

# Tilburg University General Guidelines for Online Proctored Examinations with an Online Proctoring System

CHAPTER 1 GENERAL STIPULATIONS .....	3
Article 1 Definitions .....	3
Article 2 Relation to the role and duty of the Executive Board and the Examination Board .....	5
Article 3 Scope of the Guidelines .....	5
CHAPTER 2 CRITERIUM FOR ONLINE PROCTORED EXAMS .....	5
Article 4 Criterium for online proctored exams .....	5
CHAPTER 3 THE PROCTORING COORDINATOR, TIU REVIEWER AND EXAMINER .....	5
Article 5 The proctoring examination coordinator.....	5
Article 6 Examiners and TiU Reviewers .....	6
Article 7 The examiner.....	6
CHAPTER 4 CONDITIONS FOR PROCTORED ORGANIZED EXAMINATIONS.....	6
Article 8 Identification and Examination venue .....	6
Article 9 Delivering and storing the examination scripts handed in .....	7
Article 10 Other conditions for proctored organized examinations .....	7
CHAPTER 5 STUDENTS' RIGHTS AND OBLIGATIONS .....	8
Article 11 Students.....	8
CHAPTER 6 PRIVACY AND LEGAL PROTECTION .....	9
Article 12 Privacy .....	9
Article 13 Legal protection.....	9
CHAPTER 7 FINAL STIPULATIONS .....	9
Article 14 Fraud .....	9
Article 15 Force majeure .....	10
Article 16 Intellectual property rights of (online) examination materials .....	10
Article 17 Final considerations .....	10

APPENDIX 1 - INSTRUCTIONS FOR EXAMINERS, TIU REVIEWERS AND STUDENTS DURING EXAMINATIONS (SEE ARTICLES 3, 6, 7 AND 11) .....	11
Article 1 Duties of examiners.....	11
Article 2 Duties of TiU Reviewers .....	11
Article 3 Instructions for students taking proctored organized examinations.....	11
Article 4 Instructions for students having to upload a photo of a written answer on paper in front of the webcam .....	12
Article 5 Final considerations.....	12
APPENDIX 2 - REQUIREMENTS FOR THE (LAPTOP) COMPUTER (SEE ARTICLE 10).....	13
APPENDIX 3 - PRIVACY STATEMENT TIU EXAMS WITH ONLINE PROCTORING ..	14

# TiU General Guidelines for Online Proctored Examinations with an Online Proctoring System

The Examination Boards of Tilburg University (TiU)<sup>1</sup>,

- with regard to the duty of the Executive Board to protect students' personal data in correspondence with the General Data Protection Regulation (**GDPR**) and to ensure the practical organization of examinations as laid down in Article 7.10, third paragraph of the Dutch Higher Education and Scientific Research Act (**HERA**),
  - in conjunction with Article 7.12b, first paragraph under e of the HERA and in addition to the Rules and Guidelines of each School and degree program,
- decide to adopt the TiU General Examination Guidelines for Online Proctored Exams with an Online Proctoring System (**Guidelines**), which read as follows:

## CHAPTER 1 GENERAL STIPULATIONS

### Article 1 Definitions

Examiner:	A lecturer who is responsible for an individual study unit at TiU and is appointed by the relevant Examination Board to assess students by setting examinations on the study unit and determining the results.
Examination coordinator:	Person responsible for the organization of the examinations.
Examination Board's Rules and Guidelines / R&G:	The applicable Rules and Guidelines of an Examination Board of a TiU degree program.
EER:	Education and Examination Regulations of a TiU degree program.
Scheduler:	Officer responsible for planning the course and examination schedule at a School.
AS:	Academic Services.
LIS:	Library & IT Services.
Student:	A person who is following a TiU degree program.
Hardware:	Computer (laptop/desktop), webcam and microphone or other device used by the student when participating in an examination with online proctoring.

---

<sup>1</sup> This regards the following Examination Boards: the Examination Board of the Tilburg School of Economics and Management; the Examination Board of the Tilburg Law School; the Examination Board of the Tilburg School of Humanities and Digital Sciences; the Examination Board Psychology; the Examination Board Social Sciences; the Tilburg School of Catholic Theology's Examining Board; and the Examination Board of Data Science.

