Information on the processing of personal data for distance online examinations covering the period of the COVID-19 epidemic

EU Regulation 2016/679 “General Data Protection Regulation” (“GDPR”) establishes the right of every person to the protection of personal data relating to them. According to Article 13 of EU Regulation 2016/679 the University of Trento is informing its teaching staff and students (“the interested parties”) of the following:

1. Data Controller

The data controller is the University of Trento, via Calepina n. 14, 38122 Trento (TN); email: ateneo@pec.unitn.it; ateneo@unitn.it.

2. Contact details of the Data Protection Official

The contact details of the Data Protection Official to request information about your own personal data and to exercise the rights enshrined in article 15 and ss. of the GDPR are: via Verdi n. 8, 38122 Trento; email: rpd@unitn.it.

3. Purpose of processing and legal basis

In the emergency national regulatory framework drawn up for the Coronavirus epidemic, the university processes personal data to carry out its duties in the public interest in order to guarantee that distance oral, electronic, and paper-based examinations can take place for the whole period of suspension of teaching activities that require attendance in accordance with the urgent measures taken to contain the COVID-19 emergency (art. 6, par. 1, lett. e), 3, lett. b) and 9, par. 2, lett. g) of the GDPR and art. 2-ter and 2-sexies of the D. lgs. 196/2003 e ss.mm.ii.).

4. Categories of processed data

Teaching staff personal data: name and surname, photos, institutional email address, images and voice.
Student personal data: name and surname, date of birth, photo, matriculation number, course of study, institutional email address, images and voice (recorded only when an automatic invigilation system is used); specific data relating to the health of students with disabilities, learning difficulties and special educational needs for cases that require assistive devices and/or modifications to be made to sit the exam.
The web conferencing platforms Zoom and Google Meet, used to carry out examinations, through the respective desktop applications (PC and MacOs), and/or through browser extensions, (Firefox, Chrome, Edge) and/or through Mobile Apps collect the following meta data: IP address, information on device/hardware (eg. webcam, microphone).
5. The provision of data

The provision of personal data is necessary to sit an exam and failure to supply personal data means it will be impossible to participate in an exam session.

6. Data processing methods

In compliance with the principles of lawfulness, correctness, transparency, purpose limitation, data minimization, accuracy, integrity and confidentiality (art. 5, par.1 GDPR) and respecting data protection from the beginning of the planning process and predefined protection settings (art. 25 GDPR), distance exams will be carried out in the following ways:
- oral and paper-based tests, on the Zoom and Google Meet platforms;
- electronic tests, on the Zoom, Google Meet, Lockdown Browser and Monitor Respondus platforms. When Lockdown Browser is used with automatic invigilation (carried out with Respondus Monitor), the exam session is recorded for the sole purpose of guaranteeing the exam is taken correctly and that the students do not break examination rules.

7. Categories of recipients

Personal data can be communicated to University personnel who carry out the aforementioned activities. Outside of these instances, personal data can be communicated to third parties only when complying with a legal obligation and/or on the order of the judicial authority.

8. Data retention period

Personal data will be retained for the period necessary to undertake the aforementioned activities and fulfil any legal obligations. Personal data will be retained for the period of time set out by current legislation and/or university regulations regarding the management and retention of documents produced by the University in carrying out its institutional activities. Personal data recorded during an online exam with automatic invigilation will be deleted when it has been verified that the student has taken the exam in compliance with examination rules.

9. Rights of the data subject

At any time, toward the data controller, the interested parties can exercise the rights enshrined in art. 15 and ss. of the GDPR:

- The right of access to personal data and other information indicated in art. 15 of the GDPR;
- The right to correct personal data when it is incorrect and/or to add to it if it is incomplete;
- The right to delete personal data (the right to be forgotten) except in cases where the university is required to keep it in accordance with a legal obligation or when carrying out its activities in the public interest;
- The right to limit the data processing as set out in art. 18 of the GDPR;
- The right to oppose the processing of personal data when this is allowed.
To exercise these rights it is possible to use the dedicated form which can be found on the page “Privacy e protezione dei dati personali” on the university’s website and send it to the data controller at this email address: rpd@unitn.it.

Interested parties who deem that the processing of their personal data has taken place in violation of the GDPR, have the right according to art. 77 of the GDPR to lodge a complaint with the Data Protection Authority or refer the matter to the appropriate courts.