**TU/e Regulations for examinations using an Online Proctoring System Pruefster**

The Executive Board of Eindhoven University of Technology, TU/e,

having regard to Article 7.10, paragraph 3, of the Higher Education and Scientific Research Act in conjunction with Article 7.12b, paragraph 1, under e in conjunction with Article 2.2 of the Regulations for Examination Committees,

in view of the fact that these regulations are a supplement to the Regulations on the central t examinations TU/e,

decides to adopt the TU/e Regulations for examinations using an Online Proctoring System, which read as follows:

Chapter 1 General Provisions Article 1.1 Definitions

Examiner. A teacher who is responsible for an individual study component at TU/e and has been appointed by the examination committee to assess students by administering examinations on the study component and determining their results.

Digital Exam Coordinator Officer responsible for the organization of digital examinations and managing of the digi-coaches.

RE Regulations for an examination committee of one or more TU/e degree programs.

PER. Program and Examination Regulations of a TU/e program.

ESA Education & Student Affairs at TU/e.

LIS Library and Information Services of TU/e.

Student A person who is pursuing a study in higher education and, for the purposes of these regulations, is enrolled in a degree program in accordance with the TU/e Regulations for Application, Study Choice Check, Enrollment and Termination of Enrollment.

Exam See the definition in the PER model for bachelor's programs and the PER model for master's programs.

Proctoring Agency The software company that provides the proctoring software for TU/e, thereby facilitating online proctored examinations for TU/e .

Exam system A digital system used to administer examinations.

Online proctoring system A digital system that allows irregularities and fraud to be detected when taking online examinations .

Online proctored examination A centrally organized examination or an examination authorized in individual cases by the examination committee that students take on a (laptop) computer while proctoring software records video and audio from the students' (laptop) computer that are viewed by a live proctor. The recorded image is sent to a reviewer for subsequent storage and review.

Proctoring Agency help desk In case of technical problems, students can contact the

Proctoring Agency help desk staff through the chat function of the online proctored exam.

Proctoring Coordinator TU/e employee responsible for the organization of online proctored examinations.

Reviewer Employee of TU/e who checks the recorded material of an online proctored examination after its administration that has been identified as irregular by the live proctor.

Live proctor Employee of the Proctoring Agency who identifies, observes and monitors (a) student(s) live during the administration of an examination.

Institutional Board The Executive Board of TU/e.

Article 1.2 Relationship to the role and task of the Examination Committee

The examination committee has the legal task of ensuring the quality of the organization and procedures around tests and final examinations (see Article 2.2 of the RE). The institutional board is responsible for the organization and procedures around tests and final examinations to which these regulations apply.

Article 1.3 Scope of regulation

1. These regulations cover the centrally organized examinations, which are proctored online. Instructions for examiners, live proctors, reviewers and students are part of these regulations and are included in Appendix 1.
2. In addition, there is a document whose use is prescribed under these regulations but is not part of these regulations. It is the examination cover sheet. Templates for the cover sheet are available that are appropriate to the form of exam. The chain manager of Exam Planning and Fraud Prevention is responsible for the adoption and communication of these documents. Changes are coordinated with the chain stakeholders from the examination organization, teacher support, advisor of AEBAEM, and further coordinated with the managers of ESA and/or the Advisory Committee Examinations for Bachelor's Programs - Advisory Committee Examinations for Master's Programs. Part of the changes is an implementation test, in which practicality and understandability is paramount for students , examiners and the examination organization.

Article 1.4 Legal Basis

1. Online proctored examinations may be offered, when:

1. in cases of force majeure, examinations cannot be held on the TU/e campus (e.g. due to government measures and public health reasons) or only to a limited extent (e.g. due to limited space, limited suitability of rooms or limited accessibility for students due to public transport restrictions) and no alternative forms of examination (such as oral examinations) are possible and/or suitable.
2. students submit a request to the examination committee for this purpose, which may be approved by the examination committee, because students are unable to take an examination on the TU/e campus due to personal circumstances.
3. students in case of an offer of an examination in hybrid form (being the simultaneous offer of an online proctored examination and an examination on the TU/e campus) choose to take an online proctored examination instead of an examination on the TU/e campus. If the student chooses an online proctored examination, the provisions of Article 5.4 paragraph 7 do not apply.
4. exchange students, as referred to in the Regulation on Special Form of Enrollment, submit a request to this effect because they are taking online education at TU/e (for example, within the framework of EuroteQ), while they are taking a degree program at an educational institution abroad.