Examination:	An assessment associated with a particular study unit into the knowledge, insight and skills of a student, as well as an assessment of the results of that audit. In these Guidelines, examination is also understood to mean a written or digital examination or interim test as well as a centrally organized final test.
Proctoring Agency:	The software company that facilitates online proctored examinations for TiU.
Test system:	A software system/service in which examinations can be administered.
Online proctoring system:	A software system/service that enables fraud detection when administering examinations through the test system.
Online proctored examination:	Online proctored examinations are timed examinations that students take while proctoring software monitors students' behavior and hardware and/or behavior to prevent and/or detect fraud.
Proctoring Agency helpdesk:	In case of technical problems, students can reach helpdesk employees of the Proctoring Agency through the chat functionality of the online proctored exam.
Proctoring coordinator:	The TiU officer as mentioned in Article 5 responsible for the general organization of online proctored examinations.
TiU Reviewer:	Designated officer of TiU who checks recordings of the online proctored examination for irregularities and reports on suspicion of fraud.
Dean:	The Dean of a TiU School.
Executive Board:	The Executive Board of TiU.
Proctored Data:	The data collected by the Test system used for online proctoring. Examination questions and answers of students on these examination questions are collected separately and do not qualify as Proctored Data.
Examination Board:	A committee appointed by the Board of the University within the meaning of Article 7.12 of the Dutch Higher Education and Research Act (HERA).

## **Article 2 Relation to the roles and duties of the Executive Board and the Examination Board**

- 2.1 The Executive Board is responsible for the practical organization of and general procedures relating to examinations and final examinations to which these Guidelines apply, including the design and effectiveness of TiU's internal quality assurance.
- 2.2 The Examination Board is responsible for securing the quality of the organization and procedures relating to examinations and final examinations.
- 2.3 An online proctored examination may only be taken with a Proctoring Agency approved by the Executive Board.

## **Article 3 Scope of the Guidelines**

- 3.1 These Guidelines apply only to organized and scheduled online proctored examinations. The instructions for examiners and students constitute part of these Guidelines and are set out in Appendix 1.
- 3.2 In the case of a conflict regarding an online proctored examination between these Guidelines and the Rules and Guidelines of the Examination Board involved, these Guidelines prevail unless the specific Article or paragraph of the Examination Board's Rules and Guidelines sufficiently provides for this or provides a rule on priority.

## **CHAPTER 2 CRITERIA FOR ONLINE PROCTORED EXAMINATIONS**

### **Article 4 Criteria for online proctored examinations**

- 4.1 The Examination Board may decide if an examination must be held with an online proctoring system.
- 4.2 An examination is only administered with online proctoring if the course is a course with knowledge-oriented examinations and is recognized by the Academic Director of degree program as a key course that is crucial for or close to the time of the decision by the Examination Board to award a degree.
- 4.3 In cases where the Examination Board decides on online proctoring and the use of the Test system, the Examination Board finds it necessary that TiU:
  - can verify the identity of the student taking the exam;
  - can take measures to prevent that fraud is committed during the exam;
  - can confirm that the examination was completed within the given time frame;
  - can reasonably guarantee the public value of the whole of the examinations and the degree.

## **CHAPTER 3 THE PROCTORING COORDINATOR, TIU REVIEWER, AND EXAMINER**

### **Article 5 The proctoring coordinator**

- 5.1 There is one central proctoring coordinator. He or she is appointed by the Executive Board.
- 5.2 The proctoring coordinator shall be responsible for:
  - a. maintaining an overview of examinations that are administered using the Proctoring Agency, including the Test system these are administered with;

- b. coordinating the support of lecturers by lecturer support officers when transforming their examinations into an online proctored examination with the Proctoring Agency.
  - c. monitoring procedures during examinations by means of evaluation forms.
- 5.3 If it becomes apparent that there are technical problems with the Test system during the administration of a scheduled online proctored examination, the proctoring coordinator must be informed immediately. The proctoring coordinator makes an impact analysis after consulting the Director of AS and the Director of LIS.

