Discrimination is an issue that affects all members of the university: either because they experience it directly or because they witness it. Furthermore, none of us can be completely sure that we never (unconsciously) discriminate in our speech or actions. The aim of this brochure is to provide impulses to as many people as possible so that they can reflect on their own experience, their thinking and their actions, thus opening up new possibilities for reacting appropriately to discrimination. The brochure provides background information on the different types of discrimination, on how discrimination works as well as on the **University of Kassel’s Directive on Protection against Discrimination and Sexual Violence**. Additional sources of information are provided for further reading.

This brochure describes different forms of discrimination and aims to sensitise and empower readers to deal competently with discrimination.

We all have certain images and biases in our heads that can lead us to disparage, hurt or insult people with thoughtless statements. This often happens unconsciously and without anticipating the effects of this behaviour on others or realising that it is an instance of discrimination. There are colloquial, sociological and legal definitions of discrimination. There is often a wide gulf between the experience of discrimination and the possibilities for legal recourse. The examples and recommendations contained in this brochure are intended to give readers the opportunity to learn more about discrimination and to reflect about their own behaviour.

This brochure aims to encourage people who experience or witness discrimination to act or seek help.

People who are discriminated against should not be left to deal with the situation on their own. Many people do not really know how to react when they witness discrimination. We will show you options for reacting if you are directly affected or witness discrimination. This brochure can and should be passed on to colleagues, fellow students, friends, relations etc.

Diversity-sensitive and gender-inclusive language

Language is not just a tool for communication, it affects our perception and expresses our values. Therefore, speaking and writing in gender-inclusive and diversity-sensitive language is part of anti-discrimination practice.

In this brochure we use gender-neutral forms so as to include all genders. Using diversity-sensitive and inclusive language also means examining the concepts we use and how we write them. The Glossary (Chapter 10) explains the concepts and spellings used in this brochure. Terms described in the Glossary are marked with an arrow (→). General information on gender-inclusive language can be found here: www.un.org/en/gender-inclusive-language/guidelines.shtml or in the list of additional literature (Chapter 9).





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2 WHAT IS DISCRIMINATION?

2.1 Legal definition of discrimination

The General Act on Equal Treatment (German abbreviation: AGG) provides a legal definition of discrimination as treating a person less favourably on the grounds of their race or ethnic origin, gender, religion or belief, disability, age or sexual orientation if there is no legitimate justification. The **Directive on Protection against Discrimination and Sexual Violence** lists the grounds for inadmissible discrimination as gender, ethnic or social origin, appearance, age, disability or chronic illness, sexual orientation or gender identity, religion or worldview and marital and family status. In defining discriminatory behaviour, it is not the motive that counts but only the result. If a hostile environment is created against a person in which they are insulted, humiliated or intimidated on one of these grounds, then we speak of harassment.

“The University of Kassel is committed to ensuring that no one involved in university life is treated less favourably, in particular on the grounds of gender, ethnic or social origin, appearance, age, disability or chronic illness, sexual orientation or gender identity, religion or worldview, or marital and family status.” (Preamble)



According to the General Act on Equal Treatment and the **Directive on Protection against Discrimination and Sexual Violence** discrimination is defined as less favourable treatment

- with no legitimate justification
- on specific grounds

The term discrimination also includes stalking, sexual harassment and bullying.

Discrimination works by

- associating negative attitudes and prejudices with a certain group
- classifying people as members of this group
- transferring the prejudices towards the group onto the people classified as its members

2.2 Sexual harassment, discrimination and/or violence

“Sexual harassment and/or discrimination are sexually derogatory or disparaging remarks, gestures or representations that are perceived by the person affected as offensive, demeaning or harassing. This also includes comments of a sexual nature, the unwanted showing and visible mounting of pornographic representations as well as the copying, deployment or use of obscene, sexually degrading Internet pages on the university’s IT systems.” (§3 Paragraph 4c)

Sexual harassment, discrimination and/or violence at university or the workplace are intended to or do cause injury to the dignity of the person affected. They create an environment characterised by intimidation, hostility, humiliation, degradation or insults. This is especially true of the following forms:

- Stalking
- Bullying
- Sexual harassment and/or discrimination

2.3 Personal experience of discrimination

Discriminatory behaviour is based on prejudices and stereotypes. Negative attitudes and prejudices towards certain groups are seldom based on personal experience, but usually on social norms and knowledge. People are often classified as members of a group on the grounds of their physical characteristics. Generalisations and prejudices about this group lead to the devaluation of people affected by discrimination. Even if the process is not conscious, this does not mean that it should be taken any less seriously. People affected by discrimination describe it as a painful personal everyday experience: tangible acts of exclusion, insults

If you personally experience discrimination or sexual violence, you decide what is good for you, what you need and what you do not want. You do not have to cope with the incident on your own. You can turn to friends, family, colleagues, fellow students or professional counselling services. Help and support needs vary greatly between individuals. Maybe there are people in your life you can talk to about the experience and work out together what is important for you now. You can consider whether you need peace and comfort or would prefer to be distracted. Maybe you need support in other areas of everyday life that have nothing to do with the experience of discrimination.

Tip

If you witness that someone speaks disparagingly about certain people (groups) or otherwise behaves in a discriminatory fashion, then intervene. Even if you are not personally affected you can still turn to the counselling services inside and outside the university for support.

Tip

and injuries that devalue them as human beings. When confronted with discrimination, those affected experience feelings of powerlessness and shame. Their participation in society is restricted, they hear and have often internalised that they themselves are the “problem”. It is important to recognise that discrimination does not consist of isolated acts. Discrimination always occurs against the backdrop of the power relations in society. Consequently, daily experiences of everyday discrimination on the individual level are closely linked to disadvantaging structures in society and its institutions.

For people who rarely experience being disadvantaged in their lives, discrimination is often a phenomenon that they do not (have to) concern themselves with. In this case, discrimination has little to do with their everyday experiences. When such people are confronted with their discriminatory behaviour, they often do not understand the criticism. If the criticism is received as an accusation or a reproach, it can be answered with defensive statements, trivialisations or emotional (counter-) accusations.



2.4 The societal context of discrimination

Discrimination can arise both through personal interaction and through the rules and procedures of institutions. At the core of discrimination lies the process of → othering: people are divided into “belonging” and “not-belonging”. A boundary is drawn between “us” as a group and “the others” in order to maintain “our” privileges. Properties are linked to arbitrarily selected characteristics of the groups, such as skin colour, language, clothing or (supposedly) culturalised behaviour, founded on historical relations of power and dominance. These assumption serve to legitimise real discrimination or → privilege. Discrimination marks the border between the majority in society and minorities, between “normal” and “different”. Due to their position in societal power relations, members of discriminated groups have less access to resources and fewer opportunities for participating in society. One example is when society allocates women the primary responsibility for managing the household, parenting and care work, which impedes their employment careers. A further example is the three-tier, monolingual German school system, which negatively impacts the educational opportunities of school pupils with migration experience.

The other side of discrimination, which means to profit from the unequal distribution of resources, participation and representation in society, is privilege. Autochthon German applicants for apprenticeships profit, for example, from the on average lower grades of applicants with migration experience and also from employers’ racist prejudices.

2.5 Multiple discrimination and intersectionality

If a specific instance of discrimination can be attributed to several grounds, it can be considered multiple discrimination. The grounds for discrimination can be interwoven and so find different expression. Taking an → intersectional approach to discrimination means looking at the overlapping of the different grounds for discrimination. Their interaction precludes their examination separately. This means that different forms of discrimination, such as racism and ableism, are also related and need to be viewed in their relations to each other. Multiple discrimination of the → intersectional type presents great challenges to organisations such as universities. In the context of equal opportunities and anti-discrimination policies, the focus is often on one specific ground for discrimination. Consequently, certain programmes fail to address the specific situation and needs of people who experience → intersectional interwoven discrimination who then cannot profit from them. For instance, some programmes for women fail to address the specific situation of women with migration experience, women with disabilities, trans* women, mothers, lesbian or bisexual women.



Examples of the intersectional interlocking of different forms of discrimination:

- Discrimination against a Muslimah wearing a hijab: specific interwoven form of discrimination on the grounds of gender, religion and ethnicity
- Discrimination against gay parents: specific interwoven form of discrimination on the grounds of marital and family status and sexual orientation.





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3 HOW DOES DISCRIMINATION MANIFEST?

3.1 Direct and indirect discrimination

Direct discrimination is an obvious form of unequal treatment that is explicitly based on certain characteristics. Indirect discrimination is not so obvious. It results from rules and procedures that are the same for all people although not all people are able to comply with them and so are treated less favourably. Indirect discrimination is also referred to as structural or institutional discrimination because it is based on legal regulations or institutionalised structures and processes.