2. Online proctored examinations may also be offered when an online proctored examination is part of a pilot, as referred to in point 18 of the TU/e Bachelor College After Revision Guidelines and heading 'pilots' of the TU/e Graduate School Master's Guidelines, and students have the choice whether or not to be part of that pilot.

Article 1.5 Objectives.

The administration of online proctored examinations has the following objectives:

- (1) to minimize student study delay when examinations cannot be administered on the TU/e campus or only to a limited extent and no alternative forms of examination are possible and/or suitable or

-(2) to provide students with a no-obligation service referred to in Article 1.4(1)(b), (c) and (d) and (2);

* fraud prevention;
* fraud detection;
* obtaining evidence in the case of (suspected) fraud.

Chapter 2 Types of online proctored examinations Article 2.1 Types of online proctored examinations

* 1. There are at least three ways to take an online proctored exam:
		1. online proctored examinations through the exam system AnsDelft or Oncourse , where the exam questions and answers are given/supplied through the exam system and the use of pen and paper is not allowed.
		2. online proctored examinations through the exam system AnsDelft or Oncourse , where the exam questions and answers are given/supplied through the exam system . In this case, students can use pen and paper to work out the exam, but these papers do not have to be handed in.
		3. online proctored examinations through the exam system AnsDelft, Oncourse , in which the exam questions are provided through the systems and the answers are submitted partly through the systems and partly on paper. In the latter case, students can work out exam questions with pen and paper and have to take pictures of the papers with their cell phones and upload these pictures in the test environment.
	2. The three ways of taking online proctored examinations can be combined if necessary.
	3. All examinations have a cover sheet completed by the examiner as referred to in Article 1.3.

Chapter 3 The proctoring coordinator, examiner, live proctor and reviewer

Article 3.1 The proctoring coordinator

1. There is a central proctoring coordinator.
2. The proctoring coordinator is responsible for the following:
	1. Maintaining a record of examinations administered using the online proctoring system, including the exam system used to administer them;
	2. Coordinating support to examiners through deployment of staff teacher support in converting their exam into an online proctored exam through the online proctoring system.
	3. Monitoring the proceedings during examinations.
3. If it appears that there are technical problems with the online proctoring system during or after the completion of an online proctored examination, as referred to in Article 2.1, the proctoring coordinator will be notified immediately by the Proctoring Agency or LIS . The proctoring coordinator prepares an impact analysis. The ESA Director then decides whether there is a situation of force majeure, as referred to in Article 8.2 of these regulations.

Article 3.2 Powers of examiner, live proctor and reviewer

1. After completion of the online proctored examination, the reported comments and associated recordings by the live proctor (based on Article 3.2 Section 4 and Article 4.1) are analyzed by a reviewer to check for possible fraud by student(s) .
2. The examiner waits to assign final grades, observing the review deadlines set forth in the PER, until all examinations have been analyzed.
3. If after checking the reviewer suspects a case of fraud, the reviewer records this suspicion in a review report. The reviewer sends the review report to the examiner who then informs the examination committee. The further handling of fraud cases is laid down in Chapter 3 of the Regulations for the Examination Committee. Student reports, as referred to in Article 4 under m of Appendix 1, are included in the examination committee's handling of fraud cases.
4. In any case, fraud or attempted fraud means the following:
	* use of other people's campus cards.
	* (attempted) use of resources and tools identified as unauthorized by the examiner, e.g. artificial intelligence tools and/or other communication, storage or display devices .
	* (attempted) use of unauthorized printed or handwritten texts or cheat sheets.
	* going out of view of the student's webcam while taking the final examination and/or turning off the microphone, if and to the extent that this occurs outside of authorized breaks (if any).
	* (attempted) technical modifications that undermine the proctoring system.

Article 3.3 The examiner

1. The examiner is responsible for the preparation and delivery of the examination papers and the cover sheet, ensuring proper examination administration.
2. The examiner is available to the proctoring coordinator 30 minutes before and after the examination begins.

Chapter 4 Preconditions of an online proctored examination

Article 4.1 Location of online proctored examinations

1. The online proctored examination may be administered at a location of the student's choice as long as the following conditions are met:
2. Lighting in the room should be bright enough to be considered "daylight" quality. Overhead lighting is preferred. If overhead lighting is not available, the light source should not be located behind the student.
3. The student must be seated at an empty desk or table. The following items may not be on the student's desk or used during the online proctored exam, unless it is explicitly stated on the exam cover sheet that these materials may be used:
	1. (study) books,
	2. blank paper,
	3. writing tools, such as pens, pencils etc.,
	4. calculators,
	5. laptop(computers) (with the exception of the laptop(computer) on which the exam will be taken)

g. cell phones

h. (smart) watches

1. The space (floor, wall, ceiling, etc.) around the student should not contain any written texts or cheat sheets.
2. The student must be alone in the room.
3. The room should be as quiet as possible. Noises such as music or television are not allowed.
4. The student should be able to perform a webcam scan of the room during the online proctored exam only when requested by a live proctor. This is achieved by being able to move and rotate the webcam or the entire device to which it is connected.
5. The student must take the examination in the same room that may have been scanned at the request of the live proctor , as referred to in the previous paragraph.