#### **Article 6 TiU Reviewers**

- 6.1 Within five days after completion of the examination, the recordings are analyzed by the TiU Reviewer in order to detect possible fraud by students.
- 6.2 If the TiU Reviewer observes a suspected case of fraud or an irregularity that raises suspicion of fraud, they write an official report of the fraud observed. A student specific analysis from the Online proctoring system is added to the report. The students' comments on any undesirable irregularities, as mentioned by them at the end of the examination, are included. The TiU Reviewer sends the report and annexes to the Examination Board. The further procedure regarding fraud is set out in Article 14 and the Examination Board's Rules and Guidelines.

#### **Article 7 The examiner**

- 7.1 The examiner is responsible for the setting and delivering of the examination questions and the coversheet (see [Appendix 1](#)).
- 7.2 The examiner is available 30 minutes before and after the start of the examination for the proctoring examination coordinator.

### **CHAPTER 4 CONDITIONS FOR PROCTORED ORGANIZED EXAMINATIONS**

#### **Article 8 Identification and Examination venue**

- 8.1 Students must establish their identity by using their TiU student card at the start of the online proctored exam. Students may, as an alternative, also use a passport, identity card or driver's license, as long as their full name and photo remain clearly visible. If so, the advice is to cover the SSN/BSN and other parts.
- 8.2 The online proctored examination is taken by students in a location of the students' choice, as long as the following conditions on the examination venue are met:
- a. The lighting in the room must be bright enough to be considered "daylight" quality. Overhead lighting is preferred. If overhead lighting is not available, the source of light must not be behind the student.
  - b. The student must be alone in the room.
  - c. The room must be as quiet as possible. Sounds such as music or television are not permitted.
  - d. The student must sit at a desk or table cleared of all objects unless specifically stipulated otherwise in the instruction of the exam.
  - e. The area (surfaces) around the student must not have any writing or cheat sheets.

- f. The student may not have any wearables, such as smart watches and/or health checkers other than explicitly permitted on an individual basis.
  - g. The student may not have a telephone available or any other material with comparable characteristics or functions for which the consultation or use during the examination has not explicitly been permitted;
  - h. The student may not have texts available or any other material with comparable characteristics or functions for which the consultation or use during the examination has not explicitly been permitted;
  - i. Furthermore, the Examination Board's Rules and Guidelines are applicable.
- 8.3 A webcam scan of the desk/table where the student takes the examination can be part of the procedure.
- 8.4 The student must take the examination in the same room that was scanned during the proctoring setup, as referred to in Appendix 1, for the current exam.

### **Article 9 Delivering and storing the examination scripts handed in**

- 9.1 In the case of an online proctored examination, the examiner will submit the examination to be taken digitally in the Test system no later than five working days before the start of the examination in the approved format.
- 9.2 All online proctored examination papers, as referred to in Article 4, have a cover sheet, filled out by the examiner.
- 9.3 After the online proctored examination, the examiner collects the digitally completed exam scripts (examination answers).

### **Article 10 Other conditions for proctored organized examinations**

- 10.1 Online proctored examinations can only be taken in spaces that fulfill the criteria stated under Article 8.
- 10.2 An online proctored examination is administered by means of the student's hardware (see [Appendix 2](#)).
- 10.3 The hardware, as referred to in 10.2, must meet the requirements set out in Appendix 2. The hardware must also have a working webcam and microphone. If the latter is not possible, the student may contact LIS no later than 5 working days before the start of the examination.
- 10.4 Students must follow the instructions laid down in Appendix 1 when, following an examination assignment, they have to upload a photo of a written answer on paper using a mobile phone/camera.
- 10.5 Students must stay in sight of the webcam at all times during the exam. Students are not allowed to visit the toilet, unless there are built-in breaks for this purpose or allowance is provided on an individual basis.
- 10.6 Helpdesk employees of the Proctoring Agency will be reachable through the chat functionality of the Proctoring Agency to assist students with technical problems. The chat functionality will be available to students until half an hour after the scheduled end time of the exam.
- 10.7 An online proctored examination that lasts 90 minutes or less does not contain built-in breaks. If an online proctored examination lasts longer than 90 minutes, a built-in break can be included and students will be informed about this on the cover sheet. The part of the online proctored examination before a built-in-break must be completed within the set time and cannot be reopened when the built-in break starts. Students can start the new part of the online proctored

- examination, when the built-in break is finished.
- 10.8 When students wish to resume the online proctored examination after a built-in or otherwise permitted break, a webcam scan as referred to in Article 8 can be requested.
- 10.9 Examination results are final only after it has been established that there are no suspicions of unlawful irregularities, including fraud.