“Direct discrimination occurs when a person is treated less favourably than another person in a comparable situation is, was or would be treated due to one or more of the grounds listed in §1. Direct discrimination also includes less favourable treatment due to pregnancy or parenthood.” (§3 Paragraph 1)

“Indirect discrimination occurs when apparently neutral rules, criteria or procedures would put persons at a particular disadvantage compared with other persons due to one or more of the grounds referred to in § 1, unless the provisions, criteria or procedures in question are objectively appropriate and necessary for a legitimate aim.” (§3 Paragraph 2)



Examples of direct discrimination:

- Members of a selection committee doubt that a female applicant would be the best choice for the position advertised. Since she has two children and may wish to work part-time, she could not be as committed as the male applicant. The commission decides for the male applicant.
- After having attained a very good master's degree, the visually impaired student A would like to pursue a PhD in this area. During a casual

conversation, the professor responsible says that A should not apply because it would be too complicated to set up an accessible workplace.

Examples of indirect discrimination:

- Due to his Jewish faith, a student cannot attend university on a Saturday. He is not offered alternative dates for an exam.
- Further education and training is not available to staff over a certain age.

Examples of sexual violence and harassment:

- In a changing room, a → trans* person experiences derogatory and sexually offensive comments.
- After having come out as a Romani in a seminar, student C is bullied with derogatory comments. As a result, she stops going to the seminar.

"Persons (...) should not be treated less favourable on one or more of the grounds listed in §1. This is also valid if the characteristics listed in §1 do not apply to the person but are merely assumed by the person who discriminates." (§4 Paragraph 1)

3.2 Other and self-designation

Discriminatory behaviour or structures are often based on prejudices and stereotyped perceptions. Other people are categorised and judged on the basis of presuppositions. Prejudices are often not based on personal experience but on societally dominant knowledge. Negative attributions arise from such images and prejudices. Whether less favourable treatment is considered discrimination is, however, not determined by whether the person affected actually is a member of a group that is discriminated against or whether other people simply assume such membership. Racist attributions and discrimination, for example, are often associated with appearance, name or language use, leading to an assumption of a specific ethnic heritage without any knowledge of the affected person's biography.

A person's or group's self-designation is always to be preferred over the attributions of others. If this is not possible, then sensitive and judicious language should be used: LGBTIQ+, people with disabilities, people with impaired hearing, people with migration experience, Black, Indigenous and People of Colour (→ BIPOC), etc.

3.3 Defence mechanisms

When discriminatory behaviour becomes an issue, defence mechanisms are often encountered – not only from the person affected but also from by-standers. In the context of societal power relations, discrimination and violence are often trivialised and people affected by sexual violence and discrimination are often discouraged from defending themselves, which can magnify the hurt greatly. By trivialising the transgressions or ignoring the trauma of those affected, by psychologising the person affected or justifying discriminatory actions, people experiencing discrimination are discouraged and left to cope on their own. If the university's anti-discrimination work is to be effective and to succeed in creating an environment for learning and working that is free of discrimination and harassment, then it is necessary to recognise and prevent defence mechanisms. The foundation is an open and appreciative attitude towards criticism of discrimination. Building on this, criticism of discriminatory behaviour can be interpreted as a helpful invitation to a dialogue: A person expresses their concern about a situation that can and must be changed. Such a view does not lead to a defensive reaction, but to reflection, at best to an apology and constructive change. Sensitivity to discrimination and competence to act in specific instances are the two essential aspects of a living anti-discrimination culture.

“Know one, know them all” does not apply.

Just because one person is happy with a certain term does not mean that other people will be too. Therefore: ask, listen and implement.

Tip

Even if it is unpleasant, mistakes happen. If someone makes you aware that you behaved in a discriminatory fashion, accept the information. Consider how much courage it took the person affected to directly express this criticism. Take time to reflect on your behaviour and seek out unconscious prejudices. Look for the opportunities to learn from this feedback. Apologise to the person affected even if it was not your intention to discriminate.

Tip



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4 COMBATTING EXCLUSION WITH DIVERSITY – WHO IS AFFECTED BY DISCRIMINATION?

The following pages describe the different characteristics that can form grounds for discrimination as well as their relevance to studying and working at the University of Kassel. The aim of this brochure is to encourage as many people at the university as possible to reflect on their own experiences, mental images and behaviour and so to create new opportunities for developing discrimination-free spaces for teaching, learning and working.

4.1 Gender

The characteristic “gender” focuses on gender identity as a grounds for disadvantaging people. This form of discrimination is also called sexism. It is unlawful to disadvantage anyone of any gender in the workplace or everyday life on the grounds of their gender. The anti-discrimination work at higher education institutions has developed many measures to counter sexism and has been institutionalised for many years in the federal states’ Equal Rights Acts (e.g. Hessian Equal Rights Act HGIG). The HGIG aims at achieving equal rights for women and men, improving reconciliation of employment and care for women and men as well as overcoming the existing underrepresentation of women. Many studies have analysed the “leaky pipeline”, i.e. the declining proportion of women at higher levels of qualification and career positions in science and academia. Students are unequally distributed across the different subjects. Men are overrepresented in STEM subjects and occupational fields with good career and earnings opportunities.

“The University of Kassel considers itself a gender-equitable, family-friendly, open, inclusive and intercultural university that views the diversity of its members as a productive resource, combats discrimination based on personal and social characteristics and strives to create a supportive and motivating working environment for both employees and students. It stands for an image of people and society that combines diversity and equality.”
(Preamble)

Since 2018 it has been possible in Germany for people to be officially registered as not just female, male or not specified but also as → “non-binary”. This legislative change resulted from a judgement by the Constitutional Court which clarified that the ban on discrimination on the grounds of gender applied to all genders. People identifying as → non-binary, who are marginalised by their structural disadvantage in a predominantly binary society, should also be actively included in equal opportunity measures. The judgement strengthened the rights of → inter*, → trans* and non-binary people. Many of the everyday challenges faced by non-binary people are similar to those faced by inter* and trans* people who identify as binary. Measures to include non-binary people at the university should also be extended to the needs of inter* and trans* people who identify as binary. The impression should be avoided that all trans* and inter* people have a → non-binary gender identity.

Inter*, trans* and non-binary people experience specific forms of disadvantage at higher education institutions. Identification documents are often required, e.g. for matriculation, a library card or an employment contract. However, the gender on the official documents and the gender identity expressed may vary because the documents have not yet been changed or the person does not want to change them.

Under the direction of Prof. Dr. Elisabeth Tüider and Verena Hücke (both Department of Sociology of Diversity) and funded by the Sonderfonds Strukturelle Chancengleichheit (Special Fund for Structural Equality of Opportunities) of the University of Kassel, a short expert opinion entitled *Bedeutung der “Dritten Option” in der Universität* (Implications of the “third option” for the university) was prepared by Dr. Louis Kasten. Further information can be found in the report: www.uni-kassel.de/intranet/fileadmin/datas/intranet/gleichstellung/dokumente/Gutachten_3_Geschlechtsoption_UniK_2019.pdf

Tip

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Tip

[illegible]



What does it mean to be ...

Cis / cisgender: A term for people whose gender identity matches the sex they were assigned at birth.

Dyadic / perisex / endosex / juxtasex: Terms used to refer to people who were born with sex characteristics which can be medically categorised as “male” or “female”. It therefore refers to people who are not intersex.

Inter* / intersex: A term used to refer to people who are born with sex characteristics that are medically neither clearly “male” nor “female”. The gender identity of intersex people can, but does not have to be, inter*. Intersex people can also have a female, male, or a different gender identity.

Non-binary / genderqueer / Enby: Terms used to refer to people who identify as outside the binary gender order. Non-binary persons are neither (only) female nor (only) male. They can be both, in between or have a different gender. Enby is a noun and describes a non-binary person analogue to the terms “woman” and “man”.

Trans* / transgender: Everyone whose gender does not or only partially corresponds to the sex they were assigned at birth. Some people also use the terms transsexual or intersexual, which have been criticised in some circles because they are also used to pathologise. Furthermore, the ending “sexual” falsely refers to sexual orientation and not gender identity.

In everyday language, gender-specific exclusion mechanisms become apparent. Gender-inclusive and gender-neutral language, both written and spoken, can help to make the diversity of gender identities visible.



