

THE STATE COMMISSIONER FOR DATA PROTECTION AND FREEDOM OF INFORMATION

PRESS RELEASE

Press Office of the State Commissioner for the

Data protection and freedom of information

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No surveillance in the dorm -

Now online: Guidelines for universities on online exams

LfDI Brink: "If a professor

in the exam hall

Students keeps in mind, it's something other than one

Software that is sent directly to the student via the webcam

sees the eyes and, in case of doubt, perceives every movement

can. With our handout we offer support

to organize online exams. She serves

Universities and students and sets a standard."

More and more universities are taking advantage of the opportunities offered by exams

to perform online. Digitization is coming

Universities also due to student demand

according to flexible examination options. But above all has

a significant one last year due to the pandemic

Boost received, since face-to-face events only very much
were possible to a limited extent.

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sometimes considerably

All these tests are under the command of the
equal opportunity and fairness; however, they must be online
procedures that
into the spatial and
technical encroachment on student privacy, too
meet all data protection requirements.

By no means all conducted online exams are sufficient
these legal requirements – although with the
the amended State Higher Education Act (LHG) clear specifications
were made. The State Commissioner for Data Protection
and Freedom of Information Baden-Württemberg Dr. Stefan
Brink has been increasing the use of online tools
numerous references and complaints for audit purposes
get that sometimes software and exam rules
applied too much in the rights of students
intervention.

LfDI Brink: "We have seen that students
come under pressure: They also want to graduate in the
reach the pandemic in a timely manner and undergo online
Examination procedures that can be extremely stressful.
Permanent control of students in exam situations

through technical tools that get too personal, is not acceptable. And according to the General Data Protection Regulation and also not permitted by the LHG."

The state commissioner understands the universities, which also prevent attempts at fraud in online exams have to. LfDI Brink: "Of course, exam situations have to be organized in a uniform and fair manner. They also have to Examinations are supervised whenever necessary. We stand therefore with universities, the students and their

Representatives and the Ministry of Science in discussion

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at

after

a

to advise

the search

camera pan

custom-fit,

and

privacy-compliant solutions. But we will continue

make sure that the civil rights of the students are protected

will. They don't have to give up their rights in order to be timely

to be able to take part in an exam."

The handout that has now been published is clearly formulated

Key points to consider. It's on the home page

of the state representative ready for download.

The State Commissioner Brink makes it clear, among other things, that

Recordings and screenshots of exams prohibited

are. Universities may not require students to

control purposes

her

student room

the

Participants in the exams remain protected - the

The “thinking process” of the students should be unsupervised. Every

individual surveillance measure, for example this

Calling up a single image of the test object must also be

be displayed visually. Highly intrusive tools

of video conferencing systems, such as the attention

tracking

and

Body movements are not allowed. The video supervisor itself

is allowed. The use of software that changes the computer of the

Examinee scans and disproportionate to confidentiality

and integrity of this IT system (this has been the case since

Judgment of the Federal Constitutional Court of February 27, 2008

protected as a fundamental right), but is inadmissible.

of eyes, head

text drafts

make.

tracking

through

and

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the

State representative

is the result of many

The handout

Conversation,

With

the

university representatives and the Ministry of Science,

Research and art Baden-Württemberg has led, one

University survey and complaints from students and

their representatives. This handout is provided with the

affected groups and institutions are further developed.

Further information:

The handout

[wuerttemberg.datenschutz.de/handreichung-zu-online-](https://www.baden-wuerttemberg.datenschutz.de/handreichung-zu-online-exams-at-universities/)

[exams-at-universities/](https://www.baden-wuerttemberg.datenschutz.de/handreichung-zu-online-exams-at-universities/)

can be found here: [https://www.baden-](https://www.baden-wuerttemberg.datenschutz.de/handreichung-zu-online-exams-at-universities/)