## **CHAPTER 5 STUDENTS' RIGHTS AND OBLIGATIONS**

### **Article 11 Students**

- 11.1 Students receive adequate 'Instructions for online proctored examinations' and an overview of requirements for taking part in an online proctored examination ([Appendix 1 and 2](#)).
- 11.2 After each online proctored examination, a questionnaire will be available to students. In this questionnaire, students can post their remarks. If justified, these remarks will be taken into account in the assessment.
- 11.3 If students encounter technical problems, they can contact the Proctoring Agency through the chat functionality for help and report this in the final questionnaire provided by the Test system in detail and if possible with proof.
- 11.4 Students are obliged to follow the instructions as mentioned in [Appendix 1](#). This includes a procedure for checking whether their ICT equipment allows proctoring.
- 11.5 The online proctored examinations have to be started and completed online within the given time frame.
- 11.6 Students can use their TiU credentials to log in into the Test system. Validating the completion of the examination will be based on the student's e-mail address or student number.
- 11.7 Any student who fails to comply with the instructions in Appendix 1 must accept the examination possibly being declared void.
- 11.8 Fraud within the meaning of Article 14 will have the consequence that the examination results of the student in question will not be assessed and that the student has failed the examination and/or will be excluded of a future examination opportunity including all interim tests and/or examination components. Decisions about committing fraud and sanctions are only taken by the Examination Board. Please note that the Test system or the Proctoring Agency does not decide on this; it only delivers Proctored Data to the TiU Reviewer and the Examination Board.
- 11.9 Students who believe they do not meet the technical requirements set out in Appendix 2 can contact IT Support ([itsupport@tilburguniversity.edu](mailto:itsupport@tilburguniversity.edu)) at the time of registration or at the latest 5 working days before the exam. In consultation with the student, TiU will try to find—within the government measures and practical feasibility—a possible technical or other practical solution to take part in the planned examination. In view of the restrictions mentioned above, however, the possibilities are limited and a solution is not available (in time) in all cases.
- 11.10 Students who, at the latest upon registration or at least 5 days before the examination, indicate via [online.exams@tilburguniversity.edu](mailto:online.exams@tilburguniversity.edu) that they have insurmountable privacy objections with regard to an online proctored examination, cannot be obliged to participate in an online proctored examination



in the coming examination period. They will be referred to the next examination opportunity. Whether that next examination opportunity will also be proctored online and whether or not it will take place on campus (whether or not for a limited group) in the same academic year depends on government measures and the practical feasibility within a 1.5-meter society in the coming period. In case a course can only be offered with an online proctored examination, there is a chance that someone who does not want to participate for this reason will experience study delay.

## **CHAPTER 6 PRIVACY AND LEGAL PROTECTION**

### **Article 12 Privacy**

- 12.1 By taking the online proctored examination, students agree to the privacy policy of Tilburg University as stipulated in the Privacy Statement ([Appendix 3](#)).
- 12.2 After completing the examination, TiU Reviewers will have access to the Proctored Data to determine whether the examinations were completed according to the Guidelines.
- 12.3 Proctored Data will only be collected and used for the purpose stated in Article 12.2. The Proctored Data will be destroyed 30 days after the recording of the exam.
- 12.4 Supervision of the correct processing (including deletion) of the Proctored Data is the responsibility of the Director of AS, under whom the online proctoring organization is organized.

### **Article 13 Legal protection**

- 13.1 Students have the right to access the personal Proctored Data that are processed, correct personal Proctored Data if it contains factual inaccuracies, to delete personal Proctored Data, to limit the processing of personal Proctored Data and portability of personal Proctored Data and to object to the processing of personal Proctored Data, as described in the GDPR.
- 13.2 In addition to Article 11.10, students who wish to exercise any of their privacy rights, as referred to in 13.1, are referred to <https://www.tilburguniversity.edu/privacy>.