Further Information

- Frauen- und Gleichstellungsbüro Universität Kassel (2019): 30 Jahre Frauenbeauftragte. Gleichstellungsarbeit an der Gesamthochschule/ Universität Kassel: www.uni-kassel.de/hochschulverwaltung/index.php?eID=dumpFile&t=f&f=533&token=34921328f9c9d6ada97f4a17ade9d7d42c4949c4
- Frauen- und Gleichstellungsbüro Universität Kassel (2019): Empfehlungen zur Anwendung genderreflektierter Sprache: <https://www.uni-kassel.de/hochschulverwaltung/index.php?eID=dumpFile&t=f&f=373&token=7104a30ba9ad47e7fd35d84963065572f09f32c6>
- Universität Kassel (2019): „Bedeutung der ‚Dritten Option‘ in der Universität“: www.uni-kassel.de/intranet/fileadmin/datas/intranet/gleichstellung/dokumente/Gutachten_3_Geschlechtsoption_UniK_2019.pdf
- AG trans*emanzipatorische Hochschulpolitik: <http://ag-trans-hopo.org>
- Akademie der bildenden Künste Wien (2019): trans. inter*. nicht binär. Lehr- und Lernräume an der Hochschule geschlechterreflektiert gestalten: <https://www.ak-bild.ac.at/Portal/universitaet/frauenfoerderung-geschlechterforschung-diversitaet/non-binary-universities/non-binary-uni-accessible-300ppi.pdf>



4.2 Sexual orientation

The **Directive on Protection against Discrimination and Sexual Violence** forbids discrimination on the grounds of sexual orientation. The aim is that people at the University of Kassel are not forced to hide their identity and way of life but can freely express them without fear of being disadvantaged. The Federal Anti-Discrimination Agency has shown that people who do not correspond to the → heterosexual norm still experience discrimination in all areas of life. At university and at the workplace the consequences can be severe for those affected: → coming out can be difficult for many people because there are still widespread prejudices against and devaluation of non-heterosexual lifestyles. For many people, → coming out is a life-long process. They are repeatedly confronted with situations in which they experience subtle or open rejection



LGBTIQA+ explained

LGBTIQA+ is the international abbreviation for lesbian, gay, bisexual, trans*, inter*, queer, asexual (ace). The plus underscores that in addition to the named identities there are further gender and sexual identities that are part of the queer community. Even though people LGBTIQA+ identities have very different experiences of discrimination, they are often named together (see Section 4.1). All the identities in this spectrum have in common that they do not correspond to the societal norm that there are only two genders who mutually desire each other.

Ace / asexual: People who are not sexually attracted to anyone and/or do not want to have sex call themselves asexual. Asexuality is a spectrum. Asexual people can fall in love or have romantic relationships.

Bi / bisexual: Bisexual people desire women and men, or feel sexually attracted to at least two genders.

Heterosexual: The prefix “hetero” means “other”. On the basis of a binary gender order, heterosexuality means to only desire the other sex. Heterosexual men are therefore sexually attracted to women; heterosexual women are sexually attracted to men.

Homosexual: The prefix “homo” means “same”. Homosexual people are sexually attracted to people of their own gender. Homosexual women often refer to themselves as lesbian and homosexual men as gay.

Queer: Collective term for a wide variety of gender and sexual identities that do not correspond to the heterosexual norm. Queer used to mean “strange”, “unconventional”, “peculiar” but also “slightly mad”. For a long time, the term was used pejoratively to describe homosexual men but has been appropriated, especially by Black trans* people, as an empowering self-designation.

Pan / pansexual: People who are sexually attracted to more than two genders.

because of their sexual identity. In recent years, anti-feminist and anti-queer mobilisation has increased: there are increasing warnings of an alleged “homosexualisation of society” or an “early sexualisation” of children. Academics working in the fields of sex education as well as gender and diversity studies are increasingly exposed to such anti-feminist attacks. Attacks on gender and diversity studies are to be considered as attacks on the whole university as an organisation.



Further Information

- Autonome Queer* Referat des AStA der Universität Kassel (Autonomous Queer* Group in the Student Union) for everyone who feels at home in the diversity of queer identities: <https://astqr-kassel.de>
- Gunda-Werner-Institut (2017): „Gender raus! 12 Richtigstellungen zu Antifeminismus und Gender-Kritik“: <https://www.gwi-boell.de/de/2017/07/04/gender-raus-12-richtigstellungen-zu-antifeminismus-und-gender-kritik>
- Queer Lexikon: Online Anlaufstelle und Lexikon zum Themenbereich LGBTQIA+: <https://queer-lexikon.net>

4.3 Family and care commitments

It is not easy to define family, which is why there are many terms to describe different types of families: single or lone parent families, → heterosexual or → homosexual couples with or without children, → social parenthood, married or unmarried, blended families, foster families, families of origin or families of choice. Over time, not only the membership of the family has changed but also its significance. Not all types of families have the same legal rights, but families with children are granted special protection. For this reason, the **Directive on Protection against Discrimination and Sexual Violence** emphasises that direct discrimination also covers “cases of less favourable treatment due to pregnancy or parenthood” (§3 Paragraph 1). This means that questions about an existing pregnancy or family planning intentions are not permitted in job interviews and so do not have to be answered truthfully. However, situations can also arise for people caring for relatives where unequal treatment can be considered direct discrimination. For example, students



with care responsibilities can often only attend seminars at very specific times. The special challenges they have to deal with during their studies requires them to make additional organisational efforts.

What should I do if I find out that I am pregnant? The Family Welcome and Dual Career Service in the Equal Opportunities Office (Stabsstelle Gleichstellung) can answer your questions.

Tip



Further Information

- Pflegeportal der Universität Kassel:
www.uni-kassel.de/hochschulverwaltung/themen/gleichstellung-familie-und-diversity/family-welcome-und-dual-career-service/pflegeportal
- Universität Kassel (2016): Handreichung zum Nachteilsausgleich:
www.uni-kassel.de/intranet/fileadmin/datas/intranet/gleichstellung/hinweise_nachteilsausgleich.pdf
- Fachstelle Kinderwelten: Beratung und Fortbildung zum Ansatz der Vorurteilsbewussten Bildung und Erziehung; Buch- und Spieletipps für Kinder:
<https://situationsansatz.de/fachstelle-kinderwelten>
- Madubuko, Nkechi (2016): Empowerment als Erziehungsaufgabe. Praktisches Wissen für den Umgang mit Rassismuserfahrungen, Münster: Unrast Verlag.
- Regenbogenfamilien e.V (2018): Regenbogenfamilien in Brandenburg stärken:
<https://berlin.lsvd.de/wp-content/uploads/2018/01/Regenbogenfamilien-BB-staerken.pdf>

Compensatory arrangements



According to §20 Paragraph 3 of the Hessian Higher Education Act (HHG) and §11 of the General Provisions for Examination Regulations for the degrees Bachelor and Master, certain students are permitted to take their examinations under different arrangements. These compensatory arrangements are intended to ensure that in spite of their specific situation, all students have the same chances of successfully passing an exam.

Students are entitled to compensatory arrangements:

- in the case of severe or chronic illness, or if they have a disability as defined in §2 Paragraph 1 SGB IX,
- if children or relatives for whom they care fall ill,
- during maternity and parental leave.

In addition, compensatory arrangements are also possible in individual cases if it can be proven that no alternative childcare arrangements are available for a child requiring care. The subject-specific Examination Regulations may also provide for alternative forms of performance assessment for students living in a special situation, if they are abroad, doing an internship or similar circumstances.

Compensatory arrangements can only be granted after a formal application by the student. The application is to be submitted in writing to the Examination Committee responsible. The application should be submitted as early as possible, at the latest when the application to take the examination is made. You can find the forms to apply for compensatory arrangements on the pages of the Family Welcome Service or the Office for Studying with a Disability (Servicestelle Studium und Behinderung).

Compensatory arrangements are not to be confused with the possibility of → preferential course allocation in participating faculties for students with limited temporal flexibility on the grounds of disability, chronic illness or care responsibilities. The forms to apply for → preferential course allocation can be found on the homepages of the participating faculties.



