

Code of Conduct for the Macromedia University of Applied Sciences, the Macromedia Academy, and its administrative units

April 2020

Preamble

This Code of Conduct regulates the principles of good cooperation and interaction at the Macromedia University of Applied Sciences, the Macromedia Academy and their administrative units and is the basis of their diversity policy. It is intended to clarify which behaviour is expected, and which is not accepted, as well as how violations/disregard of the Code of Conduct will be dealt with. Furthermore, the Code of Conduct defines the understanding of gender justice, its scope of application and the measures to ensure gender justice. This is intended to raise awareness of diversity and equality and to improve diversity competency. The content on diversity and equality is based on anti-discrimination legislation and the General Act on Equal Treatment (German abbreviation: AGG).

The aim of this Code of Conduct is to promote gender-appropriate, cooperative behaviour as well as trusting, constructive and appreciative collaboration, and in return to clearly define and, if possible, prevent discriminatory behaviour, sexual harassment, gender stereotypical attributions, mobbing, stalking and corruption.

The individual principles are specified in the respective appendices and are complemented by regulations, indices, and concrete recommendations for conduct. The appendices are a binding part of this Code of Conduct.

1. Scope of Application

All students, trainees, freelance and salaried teaching staff, as well as all employees and managers of the administration, the university, the academy and GGEG are committed to this Code of Conduct. Its validity extends to all facilities on all campuses and also includes all persons and institutions with whom the company cooperates and who supply the company. (See Appendix 1)

2. Principles

2.1 Principle of cooperative and gender-appropriate contact and interaction behaviour as well as gender-appropriate communication

All employees, students and trainees attach great importance to a positive climate, fair competition in teaching, research and the workplace, and gender-appropriate communication.

The basis for this is that all those involved strive for open and fair forms of conflict resolution in a mutual, appreciative and gender-neutral manner.

All persons involved in the cooperation – executives in particular – are responsible for ensuring that discrimination, sexual harassment and mobbing – in particular the exploitation of relationships of

dependency during studies as well as at the training and work place – are not tolerated in any form, but are unambiguously regarded as a violation of the law and that in cases of such misconduct immediate remedial action is taken. (See Appendix 2)

2.2 Principle of shared responsibility for a positive learning environment

All teaching staff, students and trainees ensure a learning and working environment that is appropriate to the study and training objectives and is based on mutual appreciation, and which is supported by a positive climate, regular attendance and a high degree of reliability. (See Appendix 3)

2.3 Principle of artistic and scientific integrity

Artistic and scientific integrity is of high value in our knowledge and media society and in competition with other universities and institutions. To ensure this, the members of the university and academy work to guarantee good artistic and scientific practice. (See Appendix 4)

2.4 Principle of separation of religion and academy/university

As an academy, university, and scientific institution, we are committed to secularism and the secular separation of private religious beliefs and the production and transmission of knowledge. The university is committed to religious freedom but regards religion as a private matter. In the interest of a thriving community on campus, the practice of religion, religious beliefs and active promotion of religions, faith communities and sects are not tolerated. (See Appendix 5)

2.5 Principle of respect for cultural differences and diversity

At the university and academy, people with very different cultural backgrounds learn and work together. Intercultural competence and respect for diversity is a central concern of the academy and university. The integrated semester abroad is an essential quality feature of the university that promotes this competency. (See Appendix 6)

2.6 Principle of careful treatment of the environment

We are committed to the principle of ecological sustainability and environmental protection. The members and associates of the Academy, Macromedia University, and the administration act according to these principles and make their contribution to environmental protection and energy conservation. (See Appendix 7)

2.7 Principle of careful handling of information

The members and associates of the Academy, Macromedia University, and the administration pay particular attention to appropriate precautionary and protective measures, especially with regard to electronic information and data processing as well as when accessing data on mobile devices. (See Appendix 8)

2.8 Principle of financial management and resources

The members and associates of the Academy, Macromedia University, and the administration perform their duties according to the principles of legality, expediency, parsimony, and transparency. Their spending behaviour takes the economic principle and sustainability into account.

The premises, equipment and facilities provided (furniture, hardware and software, telephony, databases, networks, etc.) are for business use only. The members and associates of the Academy, the Macromedia University, and the administration will use the resources, facilities and budgets made available to them in a dedicated, cost-conscious, and responsible manner.