## **CHAPTER 7 FINAL STIPULATIONS**

### **Article 14 Fraud**

- 14.1 In the event of a reported (suspicion of) fraud, the Examination Board's Rules and Guidelines with regard to fraud apply.
- 14.2 In addition to the existing rules regarding fraud laid down in the Examination Board's Rules and Guidelines, fraud (or an attempt to fraud) on the part of the student is taken to mean in any case, and among others, the following:
  - a. use of someone else's proof of identity;
  - b. having someone else complete or participate in the exam;
  - c. having someone help in completing the exam;
  - d. use or attempted use of unpermitted (digital) sources, resources or devices for communication during the exam;
  - e. use or attempted use of unpermitted printed or handwritten documentation;

- f. the student is no longer in sight of the webcam and/or has switched off the microphone and other necessary devices needed for online proctoring, while taking the examination, insofar this takes place outside the (possible) authorized breaks;
  - g. (attempted) technical modifications that undermine the proctor system.
- 14.3 After receiving a report on a suspicion of fraud as mentioned in Article 6.2, the Examination Board assesses the Proctored Data for its decision on fraud and possible sanctions up to 30 days after completion of the online proctored examination. If the Examination Board suspects (identity) fraud, the Proctored Data which has been collected via the Test system can be retained for the period necessary to reach a final decision on the legitimacy of the result of an examination (including the period in which legal proceedings take place).
- 14.4 In the event of irregularities, the Examination Board is authorized to declare an interim test or examination or a part thereof invalid for the student or all (or part) of the students if a correct assessment of the knowledge, insight, and/or skills of the examinee on that interim test/examination or part thereof is not reasonably possible or if the quality of the interim test/examination or part thereof cannot be guaranteed. In this context, irregularities may include, among others, fraud; a technical defect; irregularities caused by lecturers/examiners, students, or third parties; and a technical or nontechnical other malfunction or calamity.

#### **Article 15 Force majeure**

In the event of *force majeure* (for example total power failure at TiU, Test system failure) the Proctoring Coordinator will provide a written report within 48 hours after the date of the examination and will inform the Examination Board. The Examination Board will, after consulting the Director of AS and the Director of LIS, decide on the validity of the exam.

#### **Article 16 Intellectual property rights of (online) examination materials**

- 16.1 The intellectual property rights of (online) examination materials are owned by Tilburg University.
- 16.2 The production, making available and/or distribution of (parts of) (online) examinations to third parties by students of Tilburg University by means of photo, video, film or sound recordings or any other (digital) form is not permitted. Students who nevertheless make (online) examination materials available to third parties are acting in violation of Tilburg University's House and Conduct Rules and may be excluded by the Examination Board from this or any other examination, and may be sued in court.

#### **Article 17 Final considerations**

- 17.1 In cases regarding online proctored examinations that are not provided for in these Guidelines, the Examination Board shall decide in the interest of its legal obligations to secure the quality of the organization and procedures relating to examinations and final examinations.
- 17.2 These Guidelines will enter into force on May 13, 2020.

\*\*\*

## APPENDIX 1 - INSTRUCTIONS FOR EXAMINERS, TIU REVIEWERS AND STUDENTS DURING EXAMINATIONS (SEE ARTICLES 3, 6, 7, AND 11)

### **Article 1 Duties of examiners**

The examiner

- a. is responsible for setting up the digitally proctored administered examination in the test program at least 5 working days before the examination date, including a cover sheet with instructions to students;
- b. appoints a substitute examiner as a contact person if the examiner cannot be present during the administration of an online proctored exam;
- c. may be replaced by a substitute examiner if necessary and shall then ensure that the said replacement is familiar with the relevant regulations and duties;
- d. shall be present online at least 30 minutes before and after the start of the examination for the proctoring examination coordinator;
- e. shall ensure that any reports of fraud or disruptions are handed in to the Examination Board.

