

Video conferencing systems at Hessian universities

The Hessian Commissioner for Data Protection and Freedom of Information calls on the Hessian universities to ensure legal conditions when using video conference systems

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Due to the social emergency in 2020, the HBDI had issued a toleration for the use of almost all common VKS in schools until July 31, 2021. This tolerance also applies to the Hessian universities according to the principle of equal treatment. After the success of the vaccination campaign, the decline in the number of cases and after the expiry of the toleration, the Hessian universities are now called upon to ensure legal conditions when using video conference systems.

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The corona pandemic has presented the Hessian universities with an unforeseeable challenge for the 2020 summer semester. They had to find suitable solutions for all forms of online teaching in the shortest possible time. In the search for suitable video conference systems (VKS), the data protection conformity of these systems usually only played a subordinate role.

Due to the social emergency in 2020, the Hessian Commissioner for Data Protection and Freedom of Information (HBDI) had issued a toleration for the use of almost all common VKS in schools until July 31, 2021. "This toleration also applies to the Hessian universities according to the principle of equal treatment," says HBDI Prof. Dr. Rossnagel. "Following the success of the vaccination campaign, the decline in the number of incidences and after the expiry of the toleration, it is now time to ensure legal conditions for the use of VKS in Hessian universities as well."

According to the HBDI, Prof. Dr. Roßnagel, two aspects in particular to consider:

First, it must be avoided that the VKS transfers personal data to third countries that do not have a comparable level of data protection to that in the EU. As a result, the persons concerned lose the protection of their fundamental rights. According to a ruling by the European Court of Justice (ECJ) on July 16, 2020, this also applies to the USA. If this is not possible, the university must choose a VKS that does not require such data transmission. Such VKS are widely available and are already being used by many universities.

Secondly, the VKS used by the university must be designed in accordance with data protection. Above all, they must be configured in such a way that they have data protection-friendly default settings and permanently guarantee the security of

data processing in accordance with Article 32 DS-GVO.

The granted tolerance expires on July 31, 2021. In order to give the Hessian universities enough time for the necessary changes and adjustments and not to hinder the planning and preparations for the 2021/2022 winter semester, the HB DI is offering a transitional period until the end of the 2021/22 winter semester.

Further explanations, information and assistance on the legal operation of VKS can be found on our website.

Further information, which is aimed at people at the decision-making and user level when using VKS, can be found at:

<https://datenschutz.hessen.de/datenschutz/it-und-datenschutz/allgemein>

Links: Further information

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