

# Data Protection Statement

Distance Learning



WU (Vienna University of Economics and Business) is committed to protecting your personal data. Your personal data are kept confidential and processed in accordance with the provisions of the applicable data protection laws. In fulfillment of our obligation to provide information pursuant to Articles 13 and 14 of the General Data Protection Regulation (GDPR), we would like to inform you about the types of personal data that are processed in connection with the switch to distance learning formats and hybrid models (i.e. a mix of distance learning and on-site attendance) and what these data are used for.

## CONTACT INFORMATION

You can contact us at:

### Controller:

WU (Vienna University of Economics and Business), Welthandelsplatz 1, 1020 Vienna

### Contact:

[studentsupport@wu.ac.at](mailto:studentsupport@wu.ac.at)

### Data Protection Officer:

WU (Vienna University of Economics and Business)  
c/o Data Protection Officer

Welthandelsplatz 1, AD building, 1020 Vienna

[datenschutzbeauftragter@wu.ac.at](mailto:datenschutzbeauftragter@wu.ac.at)  
[datenschutz@wu.ac.at](mailto:datenschutz@wu.ac.at)

## WHICH TYPES OF PERSONAL DATA ARE PROCESSED AND FOR WHICH PURPOSES?

**Virtual participation:** If classes are held in a virtual format, we process the data provided to us by the video conferencing tool used (Microsoft Teams and Zoom). This can include the following categories of personal data:

### Text, audio, and video data:

If the chat function is used, the text you enter will be processed so that it can be displayed during the class. If you have activated the camera or microphone on your end user device to participate actively in the video conference, we will process the audio and video data you transmit so that other participants can see and hear you. We will also process any other contents you share using the video conferencing tool, for example presentations or documents.

### Metadata:

To facilitate your participation in the course, we also need to process your metadata, including for example your IP address, device and hardware information, connection time, etc.

### Account data:

If you have a Microsoft Teams or Zoom account and are logged in, we will also process your Microsoft Teams or Zoom account data, to allow the system to recognize your account.

**On-site attendance:** If the course is being offered in a hybrid format (participation possible either on-site or on Microsoft Teams or Zoom; this option will be noted explicitly in the online course catalog if available), audio and video data of on-site attendees and other contents and information presented during the class by participants may also be processed, to enable those participants attending the class virtually to participate in the on-site course as comprehensively and realistically as possible via the video conferencing tool used.

**Attendance lists:** For courses with attendance requirements, we will collect the following data to confirm your attendance:

Virtual attendance:

Attendance lists are generated automatically for classes held on Microsoft Teams and Zoom. We process connection data, i.e. who entered the virtual classroom at what time, and when they leave.

On-site attendance:

To document attendance, teachers are required to keep attendance records for on-site classes, including students' names, student ID numbers, attendance date, signature if applicable, and assigned seat number. We also collect this data to allow us to ascertain and notify contacts in the event of a suspected or confirmed COVID-19 infection as well as to inform the health authorities.

## **WHAT IS THE LEGAL BASIS FOR PROCESSING YOUR DATA?**

- Art. 6 (1) item c of the GDPR – in compliance with our legal obligations, especially the Universities Act (§ 3 items 1, 6, and 7 and §§ 76 et seq.) Students' freedom to study pursuant to § 2 of the Universities Act also covers the right to attend the courses they need to achieve their educational goals (§ 59 Universities Act). Courses must be offered in a virtual format if no other option is available. We are also required to provide information to the health authorities upon request, pursuant to § 5 [3] of the Austrian Epidemics Act (*Epidemiegesetz* 1950).
- Art. 6 (1) item e of the GDPR – for performing the statutory tasks of a university; especially to ensure the right to education pursuant to Art. 14 of the Charter of Fundamental Rights of the European Union, freedom of study pursuant to § 2 of the Universities Act, and the right of students to attend the courses necessary for the achievement of their educational goals pursuant to § 59 of the Universities Act.

## **DOES THE PROCESSING INVOLVE ANY AUTOMATED DECISION-MAKING (PROFILING)?**

No, no automated decision-making (including profiling) is involved.

## **ARE YOU OBLIGATED TO PROVIDE YOUR PERSONAL DATA?**

Virtual attendance: The provision of personal data is required for holding or attending courses in virtual formats. It is generally not possible to participate in a virtual course without providing your personal data. During the virtual course, it is principally up to you whether you activate your

camera and/or microphone, use the chat function, or share content. In courses where active student participation is required, it may be necessary to provide text, audio, and video data and other contributions to successfully complete the course. It may also be necessary to activate your camera at the start of classes with attendance requirements so that your attendance can be confirmed.

On-site attendance: If you attend a hybrid class in person but do not want your data gathered, ask the course instructor about which areas of the classroom are out of range of the camera and microphone. In hybrid courses where active student participation is required, it may be necessary to provide text, audio, and video data and other contributions to successfully complete the course. In classes taught on-site, you are also required to provide your attendance data for contact tracing purposes, because WU is obligated to trace and notify contacts in the event of a suspected or confirmed COVID-19 infection. Attendance list data must be provided in classes with attendance requirements, so your attendance can be confirmed and documented.

### **WHO HAS ACCESS TO YOUR DATA?**

As a general rule, we do not transmit your data to any third parties. In individual cases, however, it may be necessary to transmit the data to external processors commissioned by WU to meet the purposes specified above. We select our processors carefully and conclude data processing agreements that obligate them to process your data in accordance with the applicable legislation.

To allow students to virtually attend classes, we use the video conferencing systems provided by Zoom Video Communications Inc. (Zoom) and Microsoft (Microsoft Teams), both with registered offices in the USA. This means that personal data is also processed in a third country. We transfer your data based on standard data protection clauses pursuant to Art. 46 (2) item c of the GDPR. If you have any questions, please don't hesitate to contact us.

Participants attending the class virtually will receive text, video, and audio data as well as other content shared or presented by the other participants during the transmission of the class. The names of participants attending the class virtually will also be visible to other participants.

Upon request by the health authorities, we are obligated to provide information on course attendees pursuant to § 5 [3] of the Austrian Epidemics Act. This may require us to reveal attendance list data.

### **HOW LONG DO WE STORE YOUR DATA?**

We process your data only as long as necessary for the purposes of holding the course and the required course-related record keeping. Beyond that, we retain your data only as long as required by any applicable statutory data retention periods.

Data processed as part of virtual class attendance are processed only for the duration of the class and then deleted. For details on the recording of classes and longer access to allow users to view the recordings at a later date, please see our [Data Protection and Copyright Statement for Recordings](#).

Course attendance lists will be deleted 28 days after the last on-site classroom unit.

### **WHAT ARE YOUR RIGHTS AS A DATA SUBJECT?**

As a data subject in the context of these data processing operations, you have the following rights vis-a-vis WU: information and access, rectification, deletion, restriction of data processing, data

portability, and objection. As a data subject, you also have the right to file a complaint with the Austrian Data Protection Authority. Further information on your rights as a data subject is available at <https://www.wu.ac.at/en/datenschutz/betroffenenrechte>.