2.9 Principle of freedom of research and teaching

The university is committed to freedom of research and teaching in all its institutions, committees, and offices.

3. Dealing with Infringements

3.1 Notice of infringements

Affected employees, students and trainees can contact a person of their trust in a corresponding situation of conflict. In contrast to other processes, the usual official channels do not have to be adhered to. (See Appendix 9)

In this context, absolute secrecy must be maintained towards third parties not involved in the proceedings, regarding information and incidents, personal data, and conversations.

3.2 Procedure

Those affected have the right to complain and the claim to receive a fair and timely response to their complaint from the people in authority.

Efforts must be made to ensure that the person affected in general and the person accused in particular do not suffer any additional personal or professional disadvantages, with the exception of the measures required or demanded by law.

The presumption of innocence in favour of accused persons must be respected at every stage of the proceedings.

3.3 Measures

After careful examination and validation of the allegations, the people in authority have the opportunity to undertake measures.

For employees, these can be the measures pertaining to labour law such as admonition, warning, or termination.

For students/trainees written complaints/warnings (in the sense of a yellow card), expungement or exclusion from scholarships, de-registration, or civil action are a possibility.

4. Commencement

This guideline was enacted on April 6, 2020 by the Senate for the university and by the management in agreement with the Workers' Council for the effectiveness of all other employees and is effective immediately. For internationalisation purposes, it is published in both German and English.

sgd. Prof. Dr. Dr. Castulus Kolo, President

sgd. Dr. Reimar Müller-Thum, General Manager

sgd. Prof. Michael Leuthner, Chairman of the Workers' Council

sgd. Paul Paulick, Representative of the Student Body

Appendices

Appendix 1: Scope of Application

The scope of application also extends to external service providers as well as trade and cooperation partners. Only those partners and contractors are to be employed who clearly commit themselves to these principles or who have defined similar principles of their own in their corporate guidelines. Cooperation with service providers and cooperation partners who obviously violate the spirit of this Code of Conduct shall be terminated.

Appendix 2: Principle of cooperative and gender-appropriate contact and interaction behaviour as well as gender-appropriate communication

Every year, one day of discussion on each campus will be dedicated to this Code of Conduct.

What we understand by gender justice:

Organisation

- The organisation strives for a balanced gender ratio in its central and decentralised committees and at all levels of the company.
- The organisation is committed to ensuring that work areas are staffed with equal numbers of men and women and that a division of labour based on sex is avoided.

Communication and interaction behaviour

- Use of gender-neutral language in all basic documents (regulations, guidelines, etc.), public relations, marketing texts and internal communications
- Image materials in corporate communications, sales and marketing reflect the diversity of Macromedia in order to reduce stereotyping and prejudices; in particular, images of people have to take gender, culture, skin colour, origin/everyday reality, age, height, weight etc. into account.
- Waiver of one-sided, hierarchical, explicit, or implicit references and evaluations
- Prohibition of dominant forms of communication and interaction for all members

Teaching

- Provision of different teaching/learning forms to enable different learning processes and paths (consideration of different learning strategies)
- Consideration of different media experience and knowledge
- Gender-appropriate or gender-conscious choice of learning content and design of teaching materials
 - are based on the everyday reality of the students,
 - show different gender-neutral social roles,
 - address gender issues,
 - contain diverse gender-conscious perspectives.
- All writing follows a gender-neutral language
 - Strategy of visualisation (consciously addressing all genders) or
 - Strategy of neutralisation (gender recedes into the background)
- Differentiated and balanced representation or presentation of the sexes in texts, e.g.

- balanced citation of scientific contributions or deliberate inclusion of the underrepresented sex,
- gender-neutral role assignment,
- Gender-appropriate representation of pioneers and role models
- Selection of gender-sensitive or gender-neutral images, symbols, illustrations, etc.; e.g. images of persons taking gender, culture, skin colour, origin/everyday reality, age, height, weight etc. into account
- Waiver of stereotypical and discriminating images, symbols, illustrations, etc.
- Design of gender-sensitive or gender-neutral layouts
- Enclosed cross-disciplinary and activating elements
- Enabling culture- and gender-neutral learning progress reviews and performance evaluations
- Gender-sensitive selection of topics for projects and examinations

