

Directive on the Use of AI Services at Flensburg University of Applied Sciences (FUAS AI Directive)

Flensburg University of Applied Sciences
University Executive Board
Oktober 14, 2026

Within the scope of its leadership and organisational responsibility, the Executive Board of Flensburg University of Applied Sciences issues the following binding directive on the use of artificial intelligence services.

This directive implements the obligations of the Regulation (EU) 2024/1689 („EU AI Act“) for the Flensburg University of Applied Sciences and embeds the handling of AI services within the existing legal framework governing data protection, copyright, confidentiality, and examination law.

The practical implementation is set out in supplementary fashion in the university's „Guideline for the Responsible Use of Academic Cloud and AI Services at Flensburg University of Applied Sciences.“

I. Purpose

(1) This directive establishes binding minimum standards for the use of AI services by members and affiliates of Flensburg University of Applied Sciences. Its purpose is to enable legally compliant, secure and responsible use of AI without preventing meaningful AI-supported work.

(2) This directive is binding. The supplementary guideline, by contrast, is of an orientation and explanatory nature only and does not create any independent obligations.

(3) Higher-ranking law, the statutory regulations of Flensburg University of Applied Sciences, employment and civil service obligations, and contractual commitments take precedence over this directive. In the event of conflicts, the Examination Procedures Regulations, the Regulations on the Conduct of Electronic Examinations, and the Regulations on Safeguarding Good Academic Practice, each in their currently applicable version, shall in particular take priority.

(4) To the extent that this directive imposes binding obligations on students, in particular in the context of examinations and assessments, these apply only within the framework and in accordance with the university's applicable examination statute law. With respect to teaching staff, the directive merely concretises existing statutory obligations. The freedom of science and research protected by Article 5(3) of the Basic Law (Grundgesetz) is affected only insofar as statutory requirements support this.

II. Scope

(1) This directive applies to all members and affiliates of Flensburg University of Applied Sciences within the meaning of the Schleswig-Holstein Higher Education Act, in particular to employees in teaching, research, technology and administration, to management staff, and to persons who use AI services on behalf of the university. For students, it applies in accordance with the provisions below, in particular in the context of examinations and assessments.

(2) In substantive terms, it covers all AI services used in the exercise of a function or task at the university, including services provided via the Academic Cloud such as Chat AI, as well as publicly accessible third-party AI tools.

(3) For university-related purposes, the institutionally provided services shall be used as a matter of priority, provided that the specific use in the individual case is legally permissible.

III. Definitions

(1) An AI service within the meaning of this directive is any AI system within the meaning of Article 3(1) of the AI Act, in particular generative systems for producing text, code, images, audio or other content.

(2) Locally hosted models are models in which the processing of inputs remains on the systems of the providing academic infrastructure. External models are models in which inputs are forwarded to third-party providers (see the model distinction of the Chat AI service).

(3) The university is the deployer insofar as it uses an AI service under its own responsibility. The university may become a provider if it develops an AI system, substantially modifies it, or deploys a general-purpose system for high-risk purposes, thereby making it a high-risk AI system.

IV. General Principles

(1) Responsibility for the use of an AI service and for the use of its results always lies with the person using it. AI outputs must be checked for accuracy, completeness, currency and legality before any use for official purposes. Unverified AI outputs must not be passed on as reliable information.

- (2) AI services must not be used for practices prohibited under Article 5 of the AI Act.
- (3) The institutional provision of an AI service does not constitute blanket permission to enter or process arbitrary content. Before entering data, each user must always verify under their own responsibility whether personal data, particularly sensitive data, confidential information, copyright-protected material or contractually restricted content is involved.
- (4) AI services shall be selected and used in such a way that unlawful disadvantage is avoided and gender equality, diversity and accessibility concerns are appropriately taken into account. Before use, AI outputs must also be checked for overtly discriminatory, stereotyping or exclusionary content.
- (5) When selecting, providing and mandating the use of AI services, digital accessibility requirements shall be appropriately taken into account. Insofar as barriers become known, reasonable alternatives, support measures or compensation for disadvantages shall be provided.

