PRIVACY POLICY DISCLAIMER

EDUC ALLIANCE – Virtual Learning Environment

BASIC LEGAL INFORMATION

Data Controller	EDUC Alliance (www.educalliance.eu)
Purposes	To promote and execute electronically supported e-learning among the participating universities and to make it accessible on a uniform platform
Lawfulness	1. Students´ Data: public interest and for compliance with a legal obligation 2. Employees´ Data: art. 88 GDPR (for compliance with legal national obligations in employment contexts) 3. Cookies: according to compliance with a legal obligations 4. Consent
Data Right	Access, Rectification, Portability and Erasure, Restriction and Objection.
Additional Information	https://www.educalliance.eu/privacy-policy

ADDITIONAL LEGAL INFORMATION

1. Who processes your personal data?

1. EDUC-Alliance and that it is composed of several European Universities as data controllers.
2. On the EDUC Website we create an exclusive page to indicate the identity, contact and DPO details of each University.
3. We invite users to visit the identity section of the different members of the EDUC Alliance.
4. According to GDPR Art. 26 (2), all the controller concluded a contract regulating their joint controllership. A copy of this agreement can be found at https://www.educalliance.eu/resources

2. What personal data do we collect?

1. With the registration to the Virtual Learning Environment, the following personal data will be processed:
2. User account (corresponds to the respective university account or a guest account),
3. Surname and first name,
4. Your email address at your home university or the email address of the guest account.
5. Name of home organization (university)
6. Log data, e.g. IP-addresses and at what time you access which parts of the course offerings.
7. Session Cookie.
8. User data: Course application data, content, contributions and activities of the user in Moodle.

3. Where do we collect your personal data?

Currently, the entire Virtual Learning Environment infrastructure is hosted and managed by the University of Potsdam. More information about this "Administrator Controller" is provided below in point 9.

4. How long will we retain your personal data?

The data in the user profile (registration data) is stored until the user profile is deleted. The data from participation in courses (user data) is stored until the course is deleted. Log data is deleted 365 days after the end of the usage process. Session cookies are deleted when you log out, when your Virtual Learning Environment session ends after a long period of inactivity, or when you end your browser session.

5. What purposes do we process your personal data for?

The central e-learning platform "Virtual Learning Environment" under the URL https://learning.educalliance.eu/ is established in order to promote and execute electronically supported learning ("e-learning") among the participating universities and to make it accessible on a uniform platform.

6. Why do we process your personal data?

Lawfulness of processing:

1. **Students.** The legal basis for the processing of student's personal data is Art. 6 para. 1 sentence 1 lit. e GDPR. This provision allows the processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. It has to be complemented by a legal basis in Union law or in the law of the Member States from which the specific tasks to be carried out are derived. These complementing provisions differ for the processing done by each of the joint controllers:

   a. **University Jaume I:** Organic Law 2/2023, of 22 March, on the University System. Article 2 describes the services that Spanish universities must offer and article 3 grants them.

   b. **University of Cagliari:** ROYAL DECREE 31 August 1933, n. 1592. Approval of the consolidated act of higher education laws. Article 33 of the Italian Constitution which provides that universities have the right to adopt

autonomous systems within the limits established by the laws of the State. Law 9 May 1989, n. 168. Establishment of the Ministry of universities and scientific and technological research. University Statute issued on 9 July 2019 n. 765.

c. **Masaryk University:** Sec. 88 of Higher Education Act N. 111/1998 Coll. According to this provision higher education institutions in the Czech Republic shall process personal data of its students and graduates for the state registry and transfer them to the Ministry of Education, Youth and Health. Section 16 of the Czech Act on Personal data Processing – No.110/2019 Coll. deals with processing of personal data for the purpose of scientific or historical research or for statistical purposes.

d. **University Paris-Nanterre:** Law number 78-17 of 6 January 1978 on information technology, files and civil liberties. According to this law, the legal basis for data processing is 1st Title, Chap. 1, Art. 5, lit. 5. This provision allows the processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

e. **University of Pécs:** Art. 18 and Annex 3, point I. of Act CCIV of 2011 on higher education regulates the data processing operations at the universities, including some rules regarding the students. Art. 18 lists the possible data processing purposes, the relevant ones are „ensuring the proper operation of the university" and "to grant the rights and ensure obligations of the students". The Annex lists the potential categories of personal data processed, including – among others – the students' identification data (name, time and place of birth, etc.), contact data (contact address, telephone number, etc.), data about their education (courses, exams, credits, foreign studies), etc.