Study/Academy

- Enabling gender-appropriate access to studies/training
- Striving for gender equality among first-year students and trainees (targeted support of the underrepresented sex)
- Gender-appropriate design of admission and admission processes
- Flexibility strategies for a better compatibility of studies, family, and work
- Gender-appropriate design of transitions (transition from studies to work and transition from bachelor to master studies)
- Support of female junior scientists

Research

- Perspectives of gender equality and diversity are criteria for internal research funding

Personnel recruitment and development

- Striving for gender-appropriate personnel recruitment and development,
- Consideration of a transparent, appreciative, performance-based design for staffing and promotion procedures
- Consideration of gender-neutral formulations in job advertisements (balanced proportion of stereotypically male and stereotypically female formulations with the aim of addressing gender issues)

Financial and resources management

- Consideration of performance-based and gender-appropriate salary structures
- Ensure equal opportunity-oriented budgeting

What we understand by cooperative behaviour:

Cooperative behaviour in interaction can be practiced daily by all parties involved. It is lived by:

- all members and associates of the Macromedia University who always treat the concerns of students correctly, respectfully, gender-appropriate and as quickly as possible,
- supervisors and human resources managers who actively promote the dignity of their employees and strive to create an atmosphere of mutual recognition and openness,
- executives providing appreciative, gender-appropriate feedback and understanding that clarity, consistency, respect, and fairness as well as willingness to critique and self-criticism in their own behaviour are the basis for improving leadership skills,

- the prevention of unfair forms of conflict and the strive for open and fair forms of conflict resolution by all participants,
- noticing, thematising, publicly addressing, and prosecuting discriminatory behaviour, sexual harassment, mobbing, and stalking,
- the affected persons are taken seriously, supported, and encouraged

What we understand by discriminatory behaviour:

Discriminatory behaviour is a defamation of the dignity, rights and freedoms of individuals and groups of persons that damage or diminish their reputation or standing, e.g. on the basis of disability, gender, skin colour, national and/or social origin, the function currently exercised, political views, sexual identity, religious and/or ideological orientation, or age.

Practices of discrimination range from verbal abuse, insults, and derogatory comments to degrading gestures, disparaging actions, and the use of physical violence.

What we understand by sexual harassment:

Sexual harassment is any sexually explicit behaviour that is recognised by the affected person and is likely to degrade him or her as a person. According to § 3 par. 4 AGG it is a violation of the duties of the employment contract or a breach of duty. Sexual harassment can be expressed in words, actions, gestures, or other sexualised behaviour. This includes, e.g.:

- suggestive remarks and verbal as well as written harassment,
- gestures and non-verbal comments with sexual reference,
- showing or circulating sexist and pornographic images not motivated by teaching,
- harassment through unwanted body contact,
- solicitation and/or coercion of sexual acts,
- harassment through violence and exploitation of relationships of dependency at the training and workplace.

Deriving from this are the following recommendations for action for behaviour in particularly sensitive relationships of dependency (such as between superiors and employees, professors and students). Thus,

- no discriminatory, racist, anti-Semitic, or sexually connoted comments, allusions, jokes, or misleading formulations referring to body or age characteristics are permitted within the communication between teachers and students and employees,
- script and teaching content of internal and external teachers must also be checked to ensure that no sexist, racist, anti-Semitic, age-discriminatory or otherwise personal rights-infringing content is included,
- that even when the certificates are handed over, no obviously private information such as pet names or private knowledge about the students is publicly disseminated,
- praise and compliments should always refer to professional knowledge, competencies, and social skills, but not to appearance and physical characteristics,
- individual students or trainees should only meet with teachers on campus and not in a private setting (café)
- for confidential conversations on Campus, an open space situation with the probability of witnesses should be created, if possible,
- in situations where physical contact can be didactically useful and helpful (such as in acting as well as in instrumental and vocal training to correct playing posture, breathing, muscle work),

teachers always ask in advance whether an issue in the exercise situation may be clarified by bodily contact,

- a clear questioning of the attitude towards the group of themes "Behaviour in particularly sensitive relationships of dependency" must be part of the determination of appointment ability during the appointment discussions.

