

Privacy statement online proctoring of examinations

Your privacy is important to Maastricht University (UM) and we therefore treat your data with care. UM is the controller of your personal data. This privacy statement explains how UM safeguards your privacy.

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Online exams

As long as the COVID-19 measures are in effect, the opportunities to sit exams on location at UM are limited. Aside from COVID-19 there may be other reasons why students are unable to sit their exams on campus, such as participating in a top-level sports programme.

UM puts the interests of its students first and wants to ensure that exams go ahead wherever possible, using testing methods that do justice to the assessment requirements. Above all, UM wants to avoid incurring (serious) study delays. Therefore, UM has opted to organise digital exams with options for online proctoring using Proctorio as a proctoring service in combination with Testvision and Blackboard Collaborate Ultra.

This has proven to be a complex task, requiring careful investigation by the UM of the impact of online proctoring on the students' privacy. For the UM protecting its students' privacy is very important; but equally important is UM's obligation to provide high-quality education, which necessarily includes assessment. Pursuant to the UM exam procedures, it is essential to be able to confirm a student's identity prior to the exam; to confirm that the student uses no aids during the exam other than those permitted, nor any (other) mobile devices; and to confirm that the student does not commit fraud in any other way.

This privacy statement specifically relates to the use of online proctoring during exams for the academic year 2020-2021 onwards. The objective of using online proctoring is to replicate the invigilation used during exams held in the MECC as closely as possible, but online.

UM has made every effort to protect your privacy. Given the complexity of this matter and ongoing developments, the privacy officers of all universities continue to advise on how best to protect students' privacy and address students' concerns. The Data Protection Officers also continue to monitor the situation closely.

This privacy statement presumes that:

1. Students must identify themselves for the camera using their UM card. In the absence of a UM card, they may use some other form of legal identification. Students are advised to

cover the BSN number (or other national ID number) and document number such that it is impossible for these data to be recorded, stored and processed.

2. Students should preferably remove any objects from their surroundings that display personal information (such as photos or items with religious or political significance).
3. Students are aware of the specific behaviours that may qualify as fraudulent. The UM exam regulations specify which activities will be deemed to constitute fraudulent behaviour and what the consequences are.

UM also has a general privacy statement, which can be found at www.maastrichtuniversity.nl. This general privacy statement concerns the processing of data not specifically referred to in the present privacy statement. The general privacy statement will occasionally be referred to in this document for information purposes.

What personal data does UM process?

In the organisation and implementation of online proctoring, we process only those personal data necessary for determining whether the exam was taken by the right student (identification) and under the right conditions (fraud prevention).

This concerns the following personal data:

- a. student number;
- b. name;
- c. email address;
- d. exam registration in the basic administration (SAP);
- e. your answers to the exam questions;
- f. IP address of the network to which your computer is connected;
- g. image of your UM card or legal ID;
- h. photo of you, taken through the webcam of your computer/laptop;
- i. a video and audio recording of you and your immediate surroundings during the exam;
- j. your activities on the screen during the exam (screen recording);
- k. your keystrokes and mouse movements during the exam;
- l. addresses of webpages you visit during the exam;
- m. if applicable, provisions granted in connection with a disability (but not the reason why they are required).

This information is collected and processed using the testing platform TestVision, Proctorio and Blackboard Collaborate Ultra. The online proctoring (recording) is terminated as soon as the exam is concluded.

For oral exams, a recording may be made when it is not possible for a second assessor to be present at the exam.

Purposes of processing personal data

UM processes the above personal data for the following purposes:

- **Authentication:** Before or during the exam, the student's ID is checked to confirm that he/she is the person registered to participate in the exam session.
- **Fraud prevention and detection:** During the exam, proctoring is used to check whether the student complies with the applicable rules and does not consult unauthorised sources (e.g. cheat sheets). Prior to the exam, the Examination Board establishes and communicates what UM will regard as fraudulent behaviour and how this behaviour will be dealt with.
- **Time check:** After the exam, a time check is performed to confirm that the student completed the exam within the allotted period.

Lawful basis for processing personal data

Whenever UM processes your personal data, it has a lawful basis for doing so. The lawful basis provides the rationale for the processing of personal data.

UM processes your personal data to meet its public obligation to provide academic education; i.e. to ensure that students are afforded the appropriate provisions and opportunities to complete the courses/programme to which they are entitled in accordance with the Higher Education and Research Act (WHW).

Recipients of personal data

UM has taken steps to ensure that only those individuals who need to process your personal data have access to these data. Only the online invigilator (sharing of data) and the Education Office (processing and storage of data) with whom you have shared your data, and his/her colleagues with a corresponding task within the same faculty or service, have direct access to your data. The course coordinator, tutor or other staff do not have access to the recordings.

The recordings are stored by Proctorio on servers of MS-Azure within the EU, using zero-knowledge encryption. This means that while Proctorio stores the data, they will not be able to read it in any way. Only Maastricht University has the decryption key to read the data that is stored by Proctorio. Therefore a secured link in Testvision is needed.

Your consent is required for your data to be shared beyond this immediate circle, unless otherwise provided for by law.

Retention periods

UM does not keep personal data for longer than is necessary to achieve the purpose of processing the data or to comply with a legal obligation. The recordings stored with Proctorio will be deleted at the moment fraud is excluded. Technical data will be deleted within 6 months.

Personal data processed in the context of online proctoring are stored by Proctorio on servers of MS-Azure within the European Union. For oral exams, recordings (if necessary) are made using Blackboard Collaborate Ultra, and stored on Blackboard servers within the European Union.

If identity fraud or exam fraud is suspected, your personal data will be stored for the period needed to complete the procedures for objection and appeals. At UM, this period is six months.

Students' answers to exam questions and exam attendance records are stored in accordance with the retention periods stipulated by law (WHW) or UM policy.

Your rights

Privacy legislation gives you a number of rights in relation to your personal data. These are outlined below. The general privacy statement at www.maastrichtuniversity.nl contains more information about each of these rights and how to exercise them. You have the right to inspect, rectify or delete your personal data. In addition, you have the right to restrict processing, to have your data transferred to another party and to object if your data are processed on the basis of a legitimate interest. If you wish to exercise one of these rights, please use the form available at www.maastrichtuniversity.nl under the general privacy statement, send an email to privacy@maastrichtuniversity.nl or contact the Data Protection Officer directly at fg@maastrichtuniversity.nl.

If you have a complaint about the way UM processes your personal data, please contact UM using the contact details above. Moreover, you have the right to submit a complaint to the Dutch Data Protection Authority. Details of how to do this can be found on the website of the Data Protection Authority.

Contact details

If you have a query about this privacy statement or want to know more about how UM handles personal data, or if you have a complaint, please contact:

Maastricht University
Attn. Data Protection Officer
PO Box 616
6200 MD Maastricht
privacy@maastrichtuniversity.nl

You can also contact UM's Data Protection Officer directly by emailing: fg@maastrichtuniversity.nl.

The above email addresses are intended solely for contacting UM in connection with privacy matters. They are not intended for correspondence on other matters.