

press release

With protective measures, Zoom can be used for courses at Hessian universities

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The Hessian Commissioner for Data Protection and Freedom of Information (HBDI) confirmed to Science Minister Angela Dorn: Zoom can be used at Hessian universities for courses. The prerequisite: the universities rule out that US authorities can access the content and metadata from video conferences.

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Science Minister Angela Dorn: "Hesse's universities have been using the Zoom video conferencing system intensively since the beginning of the pandemic and would like to continue using it – in compliance with data protection regulations and securely. I am very pleased that together with the Hessian data protection officer you have found a way to use Zoom for lectures. This gives the universities the flexibility they need to offer virtual or hybrid teaching and, at the same time, legal certainty. I would like to thank everyone involved for their commitment."

The background is the decision of the European Court of Justice of July 16, 2020 (Schrems II). In this, the court found that the US allows its authorities to access personal data from the EU in a disproportionate manner, but does not offer the data subjects legal protection against this. Therefore, personal data may only be transferred to the USA if it can be ruled out that US authorities can access them. However, a US service provider cannot guarantee this, especially if – like the video conferencing system service provider Zoom – it plans to transfer data to the USA. Therefore, the HBDI ended the toleration of such systems due to the pandemic in April 2020 on July 31, 2021. As a result, the HBDI asked the Hessian universities to make the use of US video conferencing systems compliant with data protection or to switch to data protection-compliant systems.

Since then, the universities and the HBDI have been looking for suitable solutions, moderated by the Hessian Ministry for Science and Art (HMWK). With the support of the HBDI, the University of Kassel has developed a "Hessian model" with which the Zoom video conference system can be configured and operated by the universities without violating the data protection requirements of the European Court of Justice.

With the "Hessian model", the universities ensure that they

commission a processor independent of Zoom based in the EU to operate the video conferencing system on servers in the EU

and settle accounts with them,

to provide end-to-end encryption of all content data,

prevent the flow of personal data of students to the USA and access to such data from the USA,

limit the use of Zoom to courses,

offer an alternative data protection-compliant video conference system for other purposes or for teachers who do not want to work with Zoom,

inform teachers and students in detail about further, supporting measures to protect informational self-determination.

The Hessian Commissioner for Data Protection and Freedom of Information, Prof. Dr. Alexander Roßnagel is very satisfied

with this solution: "The Hessian model shows that it is worthwhile to constructively look for ways in which the advantages of

certain IT systems can be used through technology design without data protection falling by the wayside. In this respect, this

model is also a model for other video conference systems and can be methodically applied to many data protection problems.

Of course, the providers of IT systems and services could also provide such solutions from the outset

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