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INFORMATION ON PERSONAL DATA HANDLING DISTANCE LEARNING

pursuant to article 13 of EU Regulation 2016/679 – GDPR

This disclosure relates to the provision of distance learning and supplements the information provided to members of the academic community (students, teaching staff, technical-administrative staff and collaborators) to which reference is made for further information.

The Data Controller is the University of Pavia in the person of the Magnificent Rector (C.so Strada Nuova n. 65, 27100 Pavia, PEC administration-centrale@certunipv.it). The Data Protection Officer - DPO can be contacted at privacy@unipv.it

Purpose of the data handling - legal basis

The data will be processed by the university for institutional teaching purposes to provide distance teaching services.

In particular, through the use of e-learning platforms and/or applications and/or IT and digital tools made available by the university, the following services are provided by teaching staff with the support of the technical-administrative staff:

- recorded lessons
- live interactive lessons
- oral examinations
- written examinations
- graduation sessions

The data may also be handled to protect the security, integrity and confidentiality of the university's property and IT systems and to fulfil all legal obligations, in particular the obligations imposed by emergency legislation, to protect public health and safety.

Remote examinations

In order to organise the examinations, during this current epidemiological emergency, it is necessary be aware of and comply with the provisions of the guidelines attached to Rectoral Decree protocol no. 37172 dated 27 March 2020 (attachment n.1, attachment n.2 and attachment n.3). The staff member who taught the course may, possibly, modify the guidelines.

As in standard face-to-face examinations, to allow the student to sit remote examinations or final degree tests, it is necessary for the candidate's image to be seen and voice to be heard. By registering for the examination date, the following data may be handled: e-mail address, connecting IP address, image of the surrounding environment and personal identification document, the test itself and the candidate's mark (the files will be shared with the exam board, chat, etc).

The personal data of the exam board members and the university's institutional e-mail address will also be used to allow the examination session, or the final degree test, to be carried out remotely.

To ensure that the oral examination session is public, which is also compulsory for transparency purposes, fairness and impartiality in carrying out examinations/tests, other users will be able to access, remotely and in real time, each exam. Access to the stream will



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be authorised by the exam board president to all students enrolled on the same examination date, as well as the board, to colleagues from the academic community and to a limited number of external individuals who will be able to connect to the session. There will be one shared screen view and audio, reconstructing a virtual classroom that reflects, as far as possible, the behaviour normally permitted in a physical classroom.

The legal basis: art. 6, para. 1, lett. e), 3, lett. b) and 9, para. 2, lett. g) of EU Regulation 2016/679 and articles 2-ter and 2-sexies of Legislative Decree 196/2003 also regard the regulatory provisions for the containment and management of the COVID-19 epidemiological emergency applicable across the country.

The interested parties need not be asked for specific consent for the handling of their personal data to be used for the carrying out of the distance teaching activity, as it is attributable - even electronically - to the purposes assigned to the university, leading centre of higher education and research, which operates in implementation of art. 33 of the Constitution and art. 6 of Law no. 168/1989 and subsequent amendments and integrations of the Statute and sector regulations.

Data handling methods

TOOLS: will be configured to minimise the amount of personal data handled and in order to activate only the services necessary for specific purposes.

KIRO is a digital environment dedicated to the entire Pavia academic community. The portal, a Moodle-based Learning content Management System (LMS), is divided into different platforms according to discipline. These can be viewed on a single page at <http://idcd.unipv.it/kiro3/>. The platform can be accessed using university credentials.

Kirolive is a platform that allows online lessons to be delivered, also allowing lessons to be recorded (Webinar). These are saved on a g-drive, permitting students to access them at a later date. It is available at <https://kirolive.unipv.it/area-docenti/> (for teaching staff) and <https://kirolive.unipv.it/> (for students). The platform can be accessed using the standard university address (the email must have a @ unipv.it or @ universitadipavia.it domain).

The university has existing agreements with Google, Microsoft and, recently, with Zoom, to provide solutions that best suit the needs of the academic community.

Nature of the data provision and consequences of refused consent

Students: remote teaching methods are active to ensure, during the current health emergency, students' right to attend lessons and sit the examinations required by their study plan, in compliance with the extraordinary measures enacted to contain the infection. The provision of data is, in general, compulsory. Failure to consent makes it impossible to access the requested service. Examination enrolment and participation in videoconferences implies consent to be recorded for the purpose of providing the service.