f. **University of Rennes:** Law number 78-17 of 6 January 1978 on information technology, files and civil liberties. According to this law, the legal basis for data processing is 1st Title, Chap. 1, Art. 5, lit. 5. This provision allows the processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

g. **University of South-Eastern Norway:** Act relating to universities and university colleges LOV-2005-04-01-15 § 4 – 15 (1) The educational

institution may process personal data regarding an applicant, student or PhD candidate when the purpose of the processing is to safeguard the rights of the data subject, or to fulfil the institution's tasks and duties under the Act relating to universities and university colleges.

h. **University of Potsdam:** Sec. 15 Para. 11 Brandenburg Higher Education Act (BbgHG). According to this provision institutions of higher education in the state of Brandenburg may process personal data of applicants, students, doctoral students, examination candidates and external users of higher education facilities that are required i.a. for the participation in courses, examinations and the use of higher education facilities.

2. **Employees.** The legal basis for the processing employee's personal data stems from Art. 88 GDPR. This provision opens the possibility for Member States to create specific rules for the processing of personal data in employment contexts through legislation or collective agreements including for the purpose of the performance of employment contracts. These specific rules differ for the processing done by each of the joint controllers:

a. **University Jaume I:** Royal Legislative Decree 5/2015, of October 30, by which the Consolidated Text of the Law of the Basic Statute of the Public Employee is approved. Law 4/2021, of April 16, on the Valencian Civil Service. Royal Legislative Decree 2/2015, of October 23, by which the revised text of the Workers' Statute Law is approved. Organic Law 2/2023, of March 22, of the University System.

b. **University of Cagliari:** Requirements relating to the processing of special categories of data in labour relations (aut. gen. no. 1/2016) referred in the Provision [9124510] pursuant to art. 21, paragraph 1 of Legislative Decree no. 10 August 2018, no. 101.

c. **Masaryk University:** In accordance with Act No. 110/2019 Coll., the Personal Data Processing Act, it is permissible to process personal data of employees based on the employment contract concluded with them, which includes facilitation of educational courses and management of personal information concerning employees professional activities within the institution.

d. **University Paris-Nanterre:** Law number 78-17 of 6 January 1978 on information technology, files and civil liberties. According to this law, the legal basis for data processing is 1st Title, Chap. 1, Art. 5, lit. 5. This provision allows the processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

e. **University of Pécs:** Art. 10-11/A. of the Act I of 2012 on the Labor Code provides some more detailed rules on data processing of employees. Art. 18 and Annex 3, point I. of Act CCIV of 2011 on higher education regulates the data processing operations at the universities, including some rules regarding the employees. Art. 18 lists the possible data processing purposes, the relevant ones are „ensuring the proper operation of the university" and "carry out obligations and exercise rights regarding employment of teachers, researchers and other employees". The Annex lists the potential categories of personal data processed, including – among others – the employees identification data (name, time and place of birth, etc.), contact data (contact address), data of the employment, etc.

f. **University of Rennes:** Law number 78-17 of 6 January 1978 on information technology, files and civil liberties. According to this law, the legal basis for data processing is 1st Title, Chap. 1, Art. 5, lit. 5. This provision allows the processing of personal data for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

g. **University of South-Eastern Norway:** The Act relating to the working environment, working hours and employment protection, etc. (Working Environment Act) § 14-5 and § 14-6 on the employment contract, seen together with the act relating to universities and university colleges LOV-2005-04-01-15 § 1- 3 (a to g on the institutions activities), provides a legal basis for the processing of employees personal data for the purpose of conducting courses etc.

h. **University of Potsdam:** Sec. 26 Para. 1 Brandenburg Data Protection Act (BbgDSG). According to this provision, public entities in the state of Brandenburg, such as the University of Potsdam, may process personal data of employees in connection with, among other things, the performance of the respective employment contract. This includes the processing of

personal data of employees of the state's universities for the purpose of conducting courses.

3. **Cookies.** The processing of personal log data and personal data in connection with the storage of session cookies on your device is carried out on the basis of the aforementioned provisions.
a. For as long as the infrastructure is hosted and managed by the University of Potsdam, the storage of session cookies on the personal device itself is based on Section 25 para. 2 No. 2 German Telecommunications Telemedia Data Protection Act (TTDSG)
b. For as long as the infrastructure is hosted and managed by the University Jaume I, the storage of session cookies on the personal device itself is based on Article 22 (2), Spanish Law 34/2002, July 11, on information society services and electronic commerce (LSSICE).