Article 4.2 Handing in and storage of (handed in) examinations

1. In the case of an online proctored examination, as referred to in Article 2.1, the examiner enters the examination to be taken into the system no later than five days before the start of the examination.
2. All online proctored examinations referred to in Article 2.1 include a cover sheet completed by the examiner.
3. Upon completion of the examination, the examiner stores all digitally prepared examination questions (worked out on paper), as referred to in Article 2.1.

Article 4.3 Requirements (laptop) computer

1. An online proctored exam is taken using the student's (laptop) computer.

The (laptop) computer, as referred to in paragraph 1 , must meet certain requirements as stated on the website. Also, the (laptop) computer must have a working webcam and microphone. If a student does not have a (laptop) computer that meets the aforementioned requirements then the student must attempt to use a (laptop) computer from someone else (family, friends, or roommates). If the latter is not possible, the student should contact LIS no later than 5 working days before the start of the exam to request to borrow a laptop (computer).

Article 4.4 Duration of examinations and inserted breaks

1. An examination lasting less than 90 minutes does not include fixed breaks.
2. If an examination lasts longer than 90 minutes, a break will be added after those 90 minutes. The 90-minute portion of the examination must be completed within those 90 minutes and, when the added break starts, cannot be reopened. Students can start the new part of the exam (the new part has a maximum duration of 90 minutes), when the added break has ended.
3. The student should only perform a webcam scan of the room at the request of a live proctor after an added break during the online proctored exam. This is achieved by being able to move and rotate the webcam or the entire device to which it is connected.
4. Contrary to the provisions of paragraph 2 and 3 of this article, students who, at their own request, take an online proctored examination, as referred to in Article 1.4 paragraph 1 under b and d, which lasts longer than 90 minutes, are allowed to take a continuous toilet break of no more than 5 minutes once at a time of their own choosing from 90 minutes after the start of the examination.
5. Students must follow the instructions set forth in Article 4 under l of Appendix 1 when taking a break, as referred to in paragraph 4 of this Article.

Article 4.5 Other preconditions for pre-organized online proctored examinations

1. Online proctored examinations can only be taken in rooms that meet the conditions, as mentioned in Article 4.1.
2. Students must follow the instructions set forth in Article 5 of Appendix 1 when, in response to an examination assignment, they upload a photo of a written answer on paper using a mobile phone/camera.
3. The student must keep their head in view of the webcam at all times during the examination. The student is not permitted to visit the toilet unless a break has been granted for this purpose by the examiner.
4. Half an hour before the online proctored exam, Proctoring Agency help desk staff will be available via the Proctoring Agency's chat function to assist students with technical problems. The chat function is available to students until half an hour after the scheduled exam end time. During the administration of the exam, chat with the live proctor is possible.

Chapter 5 Student Rights and Duties Article 5.1 Manual

1. The student can find the student manual for online proctored tests at https://educationguide.tue.nl/programs/testing-and-assessment/testing-systems

Article 5.2 Technical problems

1. If a student fails to log in and take the exam due to technical problems, the exam will be recorded with an ONG (invalid) in Osiris.
2. If a student fails to log in and take the examination for reasons other than those mentioned in paragraph 1, the examination result will be assessed with an NV (did not appear) and the final grade will be recorded in Osiris with an NVD (failed). If it is an mid-term test, the mid-term test will be assessed with the grade 0.

If a student experiences technical problems beyond their control (for example, power outages in the region), the student must report it within 24 hours by contacting proctoring@tue.nl or digitalexams@tue.nl. If necessary (in coordination with the examiner), then the examination committee may decide to offer an additional individual retake or a centrally organized retake.

Article 5.3 Provisions for functional impairment

1. During the online proctored examination, the following two facilities may be offered to students with recognized functional impairments: 10 minutes of extra time and/or "large print. Other facilities (such as a low-stimulus room) must be arranged by the students themselves. If the latter is not possible, the student must contact the examination committee in accordance with the deadline as set forth in Article 8 .8 of the AR bachelor's program and Article 7.3 of the master's program's EER.
2. The Proctoring Coordinator will ensure that the facilities, as mentioned in paragraph 1, for students with functional impairments are set up in the system.

