

Nova University Privacy Statement on Online Proctoring

This privacy statement explains how we handle your personal data when you take part in an exam using online proctoring facilitated by 'Respondus' software.

Why is Nova University using online proctoring?

Our ultimate aim is to ensure that, when it is not possible to take the exam in person, you will still receive a diploma that is highly respected and duly certified by a rigorous and reliable examination process.

For the exam(s) you are going to take, an online proctoring software called 'Respondus' will be used. Online proctoring is essential to the verification of the student's identity and to 'fraud prevention', as described in the Nova University's Code of Ethics. When using 'Respondus', monitoring is carried out by an invigilator, or proctor, using an online environment. The proctor can monitor the student in real time while he/she is taking the exam. The proctor may also observe recordings of the examination period later on. Whether observing said recording or performing real-time monitoring, students' personal data will be accessible to the proctor.

Nova University fully endorses and acknowledges the importance of protecting your personal data. We will therefore make certain that no processing of personal data will be carried out if it would go beyond what is strictly necessary to the surveillance of an exam. In addition, we will guarantee that your data are treated with the utmost care.

Is the student allowed to refuse to do the exam online?

Yes. Despite the many constraints that going to NOVA's facilities can cause to its students, if, for example, the student does not feel comfortable with remote monitoring or if, for any other reason, the student chooses to perform the exam in person at NOVA's facilities (for example, he or she does not have an adequate environment at home for conducting the exam) he or she can do so by sending a request to Servicos Academicos <sa@novaims.unl.pt>.

Who is responsible for the processing of my personal data?

Nova University is responsible for processing your data under the terms of the General Data Protection Regulation (GDPR). Nova University is established at Campus de Campolide, Travessa Estevão Pinto, 1099-032 Lisboa.

For what purposes and under which legal grounds will my personal data be processed?

Your personal data will be processed for the following purposes:

- a) Authentication: prior to the exam, we will verify that the person doing the exam is actually the student;

- b) Fraud check: during or following the exam, we will verify whether the student has followed the applicable rules and whether he/she has recurred to unauthorized sources in order to complete the exam;
- c) Time (if applicable): following the exam, we will verify whether the student has completed the exam within the permitted time.

Any processing operation of personal data is only permitted if there are appropriate legal grounds for carrying it out. In the context of academic education, Nova University processes personal data on the basis of article 6.1(e) of the GDPR: the processing of the data is necessary to fulfil a public task pursuant to the Nova University's Code of Ethics and to its Mission as laid out in its statutes and regulations.

What personal data are processed?

In the case of online proctoring using 'Respondus', the following personal data are processed:

- a) Name;
- b) E-mail address;
- c) Personal Identification Card;
- d) Video and audio recordings of the student and the environment surrounding him/her while he/she is taking the exam, as collected by the webcam attached to the device used by the student;
- e) Screen recordings of the device used to take the exam (for the whole duration of said exam);
- f) The IP address of the network to which the device is connected during the exam;
- g) The answers given to the questions posed in the exam.

Who has access to my personal data?

The invigilator checks the identity of the candidate and monitors that no irregularities take place. This will be done primarily prior to the exam, although similar verifications can take place during or after the examination period. Invigilators are staff members of Nova University. Besides the proctors, authorized staff of Nova University may also have access to your personal data if their functions so require.

Will my data be shared with third parties?

Your personal data will not be shared with third parties, apart from 'Respondus', unless Nova University is obliged to provide these data in order to comply with a legal obligation or in the context of judicial proceedings. The agreements made between Nova University and 'Respondus' regarding privacy and security aspects involved in the processing of personal data also apply to parties engaged by 'Respondus'.

Will my personal data be transferred to countries outside the EU?

'Respondus' servers are located outside the European Economic Area ("EEA"). As such, your data can be transferred to a location outside of the EEA, in particular to the United States of America. Nevertheless, those transfers will be performed in full respect of the adequacy decision on the EU-US Privacy Shield, adopted on 12 July 2016.

How long will my personal data be stored?

Your personal data will be stored until 1 year after the exam has taken place. If any disciplinary action is taken against you, or if you lodge an appeal, your data will be kept for a longer period so as to meet the requirements of the respective procedure.

How will my personal data be secured?

As a data controller Nova University takes appropriate technical and organizational measures to protect personal data against unauthorized access, loss and other forms of illegitimate processing. In particular, Nova has negotiated a data processing agreement with 'Respondus' in order to ensure that 'Respondus' will also implement adequate measures to protect your data. Such measures shall include, as appropriate:

- a. the pseudonymization or encryption of personal data;
- b. ensuring the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- c. the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident; and
- d. a process for regulating testing, assessing and evaluating the effectiveness of technical and organizational measures for ensuring the security of the processing.

What are my rights under the GDPR, and how can I exercise those rights?

If you want to exercise any of the rights set out in the GDPR or are dissatisfied with the way we have used your information, please send us an e-mail to nova.rgpd@unl.pt. You can also reach out to Nova's Data Protection Officer by sending an e-mail to dpo@reitoria.unl.pt.

We will seek to deal with your request without undue delay and in accordance with the requirements of the GDPR.

In addition and at any time, you have the right to lodge a complaint with the Portuguese supervisory authority at <https://www.cnpd.pt>.