### **Article 2 Duties of TiU Reviewers**

The TiU Reviewer

- a. shall review the recording after the examination session in order to detect any irregularities;
- b. shall complete any reports of fraud or irregularity with the written comments by students, if provided at the end of their examination;
- c. shall ensure that any reports of fraud or irregularity are handed in to both the examiner and the Examination Board.

### **Article 3 Instructions for students taking proctored organized examinations**

Students

- a. must provide their own a computer (laptop/desktop) with webcam, microphone and internet connection that meets the requirements of the proctoring software;
- b. shall be responsible, where applicable, for ensuring that the programs that they need during the examination are installed on their hardware;
- c. are obliged to follow the instructions given by the Proctoring Agency and the examination cover sheet before, during and immediately after an examination;
- d. are responsible for the necessary equipment during the examination as listed in the guide Student Instructions for online proctored examinations;
- e. must establish their identity by using their TiU student card. Students may, as an alternative, also use a passport, identity card or driver's license, as long as full name and photo remain clearly visible. If so, the advice is to cover the SSN/BSN and other parts;
- f. must dress as though they were in a public setting;
- g. must not use headphones, ear buds, or any other type of listening equipment, unless this is specifically prescribed due to the nature of the examination. Disposable ear-plugs are only allowed when shown to the webcam at the beginning of the examination;
- h. must not communicate with any other person by any means, except with the helpdesk through the helpdesk functionality;
- i. may not use a phone during the administration of the examination for any reason,

- unless posted rules for the examination specifically permit this as included in the cover sheet or contacting the TiU Service Desk;
- j. must not be out of sight of the webcam during the examination for any reason, unless posted rules for the examination specifically permit students to do so;
  - k. may still be admitted to the online proctored examination during the first 30 minutes after the start of the examination. These students shall not be granted any extra time;
  - l. may only use or consult such papers, books, calculators, etc. as are allowed by the examiner, and as stated on the examination cover sheet;
  - m. may only visit the toilet in the built-in breaks unless permission is given in advance;
  - n. may fill out a questionnaire at the end of the examination to indicate whether disturbances occurred that might be registered as an irregularity.

#### **Article 4 Instructions for students who have to upload a photo of a written answer on paper in front of the webcam**

1. Students must hold up all papers that are used to answer the questions of the examination in front of the webcam (both sides) before the examination starts. All papers must be completely blank.
2. For questions where students are asked to upload a file with handwritten answers, students can answer the questions on paper. Students must write down their student number on each page. Students are not allowed to upload anything before they have finished answering all the questions.
3. Students are not allowed to adjust answers after the photos of the answers are taken. This will be checked afterwards by the TiU Reviewer. It will be considered fraud if students adjust any answers after having taken photos with their phones.
4. Students must show all their worked-out answers to the webcam. Students must make sure these are visible for at least 4 seconds. After this is completed, the student closes the examination.
5. Students must take a picture of all the worked-out answers with their mobile phones and upload these to their computers (for example by sending them to their personal TiU e-mail).
6. Students must then download the files they just sent to themselves on their computer. Students should check the quality of the images and adjust the name of the file, so they know where to upload which picture in their assessment (i.e. the worked-out answer to that question).
7. Students must compress the collection of images into one file (preferably a ZIP file, but if they use ChromeOS/MacOS/Linux, the default compression file will suffice).
8. Students must start a new test with one Canvas Quiz question, upload the compressed file, and press Submit to hand in the test.

#### **Article 5 Final considerations**

For any matters not discussed in these instructions, the examiner shall contact the examination coordinator. The examiner shall note this in the evaluation form.

\*\*\*

## **APPENDIX 2 - REQUIREMENTS FOR THE (LAPTOP) COMPUTER (SEE ARTICLE 10)**

For the examinations that take place with online proctoring, the computer (desktop/laptop) used by the student needs to meet specific hardware and software requirements.

In the overview below, the requirements are listed.

The computer (desktop/laptop) requirements are:

1. a working webcam (internal or external), ready for video recording;
2. a working microphone (internal or external), ready for audio recording;
3. a working keyboard and mouse (or other compatible pointing device);
4. an internet connection (advice to have a minimal upload speed of 1MB per second);
5. web browser Google Chrome (version 10 or higher);
6. an installed Proctorio plugin for Google Chrome. The exact specifications of the plugin differ per operating system and can be found [here](https://proctorio.com/system-requirements) ([https://proctorio.com/system- requirements](https://proctorio.com/system-requirements)).