Article 5.4 Other

1. Students are required to follow the instructions listed in Articles 4 and 5 of Appendix
	1. This includes a procedure to verify that their ICT equipment allows proctoring.
	2. An online proctored examination must be started and completed online within the specified time frame.
	3. Students can use their TU/e login credentials to log into the exam system.
	4. Validating the completion of the exam is done based on the students' email addresses or student numbers.
	5. An examination may be declared invalid if a student fails to comply with the instructions in Article 4 and 5 of Appendix 1.
	6. Fraud within the meaning of Article 3.2, fourth paragraph, results in the student's examination results not being assessed and the student receiving a failing grade for the examination. Decisions on whether fraud has occurred are made exclusively by the examination committee. The proctoring system does not decide this; it only provides data.
	7. Students are responsible for a good Internet connection. If it is likely that a student cannot get a reliable Internet connection, the student may reserve a space at TU/e.
	8. Students who have insurmountable objections to taking an online proctored examination may apply to the examination organization for an alternative examination by contacting proctoring@tue.nl or digitalexams@tue.nl. This request must be made no later than 10 working days before the start of the examination period.

Chapter 6 Privacy

Article 6.1 Processing personal data

1. The General Data Protection Regulation (AVG) applies to data processing within online proctoring. Processing agreements have been signed with third parties regarding online proctoring. They are thus also bound by the AVG.
2. When student takes the online proctored exam , the following personal data are processed:
	* Name (first name, initials and last name);
	* email address, image of TU/e student card (or other means of identification for admission tests);
	* photo of student, taken via webcam of (laptop) computer;
	* video and audio recordings of student and the room in which student is located during the examination, made via the webcam of the (laptop) computer;
	* activities on the screen while taking the exam;
	* head and eye movements;
	* The IP address of the computer network to which student's computer/laptop is connected;
	* The web pages that student visits during the taking of the final examination; and,
	* answers to the exam questions.
3. Reviewers and the members of the examination committee assigned to this purpose have access to the data, as mentioned in paragraph 2, to assess whether the examinations to be assessed by them were taken in accordance with the rules.

4. Data collected shall be used only for this purpose and more specifically to verify who took the examination, to determine that no fraud was committed during the taking of the examination, and to determine that the examination was taken within the given time frame. . Records will not be kept longer than necessary. If there is no suspicion of fraud, the data will be deleted as soon as the result of the examination has been established and processed in Osiris and within a maximum period of 30 calendar days after participation in the examination. In the case of (suspected) fraud, the data will be kept as long as necessary to reach a judgment and is legally unassailable. The staff member who handles any objection case has access to the data referred to in the paragraph 2.

5. On the subject of online proctoring, TU/e is proactively transparent regarding the processing of types of personal data, the purpose of the processing and the manner in which the processing is done. To this end, the TU/e Privacy Statement 'Examinations with online proctoring' has been prepared (see [[TU/e testing systems](https://educationguide.tue.nl/programs/testing-and-assessment/testing-systems)](http://TU/e%20testing%20systems))

Chapter 7 Legal protection

Article 7.1 Privacy

1. Students may request:

- to inspect the personal data being processed;

- correct personal data if it contains factual inaccuracies;

- have personal data deleted if it is no longer necessary for the purpose of processing;

- limit the processing of personal data.

1. Students may object to the processing of personal data.
2. Students wishing to make a request, as referred to in paragraph 1, or object, as referred to in paragraph 2, should contact the TU/e privacy team to do so at: privacy@tue.nl.

Article 7.2 General

Students may appeal a decision of the examination committee or examiners under Article 7.1 of the Examination Committee Regulations.

Chapter 8 Final Provisions

Article 8.1 Fraud

In case of (suspected) fraud , Article 3.5 of the Examination Committee Regulations applies. See also Article 3.2, paragraphs 3 and 4 of these regulations.

Article 8.2 Force Majeure

In case of force majeure situations (e.g. total power failure, failure of examination system), Appendix 4, point 1 under e and g in conjunction with point 2 under e and g, belonging to the Central Examination Regulations applies accordingly with the understanding that the proctoring coordinator should be read for central examination coordinator.

Article 8.3 In conclusion

These regulations may be cited as the TU/e Regulations for Examinations using an Online Proctoring System Pruefster, and takes effect from January 1, 2025.