

Privacy policy regarding the use of WISEflow at UE

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Responsible party:**University of Europe for Applied Sciences**

State accredited private university

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Privacy note:

Compliance with German and European Data Protection Regulations has highest priority at the University of Europe for Applied Sciences GmbH (hereinafter also referred as UE).

UE is part of the Global University System (hereinafter referred as GUS) with headquarters in Amsterdam, the Netherlands. In Germany, the following universities and academies are affiliated with the network: The University of Europe of Applied Sciences GmbH, based in Potsdam, with campuses in Berlin, Potsdam, Hamburg and Iserlohn, and the HTK academy, based in Hamburg.

We respect the sensitivity for our students and employees regarding personal information.

We value your trust in treating your data confidentially and with respect. The following section describes our privacy policy in relation to the use of WISEflow, and thus fulfills the information requirements according to Art. 13 DSGVO (GDPR).

Purpose of processing:

The University of Europe for Applied Sciences has implemented an electronic examination system ("eExamination") called WISEflow. The new software will now support UE in digital exams. UE is using it as a pilot this semester for the time being for **all exams** in the departments of Business and Sports, Media and Event,.

Due to the Covid pandemic, an urgent need emerged to establish an alternative to the usual form of examination. As a result, the Examination Office and the academics joined forces to find a solution. The examination system is intended to enable students, as well as employees and freelancers involved, to complete exams securely during the pandemic. The examination system shall also be used beyond the pandemic to conduct examinations in a legally and data-secure manner. In particular the assignment of the submitter shall be submitted, and made available securely to the responsible examiners, evaluated by them and finally archived. This shall shorten the processing time of the examination evaluation.

The eExamination shall be used for the following processes:

1. Preparing, administering, assessing, and archiving electronic exams both supervised at the respective sites and off-campus as remote electronic exams;
2. The submission, evaluation and archiving of work;
3. Providing copies of the students' examination results incl. examiners' comments.

Legal basis of processing

The processing of data is based on the following laws and regulations:

- Art. 6 para. 1 lit e) in conjunction with § 14 para. 9 BbgHG allows the processing of personal data for, among other things, courses, examinations, and university planning.
- Art. 6 DSGVO para. 1 lit e) in conjunction with the individual state ordinance on the restriction of the pandemic: §6 NRW Ordinance on the management of the SARS-CoV-2 epidemic as of 05.07.2021, §26 Berlin Third SARS-CoV-2 infection control measures ordinance as of June 15.2021, Section 22 HmbSARS-CoV-2 Containment Ordinance as of July 01, 2021
- Examination regulations in the version No. 4, dated 17.08.2020 regarding electronic examinations for Bachelor theses. The Master's examination regulations are currently in the process of being amended.

Until one week before the exam starts, students can submit a written request, if they wish to object to the use of their personal data by the eExamination WISEflow. This written revocation must be submitted by email to the Service Center (service.center@ue-germany.de) by the above mentioned deadline. As an alternative, an electronic examination is offered at the corresponding study location, which allows processing without the necessity of digital photo-comparison.

Processed data and basis of need:

By using the eExamination system, certain personal data are processed. The following data is processed for examiners and employees:

Data	Basis of requirements
First name, last name	Identification
Email address	Identification
Role assignment	To assign permission
Comments and evaluations of the audit performance	Exam evaluation by examiners for students
Logging data	Check on compliance with the exam submission and correction deadlines

The personal data of employees during the use of WISEflow is only monitored within the framework of this privacy statement. In this respect, monitoring data of employees takes place during verification of the logging data – in form of compliance with the exam submission and deadlines. This control of personal data during software use is exclusively subject to the purpose of logging data and the relevant data protection regulations. Monitoring of performance and behavior going beyond this is not permitted.

The following data is processed from students:

Data	Basis of requirements
First name, last name	Identification
Email address	Identification
Biometric data (photo)	Authentication and monitoring purposes in relation to deception attempts
Editing and submitting of the examination performance	Audit performance evaluation

Storage period of the personal data

When first logging into the eExamination software, a reference photo is taken of the examinees.

This photo serves as a reference for all future examinations. It is stored until 6 months after exmatriculation and then deleted in accordance with data protection regulations.

During the use of the exam software – in the form of an exam participation – regular comparison photos are taken in unspecified time slots. These photos are being compared and a percentage match is being conducted. The comparison photos are automatically deleted 6 months after taking the exam.

The personal data (first name, last name, email address, results) of the students is stored for 5 years from the end of the exmatriculation semester – in accordance with the archive regulations.

Your rights regarding personal data

You have the following rights in connection with your personal data:

- Requesting Access to Your personal information: You have the right to access your personal information (referred to as an "Access Request"). You may receive a copy of the personal data we have stored about you.
- Request for correction of your personal data: You can have any data we hold about you that is incorrect or incomplete corrected. In such case we are required to check that the new data you provide us with is correct.
- Request for erasure of your personal data: You may request us to erase or remove your personal data if we have no legitimate reason to continue processing it. You also have the right to request us to erase or remove your personal data if we have unlawfully processed your information or if we are required by law to erase your personal data. However, please note that we might not always be able to comply with your request for erasure for certain legal reasons. If so, we shall inform you about it at the time you submit your request.
- Request to restrict the processing of your personal data: You may request that we restrict the processing of your personal data. You may request us to temporarily stop processing your personal data in the following cases: (a) if you want us to ensure the accuracy of the data; (b) if our use of the data is unlawful but you do not want us to delete it; (c) if we need to store the data for you even if we no longer need it because you need it for the establishment, exercise or defense of legal claims; or (d) you have objected to our use of your data, but we need to investigate whether we have legitimate reasons for the use that take precedence.
- Right to complain: We always prefer for you to contact us directly to help address privacy matters before you contact the Brandenburg supervisory authority or any other supervisory authority. We therefore would appreciate if you were to get in touch with us first. The authority responsible for UE is the Brandenburg State Commissioner for Data Protection and Inspection of Files (<https://www.lda.brandenburg.de>).

You can contact us at [dataprotection\[at\]gusgermany.de](mailto:dataprotection[at]gusgermany.de) at any time if you wish to exercise your rights.