4.4 Social background

The protected characteristic “social background” describes the phenomenon of discrimination on the grounds of belonging to a specific social class. According to the social theorist Pierre Bourdieu, classes can be considered social spaces that vary according to the different availability of the three resources economic capital (money), cultural capital (education) and social capital (personal networks and contacts). Social background can be defined via occupation, level of education, taste, income, hobbies, dialect, etc. Not only the results of the PISA study have shown that in Germany the correlation between social background and educational achievement is particularly high. Institutional barriers before university arise from early social selection in the school system but also from university selection procedures such as minimum grade requirements or selection interviews. Consequently, the proportion of students from working-class backgrounds at higher education institutions is far lower than that of students from middle-class backgrounds. The higher the university degree, the lower the proportion of students from working-class families.³ Students whose parents are on low income often have to work alongside their studies, making it harder for them to study. A total of 63 percent of students at the University of Kassel reported to the 21st Social Survey of the DSW that they had to work to support themselves and 57 percent said that they were likely to take longer to complete their degree because of their need to work. This figure is clearly higher than the averages for Hesse and Germany (48 and 41 percent, respectively). Furthermore, 59 percent of the students questioned stated that they were not considering studying abroad for a semester because of the additional costs (the averages are 50 percent for Hesse and 48 percent for Germany).⁴

³ Cf. BMBF (2017): Die wirtschaftliche und soziale Lage der Studierenden in Deutschland 2016 – 21. Sozialerhebung des Deutschen Studentenwerks, p. 26ff. (The economic and social situation of students in Germany 2016 – 21st Social Survey of the German Association for Student Affairs).

⁴ Cf. Studentenwerk Kassel (2018): Genau hinsehen. Ergebnisse der 21. DSW-Sozialerhebung für den Bereich des Studentenwerks Kassel, p. 5ff. (Results of the 21st DSW Social Survey for the Association for Student Affairs Kassel).



Further Information

- Westphal, Manuela / Kämpfe, Karin (2017): Migration, Bildungsaufstieg und Männlichkeit Passungsdynamiken zwischen Familie, Schule, Peers und Hochschule: <http://www.uni-kassel.de/upress/online/OpenAccess/978-3-7376-0354-6.OpenAccess.pdf>
 - Abou, Tanja (2017): Klassismus. Oder: Was meine ich eigentlich, wenn ich von Klassismus spreche? Eine Annäherung: www.vielfalt-mediathek.de/mediathek/6268/klassismus-oder-was-meine-ich-eigentlich-wenn-ich-von-klassismus-spreche-eine-an.html
 - ArbeiterKind: Initiative für alle, die als Erste in ihrer Familie studieren: www.arbeiterkind.de
 - Class matters: Online magazine on classism: www.classmatters.org
 - Kemper, Andreas / Weinbach, Heike (2009): Klassismus, Eine Einführung, Münster: Unrast Verlag.
-

4.5 Ethnicity

Discrimination on the grounds of ethnic origin targets people's belonging to a specific ethnic group. In the case of racist or ethnically-based unequal treatment, negative personal traits are assigned to a person based on external characteristics such as skin colour, language or name; or they are denied access to material or symbolic resources. These are instrumentalised as a sufficient condition for discrimination and the associated (re-)production of socially constructed differences. In everyday life, racism is often considered an exception or associated with right-wing extremism and intentional actions by a few individuals. However, as a form of discrimination, racism works on all levels of society. Racism influences the experiences of → Black people, → People of Colour and people with migration experience through exclusion and disadvantage. But the lived reality of → white people is also influenced by inclusion and privilege because they do not have to explain nor justify themselves and their origins, and they can consider themselves as "normal". In the context of higher and general education, the three-tier school system predominant in Germany is often criticised for its (→ intersectional) exclusion mechanisms.

For the university, these findings especially mean attracting (underrepresented) Black people, People of Colour and people with migration experience and safeguarding people who have experienced racism from discriminatory internal university procedures and from the prejudices of fellow students and colleagues. Examples for such disadvantaging would be not recognising multilingualism in university admissions or the assumption of poor German language skills. The post-colonial perspective also criticises the lack of attention paid in teaching to academic work by migrant and Black academics or academics of Colour and a still predominantly white canon. Challenges are not just faced by students, but also by PhD candidates as well as academic and non-academic staff.

The question, “Where are you really from?” implies that the person being addressed is different and does not really belong (see → othering). When you recognise racism at university it is important to call it out and act against it.



Tip

Further Information

- Hasters, Alice (2019): Was weiße Menschen nicht über Rassismus hören wollen, aber wissen sollten. München: Hanser Verlag.
 - Amadeu Antonio Stiftung: Was ist Rassismus? www.amadeu-antonio-stiftung.de/rassismus/was-ist-rassismus
 - AntiDiskriminierungsBüro (ADB) Köln (2013): Sprache schafft Wirklichkeit. Glossar und Checkliste zum Leitfaden für einen rassismuskritischen Sprachgebrauch: www.oegg.de/wp-content/uploads/2019/12/Glossar_web.pdf
 - Heitzmann, Daniela/ Houda, Kathrin (Hrsg.) (2020): Rassismus an Hochschulen: Analyse, Kritik, Intervention. Weinheim: Beltz Juventa.
 - Ogette, Tupoka (2019): exit RACISM. Rassismuskritisch denken lernen. Münster: Unrast Verlag.
-



4.6 Religion and worldview

The characteristics “religion” and “worldview” are named together in the **University of Kassel’s Directive on Protection against Discrimination and Sexual Violence**. Both terms refer to individual assumptions or certainties about the origin and purpose of human life and the associated normative principles for living together. Discrimination on the grounds of one characteristic can often not be separated from discrimination on the grounds of another characteristic. In the realm of “religion and worldview” there is often an overlap with discrimination on the grounds of “ethnic origin”, for example when the people affected originate from countries where one religion is predominantly practised. Discrimination on the grounds of ethnic origin and religion or worldview are also historically related: both anti-Semitism and Islamophobia are based on differences attributed to → culture and biology.

A Room of Silence is available to all students and staff at Nora-Platiel Str. 1, Room 0210. It is a place of peace and contemplation where it is possible to pause, to meditate or to pray.

The precondition for using the room is respect for the beliefs, feelings and views of others. This respect is based on tolerance of other people’s views and recognition of the pluralism of religion and worldviews. At certain times, events are held in the Room of Silence that aim to further interreligious dialogue.



Tip



Culturalisation: Culturalisation is the practice of understanding culture as a central explanation for (individual) actions, attitudes, behaviours, conflicts or modes of expression. Often the concept of culture is → ethnicised. As a result, people are not perceived in their diversity, but are reduced to a cultural identity. Culturalisation increases polarisation of society into those who belong (“us”) and those who don’t (“the others”) and it serves to (re-)produce prejudices.

Othering: Othering refers to actions that cement the construction of an “other” as a complementary counterpart and in binary opposition to a “we”. By describing the “other”, a self-conception as “us” is established. The uniqueness of a group or what is “normal” is often more difficult to grasp from within. By being designated as the “other”, groups are essentialised and excluded.



Further Information

- Universität Kassel (2020): Religion – Informationen des Welcome Centre: www.uni-kassel.de/uni/international/nach-kassel-kommen/welcome-centre/leben-in-deutschland/religion
- Antidiskriminierungsstelle des Bundes (2017): Religiöse Vielfalt am Arbeitsplatz – Grundlagen und Praxisbeispiele: www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/Literatur_Reli_Weltan/Religioese_Vielfalt_am_Arbeitsplatz.html?nn=7702818



4.7 Disability or illness

People who are designated as having physical and/or mental disabilities or impairments experience discrimination at different levels of society. The assessment of an individual on the basis of their physical and mental abilities and functioning can be termed “ableism”. In the **University of Kassel’s Directive on Protection against Discrimination and Sexual Violence** all forms of disability are protected, i.e. impairment on the grounds of physical, mental, sensory, linguistic, psychological or learning-related abilities. Discrimination on the grounds of disability or chronic illness can be expressed in different forms of disadvantage at the university, for example if exams, trainings or counselling take place in rooms with restricted access or if teaching materials are not universally accessible.

Although it is a legal requirement to make websites accessible, it is not always easy to implement. You can find tips and a link collection from the ITS at the University of Kassel (see “Further Information”).



Tip

Disadvantages can also arise during recruitment for potential students and staff if the university applies selection criteria that require high mobility or specific occupational experience or practical activities in order to be considered. Short-term relocations are often not possible for people with a disability. Furthermore, people with impairments are underrepresented in the labour market compared to people who are → abled and are less likely to get internships or go on study trips abroad. The nationwide survey “Studying with Impairments” conducted by the National Association for Student Affairs (DSW) highlights that students with impaired health face difficulties in access to higher education, during their studies and with financing their studies.⁵ The survey also discovered that only few students are aware of their rights and existing support, such as rooms for resting or instruments such as → compensatory arrangements and → preferential course allocation. The most frequently mentioned reasons for not using advice services was the belief that

⁵ Cf. DSW, DZWH, IHS (2016): best2. beeinträchtigt studieren, p. 6ff. (Studying with Impairments).

they did not belong to the target group (36%), the conviction that the advice would not be useful (35%) and the desire to not disclose their impairment (32%).⁶

The principle of two senses is a tenet for facilitating access to buildings, institutions and information systems. According to the principle of two senses, at least two of the three senses – hearing, sight and touch – should be addressed. Providing information via two senses facilitates access for a greater number of people.