See also:

<https://www.tilburguniversity.edu/students/studying/lectures/exams/online-proctoring>  
under 'Software and internet connection'.

\*\*\*

## **APPENDIX 3 - PRIVACY STATEMENT TIU EXAMINATIONS WITH ONLINE PROCTORING**

Date: May 7, 2020

Tilburg University (**TiU**) considers privacy important and therefore handles your personal data with care. In this Privacy Statement, we describe what happens to your personal data and how your privacy is safeguarded when you take a TiU examination with online proctoring.

The general Tilburg University privacy statement can be consulted on the webpage [Tilburg University Privacy Statement](#).

### **1. Who is responsible for processing my personal data?**

TiU is responsible for the data processing described in this privacy statement, including the responsibility and jointly responsibility for courses at the Jheronimus Bosch Academy for Data Science. TiU has a statutory duty to ensure that your personal data is processed in accordance with applicable privacy legislation, including the General Data Protection Regulation (GDPR). Proctorio is Privacy Shield-certified and is bound by a processing agreement with TiU and therefore bound by the GDPR.

### **2. Which (categories of) personal data are processed?**

If you take a remote examination where TiU monitors online, TiU will process the following personal data:

- a. name (first, initials and last name);
- b. e-mail address;
- c. image of TiU student card or identity card as an alternative;
- d. picture of you, taken through the webcam of your computer/laptop;
- e. video and audio recordings of you and the table/desk you are at while making the examination, made via the webcam of your computer;
- f. on-screen activities while making the exam;
- g. keystrokes and mouse movements while making the exam;
- h. the IP address of the computer network to which your computer/laptop is connected;
- i. the web pages and applications you visit during the exam;
- j. your answers to the examination questions.

### **3. For what purpose will my personal data be processed and on what legal basis?**

Personal data is only used for the following purposes:

- a. authentication: TiU verifies your identity to make sure that you and only you have completed the exam;
- b. fraud control: TiU verifies that you have complied with the applicable rules and have not used any unauthorized sources such as cheat sheets, chats and the Internet;
- c. time frame control: TiU verifies whether you have completed the examination within the applicable time frame.
- d. improving quality of online proctoring: TiU uses the data processed during online

proctored exams (including practice exams) to improve its understanding of the used proctoring system and the quality of online proctoring in general.

When processing data in the context of online doctoral examinations, Tilburg University invokes the basis 'legitimate interest' in particular (Article 6, paragraph 1 point f GDPR), whether or not in combination with the 'general/public interest' (Article 6, paragraph 1 point e GDPR) to be served by TiU by virtue of its public law authority to award higher education diplomas and the protection of the right to use a legal title to which students are entitled. TiU wishes to be able to guarantee the quality of education and assessment, not to jeopardize the public value of our diplomas and to avoid unnecessary study delays for students. In addition, TiU wishes to be able to protect the health of our students and staff. Thus, TiU deems the processing of data necessary for the purposes of the legitimate interests pursued by TiU and the public value of the diploma and that the students' rights and freedoms are sufficiently protected.

An examination is only held with online proctoring if the course is a course with knowledge-oriented examinations and is recognized by the Academic Director as a key course that is crucial for or close to the time of the decision by the Examination Board to award a degree. In cases where TiU chooses to use online proctoring, it is necessary that TiU:

- can verify the identity of the student taking the exam;
- can establish that no fraud was committed while the examination was being carried out;
- can confirm that the examination was completed within the given time frame;
- can reasonably guarantee the public value of the whole of the examinations and the degree.

Students who, at the latest upon registration or at least 5 days before the examination, indicate via [onlineproctoring@tilburguniversity.edu](mailto:onlineproctoring@tilburguniversity.edu) that they have insurmountable privacy objections with regard to an online proctored examination, cannot be obliged to participate in an online proctored examination in the coming examination period. They will be referred to the next examination opportunity. Whether that next examination opportunity will also be proctored online and whether or not it will take place on campus (whether or not for a limited group) in the same academic year depends on government measures and the practical feasibility within a 1.5-meter society in the coming period. In case an examination can only be offered proctored online, there is a chance that someone who does not want to participate for this reason will be delayed.

