



## Information on the processing of personal data for conducting online examinations under video supervision (§ 32 LHG, Art. 13 GDPR)

The protection of your personal data is an essential concern of the University of Freiburg and we want you to be informed as best as possible about the processing of your personal data. Please take note of the following data protection information with regard to the processing of your personal data in the context of conducting online examinations under video supervision at the University of Freiburg.

<p><b>Responsible party for data protection issues</b></p>	<p><b>Data protection officer</b></p>
<p>University of Freiburg Friedrichstraße 39, 79098 Freiburg 0761/203-0 <a href="mailto:datenschutz@uni-freiburg.de">datenschutz@uni-freiburg.de</a></p>	<p>University of Freiburg Data protection officer Friedrichstraße 39, 79098 Freiburg <a href="mailto:datenschutzbeauftragter@uni-freiburg.de">datenschutzbeauftragter@uni-freiburg.de</a></p>
<p><b>Purpose of data processing</b></p>	
<p>Due to the Corona pandemic and the associated restrictions on study activities, the legislature has created the legal framework for conducting examinations that are provided using electronic information and communication systems (online examinations) in Section 32 a of the Landeshochschulgesetz (state law on higher education) (LHG). The legal framework is substantiated by relevant regulations of the <a href="#">Corona statutes of the University</a>.</p>	
<p>According to these regulations, online examinations can also be conducted under video supervision, orally and in text form, within and outside the University's premises or test centers (inside / outside the University). Participation in an online exam under video supervision conducted outside the University is voluntary.</p>	
<p>Oral and practical online examinations under video supervision are conducted at the University of Freiburg as videoconferences. When conducting online examinations under video supervision, priority is given to video conferencing systems that are operated on the University's own servers. This concerns the BigBlueButton (BBB) system as well as the virtual classroom system Adobe Connect. In addition, the DFNconf service, operated by the German National Research and Education Network (DFN) and tailored to the needs of research and teaching, can be used.</p>	
<p>In the context of online examinations under video supervision, the University of Freiburg may process personal data of its members and affiliates, insofar as this is necessary for the proper execution of the examination.</p>	
<p>If the reliable and trouble-free execution of the online examination cannot be guaranteed by an information and communication system or DFN-conf operated by the University of Freiburg itself, the video communication system ZOOM operated on behalf of the University can be used as an exception. In</p>	

this context, information on data processing when conducting online examinations under video supervision can be found in the [ZOOM privacy policy](#) from the University of Freiburg.

### **Data categories and data security**

When conducting online examinations under video supervision outside the University, the following personal data is processed from the participants:

- First and last name/ pseudonym
- Time stamp
- Visual and audio data
- Birthdate
- Maiden name, where applicable
- Screen contents, written data where applicable
- Device/hardware information
- IP-address
- Student registration number
- Valid ID

If the online examination under video supervision takes place within the University using the University's own IT infrastructure, only visual and audio data, identification data and, if applicable, screen contents with a personal reference are processed in the regulation.

Only the personal data required to conduct the online examinations under video supervision is processed.

The visual and audio data recorded via the camera and microphone of the respective device are transmitted together with the IP address and device/hardware information to the servers of the video communication system used. In the case of BBB and Adobe Connect, the servers are located in the secure machine room of the data center. When using DFNconf, the data is processed on servers of the DFN-Verein. Optionally, when using a presentation, the transmission of the screen content can be enabled or a PowerPoint presentation (ppt/pptx file) can be uploaded.

To ensure the security of your personal data during transmission, all video communication systems used employ state-of-the-art encryption procedures (SSL and TLS). The video and audio data are SSL-encrypted and forwarded to the participants' end devices for the duration of the test.

The control of the camera and microphone function as well as the presentation of screen contents (optional) is carried out by the participants themselves. In order to prevent cheating, candidates in online examinations under video supervision are obliged to activate the camera and microphone function of the communication devices used for supervision, insofar as this is necessary for the examination format. In the case of examinations outside the university, the examinees must ensure that no images or sounds of third parties are transmitted when selecting the examination location and aligning the camera and microphone. There will be no further room monitoring. Furthermore, the participants shall ensure for their own area of responsibility that the contents of the examination are not accessible to third parties.

