Addendum guideline EER online surveillance and online proctoring

To add to Article 1.1

The guideline EER contains several Articles about testing (e.g. 4.1, 4.4.3, 4.4.5, 4.5, 4.6, 4.7, 4.8, 4.9). In addition, a programme's examination board defines, under their own authority, rules and regulations for examiners, exams and tests and the final examination (EER Article 5.1.4, WHW Article 7.12b). For example, about fraud, about measures an examination board can take when they detect fraud and about order in tests. In addition to this, the following applies:

1. Exams and tests of the degree program are oral or written examinations and can also be held online.
2. When a test or exam is held online by means of online surveillance[1] or online proctoring [2] the examination board may lay down further rules and conditions.
3. These further guidelines must comply with the General Data Protection Regulation (GDPR[3] / AVG), the Data Protection Impact Assessment (DPIA[4]) on proctoring and the EER.
4. Pursuant to articles 12 – 14 GDPR, students must be informed before the use of online surveillance or online proctoring about the processing of their personal data
5. Pursuant to the DPIA
    a. online surveillance or online proctoring can be used:
        i. in the event that students are not able or allowed to come to the campus due to the restrictions following the corona crisis and where no alternative exam method is possible. This means it can be used as well for students who cannot come to an on campus test as well as for an entire online test
        ii. for online education within ITC and post-initial education.
    b. the retention period of the data is 30 days, unless the examination board decides that the data needs to be maintained longer for a fraud investigation.

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[1] Camera surveillance of student(s) during exam without recording via e.g. Canvas, Teams,..
[2] Surveillance of student(s) using special proctoring software e.a. Proctorio.
[3] The text of the GDPR (AVG in Dutch) can be found here: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679
[4] The DPIA is an instrument to point out privacy risks of a processing operation to be able to take measures to mitigate those risks. In this case it is done for proctoring. Among a lot of other things, it describes the rights of the data subjects (in this case: the students) and the context in which proctoring can be used