

**WE SAY
NO!**

**TO SEXUAL HARASSMENT
AND ABUSE OF POWER**

ABSTRACT OF THE
**GUIDELINES ON THE
PREVENTION OF
SEXUAL HARASSMENT**
AT THE HFMT KÖLN

Imprint

EDITOR

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**GUIDELINES ON
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SEXUAL HARASSMENT
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The Hochschule für Musik und Tanz Köln seeks to ensure a non-discriminatory environment and to cultivate respectful, courteous, and professional interactions between students and staff. Sexual harassment and encroachments on individuals' sexual self-determination violate fundamental personal rights and are therefore subject to a strict zero-tolerance policy.

Students at colleges and universities depend on the guidance of authority figures. This makes them vulnerable. Instructors must thus be aware of the special responsibility they have toward students in this regard. Situations that infringe on individuals' personal rights and boundaries – sexual assault in particular – can have enduring, far-reaching physical, psychological and economic effects on individuals and hamper their careers.

The Hochschule für Musik und Tanz Köln is committed to creating an environment that is free of discrimination and encroachments on sexual self-determination. Moreover, it supports the personal growth and equal opportunity of its students and staff and the protection of their personal rights. All members of the university are obligated to contribute to a working and learning environment that is shaped by mutual respect and that facilitates education at the university.

Affected persons should thus take active measures against sexual harassment, encroachments on sexual self-determination, and the underlying violation of their personal rights.

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1. | Who are these guidelines for?

These guidelines apply to all members of the university – students, staff, auditors – as well as alumni and visitors.

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2. | What is meant by sexual harassment?

Sexual harassment includes

- unwelcome sexual advances;
 - pursuit or coercion with direct or indirect sexual intent;
 - sexually degrading language;
 - sexually suggestive remarks about individuals, their sex lives, or their bodies;
 - lewd and/or sexually degrading writing;
 - sharing verbal, written, or graphic materials of a lewd sexual nature or reproducing, using, or displaying lewd digital representations that are sexually degrading. If the representation of a sexual act and/or sexual content is part of a course’s curriculum, the instructor must first obtain the permission of the participants before using it.
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3. | Principles

- (1) All members of the university, especially the administration and the faculty, shall endeavor to prevent incidents of sexual harassment and encroachments on sexual self-determination.
 - (2) Functionaries and superiors are required to investigate reports of sexual harassment and initiate appropriate disciplinary action.
 - (3) Members of the university who experience a violation of their personal rights through encroachments on sexual self-determination and/or sexual harassment by another member of the university have the right to receive advice and file a complaint.
 - (4) Accused persons shall be presumed innocent at every stage of the complaint proceedings.
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4. | Initial consultation - where to turn?

(1) An individual who has experienced sexual harassment can turn to the grievance office, an equal opportunity officer, a faculty ombudsperson, the staff council, a student ombudsperson, or the university's counselling and psychological services. Those who want to remain anonymous should first consult the grievance office. He or she can also select a person to serve as a representative.

An anonymous initial consultation with a legally trained independent representative is available free of charge at the grievance office. The initial consultation is meant to determine which disciplinary actions are possible and their consequences. The consultation with the grievance office is confidential. University management and the equal opportunity officers will be informed about the case, though the name of the individual who sought consultation will remain anonymous.

5. | Procedures concerning alleged harassment

Informal resolution

(1) An individual who has experienced harassment can request an informal resolution – either in person or through the grievance office/equal opportunity officer.

(2) The resolution process depends on the severity of the case and whether the individual wants to remain anonymous or protected in some way. The process may consist of

- a personal conversation between the individual and/or ombudsperson with the alleged harasser or
- a personal conversation between a superior and the alleged harasser

(3) The individual who requests the informal resolution will be informed about the content and outcome of the conversation. The university administration and, if appropriate, the equal opportunity officers will be informed of the procedure. The name of the individual will remain anonymous.

Formal complaint

(1) If an individual files a formal complaint against the alleged harasser, the university administration will initiate a formal complaint procedure. The university administration may also initiate a formal complaint procedure if disciplinary action is deemed necessary during the informal resolution process.

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(2) Evidence is needed before disciplinary action can be taken.

The formal complaint must therefore include

- an exact description of the incident along with the place, date, and time that it occurred
- the names of those involved
- other evidence such as witness statements
- descriptions of disciplinary actions already taken and the names of those who have been informed about them

(3) Disciplinary action that may be taken against the harasser:

- a formal meeting
 - oral or written notification
 - a warning letter
 - termination (either immediately or at a later date)
 - reprimand, fine, salary cut, transfer, or removal from his or her post
 - debarment from the lecture or seminar in which the harassment occurred
 - debarment from the use of university facilities
 - ban from campus
 - expulsion
 - criminal complaint
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