#### **4. Who has access to my personal data?**

The personal data collected when making a remote examination with online monitoring will be evaluated with use of an automated system and will only be viewed by employees of TiU who, by virtue of their position as a TiU Reviewer, have a role in the processing of your personal data for the above purposes and for whom it is necessary to have access to the personal data in case fraud is suspected (e.g., members Examination Boards, Examination Appeals Board).

Please note that students will not be subject to decision-making based solely on automated

processing as described in Article 22, paragraph 1 of the GDPR; each possible case of fraud will first be reviewed by a TiU Reviewer, after which the decision is taken by the Examination Board, within the framework of the procedure described in its Rules and Guidelines. The Test system does not decide on fraud; it only delivers data.

### **5. Will my personal data be shared with third parties?**

The personal data collected within the scope of online monitoring (see question 2) is stored on a secure Proctorio server within the EU. Proctorio is the company that provides the tool TiU uses for online monitoring. Proctorio's encryption algorithms have been proven secure by years of testing and are used by the world's most critical and impenetrable applications. They use double-encryption, zero-knowledge technology to scramble personal data during transfer and in storage with end-to-end protection of every piece of information that leaves a students' computer during an exam.

TiU has entered into a data processing agreement with Proctorio to ensure that your personal data is processed carefully, securely and in accordance with GDPR. This agreement also stipulates that Proctorio and its subcontractors (sub-processors) may never process the personal data for their own purposes and may only act in accordance with instructions from TiU. In principle, your personal data will not be shared with other third parties, unless TiU is obliged to do so by law or a court order.

### **6. Will my personal data be transferred to countries outside the European Union?**

No, your personal data will not be transferred to countries outside the European Union.

### **7. How long will my personal data be stored?**

Your personal data will only be stored for as long as this is necessary in order to accomplish the purposes mentioned under 3. With regard to the personal data which we collect and process for the purposes of authentication, fraud control and time frame control, the following procedure apply

- The review of the examination session is carried out as soon as possible after the examination has been completed.
- If no identity fraud or examination fraud is suspected, the personal data that has been collected via Proctorio (see under 2) will be deleted latest 30 days after administering the test in the Proctorio system.
- If there is suspicion of identity fraud or examination fraud, a PDF report of the personal data which has been collected via Proctorio (see under 2) will be retained for the period necessary to reach a decision on the legitimacy of the result of an examination (including the period in which legal proceedings take place). However, also in this case, the aforementioned data will be deleted latest 30 days after administering the test in the Proctorio system from this system as well

TiU will store your answers to the examination questions, and not the personal data stored for the purposes mentioned under 3, according to the retention periods which are determined by applicable Rules and Guidelines of the relevant Examination Board.



### **8. How will my personal data be secured?**

Proctorio uses a zero-knowledge encryption, which means that the data is encrypted both in transit and at-rest. Zero-knowledge means: Proctorio has zero access to the encrypted data stored on the Proctorio servers. This unique design means nothing leaves your computer until after it is encrypted and is never unencrypted until it is unlocked by an authorized School official. It is not just end-to-end encryption, it is a zero-knowledge system. TiU takes appropriate technical and organizational measures to protect your personal data against unauthorized access, loss and any form of unlawful processing. This means—for instance—access only is permitted to people that are mentioned under 4.

### **9. Who can I contact if I have questions about the processing of my personal data?**

If you have any questions about the way in which your personal data are processed, or in case you wish to access the personal data that we process, to correct your personal data if it contains factual inaccuracies, to have your personal data deleted, to limit the processing of your personal data, and to object to the processing of your personal data, please see [www.tilburguniversity.edu/privacy](http://www.tilburguniversity.edu/privacy).

To be able to deal with your request, you may be asked to provide proof of identity. In this way, it will be verified that the request has been made by the right person. If you are not satisfied with the way in which we deal with your request, you have the right to submit a complaint with a supervisory authority.

For more information: general [privacy statement Tilburg University](#).