



Online Proctoring Protocol Leiden University

Preamble

The Online Proctoring Protocol describes the procedure and the rules and criteria for online proctoring when examinations are taken online. The possibility of online proctoring is described in Article 4.1 of the Course and Examination Regulations (OER), and the criteria are laid down in this present protocol.

Frameworks and powers

Faculty Board

1. Leiden University processes personal data for the purposes of online proctoring on the basis of the following legal grounds:
 - Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (6.1(e) GDPR) for examinations that are held within the framework of the Higher Education and Research Act (WHW).
 - Necessary for the purposes of the legitimate interests pursued by the controller (6.1(f) GDPR) for other forms of education.

2. The Faculty Board is responsible for the practical organisation of examinations and final examinations and ensures, if necessary by means of invigilation ('proctoring'), that the examinations and final examinations proceed properly.
If online proctoring will be used, students will be informed of this at least ten days in advance.

3. A Faculty Board can decide that online proctoring will be used for online examinations in any of the following cases. *<choose one of the following options>*
 - a. As a 'last resort' for an examination, after consideration has been given to other cheating prevention options with less impact on the student's privacy. The Faculty Board deems the use of online proctoring for cheating prevention to be necessary if the following steps have been completed:
 - i. The examiner has considered the options for limiting the possibility of cheating in online assessments, including in any case the following options (or combinations thereof):
 - Redesigning the examination; for example, using open questions or essay questions (or a combination thereof), restricting the timeslot for the examination, or changing the sequence of questions and answers for different groups of students (versions).
 - Using new examination questions.
 - Using the University's plagiarism checking software after the examination to check for similarities between the students' answers or with online texts.



- ii. The considerations have been set down in writing and can be accessed by students who are deliberating whether to lodge an objection because the decision has unreasonable or adverse consequences for them. This may relate, for example, to students with a disability.
 - b. On a voluntary basis. The study programme offers students a free choice to participate in an online examination with online proctoring and an equivalent option -such as an on-campus 'pen and paper' examination without online proctoring- is also available. For this, the following conditions must have been met:
 - i. The study programme offers multiple equivalent examination options, one of which is an examination where online proctoring is used. This makes it possible to offer students a free choice between an online examination with online proctoring and, for example, an on-campus examination.
 - ii. The study programme offers an online examination with online proctoring as a facility for students with a disability. Here, the examination for which the student requests this facility does not count as an option.¹ In this case, the study programme must offer two facilities to ensure that the choice is voluntary. The voluntary nature of the choice is also ensured if the student's request to the Board of Examiners for a facility states that the student agrees to an examination where online proctoring is used.²
 - c. In the event of a crisis, as defined in Article 1 of the [Leiden University Regulations on Crisis Management Coordination](#), where it cannot reasonably be expected that the examination can be redesigned in time; for example, in the early days of a lockdown during a pandemic or the first days of a disaster, such as fire or flood, or a terrorist threat.
 - i. In principle, this relates to at least the first ten working days after the start of the crisis situation. After these ten working days have elapsed, the Faculty Board is expected to consider the options listed under 3a before deciding that online proctoring will be used.

Board of Examiners

4. The Board of Examiners is responsible for ensuring the quality of the organisation and procedures relating to examinations and final examinations (7.12b(1)(e) WHW).
5. The Board of Examiners' task of ensuring quality (as referred to in 7.12b(1)(a) and (e) WHW) allows it to advise on the use of online proctoring. The following aspects *inter alia* are relevant in this regard:
 - a. whether the identity of the student who is taking the examination can be verified;
 - b. whether sufficient measures are taken to prevent cheating during the examination;
 - c. whether it is possible to determine that the examination has been completed within the stipulated time;

¹ This is because the form in which the examination is offered can have unreasonable or adverse consequences for these students, and hence the choice is not voluntary if they can only accept an online examination with online proctoring as a facility.

² The Board of Examiners makes a decision on the basis of a student's request for an online examination with online proctoring as a facility, but it can also provide a different facility or refuse the request.



- d. whether it is reasonably possible to guarantee the societal value of the totality of the examinations and the degree;
- e. whether the use of online proctoring is necessary and subsidiary.

Resources

6. Resources for online proctoring provided by the University will be used. The Faculty Board can make an exception to this, on condition that the Privacy Officer (faculty/central) has issued a positive opinion.
7. The use of online proctoring must conform to the [Leiden University Privacy Notice - Students](#).
8. Use will only be made of the options in the software and hardware that are necessary to achieve the purpose, i.e. limiting the possibility of cheating. This is based on the principles of proportionality (the use must be proportionate to the intrusion on students' privacy) and subsidiarity (the purpose cannot be achieved with less intrusive means).
9. The Faculty Board will specify which applications within the software are necessary. The Faculty Board can decide this for each examination or each individual student's request for a facility, or can regulate this in a Faculty protocol for each type of examination.

Procedure

10. The use of online proctoring must be announced to students via the digital learning environment no later than ten days before the examination. This announcement must state clearly all the practical issues relating to the required hardware and software, how the student must log in and which sources, actions and aids (book, scribble pad, etc.) are permitted during the examination.
11. Students are not permitted to copy or distribute examination instructions, questions or answers in any way whatsoever. (*Article 3.5.1 of model OER*)

Questions and objections

12. Students who object to taking an examination online can submit a request to the Board of Examiners to take the examination in a different form. The Rules and Regulations of the study programme's Board of Examiners specify how students can submit a request. The Board of Examiners *can* make a positive decision about this, or can decide that the student must wait until the examination can be taken in a different way, either in person or in digital form. (*Article 4.3.4 of model OER; Rules & Regulations of the study programme's Board of Examiners*)
13. Students with insurmountable privacy objections have the *right to object* by virtue of Article 21 GDPR. This is possible if the student considers there to be specific circumstances under which his or her privacy interests should override the Faculty Board's interests in choosing to use



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online proctoring. Students can submit an objection about this to the Appeals and Objections Committee: secretariaat-jz@bb.leidenuniv.nl.

14. Students who wish to consult an independent GDPR supervisory authority should contact the Data Protection Officer via: DPO@leidenuniv.nl.

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Positive advice University Counsel 4 July 2022