Further Information

- Servicestelle zur barrierefreien Aufbereitung von Lehrmaterialien Universität Kassel (2015): Leitfaden zur Erstellung barrierearmer Dokumente – Langfassung www.uni-kassel.de/themen/fileadmin/datas/themen/Literaturumsetzung/Leitfaden_1315_Homepage_3.pdf
- Barrierefreiheit im Web – Informationen des ITS der Universität Kassel: www.uni-kassel.de/its-handbuch/web-dienste/webauftritte-mit-typo3/barrierefreiheit.html
- Psychologische Beratungsstelle des Studierendenwerk Kassel – Angebot für Studierende und Angehörige der Universität Kassel: <https://www.studierendenwerk-kassel.de/pbs/>
- Interessenvertretung Selbstbestimmt Leben in Deutschland e.V. (2018): Ableismus erkennen und begegnen. Strategien zur Stärkung von Selbsthilfepotenzialen: www.isl-ev.de/attachments/article/1687/ISL-Able-Ismus_Brosch%C3%BCre.pdf
- Leidmedien: Begriffe über Behinderung von A bis Z: <https://leidmedien.de/begriffe>



⁶ Cf. *ibid.* p. 264.

4.8 Age

Discrimination on the grounds of age is based on disadvantaging people because of their (perceived) age. Age discrimination is often referred to as ageism. In the context of the university, age as a protected characteristic can affect all members of the university and all areas of its operation. From the staff perspective, in addition to questions related to retirement terms and conditions, there are also age-related aspects to tenure and other types of employment as well as age limits in applying for certain grants, funding or further training. Both younger and older people can be affected by age discrimination. According to the General Equal Treatment Act (AGG), age restrictions are only permitted if they are objectively and reasonably justified by a legitimate aim. In terms of the age heterogeneity among students, unequal starting and studying conditions can be identified. According to the National Association for Student Affairs' Social Survey, the proportion of students who say they have secured financing for their studies decreases with age. Consequently, older students are more dependent on paid employment than younger students. In addition, issues such as combining studies and care responsibilities become more relevant. It often happens that the older students are, the greater the demands on their time, so that they have less time to study.



Further Information

- Amadeu Antonio Stiftung (2019): Altersdiskriminierung. Ein Flyer zur Erklärung der Diskriminierungsform: www.amadeu-antonio-stiftung.de/wp-content/uploads/2019/01/Flyer_GMF_Alter.pdf
- Antidiskriminierungsstelle des Bundes (2019): Fair in den Job! – Leitfaden für diskriminierungsfreie Einstellungsverfahren: www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Leitfaeden/Fair_in_den_Job.html

Do you want to make the application procedure in your department, organisation or faculty discrimination free? Senior staff face many challenges in designing a high-quality selection procedure: be they legal requirements for the advertisement, selecting candidates for interview and conducting the interviews. At the same time, recruitment procedures are also an opportunity to consciously increase diversity at the university and to win qualified staff. You can use the Federal Anti-Discrimination Agency's Guidelines for Discrimination-free Recruitment Procedures (Leitfaden für diskriminierungsfreie Einstellungsverfahren) for your department, organisation or faculty.

Tip

4.9 Appearance

Devaluing people on the grounds of their appearance is called lookism. Individuals are viewed positively or negatively on the basis of positive or negative evaluations of their physical characteristics, taste or clothing. Several studies have shown that lookism has serious consequences on the labour market. Discrimination on the basis of externalities can take many forms: not only are people looked down upon if they do not correspond to current beauty norms, but the idea that attractive women are less intelligent is a further example. Lookism is closely associated with other forms of discrimination: in combination with racism, classism, ageism, discrimination on grounds of gender, sexual orientation or physical impairment, mechanisms of hierarchy-building based on looks emerge.



Further Information

- Schmid, Lea/ Diamond, Darla/ Pflaster, Petra (2017): Lookismus. Normierte Körper – Diskriminierende Mechanismen – (Self-)Empowerment. Münster: Unrast Verlag.





Emergency numbers:

Police: **110**

For emergencies on campus:

0561 804 2222

Service Desk for other enquiries:

0561 804 7777

The university campus at Holländischen Platz is equipped with emergency call points. These are connected to campus security so that in an emergency contact can be established and assistance given.

When the emergency button is pressed, the light on the call point flashes, drawing visual attention to the danger zone.

5 WHAT CAN I DO IF I WITNESS DISCRIMINATION?

All members of the University of Kassel share responsibility for making it a safe and discrimination-free place to study, teach and work. The university promotes a culture of taking notice and calling out discrimination, and expects all its members to take responsibility for themselves and others. In particular, people with responsibility for leadership, teaching or training have a duty to ensure a respectful atmosphere in their field of work or study. To this end, it is important to have a fundamental awareness of discriminatory or harassing behaviour.

If you witness discrimination, harassment or bullying there are several ways to support the person affected:



Tip

- Intervene directly in the situation and offer assistance to the person affected
 - Speak to other people in the immediate vicinity and ask them for assistance (e.g. people with responsibility for leadership, teaching or training)
 - In ambiguous or threatening situations phone campus security or the police. It is useful to have their numbers saved on your mobile or office phone in case of emergencies
 - Make yourself available as a witness. Since important details can be forgotten quickly, take notes about the incident as soon as possible
 - Inform the person affected about advice and counselling services
 - Offer to accompany the person to such services
 - Treat your knowledge of the incident confidentially and do not do anything without the consent of the person affected
-



STOP
DISCRIMINATION.
LIVE
DIVERSITY.

6 WHAT CAN I DO IF I EXPERIENCE DISCRIMINATION?

All members of the university have the right not to be discriminated against. The **University of Kassel's Directive on Protection against Discrimination and Sexual Violence** wants to encourage people affected by discrimination and violence not to silently accept this treatment but to unmistakably express their repudiation and to actively defend themselves.

If you have been affected by discrimination, sexual violence or harassment, you can take the following actions.

Call out discrimination

Take your feelings seriously and act decisively. Make it clear to the other person or people that you feel discriminated, harassed or bullied.

Seek support / witnesses

Everyone with responsibility for leadership, teaching or training in your area of work or study have a duty to create a respectful and appreciative atmosphere. They are available as direct contact people. Fellow students or colleagues can also support you or accompany you to other services if you feel nervous.



Take notes about the incident

Important information can be forgotten quickly. Write down the key information about the incident as soon as possible.

Taking comprehensive notes about the incident helps you defend yourself against discrimination. Record them as soon as possible and include the following information:

Tip

- Where and when did the incident occur?
 - Who was involved?
 - What happened? Try to describe the incident and your experience step by step and as simply as possible. Write down important moments as accurately and in as much detail as possible
 - Why did you feel discriminated against (e.g. because of your heritage or religion)?
 - Were there any witnesses? Ask these people for their names and contact information and also ask them to make their own notes.
 - Is there any physical evidence? Do you have anything in writing (e.g. an email, a handwritten note) showing the discrimination? Keep such evidence in a safe place.
-

Self-care

Speak to people who you know and trust and who understand you. It can be helpful to put feelings into words, to share your experience and to receive comfort. Negative feelings can be channelled through activities such as listening to music, going for walks, screaming, journal writing, writing poems, singing, painting, talking, doing sport, going to a self-help group etc.

Counselling and advice services (see Section 8.1)

Various counselling and advice services at the University of Kassel and outside it are available to you. If you like, you can use these anonymously and take a trusted person with you.

Complaint procedure (see Section 8.2)

You can lodge a formal complaint with the university's Complaints Offices (Beschwerdestellen, there is one for students: Beschwerdestelle für Studierende and one for staff: AGG-Beschwerdestelle für Bedienstete).





STOP
DISCRIMINATION.
LIVE
DIVERSITY.