V. AI Literacy

- (1) The university ensures a sufficient level of AI literacy among its personnel and among persons acting on its behalf (Article 4 of the AI Act). It fulfils this obligation by means of a mandatory basic training course, the delivery of which is documented so that the ensured competence can be demonstrated if required.
- (2) Use of AI services for official purposes requires prior participation in the basic training. For employees with special tasks, in particular in the examination and assessment context, in the processing of sensitive data and in third-party funded projects, additional role-specific content shall be provided.
- (3) If teaching staff mandatorily require students to use an AI service for a coursework or examination achievement, documented competence training must be ensured for the students concerned beforehand. The mere provision of AI services for general study purposes does not trigger this obligation.

VI. Model Selection and Data Protection

(1) Personal data may be entered only to the extent necessary for the intended purpose and exclusively into locally hosted models. Even for locally hosted models, processing is permissible only on a legal basis under data protection law and only for the specified purpose. Processing is governed by the GDPR and the Schleswig-Holstein State Data Protection Act.

(2) Particularly sensitive data within the meaning of Article 9 GDPR, as well as personnel, examination, health, application, counselling and disciplinary data and comparable personal data, must not be entered into AI services unless a process exists that has been explicitly authorised in advance by the university and reviewed under data protection law.

(3) External models may be used only for uncritical, non-personal and non-confidential content, as inputs are forwarded to third-party providers. Mere pseudonymisation is not sufficient. Only the processing of anonymised data, where re-identification is ruled out, is permissible.

(4) In cases of doubt, the Data Protection Officer must be involved before use. Students should first contact their teachers with data protection questions; the teachers will then involve the Data Protection Officer where necessary.

VII. Confidentiality, Trade Secrets and Third-Party Funded Projects

(1) Confidential institutional documents, in particular committee, appointment, strategy, legal, financial and procurement documents as well as documents relating to ongoing proceedings, must not be entered into AI services unless an explicitly authorised process permits this.

(2) Third parties' trade and business secrets and confidential project information must not be entered into AI services. Trade secrets are protected only if they are subject to reasonable confidentiality measures (Section 2 No. 1 of the German Trade Secrets Act – GeschGehG). Entering them into external models may cause this protection to be lost and may violate contractual confidentiality obligations.

(3) In third-party funded and cooperation projects, it must be verified before any use of AI whether cooperation, consortium or funding agreements as well as non-disclosure agreements permit the intended use. Use that is permissible only by way of exception shall be restricted to

locally hosted models. In case of doubt, the consent of the project partner organisation or project partner company must be obtained in advance. Contractual agreements do not change the university's legal classification as a provider or deployer.

VIII. Copyright

(1) Third-party copyright-protected content, such as texts, images, code or teaching materials, may be entered into AI services only insofar as a legal basis exists for doing so. The provision of the service does not create such permission.

(2) For research purposes, the statutory text and data mining exception may apply, provided that the input actually serves scientific research (Section 60d of the German Copyright Act – UrhG). Outside research, only the general text and data mining exception may be considered (Section 44b(2), sentence 1, UrhG). However, it should be noted that the rights holder may effectively reserve – and thereby exclude – such use (Section 44b(3), sentence 1, UrhG). Permissibility therefore always depends on the purpose and must be assessed separately and differently for research, teaching and administration.

(3) If there are doubts as to the permissibility of use, input must be refrained from until the legal situation has been clarified.

(4) Irrespective of the obligations under the preceding paragraphs 1–3, AI outputs must always be checked before publication or distribution to determine whether they contain protected third-party content. The applicable citation and labelling practice must be observed.

