TU/e Examination Regulations for Online Proctored Exams with an online Proctoring System, last altered on 11 06 2020

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

With regard to Article 7.10, third paragraph of the Dutch Higher Education and Scientific Research Act (Wet op het hoger onderwijs en wetenschappelijk onderzoek, WHW) in conjunction with Article 7.12b, first paragraph under e and in conjunction with Article 2.2 of the Examination Committees' Regulations,

In the regard that these regulations are an addition to the TU/e Central Examination Regulations,

resolves to adopt the TU/e Examination Regulations for Online Proctored Exams with an Online Proctoring System, which read as follows:

Chapter 1 General stipulations

Article 1.1 Definitions

Examiner: A lecturer who is responsible for an individual study component at TU/e and is appointed by the Examination Committee to assess students by setting examinations on the study component and determining the results.

Examination coordinator: Person responsible for the organization of the examinations.

RE: Regulations of an Examination Committee of a TU/e degree program.

OER: Program and Examination Regulations of a TU/e degree program.

Educational planner: Officer responsible for planning the course and examination schedule at a department.

ESA: TU/e Education & Student Affairs.

IMS: TU/e Information Management & Services.

Student: A person who is following a degree program in higher education and, for the application of these Regulations, is enrolled in a degree program in accordance with the TU/e
Regulations for Registration, the Academic Career Check Enrollment, and Termination of Enrollment.

**Examination:** An audit associated with a particular study component into the knowledge, insight and skills of a student, as well as an assessment of the results of that audit. In these regulations examination is also understood to mean a written or digital examination as well as a centrally organized final test, as stated in Article 1.2 of the OER of the degree program.

**Proctoring Agency:** The software company that facilitates online proctored exams for TU/e.

**Test system** A software system in which exams can be administered.

**Online proctoring system** A software system that enables fraud detection when administering exams through the test system.

**Online proctored exam:** A centrally scheduled exam that students take on a (laptop) computer while proctoring software monitors students' (laptop)computer webcam video and audio. The data recorded by the proctoring software is transferred to a proctoring service for storage and assessment afterwards.

**Proctoring Agency helpdesk:** In case of technical problems students can reach helpdesk employees of the Proctoring Agency through the chat functionality of the online proctored exam.

**Proctoring coordinator:** Officer responsible for the organization of online proctored exams.

**Reviewer:** TU/e officer who checks recordings of the online proctored exam for irregularities and reports on suspicion of fraud.

**Department board:** This refers to the department board, the department board of the coordinating department, or the management board of the Eindhoven School of Education (ESoE).

**The Institute Board:** The Executive Board of Eindhoven University of Technology, TU/e.

---

**Article 1.2 Relation to the role and duty of the Examination Committee**
It is the statutory duty of the Examination Committee to guarantee the quality of the organization and procedures relating to interim and final examinations (see Article 2.2 of RE). The institute board is responsible for the organization of and procedures relating to the interim and final examinations to which these Regulations apply.

Article 1.3 Scope of the Regulations
These Regulations apply to centrally organized and scheduled online proctored examinations. The instructions for examiners, reviewers, and students constitute part of these Regulations and are set out in Appendix 1.

Article 1.4 Legal basis
Online proctored exams are offered in the case of the following:
- a. in case of force majeure, no examinations can be held at 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 (WIFI, power sockets, etc.) 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. The purpose of online proctored examinations is to minimize student study delays and to reduce the risk of fraud in order to guarantee the integrity of the examination and the quality of the TU/e diploma.
- b. students submit a request to this effect because they are unable to take an exam at the TU/e campus due to personal circumstances (such as top-level sports activities, travel or transport problems (e.g. broken leg) or a stay abroad). The examination committee must approve the request.

Article 1.5 Objectives
Taking online proctored exams has the following objectives:
- to minimize study delay for students when examinations cannot be taken at the TU/e campus or can only be taken to a limited extent and alternative forms of examination are not possible and/or suitable;
- fraud prevention;
- fraud detection;
- to provide evidence in case of (a suspicion of) fraud.