7 WHAT CAN I DO IF I HAVE DISCRIMINATED AGAINST SOMEONE?

Power relations in society always form the backdrop to discrimination, regardless of whether it occurs on a personal or structural level. The opposite of discrimination is → privilege. By belonging to a privileged group, people can more easily participate in society and experience less discrimination and exclusion. Privileges are often invisible and go unnoticed by those who possess them. Similarly, discriminatory practices are often unconscious and go unnoticed by the person who discriminates. They are not rare occurrences but are often supported by traditions, dominant norms or language. This is why defence mechanisms are common when discriminatory behaviour is called out. The discriminatory act was perhaps not conscious or intended, or its criticism is not understood or is brushed off as unimportant. However, it is not the motive that is decisive for discrimination but the result. It is helpful at such times not to view the criticism of the discriminatory behaviour or practice as an attack but as a useful invitation to dialogue. The person affected has found the courage to directly express this criticism. The person who discriminated another often needs time to reflect on their own behaviour. Therefore, everyone is faced with the task of creating a discrimination-free environment where all people can feel comfortable. Taking this approach does not lead to defence mechanisms but to contemplation and constructive change. Creating awareness that one's own actions and language can be discriminatory is a constructive step. By respectfully accepting criticism and offering an apology it is possible to create an environment for studying and working that reacts sensitively to discrimination. Examining one's privileges can help to hone sensitivity. The university's training programmes can assist in these processes.

The existence and extent of privilege depends on which groups someone belongs to. Following the → intersectional approach, multiple group memberships can be associated with multiple privileges.

Questions for reflecting on privilege and experience of discrimination



Tip

- In relation to which protected characteristics are you privileged?
 - In relation to which protected characteristics do you experience discrimination?
 - Do your privileges or experiences of being discriminated occur in all areas of everyday life? Are there particular environments where you do not experience discrimination (as strongly)?
 - Which privileges do you enjoy in your work / studies? Are there things that you do not perceive so well because of your privilege?
How can you become more sensitive towards discrimination?
 - Has anyone ever told you that your behaviour was discriminatory?
How did you react? Could you accept the criticism and did you apologise?
-



8 HOW DOES THE UNIVERSITY OF KASSEL DEAL WITH CASES OF DISCRIMINATION?

8.1 Advice

People affected by discrimination, sexual violence or harassment do not have to cope alone with the experience, nor do people who witness discrimination but do not know how to act. For this reason, the **University of Kassel's Directive on Protection against Discrimination and Sexual Violence** encourages all members of the university to actively intervene against sexual harassment, discrimination and violence and to defend themselves. You have the right to use the services provided by the university to receive help and support. The staff in these services has the task of offering the person affected by discrimination, harassment or violence an opportunity for dialogue and providing advice on their rights, possibilities for further action and – if desired – to suggest measures for protecting the person from further harm. The staff of the Advice Services have an official duty of confidentiality, only the person seeking advice can free them from this duty. During the advisory sessions, the person being advised has the right to remain anonymous. In order to protect the person being advised, the advisory staff have to ensure that no negative personal and professional repercussions arise. For this reason, measures can only be taken with the consent of the person being advised or their official representative. With the consent of the person affected, the Advice Services can work towards an amicable settlement between both parties unless this seems inappropriate in individual cases or the allegations are too severe.



The following offices provide advice, support and information.

Internal university offices

FOR STAFF

- Staff Council
- Representative body for staff with disabilities
- Officer for Women and Equal Opportunities
- Office for Equal Opportunities
- Family Welcome Service
- Psychological counselling service of the Association of Student Affairs
- Officer for Junior Staff

FOR STUDENTS

- Officer for Women and Equal Opportunities
- Office for Equal Opportunities
- Family Welcome Service
- International Office
- Officer and Office for Studying with a Disability
- Psychological counselling service of the Association of Student Affairs
- Student union
- Officer for Junior Staff

External advisory services

Examples include:

- ADiBe Netzwerk Hessen, Antidiskriminierungsberatung in der Bildungsstätte Anne Frank im Auftrag des Hessischen Ministerium für Soziales und Integration: 0561 72989702, kontakt@adibe-hessen.de
- Kasseler Hilfe, Opfer- und Zeugenhilfe Kassel e.V.: 0561 282070, info@kasseler-hilfe.de
- response. Beratung für Betroffene von rechter, rassistischer und antisemitischer Gewalt: 0561 7298 9700, kassel@response-hessen.de
- Frauen informieren Frauen – FiF e. V.: 0561 893136, info@fif-kassel.de
- Hilfetelefon Gewalt gegen Frauen/ Helpline Violence against women (all languages): 08000 116 016
- Antidiskriminierungsstelle Hessen, Hessisches Ministerium für Soziales und Integration, Stabsstelle Antidiskriminierung: 0611 3219 2291, ads@hsm.hessen.de
- Antidiskriminierungsstelle des Bundes: 030 18555 1855, beratung@ads.bund.de

Emergency numbers

- Police: 110
- For emergencies on campus: 0561 804 2222

Guidelines for referrals – Collecting information in the first session

Pay attention to the following aspects:

- Ensure confidentiality and data protection
- Support and empower the people affected
- Reflect on a power-critical understanding of discrimination

Collect information⁷

- Name of the person affected
 - When? Date
 - Where? Place the incident occurred
 - Who was involved?
 - What happened precisely?
 - Was there a prelude?
 - Who can confirm the statement? Are there witnesses?
 - What actions has the person affected already taken?
 - Who has already been informed, included?
- Ask the person affected to make notes about the incident.

How can the situation be defined with the three steps:

- Disadvantage
- Characteristics (ethnic or social origin, gender, disability or chronic illness, sexual identity, religion, worldview, marital and family status, appearance, age)
- Is there a legitimate justification? yes/no
- Is this a case of discrimination? yes/no/other

Do you have the expertise and the external conditions (time, space, legitimacy) to conduct an initial advisory session?

Yes: Initial session

Clarify expectations and concerns

- What should happen?
- What does the person affected expect from XY?
- What support would the person affected like from me and from others?

Identify possibilities for action and offers of support

Possibilities for action:

- Focus on personal coping strategies and/or dialogue with the person responsible
- Lodge a formal complaint
- Case-related and cross-case action
- Mediatory and confrontational instruments such as conflict management or mediation sessions

Offers of support:

- Referral to an external anti-discrimination advice service in the region
- Referral to a subject-related advice service (see External Services)
- Provide information on other services available

No: Referral

Referral

- Who can you refer the person affected to?
- What services should they provide?
- Should the services be internal or external?

How can you make the referral?

- Inform about different advice services
- Establish reliable contacts
- Hand-over session
- Cooperate in this specific case

What can you give the person seeking advice?

- Flyers and information on opening hours, contact details, addresses and specialisations
- Names of specific people
- Orientation
- Assurance
- Invitation to return

Do not forget that the person seeking advice always decides and controls what happens next!

⁷ Personal data must be protected from unauthorised persons inside and outside the university. You must therefore secure your data media (including written records, card indexes and files) accordingly (e.g. by locking the office door and office furniture when absent, correct positioning of the screen and keeping passwords secret so that unauthorised persons cannot gain access).

8.2 Right to make an official complaint

In accordance with the **University of Kassel's Directive on Protection against Discrimination and Sexual Violence** all members of the university as well as third parties who feel disadvantaged by the university have the right to lodge an official complaint. Anyone making a complaint or acting as a supporter or witness to someone making a complaint should not experience any adverse actions or retaliation on these grounds. Students and staff can lodge an official complaint in a formal procedure where their name goes on record at the relevant Complaints Offices. The Complaints Offices provide information on the course of the procedure and collect written statements from the people seeking advice. The statement is examined, other parties are heard on the facts of the case and, if necessary, recommended measures to remedy the situation are then submitted to the Executive Board of the University of Kassel. During this procedure it is usually no longer possible to protect the anonymity of the person making the complaint from the person the complaint is made against. Staff from the Advice Services or official representatives can provide support to the person making the complaint during the procedure if they wish. Depending on the severity of the allegations, the university may have to take measures to protect the person affected. Sanctions and other measures against a person found responsible for the discrimination depend on their position in terms of employment law and higher education law.

The AGG Complaints Office (Beschwerdestelle) is for staff:

Abteilung Personal und Organisation, AGG-Beschwerdestelle für Bedienstete

www.uni-kassel.de/go/AGG

Complaints Office (Beschwerdestelle) for students:

Abteilung Studium und Lehre
Beschwerdestelle

www.uni-kassel.de/go/beschwerdestelle



8.3 Prevention

“The university and its members, especially those with responsibility for training, qualification or leadership in research, teaching, administration and ancillary services are to take preventive measures to create a harassment-free working environment and to prevent discrimination, sexual harassment and violence at work and during studies.” (§5 Paragraph 1)

All members of the university contribute to creating a discrimination and harassment-free environment for working and learning. People with responsibility for training, qualification or leadership in research, teaching or administration are explicitly encouraged to act preventatively by the **University of Kassel's Directive on Protection against Discrimination and Sexual Violence**. Examples for preventative measures at the university include providing information – such as this brochure – or training. The risk of discrimination can be addressed when further developing courses of study or setting the framework for lectures. A further example is using gender-inclusive and discrimination-sensitive language. In these ways, all members of the university can actively contribute to freeing the university from discrimination.