What we understand by mobbing:

Mobbing describes a conflict-laden behaviour that occurs through continued destructive actions, boundary crossings and exclusions of a specific person over a longer period, possibly also on social networks and other Internet platforms. These actions can be:

- insults, verbal abuse, hurtful treatment, ridicule, and aggressivity,
- slander or defamation of university members and associates as well as their families,
- spreading rumours about university members and associates as well as their families,
- deliberate withholding of information necessary for work or deliberate disinformation,
- threats and humiliation,
- unworthy treatment by superiors (bossing) such as the allocation of unsolvable and meaningless tasks or the non-allocation of tasks

What we understand by stalking:

In accordance with § 238 StGB, these are besetment. This includes:

- persistent turn to spatial proximity (e.g. tracking and ambushing at work, at home, at doors and windows),
- use of telecommunication or other means of communication, or
- persistent contact via third parties,
- misuse of personal data or ordering goods or services,
- threat of injury to life, physical integrity, health, or freedom of the affected person or a person close to him/her.

What we understand by corruption:

The university is committed to an anti-corruption code of conduct in both academic and non-academic contexts. The university prohibits all forms of bribery and corruptibility, be it of public officials in business dealings or in a teaching context. The university only allows exceptions to this within a narrow, clearly defined framework. For example, gifts to employees or teachers – for example in the form of invitations or in connection with advertising measures – may be accepted or granted if they serve a legitimate business purpose and are not accepted or granted in return for an unlawful advantage.

Donations to public officials shall generally be avoided.

Students' achievements may not be used for the economic and academic interests of professors ("misuse of curricular achievements"). Transparent and comprehensible contractual regulations must be created for cooperation that goes beyond the scope of teaching projects.

Appendix 3: Principle of shared responsibility for a positive learning environment

The special teaching/learning situation between teachers and students or trainees requires mutual respect and appreciation, especially with regard to the participation of both groups in the success of the teaching process.

Attendance: If you decide to participate in a class, you will attend it regularly with the aim of sharing information and knowledge with all participants and, thus, achieving the targeted learning progress, unless you are seriously prevented from attending and cancel in time. All participants in Macromedia University courses are therefore committed to appearing punctually and regularly. This reliability is part of good manners in dealing with each other.

For excursions and projects with external cooperation partners, attendance is of particular importance. If students do not comply with these attendance requirements, disciplinary measures may be taken.

The students and trainees commit themselves to active participation, the teachers to a demanding preparation and follow-up (including Moodle) as well as to an activating, competence-oriented and student-centred teaching.

Disturbance of the regular teaching process through distracting activities (e.g. communication, eating, engagement with smartphones or laptops) shall be avoided. Deviations from this rule can be agreed upon at the beginning of a course.

Supplementary information can be found in the house rules.

Appendix 4: Principle of artistic and scientific integrity

All artistic and creative staff of the Macromedia University commit themselves to observe the following rules of good artistic practice:

- Abide general principles of quality in artistic work,
- Honesty regarding the involvement of cooperation partners, contributors, and their artistic contribution,
- Assuming responsibility in care situations (e.g. regular giving of classes, good preparation of enterprises such as concerts, projects, lessons, etc.)
- Respect for other people's intellectual property,
- No deliberate interference with the artistic and creative activities of others.

In order to ensure good scientific practice, the Memorandum of the German Research Foundation (German abbreviation: DFG) applies in its currently valid version.

With regard to performance and evaluation criteria for publications, examinations, the awarding of academic degrees, promotions, hiring, appointments, and allocation of funds, good artistic and academic practice dictates that quality and originality take precedence over quantity as a measure of evaluation.

Appendix 5: Principle of separation of religion and academy/university

The university is a private place where members of different religions are welcome.

The exertion of religious practices is not allowed in this private room.

Appendix 6: Principle of respect for cultural differences and diversity

The university is a co-signatory of the Charter of Diversity and lives these values in daily interaction.

A Diversity Committee of the university takes care of the issues and is always available for complaints, comments and suggestions.

During the semester abroad, the exchange students are expected to show respect and sensitivity in dealing with the rules and cultural customs of the host country.

The International Office of the university subjects the international partner universities to constant quality control. Rules and regulations of the partner universities (e.g. conduct on campus, semester times, attendance requirements, etc.), rules of the facilities belonging to the partner university (student dormitories, sporting facilities, etc.) as well as country-specific laws and customs must be observed and followed by the students in any case.

