

## Data protection statement for online exam supervision

The COVID-19 pandemic requires far-reaching measures for ensuring the protection of the population, and these measures also affect teaching and conducting examinations at universities. In particular, it is currently not possible to teach any classes or to conduct any exams on campus. To minimize the negative effects on students, WU has switched its courses and examinations to distance-learning and online formats. Online exams require some adjustments regarding the rules for exam supervision. As with all other exams and performance components at WU, what counts is each student's individual performance. Online exam supervision is necessary to ensure that students work independently during online exams, without outside help and without any unauthorized aids.

In the following, we will inform you about the processing of personal data during online exams with online exam supervision, pursuant to Art. 13 of the General Data Protection Regulation (GDPR).

### CONTACT INFORMATION

**Controller:**

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

**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

If you have any general questions or requests regarding data protection at WU, you can write to [datenschutz@wu.ac.at](mailto:datenschutz@wu.ac.at).

### WHICH TYPES OF PERSONAL DATA ARE PROCESSED?

To detect any instances of cheating, automated online exam supervision will be activated on the day of the exam, as soon as you start the exam in question.

To enable online exam supervision, it is necessary that you allow us to record the entire screen and to access the camera and microphone on your desktop computer or laptop. As part of online exam supervision, pictures will be taken of you and your screen and audio recordings will be made via your microphone on a random basis. During and after the exam, these pictures and recordings may be accessed by the person responsible for the exam and potentially also by a small group of exam supervision staff.

### FOR WHICH PURPOSES DO WE PROCESS YOUR DATA?

The data indicated above are processed for the purpose of conducting the online exam and ensuring its integrity, in particular for ensuring that you work on the exam independently and without any outside assistance, that you do not discuss any exam topics verbally with any third parties, and that you do not use any unauthorized aids (on the internet, your computer). The integrity of examinations is a fundamental requirement for ensuring the high quality of the academic degrees awarded by WU. A WU degree certifies that our graduates are optimally prepared for the demands of professional life.

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

WU processes your personal data on the basis of Art. 6 (1) item e of the GDPR, i.e. for performing the statutory tasks of a university, in particular for determining and evaluating student performance pursuant to § 72 of the Universities Act (*Universitätsgesetz, UG*). According to § 73 of the Universities Act, student performance must be declared void through an official notification if the grade on an exam was obtained by fraudulent means (i.e. cheating), in particular the use of unauthorized aids.

Pursuant to an ordinance issued by the federal minister of education, science and research on special study regulations for universities and university colleges of teacher education due to the COVID-19 pandemic (*COVID-19-Universitäts- und Hochschulverordnung – C-UHV*), WU is obligated to ensure that examinations held in digital formats are conducted properly. In particular, the identity of the students taking the exam must be established before the start of the examination. WU is also obligated to implement appropriate technical and organizational measures for ensuring that students work on the exam independently and without outside help.

The data processing operations specified in this document are also performed based on Art. 9 (2) item j of the GDPR in conjunction with Art. 89 (1) of the GDPR and § 2f (5) of the Act on the Organization of Research (*Forschungsorganisationsgesetz, FOG*).

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

No.

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

The data are necessary for conducting the online examination and carrying out online exam supervision.

Pursuant to Art. 21 of the GDPR, you can object to the processing of your personal data on grounds relating to your particular situation. If you lodge such an objection, the processing of your personal data will only be stopped if the objection is based on special grounds and if WU does not have any compelling grounds for processing the data that override your interests. If you would like to object to the collection and further processing of your personal data as part of online exam supervision, please contact the person responsible for the exam immediately, stating the grounds for your objection.

## **WILL YOUR DATA BE PASSED ON TO ANY THIRD PARTIES?**

NO. Your data will be processed exclusively by WU, and only for the purposes indicated above. The data will be stored on WU servers and will not be transmitted to any third parties.

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

The data will be stored for the 4-week grading period and, after that, for the 2-week period during which students can appeal their grades. After these periods, the data will be deleted. In the event of an objection, the data will be stored until the conclusion of the associated proceedings and then it will be deleted.

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

As a data subject in the context of these data processing operations, you have all statutory rights vis-a-vis WU that the GDPR guarantees to data subjects (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 on the website of the Austrian Data Protection Authority at <https://www.data-protection-authority.gv.at/rights-of-the-data-subject>.