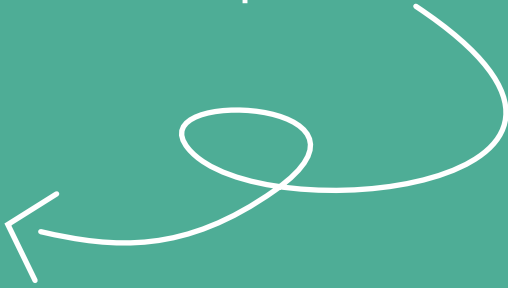
Do you want to become involved in anti-discrimination work at the University of Kassel? Members of the university work together in the Network Anti-discrimination (Netzwerk Anti-diskriminierung) to promote anti-discrimination and diversity in everyday university life. Further information is available from the Diversity Coordination (Koordinationsstelle Diversity) in the Equal Opportunities Office (Stabsstelle Gleichstellung).



Tip

HOW DOES THE UNIVERSITY OF KASSEL DEAL WITH DISCRIMINATION?

Please open



DEALING WITH DISCRIMINATION AT THE UNIVERSITY OF KASSEL

1.



Direct and immediate clarification between the parties involved

Can the person affected by discrimination and the person accused of discrimination resolve the situation?

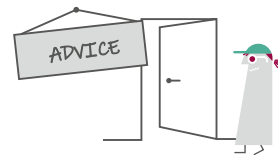
If not, turn to the next higher person in the departmental hierarchy e.g. lecturer, dean or head of department.

People affected by discrimination can use advice services inside and outside the University of Kassel.

List of advice services:

www.uni-kassel.de/hochschulverwaltung/themen/gleichstellung-familie-und-diversity/diversity/antidiskriminierung/ansprechstellen

2.



Support and advice

from central contact persons, advice services and representatives

- > for Equal Opportunities and Officer for Women and Equal Opportunities
- > Staff Council
- > Representative body for staff with disabilities
- > Officer and Office for Studying with a Disability
- > Officer for Junior Staff
- > Psychological counselling service of the Association of Student Affairs
- > International Office
- > General student counselling services of the Association of Student Affairs
- > Student union
- > ...

Supervisors and line managers can receive support and advice (if required, from external anti-discrimination advisors) from the Human Resources Department and from the Department for Strategic Personnel Development and Organisational Culture.



Has the discrimination case been resolved?



Has the discrimination case **not** been resolved?



→ Proceed to step 2 or 3 or refer to the box



Has the discrimination case been resolved?



Has the discrimination case **not** been resolved?



→ Proceed to step 3 or refer to the box

3.



Complaints Procedure

People who have been discriminated against have the right to lodge a formal complaint.

For staff (AGG-Beschwerdestelle):

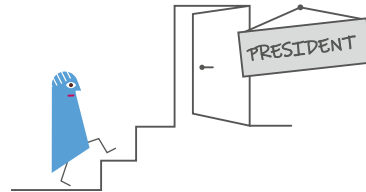
Abteilung Personal und Organisation
Beschwerde-bedienstete@uni-kassel.de

For students:

Abteilung Studium und Lehre
beschwerde@uni-kassel.de

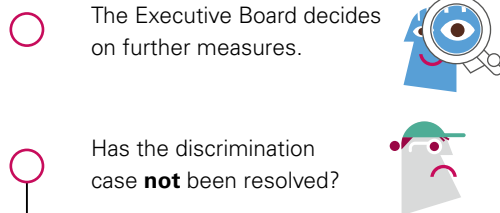


4.



University Leadership becomes involved

The president and chancellor are informed of the results of the Complaints Office's investigation and suggest how to proceed.



In every phase the person affected by discrimination always has the following options:

- > The discrimination case can be resolved
- > The conflict resolution model developed by the Department for Strategic Personnel Development and Organisational Culture is implemented
- > Counselling and advice services outside the university are visited
- > The person affected decides not to take any further steps
- > The person affected decides to take legal action

(see webpage or scan the QR code)





9 BIBLIOGRAPHY AND FURTHER INFORMATION



Antidiskriminierungsstelle des Bundes (2019): Leitfaden: Diskriminierungsschutz an Hochschulen: www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Diskriminierungsfreie_Hochschule/leitfaden_diskriminierung_hochschule_20130916.html

Antidiskriminierungsstelle des Bundes (2020): Jahresbericht 2019. Gleiche Rechte, gleiche Chancen – Jahresbericht der Antidiskriminierungsstelle des Bundes: www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Jahresberichte/2019.html

Antidiskriminierungsstelle des Bundes (2012): Diskriminierungsfreie Hochschule – Mit Vielfalt Wissen schaffen: www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Diskriminierungsfreie_Hochschule/diskriminierungsfreie_hochschule_endbericht_20120705.html

Bildungsstätte Anne Frank (2019): Wegweiser Antidiskriminierung des AdiNet – Antidiskriminierungsnetz Nordhessen: www.bs-anne-frank.de/adinetnordhessen/

BMBF (2017): Die wirtschaftliche und soziale Lage der Studierenden in Deutschland 2016 – 21. Sozialerhebung des Deutschen Studentenwerks: www.bmbf.de/upload_filestore/pub/21._Sozialerhebung_2016_Zusammenfassung.pdf

Bukof (2019): Gemeinsam für eine geschlechtergerechte, vielfältige Wissenschaft: Antifeministischen Positionen entgegenreten!: <https://bukof.de/wp-content/uploads/2019-09-19-Positionspapier-bukof-Antifeminismus-entgegenreten.pdf>

Deutsches Studentenwerk (2018): best2. beeinträchtigt studieren. Datenerhebung zur Situation Studierender mit Behinderung und chronischer Krankheit 2016/17: www.studentenwerke.de/sites/default/files/beeintraehtigt_studieren_2016_barrierefrei.pdf



Studentenwerk Kassel (2018): Genau hinsehen. Ergebnisse der 21. DSW-Sozialerhebung für den Bereich des Studentenwerks Kassel: www.studierendenwerk-kassel.de/fileadmin/user_upload/download/21_Sozialerhebung_Download.pdf

T. Tanyilmaz, E. Greve (2018): Vielfalt intersektional verstehen. Ein Wegweiser für diversitätsorientierte Organisationsentwicklung: www.deutsch-plus.de/wp-content/uploads/2018/01/vielfalt-intersektional-verstehen-barrierefrei.pdf

Universität Kassel (2019): Richtlinie zum Schutz vor Diskriminierungen und sexualisierter Gewalt an der Universität Kassel: www.uni-kassel.de/intranet/fileadmin/datas/intranet/gleichstellung/dokumente/Richtlinie_Antidiskriminierung_2019.pdf

Protection from discrimination in teaching

Akademie für Bildende Künste in Wien (2019): Trans. Inter*. Nicht-binär. Lehr- und Lernräume an Hochschule geschlechterreflektiert gestalten: www.akbild.ac.at/Portal/universitaet/frauenfoerderung-geschlechterforschung-diversitaet/non-binary-universities/non-binary-uni-accessible-300ppi.pdf

M. Burkhard, L. Dippel, A. Klassen (2019): Geschlechtersensible Anregungen für Studierende und Lehrende am Institut für Philosophie an der Universität Kassel: www.uni-kassel.de/fb02/fileadmin/datas/fb02/Institut_f%C3%BCr_Philosophie/Dateien/aktuelles/PDF_Klimawandel_Geschlechtersensible_Anregungen_f%C3%BCr_Studierende_und_Lehrende.pdf

Humboldt Universität Berlin (2017): „Diskriminierungskritische Lehre – Denkanstöße aus den gender studies“ – Handreichung des Zentrums für transdisziplinäre Geschlechterstudien: www.gender.hu-berlin.de/de/studium/diskriminierungskritik-1/broschuere-der-ag-lehre-diskriminierungskritische-lehre-denkanstoesse-aus-den-gender-studies

Universität Kassel (2020): Gender und Diversitykompetent ins Tutorium – Eine Handreichung: www.uni-kassel.de/hochschulverwaltung/index.php?elD=dumpFile&t=f&f=566&token=982b30547e56fb9f2eb130a7b27c177d774c20e2

Protection from discrimination at the workplace

Antidiskriminierungsstelle des Bundes (2019): Religiöse Vielfalt am Arbeitsplatz – Grundlagen und Praxisbeispiele: www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Leitfaeden/religioese_vielfalt_am_arbeitsplatz.html



Antidiskriminierungsstelle des Bundes (2019): Was tun bei sexueller Belästigung am Arbeitsplatz? Leitfaden für Beschäftigte, Arbeitgeber und Betriebsräte:

www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Leitfaeden/leitfaden_was_tun_bei_sexueller_belaestigung.html

Charta der Vielfalt – Initiative für Diversity in der Arbeitswelt:

www.charta-der-vielfalt.de

LaKoF Hessen (2020): Gendergerechte und diversitätssensible Führungskultur.