Appendix 7: Principle of careful treatment of the environment

We make the 17 sustainability goals of the United Nations our own.

The administration of the university and the academy commit themselves to buy preferably ecologically harmless goods, even if the costs for these exceed the market price of conventional products. The prerequisite is that an ecological benefit has been proven.

All campuses are committed to purchasing ecological electricity from the respective provider.

For employee travel, the railroad is the preferred means of transport up to a distance of 500 km. Exceptions are only possible in special cases.

When leaving the classrooms, students are obliged to shut down all computers in the room and to turn off the lights.

Disposable tableware should be avoided.

Appendix 8: Principle of careful handling of information

The university with all its employees commits itself in a data protection declaration to handle the data of employees, students, and trainees with particular care.

Employees are sensitised to the challenges of data protection through mandatory trainings.

Violations or suspected violations or data protection concerns can be discussed with the company data protection officer.

Appendix 9: Dealing with infringements

Violations of the principles of financial conduct and the handling of resources require special attention in order to avert damage from the university. Any loss or theft of resources must therefore be reported to the responsible persons (professor, SSD staff or supervisors) and jointly documented. In order to avoid mistakes in the future, such violations must be analysed by the SSD, IT or human

resources department, countermeasures must be proposed and approved by the presidency or management.

Violations of the principle of cooperation also require special treatment: If it is not possible or not appropriate to solve the problem directly between the parties involved, those affected can turn to the responsible authorities listed below.

In addition to their superiors, affected employees can also contact the professors of confidentiality, the human resources department, the Diversity Committee, or the workers' council.

Affected students can turn to a person of their choice as well as to subsequent institutions: professors of confidentiality, deans, associate deans, student representatives, university management, university administration.

Affected trainees can contact the course leaders or the academy management.

The complaint procedure

Members and associates of the Macromedia University, who are affected by the violation of their personal rights through discriminatory behaviour, sexual harassment, bullying, and stalking by members or associates of the Macromedia University, have the right of review, resolution and consultation, as well as to complain about the issue. This does not affect the right to act against violations within the meaning of these guidelines without the involvement of internal university authority.

The responsible authorities

Responsible authorities in this sense are in particular:

- immediate and/or next higher supervisor,
- President or Vice President(s),
- Deans,
- Associated Deans,
- Management of the HR department,
- Diversity Committee,
- Student Representation,
- Professors of Confidentiality.

Tasks of the responsible authorities

The Macromedia University will ensure that all members and associates are fully informed about discrimination, sexual harassment, mobbing, and stalking. For employees, especially those who deal with personnel matters, the above-mentioned topics can be included in the offering of internal information events as well as internal training and further education.

To prevent sexual harassment and violence, university facilities and buildings are inspected for sources of danger and frightening spaces (e.g. due to inadequate lighting). If necessary, proposals for needed changes can be worked out in cooperation with the contact person for gender equality issues and the workers' council.

The procedure

The responsible authorities are obliged to offer affected persons an appointment for a confidential discussion and to advise them immediately after the incident has become known. It is to be resolved whether the suspicion raised is confirmed. To this end, the facts of the case are to be clarified as far as possible in separate or joint discussions with the parties involved. The responsible authorities undertake to accompany affected persons to all meetings at their request and to support them in

representing their facts, to inform the affected persons about the actual and labour law connections and consequences, to submit a procedural proposal to the parties involved and to monitor compliance with the agreement reached in the process.

If the allegation is credible and no amicable solution can be reached, the case must be forwarded to the head of the department with the consent of the person involved. The facts of the case must be recorded in writing and the records are kept in accordance with the principles of the data protection law.

Possible measures

The Macromedia University will initiate or arrange for appropriate measures in each individual case. These can be, in addition to disciplinary measures:

- Strengthening of constructive communication in the environment of those affected with the aim of obliging them to cooperate with one another,
- Obligation to participate in training events,
- Cases that emanate from third parties, e.g. house ban, no further order placement, termination of contract.

The sanctions for employees for the implementation of a formal labour law measure are:

- Admonition,
- Warning,
- termination.

The sanctions for students or trainees are:

- (1) Written complaints/warning by the Campus Director (in the sense of a yellow card),
- (2) Exclusion of cooperation projects and excursions,
- (3) Expungement or exclusion from scholarships,
- (4) De-registration,
- (5) Civil actions.