



Data protection Guidelines for Online Education

The authorities' restrictions due to Covid 19 lead to an increase in online education in the university and college sectors. The guideline applies to anyone who performs online teaching in VID Specialized University. Lecturers must pay particular attention to ensure that published recordings do not contain confidential personal information. Avoid involving sensitive personal information in teaching and recording. If it is necessary, end-to-end encryption should be adopted and contact personvern@vid.no for further details.

1. Streaming:

When teaching is streamed, it is up to the students to decide if they wish to participate with the use of picture and / or sound during the streaming of teaching. This is controlled by the student through the software that is used for streaming and can be changed at any moment by the student during the stream.

2. Recording of online education that students attend

Lecturers will inform at the start each session whether recordings will be made. The recordings may include picture, sound, the lecturer's presentation and / or video where the lecturer and the presentation are in focus, but with the possibility that the photo / video and / or the voice of students will be included in the record.

2.1 What students can do if they do not want to be identifiable in the record:

- Login with anonymous username (depending on which tool is used)
- Turn off the microphone and camera
- Send questions to the lecturer via private chat, email or during any break where recording is stopped.
- Do not attend real-time teaching, but instead watch the recordings afterwards.

2.2 What the lecturer can do if they do not want to obtain consent (when consent is required)



- The lecturer can record video lessons without others participating in the video. The lecturer consent to recording when they start recording themselves.
- The lecturer can pause the recordings and offer an opportunity for students to ask questions.
- If recordings are made where the students are given the option to switch off the microphone / camera, etc., the lecturer must review the recording afterwards to ensure that personal information is not shown in the recording. Optionally, consent should be collected from those students who are identifiable.

2.2 Information for students prior to admission:

This information can be provided on Canvas dashboard and courses, and the lecturer must remind students that recordings are being made. Updated information must be provided if the lecturer has changed some of the information given before students enrolled in the course.

The purpose of the recordings is to make online courses available to students who are prevented from following the course in real time.

Recordings are published as a learning resource on Canvas and will be available to all students in the course. Recordings where students are identifiable must be stored in a safe place as long as they are academically relevant. The recordings must be deleted when the purpose of the recording is fulfilled. This is usually the case when the examination / postponed examination is completed.

If the recordings are to be used for other purposes (quality assurance, research, learning analysis, etc.), the consent of those who are included in the recording must be collected,

When consent is not necessary

When students' active participation is essential for achieving the purpose of the lesson, it will be considered in the public interest to process the personal information of the participants in the course. Thus, the basis for processing the personal information will be based on GDPR art. 6, no. 1, e, cf. Section 3-8 of the University and College Act of Education, § 4-2 concerning the educational plan, and § 4-3 concerning the students' learning environment. In this case, students' consent is not compulsory. But students are still able to hide themselves by using the methods mentioned above (see, sect 2.2)

When consent is required

For recordings of other types of teaching, the consent of students who are identifiable in the recording is required, cf. GDPR Art 6, no. 2, a). It must be considered whether VID's need for recording is strictly necessary to fulfil the purpose of the course/study programme. This means that recordings must be suitable for the purpose. If it is not necessary to make recordings in order to fulfil the students' rights and the institution's obligations, it should in principle not be done. (see section 2.2)

In this case, students will be asked to give their consent. Consent can be withdrawn. Withdrawal of consent must be made in writing to the administration of the faculty concerned. If students do not want to give their consent, or do not want to be identified in a recording, students can do as suggested. (Sec.2.1)

If a student who is identifiable in the recordings does not consent or withdraw his or her consent, the record must be edited / deleted. This does not apply if only the image is displayed, and the admission is only published as a learning resource in Canvas for the students participating in the same subject / course. In such cases, the use of image may be permitted by the Intellectual Property Act.

3. Students record the teaching

If students wish to make their own recordings, this cannot be distributed in violation of the Intellectual Property Act. This means that the record can be for personal use only and cannot be shared with anyone.

If students have to share the recorded material with fellow students who have not had the opportunity to participate in the teaching, contact the lecturer to obtain consent for this. In addition, consent must be obtained from any fellow students who are identifiable in the record.