Eine Handreichung für Führungskräfte und Hochschulleitungen:

www.lakof-hessen.de/files/other/LAKOF-Handreichung.pdf

LWW Hessen Integrationsamt – Inklusion von schwerbehinderten Menschen im Arbeitsleben: www.integrationsamt-hessen.de

Diversity-sensitive (media) language

AntiDiskriminierungsBüro (ADB) Köln/ Öffentlichkeit gegen Gewalt e.V. (2013):

Sprache schafft Wirklichkeit. Glossar und Checkliste zum Leitfaden für einen rassistisch-kritischen Sprachgebrauch: www.oegg.de/sprache-schafft-wirklichkeit-glossar-und-checkliste-zum-leitfaden-fuer-einen-rassismuskritischen-sprachgebrauch

AG Feministisch Sprachhandeln Humboldt-Universität zu Berlin (2015): Was tun?

Sprachhandeln – aber wie? W_Ortungen statt Tatenlosigkeit! www.uni-kassel.de/hochschulverwaltung/index.php?eID=dumpFile&t=f&f=372&token=cf93608200c916d9dc15a0d9e71ec007b0f83fec

Goethe-Universität Frankfurt am Main (2016): Handlungsempfehlungen für eine

diversitysensible Mediensprache: www.uni-kassel.de/hochschulverwaltung/index.php?eID=dumpFile&t=f&f=383&token=f886a14cf33581676efbfedfc0f3822a417279ab

PROUT AT WORK-Foundation (2019): How to. Sprechen Sie LGBT*IQ? Leitfaden für eine genderinklusive und -gerechte Sprache: www.uni-kassel.de/hochschulverwaltung/index.php?eID=dumpFile&t=f&f=370&token=0a0c161805457149930202ecdb1832a146bf999c

Universität Kassel (2015): Leitfaden „Geschlechtergerecht in Sprache und Bild“:

www.uni-kassel.de/hochschulverwaltung/index.php?eID=dumpFile&t=f&f=280&token=ebe595169f56b46119a2d90214105ca84910be34

10 GLOSSARY

Abled / able-bodied / ableism: (“not disabled”). A term used to refer to people who do not experience discrimination on the grounds of their physical, mental, sensory, linguistic, psychological or learning-related abilities.

Ace / asexual: People who are not sexually attracted to anyone and/or do not want to have sex call themselves asexual. Asexuality is a spectrum. Asexual people can fall in love or have romantic relationships.

BIPOC / Black, Indigenous and People of Colour: BIPOC is a self-designation that was coined in English-speaking countries. As a political term, it assumes that people who are not white may have very different backgrounds and origins, but still share common experiences in a white, racist society. The term “People of Colour” should not be confused with the term “Coloured,” which is a discriminatory colonial term chosen by whites and is used to distinguish people and assign value to them according to “skin shades”.

Bi / bisexual: Bisexual people desire women and men, or feel sexually attracted to at least two genders.

Black: Black is a self-designation used by people of African origin or African heritage. The term “Black” originated in the Black Civil Rights and Black Power Movements in the United States in the 1960s and 1970s. Black does not refer to skin colour, but describes a social position as a person discriminated against in a society shaped by racism. To increase the resistance character of the word it is often capitalised.

Cis / cisgender: A term for people whose gender identity matches the sex they were assigned at birth.

Coming out / outing: A process in which people reflect on and accept their sexual orientation or their gender identity for themselves (inner coming out) and live it openly. In most cases, these are sexual desires and gender identities that are viewed as not conforming to the social norm. Norm-conform sexual desire and gender identities (such as

heterosexual or cis) are often ascribed in everyday life so people with these desires and identities usually do not have a coming out.

Compensatory arrangements: In order to compensate for specific difficulties that a health impairment or a family situation might cause, especially when preparing for and taking exams, affected students are entitled to compensatory arrangements in examination arrangements. These special provisions may not change the technical requirements of an examination, only the form and conditions of the examination can be modified. An application must be made in writing to the responsible examination board. The compensatory arrangements should not be confused with the option of → preferential course allocation in participating departments for students with limited time flexibility due to disability, chronic illnesses or care responsibility.

Culturalisation: Culturalisation is the practice of understanding culture as a central explanation for (individual) actions, attitudes, behaviours, conflicts or modes of expression. Often the concept of culture is → ethnicised. As a result, people are not perceived in their diversity, but are reduced to a cultural identity. Culturalisation increases polarisation of society into those who belong ("us") and those who don't ("the others") and it serves to (re-)produce prejudices.

Dyadic / perisex / endosex / juxtasex: Terms used to refer to people who were born with sex characteristics which can be medically categorised as "male" or "female". It therefore refers to people who are not intersex.

Ethnicisation: Ethnicisation refers to actions that reduce the differences between groups to ethnic differences. Self-ethnicisation is the self-designation of a group on the basis of ethnic categories and can be used by that group to assert their own interests or to formulate an identity policy. External ethnicisation is a social exclusion process that creates minorities, evaluates them negatively and secures the privileges of the majority.

Heterosexual: The prefix "hetero" means "other". On the basis of a binary gender order, heterosexuality means to only desire the other sex. Heterosexual men are therefore sexually attracted to women; heterosexual women are sexually attracted to men.

Homosexual: The prefix "homo" means "same". Homosexual people are sexually attracted to people of their own gender. Homosexual women often refer to themselves as lesbian and homosexual men as gay.

Inter* / intersex: A term used to refer to people who are born with sex characteristics that are medically neither clearly “male” or “female.” The gender identity of intersex people can, but does not have to be, inter. Intersex people can also have a female, male, or a different gender identity.

Intersectionality: Intersectionality means the overlapping and interweaving of different characteristics e.g. gender, sexuality, origin, culture, religion and social status in one person. The interplay of these different characteristics does not allow them to be viewed separately, they mutually influence each other in a specific and inseparable way.

Non-binary / genderqueer / Enby: Terms used to refer to people who identify as outside the binary gender order. Non-binary persons are neither (only) female nor (only) male. They can be both, in between or have a different gender. Enby is a noun and describes a non-binary person analogue to the terms “woman” and “man”.

Othering: Othering refers to actions that cement the construction of an “other” as a complementary counterpart and in binary opposition to a “we”. By describing the “other”, a self-conception as “us” is established. The uniqueness of a group or what is “normal” is often more difficult to grasp from within. By being designated as the “other”, groups are essentialised and excluded.

LGBT-Family: A family in which at least one parent is lesbian, gay, bisexual, trans* or inter*.

Pan / pansexual: People who are sexually attracted to more than two genders.

Preferential course allocation: Students from participating faculties can submit an application for preferential allocation of course places in their course of studies. This is valid for one semester. If approved, the students receive a place in the chosen seminars. The allocation of places to these students is automatically ensured by the IT system. Applications can be made on the following grounds: chronic illness or disability, caring for a child up to 12 years of age, pregnancy with a due date during the lecture period of the semester or caring for a close relative.

Privilege: Privileges are defined as structural privileges or advantages of persons (groups) on the grounds of certain characteristics, such as class affiliation, physical abilities, sexual orientation, gender, ethnic origin and

migration history. By belonging to a privileged group, people can participate more easily in society and experience less discrimination and exclusion. Privileges are often invisible and go unnoticed by those who possess them.

Queer: Collective term for a wide variety of gender and sexual identities that do not correspond to the heterosexual norm. Queer used to mean “strange”, “unconventional”, “peculiar” but also “slightly mad”. For a long time, the term was used pejoratively to describe homosexual men but has been appropriated, especially by Black trans* people, as an empowering self-designation.

Social parenthood: Social parents are the actual caregivers of children, regardless of their biological or legal relationship to them.

Trans* / transgender: Everyone whose gender does not or only partially corresponds to the sex they were assigned at birth. Some people also use the terms transsexual or intersexual, which have been criticised in some circles because they are also used to pathologise. Furthermore, the ending “sexual” falsely refers to sexual orientation and not gender identity.

White: Being white describes a dominant position, which is usually not named. To be white means to have privileges and power in a racist society. To clarify its constructed character, the term white is often set in italics.

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Project

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