Chapter 2 Types of online proctored exams

Article 2.1 Types of online proctored exams
1. There are at least three ways of taking online proctored exams:
   a. Online proctored exams through the assessment systems AnsDelft, Oncourse or Cirrus, in which the exam questions and answers are delivered/handed in through the assessment systems and use of pen and paper is not allowed.
   b. Online proctored exams through the assessment systems AnsDelft, Oncourse or Cirrus, in which the exam questions and answers are delivered/handed in through the assessment systems. In this case, students can use pen and paper to work out the exam, but these papers do not need to be handed in.
   c. Online proctored exams through the assessment systems AnsDelft, Oncourse or Cirrus, in which the exam questions are delivered through the systems and the answers are partially handed in through the systems and partially on paper. In this case, students can use pen and paper to work out exams questions and must take pictures of the papers with their cell phone and upload these pictures in the test environment.
2. The three ways of taking online proctored exams can be combined, if needed.
Chapter 3 The proctoring examination coordinator, examiner and reviewer

Article 3.1 The proctoring coordinator
1. There is one central proctoring coordinator.
2. The proctoring coordinator shall be responsible for:
   a. Maintaining an overview of exams that are administered using the Proctoring Agency, including the test system these are administered with;
   b. Coordinating the support of teachers by teacher support officers when transforming their exams into an online proctored exam with the Proctoring Agency.
   c. Monitoring procedures during examinations by means of evaluation forms.
3. If it becomes apparent that there are technical problems with the Proctoring Agency during the administration of an online proctored examination as referred to in Article 2.1, the proctoring coordinator will be informed immediately by the Proctoring Agency or IMS. The coordinator will make an impact analysis and the ESA Director decides whether there is a force majeure situation as referred to in Article 8.2 of these Regulations.

Article 3.2 Powers of examiners and reviewers
1. After completion of the online proctored examination, the recordings will be analyzed in order to detect possible fraud by students. The assessment is based on the review framework for online proctored exams with Proctorio.
2. The examiner waits until all recordings have been analyzed before giving final marks, taking the assessment terms into account as stated in the OER.
3. If the reviewer suspects fraud, the reviewer records this suspicion in a review report. The reviewer sends the review report to the examiner who then determines to what extent there is suspicion of fraud and then informs the examination committee. The further procedure regarding fraud is set out in Chapter 3 of the Regulations of the Examination Committee. The reports from students, as stated in Article 3, under m of Appendix 1, are taken into account by the Examination Committee when dealing with fraud.
4. Fraud (or an attempt to fraud) on the part of the student is taken to mean in any case the following:
   - use of someone else's proof of campus card
   - use or attempted use of unpermitted sources and resources, such as internet, mobile phone.
   - use or attempted use of unpermitted printed or handwritten documentation or cheat sheets.
   - leaving sight of the webcam by the student and/or switching off the microphone, while taking the exam, insofar this takes place outside the (possible) authorized breaks.
   - (attempted) technical modifications that undermine the proctor system.

Article 3.3 The examiner
1. The examiner is responsible for the setting and delivering of the examination questions and the coversheet, thus ensuring proper administration of the exam.
2. The examiner is available 30 minutes before and after the start of the examination for the proctoring coordinator.

Chapter 4 Conditions for proctored organized examinations

Article 4.1 Examination venue
The online proctored exam is taken by students in a location of the students' choice, as long as the following conditions are met:
1. The lighting in the room must be bright enough to be considered "daylight" quality. Overhead lighting is preferred. If overhead lighting is not available, the source of light must not be behind the student.
2. Student must sit at a desk or table cleared of all objects. The following items must not be on students’ desk or used during the online proctored exam, unless posted rules for the exam on the exam cover sheet specifically permit these materials:
   a. Text books
   b. Paper
   c. Writing utensils, such as pens, pencils, etc.
   d. Calculators
   e. Notebooks (with the exception of the notebook, on which the exam is made)
   f. Mobile phones

3. The area (surfaces) around the student must not have any writing or cheat sheets.

4. Student must be alone in the room.

5. The room must be as quiet as possible. Sounds such as music or television are not permitted.

6. Students must complete a webcam scan of the room where they will take the exam every time they take an online proctored exam.

7. Students must take the exam in the same room that they scanned during the proctoring setup, as referred to in paragraph 6, for the current exam.

**Article 4.2 Delivering and storing the examination scripts handed in**
1. In the case of an online proctored examination as referred to in Article 2.1, the examiner will submit the examination to be taken digitally in the testing program no later than five days before the start of the examination.

2. All online proctored examination papers, as referred to in Article 2.1, have a cover sheet, filled in by the examiner.

3. After the examination, the examiner shall collect the digitally completed examination scripts, as referred to in Article 2.1 under c.

**Article 4.3 Requirements of the (laptop) computer**
1. An online proctored exam is administered using the student’s (laptop) computer.

2. The (laptop) computer, as referred to in section 2, must meet the requirements set out in Appendix 3. The (laptop) computer must also have a working webcam and microphone. If a student does not have a (laptop) computer that meets the above requirements, the student must try to borrow a (laptop) computer from someone else (family, friends, housemates). If the latter is not possible, the student must contact IMS no later than 5 working days before the start of the exam to submit a request to borrow a notebook.

**Article 4.4 Duration of examinations and scheduled breaks**
1. An examination lasting less than 90 minutes does not include any breaks.