4. **Consent.** Insofar as the data processed by the Virtual Learning Environment is not necessary for the participation in courses by students or the performance of employment contracts by employees, the processing is carried out on the basis of consent pursuant to Art. 6 para. 1 sentence 1 lit. a GDPR. This specifically applies to optional account data, which can be added by users by editing their profile. These data include: user pictures, additional names, interests, optional contact data and date of birth. The consent is given conclusively by providing the data.

7. To which third parties will we disclose your personal data?

For as long as the infrastructure is hosted and managed by the University of Potsdam, there is no third-party processing the data under the authority of the controller.

For as long as the infrastructure is hosted and managed by the University Jaume I, all IT infrastructure is hosted in AWS (Amazon Web Services EMEA SARL – Ireland) and managed by Rackspace (Rackspace International GmbH with registered office in Zurich, Switzerland). In rare cases if there is a data transfer to the USA, SCCs (Standard Contractual Clauses) will be in act as well as the Data Privacy Framework for EU-US personal data transfers.

8. What security measures have we implemented?

For as long as the infrastructure is hosted and managed by the University of Potsdam, the safety measures include, at least:

(1) Organisational measures
- Access management for sites and equipment
- Incident management
- Backup and recovery concept
- Training of user awareness

(2) Technical measures
- Usage of firewalls and malware protection
- Creation of regular backups
- Encryption of storage
- Identity and access control
- Monitoring of user login and activities
- Security maintenance and updates

For as long as the infrastructure is hosted and managed by the University Jaume I, the safety measures are:

(1) The security measures established in the Spanish National Security Framework (ENS), at medium level, and specified in Annex 2 of Royal Decree 311/2022, of May 3, which regulates the National Security Framework
(2) To view this, please visit the following link: https://administracionelectronica.gob.es/dam/jcr:eb23ff83-ebdb-487e-abd2-8654f837794f/RD_311-2022_of-3_May_ENS.pdf

9. What are your rights?

According to GDPR, Articles 15-21, You can exercise your rights of access, to rectification, -portability and erasure of your data and those of restriction and objection to their processing. The point of contact for exercising rights as data subjects resulting from Art. 15 to 21 GDPR is, for general technical data, the Administrator Controller running each platform or Data Controllers of the respective university of affiliation of the teacher(s) for those courses or modules

taught. Related to this is the obligation to make available to data subjects upon request the information pursuant to Art. 15 GDPR and to handle processing requests pursuant to Art. 16 to 21 GDPR. All Processors Controller shall cooperate, if necessary, to facilitate the exercise of rights. Being so, the contact information for exercising your rights is listed below:

Current Administrator Controller:

University of Postdam:
Am Neuen Palais 10
14469 Potsdam - Germany
Email: datenschutz@uni-potsdam.de

Rest of Processors Controller:

University Jaume I
Edifici Rectorat i Serveis Centrals. Campus de Riu Sec. E
Castelló de la Plana (Castelló) - Spain
Email: dpd@uji.es

University of Cagliari
via Università, 40
09124 Cagliari - Italy
Email: dpo@unica.it

Masaryk University
Žerotínovo nám. 617/9
60177 Brno - Czech Republic
Email: poverenec@muni.cz

University Paris Nanterre
Direction des Affaires Juridiques et Institutionnelles (DAJI)
Batiment Pierre Grappin
200 avenue de la République
92001 Nanterre Cedex - France

Email: dpo@liste.parisnanterre.fr

University of Pécs
Vasvári P. u. 4.
7622 Pécs - Hungary
Email: adatvedelem@pte.hu

University of Rennes
Monsieur le Président de l'Université de Rennes
A l'attention de la déléguée à la protection des données
Direction des Affaires Juridiques et Institutionnelles (DAJI)
Batiment 1A
263 av Général Leclerc
35042 RENNES CEDEX
CS 74205 - France
Email: dpo@univ-rennes.fr

University of South-Eastern Norway
Postboks 43199 Borre
Norway - Email: Postmottak@usn.no

The contact details of the Data Protection Officer of each University are as follows:

- University Jaume I: dpd@uji.es
- University of Cagliari: dpo@unica.it
- Masaryk University: poverenec@muni.cz
- University Paris Nanterre: dpo@liste.parisnanterre.fr
- University of Pécs: adatvedelem@pte.hu
- University of Rennes: dpo@univ-rennes.fr
- University of South-Eastern Norway: postmottak@usn.no
- University of Postdam: danteschutz@uni-postdam.de