



October 2020

# Data protection guide

for all courses employing  
**web conferencing tools** and / or  
which are **recorded**



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## Which data protection information do you have to provide to your students?

### What are the different scenarios?

#### 1. You do \*not\* want to record your course (temporary, synchronous course via web conference, as in most courses in the summer semester 2020)

In this case, you have to provide information about data processing. It is sufficient to give students the relevant information before the start of the course and have them automatically declare their consent by joining the course. Students cannot take part in the web conference if they do not consent to the data processing as per the information you provided about the corresponding web conferencing tool and the modalities of your course. Please inform your students that their personal data will be processed/stored only temporarily for the duration of this synchronous course and that no one may record the course.

We recommend informing them via an **ILIAS content page** or **email**. Of course, you can also use the slightly more complex option **Opt-In in ILIAS** (see below).

Please explain what options the students have to participate mutely and without being visible (if you plan only mute participation without camera for all participants, you do not need to obtain their consent). You can find the corresponding data protection information at <https://www.kim.uni-konstanz.de/services/forschen-und-lehren/videokonferenzen/>. As your participants can easily access this information at any time, you do not need to explicitly point it out.

#### 2. You intend to record the course or parts of it

If camera, microphone, chat, a list of participants or similar will be used for students participating online or in the on-campus classroom, you have to get the consent (in form of a consent declaration) of each participant to this explicitly described data processing. This is a very important part of your documentation requirements! The students must be given the option of revoking their consent, ideally in a way that is as easy as giving consent. Implicit consent is **not** sufficient – consent must be explicitly given. We recommend using **Opt-In in ILIAS** to do so, or (if the course is not in ILIAS) informing participants via **email** (see below).

### What do you need?

Please use the following documents to inform your students:

a) Adapt the respective template on data protection information and consent “Datenschutz\_Einwilligung\_Online-Lehre” available at <https://www.uni-konstanz.de/justizariat/datenschutzrecht-in-der-online-lehre/>, especially the text blocks in red, to fit your specific course.

b) Provide data protection information for the web conferencing tool used. You can find the corresponding information in the bottom right corner of the page <https://www.kim.uni-konstanz.de/services/forschen-und-lehren/videokonferenzen/>

c) To write to your students (via an ILIAs content page or via email), you can use the text blocks at: <https://www.uni-konstanz.de/lehren/beratung-hilfsmittel-service/digital-unterstuetzte-lehre/faqs-datenschutz/>

## **How can you communicate the information to your students?**

It is enough to inform your students in good time before the course starts. You do not have to do so for every individual class.

### **We recommend the following options:**

#### **a) Email**

You will find the email addresses of your students in ZEuS after they have registered for your course. Please note that external students may not be able to register via ZEuS. In this case, you have to list and contact them separately.

You can use the text blocks mentioned in c) to write to your students. In case the course or parts of it will be recorded, you need to adapt the text accordingly (mention and describe the recording, request the consent declaration via email, inform them about the option of revoking consent via email).

Disadvantages: You have to send emails containing the link to the course. Students would be able to join the course without having read the data protection information. In scenario 2 (course that is recorded), for which you need the explicit, verifiable consent of the participants to the planned data processing, this consent has to be sent via email and must be managed accordingly (did everyone send their consent mail? The revocation of consent also would have to be done via email.) Theoretically, in this case, too, third persons might be able to log in.

This is why we recommend you inform students via email only if your course is **not** in ILIAS.

#### **b) The Opt-In feature in ILIAS**

This is an excellent option in case your course is recorded, as students joining the class only have to tick a box to give their consent (or revoke it). These activities are traceable. Students can only access the course after they have given their consent.

You can find a guide (in German) with images showing how to create this form in your ILIAS course on the page [FAQs about ILIAS](#).

**c) The “content page” in your ILIAS course**

In your ILIAS course you create the object “content page”. Here you will find the same combination of data protection information, the consent form and a link to the web conference that you would use for the email option (see a).

You can find more detailed instructions (in German) in the [FAQs about ILIAS](#).

The advantage: You do not have to send emails and your users will receive all relevant information as well as the link. You can do the same with BBB items in your course by hiding the BBB item for course members and creating a local link to the BBB item in the text of a content page instead.