

Privacy statement

‘Exams with online supervision’

Version 1.0

Date: 13 August 2024

VU Amsterdam has chosen to use a remote written exam with online supervision (online proctoring) as an alternative to a written exam on campus with supervision by invigilators. This will only be permitted in the following cases:

1. When there is a necessity, such as national government measures that prevent large groups of students from coming to campus and situations in which it is unsafe to allow students to come to campus;
2. For candidates who have to take a selection test for admission to a numerus fixus bachelor's degree programme;
3. For students who - at their own request - have received permission from the examination board to take their exam with online proctoring due to individual special circumstances.

This Privacy statement deals with tests that are monitored using the online proctoring software of ProctorExam.

VU Amsterdam considers privacy important and therefore handles your personal data with care. In this Privacy Statement we describe what happens to your personal data and how your privacy is safeguarded when you take a VU test with online monitoring.

For more information see also <https://vu.nl/en/student/examinations/online-proctoring>

1. Who is responsible for processing my personal data?

The Stichting VU (hereinafter referred to as: **VU Amsterdam**) - which maintains the Vrije Universiteit Amsterdam - is responsible for the data processing operations described in this privacy statement. VU Amsterdam has a statutory duty to ensure that your personal data is processed in accordance with applicable privacy legislation, including the General Data Protection Regulation (GDPR).

VU Amsterdam has its registered office at De Boelelaan 1105 in (1081 HV) Amsterdam and is registered with the Chamber of Commerce under number 53815211.

2. What (categories of) personal data are processed?

If you take a remote test that VU Amsterdam supervises online, VU Amsterdam will process the following personal data:

- a. name (first name and surname);
- b. e-mail address;
- c. video recording of your student card or driver's licence or ID card with shielded BSN;
- d. video and audio recordings of you and the room you are sitting in while making the test, made via the webcam of your computer and the camera of the phone or tablet;
- e. your answers to the test questions (when it concerns a digital exam).
- f. the IP address of the computer network to which your computer is connected;
- g. estimation of your location based on your IP address;
- h. screen activities during the creation of the test;
- i. quality of your internet connection;
- j. version of your operating system and your web browser;
- k. (different) screen resolution and video quality;
- l. the internet pages that the student visits during test via the Chromebrowser;
- m. observation of special details during the test (for instance whether you are alone or with several people in the image);
- n. the chat communication with ProctorExam in case you contacted their helpdesk during the test;
- o. start and end time.

3. For what purpose will my personal data be processed and on what legal basis?

Personal data will only be used for the following purposes:

- a. authentication: after the test has been taken, it will be checked whether you are the person you stated you are;
- b. fraud control and compliance with examination rules: after taking the test, you will be checked to make sure that you have complied with the applicable rules while taking the test and that you have not used any unauthorised sources such as cheat sheets, chats and the internet; and
- c. time frame control. After making the test, it is checked whether you have completed the test within the applicable time frame.

We process your personal data on the basis of 'legitimate interest' (article 6.1 (f) GDPR). This means that the processing is necessary in order to promote a legitimate interest and that your rights and freedoms are sufficiently safeguarded.

In cases where VU Amsterdam chooses to use online supervision for remote exams, it is necessary that VU Amsterdam:

- checks who is the person making the test;
- can establish that the examination rules have been followed and that no fraud was committed in taking the test; and
- can establish that the test has been carried out within the given time frame.

When making a test on campus, these aspects are safeguarded by means of physical surveillance.

A student who, due to their specific situation, objects to taking a test remotely with online supervision, has the right to object at any time. It will be assessed on a case-by-case basis whether this objection can or should be met, for example by taking the test at a VU location. Objection can be made in the manner set out in question 10.

Subject to the safeguards set out in this document, the rights and freedoms of students are adequately safeguarded.

4. Who has access to my personal data?

The personal data collected during the taking of a test at a distance with online supervision will only be viewed by those persons under the authority of the VU who have a role in the taking of tests and the supervision thereof. These persons will only be granted access when that is necessary.

5. Will my personal data be shared with third parties?

In order to provide exams with online supervision, VU Amsterdam currently uses ProctorExam. This tool is provided by the company Turnitin (in The Netherlands represented by Turnitin Netherlands B.V.).

The personal data that is collected during online supervision (see question 2) are saved on a well secured server either of VU Amsterdam or of ProctorExam.

VU Amsterdam has entered into a processing agreement with the suppliers concerned to ensure that your personal data is processed carefully, securely and in accordance with GDPR. This agreement also stipulates that the supplier and its subcontractors (sub-processors) may never process the personal data for their own purposes and may only act in accordance with instructions from VU Amsterdam.

In principle, your personal data will not be shared with other third parties, unless VU Amsterdam is obliged to do so on the basis of the law or a court order.

6. Will my personal data be transferred outside the European Union?

Yes, it is possible that your personal data may be transferred to countries outside the European Economic Area (EEA). The EEA includes all EU countries plus Norway, Liechtenstein and Iceland. Transfers of personal data outside these countries are subject to additional rules under the GDPR.

VU Amsterdam has ensured that transfers to countries outside the EEA will only take place if the European Commission has designated the country in question as providing an adequate level of protection (Article 45 GDPR) or appropriate safeguards have been put in place (Article 46 GDPR).

The central servers used by ProctorExam to store the recordings are located in the EEA.

7. How long will my personal data be stored?

We will not retain your personal data longer than necessary to achieve the purposes stated in question 3. The personal data will be deleted within 6 months. The answers to test questions are stored within the exam application according to the retention periods laid down by law of by the faculty administering the exam.

8. How will my personal data be secured?

VU Amsterdam takes appropriate technical and organisational measures, such as encryption when sending and storing data, to protect your personal data against loss and any form of unlawful processing.

9. Who can I contact if I have questions about the processing of my personal data?

If you have any questions about the way in which your personal details are processed, you can ask them via your Faculty's Educational Office or via the IT Servicedesk (phone number 020-5980000 or email servicedesk.it@vu.nl).

10. How can I exercise my privacy rights?

On the basis of the GDPR, you have - subject to certain conditions - the right to inspect the personal data processed about you, the right to correct your personal data if they contain factual inaccuracies, the right to delete your personal data, the right to limit the processing of your personal data and the right to object to the processing of your personal data.

If you wish to exercise these privacy rights, you can make this known to the VU Data Protection Officer via:

Data Protection Officer
De Boelelaan 1105
1081 HV AMSTERDAM
functionarisgegevensbescherming@vu.nl

In order to be able to process the application, you will be asked to identify yourself. In this way it will be checked whether the request has been made by the right person. If you are not satisfied with the way in which we handle your personal data, you also have the right to lodge a complaint with the Data Protection Authority.