Teaching staff: during the current health emergency, remote methods have been adopted and regulated by the university in order to allow teaching staff, among others, to carry out the tasks referred to in article 6 of the law dated 30 December 2010, no. 240, as provided for in article 101 paragraph 2 of Legislative Decree dated 17 March 2020, no.18, in order to guarantee enrolled students the right to sit the examination or final degree test within the established deadlines.

Graduation examinations: a video recording of the graduation examination using the adopted systems is an option that can be performed by the IDCD service provided authorisation is granted by the candidate and all exam board members. The board president or secretary will



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be responsible for making the declaration of authorisation for the audio/video recording in the minutes of the graduation examination.

Categories to whom data can be sent or who access it as managers or supervisors – recipients of the data

Users' personal data may be accessed and handled, in compliance with current relevant legislation, by staff and collaborators of the competent university offices who have been authorised and adequately trained by the Data Controller or by the suppliers of the platforms used for the online teaching services: the relationship with the platform supplier is regulated by contract. External suppliers are contractually bound to correctly manage data, in accordance with European legislation on the protection of personal data, even regarding security measures appropriate to the type of handling.

Personal data collected by the university is managed and stored both on servers located at the university and on external servers provided by suppliers of platforms/applications/support tools for the management and organisation of exams, intermediate tests and final graduation tests in online mode. For information concerning privacy policies, contained in the links shown on the platforms, please refer, in particular, to profiles regarding the transfer of data abroad/to countries outside the EU.

Storage

Personal data will be handled for the entire duration of the procedure, coherent with the requirements related to legal obligations and in compliance with the rules on the storage of administrative documentation.

Online examinations

No audio or video recordings of the session will be made that are not required for pre-established objectives nor will any data be kept other than that necessary to ensure the orderly running of the exam and its reporting, as if face-to-face, and only for the time required to do so.

- Oral examinations (including graduation sessions) will not be recorded. A video recording of the graduation examination is an optional service that requires the consent of the interested parties.
- Written examinations will be recorded in order to ensure the fairness of the test. Participation in videoconferences implies the granting of consent to be recorded. Filming will be carried out for the sole purpose of ensuring the examination is conducted fairly and correctly and will be accessible only to the members of the exam board and to the dedicated technical staff. Recordings will be cancelled 5 days after the student's mark has been registered.

Reporting of marks will undertaken remotely and marks will be stored for an unlimited time for the management of students' university career and in compliance with filing obligations imposed by current legislation.

Data may be stored to fulfil legal obligations and to defend and protect the university's rights for the period necessary to reach the pre-established objectives for which the data was gathered and specified in the main disclosure.

Rights of the interested party



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Interested parties may exercise the rights over the data provided for in articles 15-21 of EU Regulation 2016/679. A specific request may be presented to the Data Controller and/or the internal Data Protection Officer, including via e-mail. The interested parties, if conditions are met, also have the right to lodge a complaint with the supervisory authority for the protection of personal data in accordance with the procedures established in EU Regulation 2016/679. The internal Data Manager of the KIRO platform is the Director of the International Relations, Didactic Innovation and Communications area.

Other handling purposes

Data will not be handled for purposes other than the stated educational purposes, without prior information on the new handling being provided. If required by legislation, consent will be requested.

Profiling

The Data Controller does not use any automated profiling procedures.

Websites and third party services

The platforms may contain links to other websites that have their own privacy policy.

Cookies

E-learning services use cookies, listed in the specific 'cookies used' sections.

**For information regarding services, please consult the contacts listed on the KIRO platform:
<http://idcd.unipv.it/>**

Audio and video recordings for personal purposes during distance teaching

Users of the teaching services made available by the university are required to use them responsibly, that is, respecting the university's regulations and other rules and procedures, according to normal standards of fairness, good faith and diligence.

The recording of sounds and images through mobile phones or other similar equipment is allowed exclusively for personal purposes and in compliance with the fundamental rights and freedoms of those concerned, in particular their image and dignity.

The recording of the lessons is allowed only for personal use, while the dissemination of said recordings is prohibited without the prior consent of the interested party.

It should be noted that the dissemination and communication on the internet - on, for instance, social networks, blogs or video-sharing platforms - of any recordings made during online teaching activities, is covered by personal data protection legislation that prohibits the disclosure of others' data without obtaining their prior consent. Any students in question will be considered as the Data Controller and may respond to the violation, in accordance with the provisions provided for by existing legislation.

The content of this disclosure is progressively updated.

Most recent update: 20 May 2020