



INFORMATION ON PERSONAL DATA PROCESSING FOR USERS OF REMOTE EXAM SYSTEMS (pursuant to art. 13 of EU Regulation 2016/679)

Introduction

Pursuant to art. 13 of Regulation (EU) 2016/679 ("GDPR") concerning the protection of individuals with regard to the processing of personal data, as well as the free circulation of such data, which repeals Directive 95/46/EC, the University of Milan, as Data Controller, informs students who take remote exams of the processing of their personal data.

The University of Milan complies with the current legislation on transparency and the mandatory publication of data and documents.

1. Data Controller and Data Protection Officer (DPO)

The data controller is the University of Milan, represented by its pro tempore Rector, Via Festa del Perdono no. 7, 20122 Milan, e-mail infoprivacy@unimi.it.

Pursuant to art. 37 et seqq. of EU Regulation 2016/679, the University has appointed as Data Protection Officer (DPO) counsel Pierluigi Perri, c/o Department "Cesare Beccaria", Via Festa del Perdono no. 3, 20122 Milan, e-mail dpo@unimi.it.

2. Purpose and Legal Basis

Personal data processed

a) Written exams using Moodle + SEB + Webconference

Written exams using Exam.net + SEB + Webconference

Written exams on paper + Webconference systems

Oral exams

- Data required for the purpose of identifying users when accessing exam platforms (personal and contact data, IP address of your device); access list with connection date, time and period
- Data relating to the execution of the exam such as, for example, data relating to the hardware and software characteristics of the candidate's device, data required for identifying the best tools to assist students with disabilities, or specific learning disabilities; audio and video data of the



student and the environment in which the exam takes place; data relating to the exam (answers given and marks)

- Other data communicated or made available by the user during the exam.

b) Written exams using Moodle + Proctoring systems

- All categories of data listed under letter a) above

- User behavioural data acquired through video and recordings used for exam surveillance purposes

The above data is processed exclusively for institutional purposes connected to distance learning and exams, pursuant to art. 6, paragraph 1, lett. e) of the GDPR and according to relevant legislation, including the provisions contained in the decrees issued pursuant to art. 3 of Legislative Decree no. 6 of 23 February 2020, which contemplated remote teaching or curricular activities for the entire duration of the suspension of in-person teaching activities in schools, universities and higher education institutions, also with regard to the specific needs of students with disabilities (see art. 1, lett. s) and t) of the Prime Minister's Decree (DPCM) of 11 June 2020), it being impossible to identify alternative delivery modes due to the current health emergency.

The legal basis for data processing is therefore the performance of a task of public interest, pursuant to the authority vested in the Data Controller (Article 6, paragraph 1, letter e of the GDPR).

The provision of data is a necessary requirement for accessing distance learning and remote exams; failure to provide the data makes it impossible to access the service.

3. Processing Methods

Data will be collected in compliance with the principles of relevance, completeness and not exceeding the purposes for which the data is processed.

The personal data provided is processed in compliance with the principles of lawfulness, correctness and transparency, provided for by art. 5 of the GDPR, also through IT and digital tools designed to store and manage the data, and, in any case, in such a way as to guarantee security and protect confidentiality.

4. Categories of Persons to Whom the Data May Be Communicated or Who May Learn about the Data, and Data Transfers Abroad

The personal data of users who access the platforms, collected during the performance of the service, may be processed by the examining instructor, the employees and contractors of the University for the management of remote services, IT security, exams and students' career (CTU, ICT, Student Offices, COSP), as authorised persons.

For exams with the Moodle + Proctoring system, with the exception of special categories of data collected during the performance of the services, data may be processed by University employees as authorised persons



in charge of IT security for their respective offices (CTU and DIRICT) managing remote services for student career and exam management systems. Such data may be communicated to the platform provider for the mere purpose of keeping records, without the latter having access to, or being able to process, the data.

This is without prejudice to the communication or dissemination of data requested, in accordance with the law, by the Public Security Authority, by the Judicial Authority or by other public entities for purposes of defense, state security and investigation of crimes, as well as communication to the Judicial Authority in compliance with legal obligations, where there is a crime hypothesis.

For Technical Support only, personal data relating to student access, exams taken, and exam questions may be processed by external parties appointed as Data Processors.

The persons in charge of assistance services, with the prior consent of the student requesting the service, will be able to remotely access the data subject's PC for the sole purpose and within the limits strictly required for the provision of the assistance service.

Except for the aforementioned cases, personal data is in no way and for no reason communicated or disclosed to third parties.

Personal data is not transferred to third countries or international organizations.

5. Data Retention

Personal data will be kept for the time strictly necessary to ensure exam procedures and grade recording, without prejudice to the possibility of extending this period in cases of serious violations occurring during the examination and only for the time required thereto.

For exams using the **Moodle + Proctoring** system, the data will be kept for a maximum of 30 days from the date of recording of the images, for inspection purposes. Only in the case of detection of any anomalies, the data will be further stored for the time strictly necessary to allow the data subject to provide their remarks. It is forbidden to anyone to disseminate the recordings by any means.

6. Rights of the Data Subject

Pursuant to arts. 15 to 22 of the GDPR, the data subject may exercise, if the conditions are met, the right to ask the data controller for: i) access to their personal data, ii) the rectification or iii) cancellation of the same, iv) data processing restrictions, by contacting the following: Data Protection Officer, via Festa del Perdono, 7, 20122 Milan - e-mail: dpo@unimi.it.

7. Right to Object

Pursuant to art. 21 paragraph 1 of the GDPR, the data subject may object at any time, for reasons connected to his/her particular situation, to the processing of their personal data pursuant to art. 6 par. 1 letter e), i.e. when the processing has as its legal basis the performance of a task of public interest, by contacting the following: Data Protection Officer, via Festa del Perdono, 7, 20122 Milan



- e-mail: dpo@unimi.it

8. Right to Lodge a Complaint with a Supervisory or Judicial Authority

The data subject has the right to lodge a complaint with a supervisory authority in their country of residence or with any supervisory authority in the European Union. Alternatively, the data subject has the right to lodge a complaint with the competent judicial authority.

9. Changes to Information

This Information may change over time. Please check for any updates in the Privacy section of the website <http://www.unimi.it>.