

## Online written exams – Legal information

The following information applies to written<sup>1</sup> (partial) performance assessments<sup>2</sup> that students must complete and submit online within an allotted time. Please also refer to the applicable examination regulations. **The exam regulations do not permit online written on-campus exams (Klausur) to be conducted off campus** – neither supervised via video nor unsupervised.

Type	Description	Requirements in exam regulations	Type of task	Conditions
<b>Take home exam</b>	<ul style="list-style-type: none"> <li>Students complete work unsupervised, usually from home</li> <li>Students are not online while completing the exam</li> </ul>	<ul style="list-style-type: none"> <li>In exam regulations: "written performance assessment", no specific type (written on-campus exam or other form) is defined</li> <li>Written take-home exams do not have to be specifically permitted in the exam regulations<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>Suitable for tasks testing transfer, application, analysis skills and the like, not just knowledge</li> <li>Generally open-book/open-internet<sup>4</sup></li> </ul>	<ul style="list-style-type: none"> <li>Students' work is not supervised</li> <li>Declaration of independent work required<sup>5</sup></li> <li>Cannot be completed online</li> <li>Students download the exam and can upload their work afterwards ("exercise" in ILIAS)</li> </ul>
<b>Off-campus online exam</b>	<ul style="list-style-type: none"> <li>Students complete work unsupervised, usually from home</li> <li>Online<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>In exam regulations: "written performance assessment", no specific type (written on-campus exam (Klausur) or other form) is defined</li> <li>Exam regulations must explicitly allow off-campus online exams</li> </ul>	<ul style="list-style-type: none"> <li>Suitable for tasks testing transfer, application, analysis skills and the like, not just knowledge</li> <li>Generally open-book/open-internet<sup>4</sup></li> </ul>	<ul style="list-style-type: none"> <li>Students' work is not supervised</li> <li>Declaration of independent work required<sup>5</sup></li> <li>All technical problems are documented in the exam minutes<sup>6</sup></li> </ul>
<b>Online written on-campus exam (Klausur)</b>	<ul style="list-style-type: none"> <li>In supervised rooms on campus</li> <li>Online<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>Also possible if exam regulations require a written on-campus exam or other supervised performance assessment</li> <li>Must be explicitly permitted in exam regulations</li> </ul>	<ul style="list-style-type: none"> <li>Also to test students' knowledge</li> <li>Supervisors ensure students only use permitted aids</li> </ul>	<ul style="list-style-type: none"> <li>Supervision comparable to paper-based written on-campus exams (Klausur)<sup>7</sup></li> <li>University devices or students' own devices permitted<sup>8</sup></li> <li>All technical problems are documented in the exam minutes<sup>6</sup></li> </ul>

**General information:**

- Coursework and (partial) performance assessments can be conducted online in accordance with § 32a and § 32b of the Landeshochschulgesetz LHG (state law on higher education).
- Examiners can define an online format as provided for in the respective exam regulations, as long as this format is technically possible, suitable in terms of content and provides **fair and equal conditions** for all students.
- For such online formats, the university provides information and communication systems that comply with data protection regulations.
- Exam minutes will be recorded for online formats, just like for non-electronic formats. Comparable to on-campus exams, all grades and corresponding justification should be documented and stored along with the performance assessment wherever possible.
- If applicable, online formats can be held at different university locations, as long as the conditions are comparable for all participants (either everyone takes an off-campus online exam (unsupervised) or everyone takes a supervised online written on-campus exam (Klausur)).

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<sup>1</sup> In the context of the university's examination regulations, the term "written" differentiates such work from oral or practical exams. "Written" as laid out in § 126b BGB (German Civil Code) is defined by law and includes "...all written information stored on a durable medium that enables the recipient to retain or store and access the information for a period of time adequate to its purpose". This means that "written" also applies to mathematical calculations, formulas, graphs, multiple-choice tests, etc. that were created and transmitted online.

<sup>2</sup> Ungraded **coursework** can also be completed online, even if this option is not provided for in the exam regulations, since § 32a LHG only requires exam regulations to explicitly regulate online (partial) performance assessments.

<sup>3</sup> "Online" means that students complete the (partial) performance assessments **online**, usually directly in an electronic information and communication system (constant online connection). This is not the case if students only electronically submit (send, upload, etc.) a written performance assessment (e.g. written assignment or take-home exam) or use the internet for research during a performance assessment. § 32a LHG only requires exam regulations to explicitly regulate online (partial) performance assessments (but not take-home exams). Take-home exams fall under the same regulations as paper-based formats.

<sup>4</sup> "Open-book" and "open-internet" mean students have suitable, fair and equal conditions. In the case of off-campus online exams, it is also possible to limit the use of permitted aids by limiting the time to complete individual tasks. An additional way to make cheating more difficult is to split students into A and B groups with different assignments (e.g. questions in a different order, different dates/numbers). Since students submit a declaration of independent work stating that they only use permitted aids, the use of aids can be limited (e.g. use of AI technology to create text), even though students' work is not supervised.

<sup>5</sup> If a performance assessment was not completed on campus and under supervision, students must provide confirmation (in the announced form) of being the sole author and of only using permitted aids. In the ILIAS exams system, students must submit this declaration of independent work before they can access the respective assignments.

<sup>6</sup> Students must immediately report any technical problems during the performance assessment, and such problems (including those leading to a termination of the exam attempt) must be documented in the exam minutes.

<sup>7</sup> In certain technical environments, it is possible to create a secure environment that prevents students from opening other applications while working on the online written on-campus exam (Klausur), e.g. to search for answers on the Internet. Please contact the KIM e-learning team for advice on the options currently available at the university.

<sup>8</sup> Students who use their own devices must be informed ahead of time about the minimum technical requirements these devices must fulfil. KIM can lend out devices, if necessary.