IX. Examinations and Assessment

(1) In the examination, assessment and admissions context, AI services may be used only in a supporting and preparatory capacity. The subject-specific evaluation, the assessment and the responsibility remain entirely with the person authorised to conduct examinations, in observance of and compliance with the allocation of assessment to the persons authorised to conduct examinations and the Examination Board under the Examination Procedures Regulations and the examination and study regulations of the university.

(2) Automated assessment, grading, credit recognition or selection decisions based on an AI service without a final human decision are not approved. Any subsequent approval requires a process that has been reviewed and explicitly authorised in advance by the university.

(3) If students are permitted or required to use AI in coursework or examinations, the permissible use, its limits and any documentation and citation obligations must be clearly and comprehensibly communicated in advance in accordance with the applicable examination statute law. Otherwise, the examination law provisions on deception and impermissible aids shall apply.

X. Impermissible Uses

Without prejudice to the preceding sections, the following uses are in particular impermissible:

1. entering security-relevant data such as passwords, access tokens, security keys or non-public vulnerability information,
2. entering personal examination, administrative and personnel data as well as confidential institutional documents without a process previously authorised by the university,
3. entering non-public third-party materials, in particular unpublished manuscripts, licensed content, third-party trade secrets or NDA-bound material without a secure legal basis,
4. sole reliance on AI-supported decision-making in matters significantly affecting individuals (human responsibility must not be delegated to an AI system),
5. use for purposes of deception, identity concealment or disinformation.

XI. Approval of Special Applications

(1) Applications with an elevated legal risk require explicit approval by the university before their introduction. This concerns in particular AI-supported decision support in processes involving personal data, high-risk use within the meaning of the AI Act, and the integration, adaptation, fine-tuning or further development of AI models.

(2) Approval requires a prior legal, data protection and technical review involving the responsible bodies of the university. In particular, it must be clarified whether, through such use, the university moves from its role as deployer to the role of provider, and what additional obligations result from this.

XII. Responsibilities and Governance

(1) This directive is issued and updated by the Executive Board. For operational implementation, information and documentation, the Executive Board designates a university-wide coordinating office.

(2) When applying this directive and in cases of doubt, the following shall be involved depending on the subject matter: the Legal Counsel in legal matters, the Data Protection Officer in data protection matters, the office responsible for IT security in security-related matters, the responsible Staff Council in internal measures relevant under staff representation law, and the office responsible for research and development in project matters. In cases relevant to research ethics, the Ethics Committee must be involved.

(3) Insofar as an application affects gender equality, diversity or accessibility concerns, the Equal Opportunities Officer and/or Diversity Officer shall be involved at an early stage.

(4) The coordinating office keeps the records of the AI literacy measures and maintains the approval decisions in a traceable manner.

XIII. Violations

(1) Violations of this directive may result in measures under civil service and employment law and may have consequences under examination law in the examination context.

(2) Any further consequences under civil, data protection, copyright or criminal law remain unaffected.

XIV. Entry into Force and Review

(1) This directive enters into force on the day following its announcement within the university, after completion of the required consultation procedures.

(2) It shall be reviewed at least annually and, as occasion arises, in the event of significant changes to the legal situation, the services used or the models, and updated as required.

(3) Each time this directive is amended, the supplementary guideline shall be reviewed for consistency and adjusted accordingly.

Document Information and Version

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Approved by	FUAS Executive Board (Präsidium der Hochschule Flensburg)
Responsible for updates	Vice president for study programme development, digitalization, equality, and diversity (2026) Coordinating Office: Iris Mainusch
Agencies to Consult for Technical Matters in Cases of Doubt	The Legal Department for legal matters; the Data Protection Officer for data protection matters; the IT Security Council for security-related matters; the Equal Opportunity and Diversity Officer for matters related to equality, diversity, or accessibility; the relevant staff council for internal measures relevant to staff representation law; the Research and Development Department for matters related to third-party funding, collaborations, and projects; Ethics Committee for cases involving research ethics; Exam Administration and Student Services for exam-related procedural and administrative matters
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Executive Board of Flensburg University of Applied Sciences

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