Before starting an online examination under video supervision, examinees must prove their identity upon request, in particular by showing an official photo ID or a student ID with photo. The document

must contain only the information necessary to verify identity and should otherwise be redacted. Alternatively, for the purpose of establishing identity, a digital copy of the ID card or passport can be deposited in advance in the associated examination course on ILIAS or submitted by e-mail. This digital copy should also be blacked out accordingly.

#### **Legal basis for data processing**

- Students

Article 6 paragraph 1 subparagraph 1 lit. c) and e), paragraph 3 General Data Protection Regulation (GDPR) in conjunction with §§ 12, 32 a, 32 b LHG in conjunction with the relevant regulations of the university study and examination regulations as well as the relevant regulations of the statutes of the Albert Ludwig University for dealing with the effects of the Corona pandemic in the area of study and teaching (Corona statutes).

- Examiners, assessors, record keepers (employees)

Article 6 paragraph 1 subparagraph 1 lit. b) and e), respectively, in conjunction with. Paragraph 3, 88 GDPR in conjunction with. § 12 LHG, § 15 Landesdatenschutzgesetz (state data protection law), §§ 83 ff. Landesbeamtengesetz (State Civil Servants Law) BW, § 56 LHG.

#### **Storage duration or criteria for determining duration**

The data specified above will only be processed for as long as is necessary for the purpose of conducting the online examination under video supervision. Connection data is deleted immediately.

There will be no recording of the exam or other storage of visual and audio data unless it is necessary for the transmission of the online exam under video supervision. Uploaded presentations and other documents transmitted for the purpose of conducting the examination will be deleted after the examination.

IP address and hardware information of devices are usually stored for a period of seven days in the access and error log of the server for possible error analyses.

Storage of data processed in connection with the establishment of identity only takes place in the form of technically necessary intermediate storage. Personal data from the intermediate storage is deleted immediately, at the latest after seven days. Likewise, data transmitted by examinees by e-mail or in any other form before the start of the examination for the purpose of establishing identity will be deleted immediately after the examination. The documents/data will not be included in the examination files.

#### **Recipient categories**

The data required for conducting oral examinations as videoconferences are usually processed in the local systems of the University of Freiburg. Access to these data is granted to the participants and, if necessary, to employees of the University IT Services (support) entrusted with the technical maintenance of the systems to the extent required in each case.

When using DFNconf, the data is processed on servers of the DFN-Verein. Further information can be found at <https://www.conf.dfn.de/datenschutz/>.

### Your rights as a data subject

1. The right to obtain confirmation as to whether personal data concerning you are being processed and to obtain information about the data processed, further information about the data processing and a copy of the data processed (Article 15 of the GDPR).
2. The right to have inaccurate or incomplete personal data corrected or completed (Article 16 of the GDPR)
3. The right to have personal data concerning you deleted without undue delay, where there are specific grounds for doing so (Article 17 GDPR)
4. The right to restriction of processing under certain conditions (Article 18 GDPR)
5. The right to data portability or to receive the data in a structured, commonly used and machine-readable format, provided that certain conditions are met (Article 20 GDPR)
6. You also have the right to lodge a complaint with a supervisory authority about the processing of personal data concerning you by the University of Freiburg (Article 77 GDPR). The supervisory authority in terms of Article 51(1) of the DS-GVO with regard to the University of Freiburg is, pursuant to Section 25(1) of the LDSG: [The State Commissioner for Data Protection and Freedom of Information of Baden-Württemberg](#), [poststelle@lfdi.bwl.de](mailto:poststelle@lfdi.bwl.de)

### Information about appeals according to Article 21 paragraph 1 GDPR

You have the right to object at any time, on grounds relating to your particular situation, to the processing of data relating to you which is carried out on the basis of Article 6(1)(e) GDPR (data processing in the public interest).

### Additional notes

Access to online exams via BBB, Adobe Connect, DFNConf is provided for teachers/examiners via their University account, students usually receive the access links via the learning platform ILIAS or the exam ILIAS (ILIAS-Exam). Information on registration and data protection can be found here:

ILIAS learning platform: <https://ilias.uni-freiburg.de/ilias.php?baseClass=illmprintGUI>

ILIAS-Exam: <https://eklausur.uni-freiburg.de/ilias.php?baseClass=illmprintGUI>