

# THE STATE OFFICER FOR DATA PROTECTION AND FREEDOM OF INFORMATION

Press Office of the State Commissioner for the

Data protection and freedom of information

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## PRESS RELEASE

Surveillance in the dorm?

Students' rights must also apply to online

tests are observed

LfDI Stefan Brink: "Online exams should provide knowledge and

Asking for skills, not over-exaggerating students

wake up. Online proctoring can be excessive and study-

put you in extremely awkward situations. There-

In terms of data protection law, we take the topic of online

Proctoring now in focus."

Students often have to get up due to the corona pandemic

Dodge online events. They have to take exams

also file online, also in your own interest, so as not to

losing valuable study time. To take online exams

oversight, universities often use digital "tools" that

monitor the tests using cameras and microphones. on  
this is intended to prevent any attempts at fraud and  
equality of opportunity is maintained. Digital formats for  
Checking exams - online proctoring - can also  
massively interfere with the rights of students.

- 2 -

During online proctoring, students are sometimes asked  
t, the webcam and the microphone on the device permanently during  
involved in the test and to ensure that no  
allowed aids and no one else in the private room of the study  
dating are. In addition, students need a "suitable"  
Must use software and hardware on which the manual or  
automated control can be carried out and which is sometimes deep  
nested in their system. Eye tracking and reading out the  
Browser history are not uncommon.

For students, the use of technology apparently has a massive  
burdensome. In the USA, such spyware has been around for a long time  
uses, the Washington Post reported on students in the  
USA rebelling against this form of control. Also in  
Germany, students are reacting to the use of technology  
taking. There is a video in the media library to illustrate this  
available on the website of the state commissioner:

<https://www.baden-wuerttemberg.datenschutz.de/mediathek/>

To get an overview of the software used at Baden-  
Württemberg universities and colleges,  
the state commissioner for data protection and information

freedom of Stefan Brink all public universities in the country

written to and asked for information. The feedback

genes have largely taken place. They will now be evaluated and

discussed the results with the universities.

The state representative is parallel to the evaluation of the

survey in discussion with the Ministry of Science

about how online exams are appropriate and data protection-

form can be carried out.

- 3 -

Further information

After the new high-

School law regulations in the State Higher Education Act (§§ 32a

and 32b LHG) must participate in online exams, provided

they are not carried out on university premises,

be voluntary. This can be ensured in particular

that an on-site test is offered at the same time.

To prevent deceptive acts, the came-

ra and microphone functions can only be activated to the extent that this is necessary for the

exam format is mandatory. an additional

ongoing room surveillance must not take place. The video recording

is to be set up in such a way that the personality

protection and the privacy of those affected "no more than to

"necessary for legitimate control purposes"

the. Any other examination or monitoring of the deployed

Hardware or even a transmission from there stored

Data using software is not permitted. Under no circumstances should one

Recording of the exam take place. Overall, the control - even during the exam - not to a total surveillance degenerate.

The Washington Post article can be found here:

<https://www.washingtonpost.com/technology/2020/11/12/test-monitoring-student-revolt/>