2. If an examination lasts longer than 90 minutes, a break will be included after the 90 minutes. The 90-minute part of the examination must be completed within the 90 minutes and cannot be re-opened when the break starts. Students can start the new part of the examination (the new part has a maximum duration of 90 minutes) when the break has ended.

3. If the student wishes to resume the examination after the break that has been taken, the student must again make a webcam scan of the room, as referred to in Article 4.1, paragraph 6, in which the examination continues.

**Article 4.5 Other conditions for proctored organized examinations**
1. Online proctored exams can only be taken in spaces that fulfill criteria stated under Article 4.1.

2. Students must follow the instructions laid down in Article 4, appendix 1 when, following an examination assignment, they have to upload a photo of a written answer on paper using a mobile phone/camera.
3. The student's head must stay in sight of the webcam at all times during the exam. Students are not allowed to visit the toilet, unless there are breaks for this purpose scheduled by the examiner.

4. Half an hour before the online proctored exam, helpdesk employees of the Proctoring Agency will be available through the chat functionality of the Proctoring Agency to assist students with technical problems. The chat functionality will be available to students until half an hour after the scheduled end time of the exam.

5. Students can post their questions and remarks during the Proctoring Agency exam to the Proctoring Agency helpdesk through the chat functionality in the test environment. This information will be handed over to the examiner. The questions and/or comments, if justified, may be taken into account in the assessment.

Chapter 5 Students' rights and obligations

Article 5.1 Guide

1. The exams are proctored, which means that students are 'followed' online to check whether the exam is completed under the correct conditions. The student receives the guide Student Instructions for online proctored exams about the online proctored tests. This guide describes the strict regulations that students need to follow when taking the exams.

Article 5.2 Technical difficulties

1. If a student fails to log in and cannot take the examination because of technical problems, the examination will be recorded with an INV (invalid) in Osiris.

2. If, for reasons other than those mentioned in paragraph 1, a student does not log in and does not take the examination, the examination will be assessed as an NS (no show) and the final exam mark is an NMR (not met requirements) in Osiris. If this concerns an interim test, the interim test is assessed with the mark 0.

3. If students encounter technical problems beyond their control (for example power failure in the region), the student must report this within 24 hours via examsonline@tue.nl or through the web form: https://studiegids.tue.nl/studeren/corona/webform-online-exams. If necessary (in consultation with the examiner), the examination committee can decide to offer an additional individual re-sit or a centrally organized retake.

Article 5.3 Provisions in the event of functional impairment

1. During the online proctored examination the following two facilities can be offered to students with a recognised functional impairment: extra time and/or 'large letters'. Other facilities (e.g. a low-stimulus room) should be arranged by the students themselves. If the latter is not possible, the student should contact the examination committee no later than 5 working days before the start of the examination.

2. The Proctoring Coordinator ensures that the facilities, as mentioned in paragraph 1, for students with a functional impairment are organized in the system.

Article 5.4 Miscellaneous

1. Students are obliged to follow the instructions as mentioned in Article 3 and 4 of Appendix 1. This includes a procedure for checking whether their ICT equipment allows proctoring.

2. The online proctored exams have to be started and completed online within the given time frame.

3. Students can use their TU/e credential to login into the test system.
4. Validating the completion of the exam will be based on students’ e-mail addresses or student numbers.
5. Any student who fails to comply with the instructions in Article 3 and 4 of Appendix 1 must accept the examination possibly being declared void.
6. Fraud within the meaning of Article 3.2, paragraph 4, can have the consequence that the examination results of the student in question will not be assessed and that the student has failed the examination. Decisions about committing fraud are taken only by the examination committee. The proctoring system does not decide on this; it only delivers data.
7. Students are responsible for assuring a proper internet connection. If it is plausible that the student cannot obtain a reliable internet connection, the student may apply to the examination committee for an alternative exam method. This application must be submitted 5 working days before the start of the exam at the latest.
8. Students who have insurmountable objections to taking an online proctored exam may apply to the examination committee for an alternative exam method. This application must be submitted 5 working days before the start of the exam period at the latest.

Chapter 6 Privacy

Article 6.1 Processing of Personal Data
1. The General Data Protection Regulation (AVG) applies to data processing within online proctoring. Processing agreements have been signed with third parties (e.g. Proctorio). They are therefore also bound by the AVG.
2. When students take the online proctored exam, there is continuous recording of video, audio, keystroke and mouse activity and the screen of the student.
3. Reviewers and the responsible members of examination committee have access to the data, as referred to in paragraph 2, to judge whether the exams they are to assess were completed according to the regulations.
4. Collected data will only be used for this purpose and more specifically to check who has made the exam, establish there was no fraud during the exam, and determining the exam was completed within the given timeframe. The data will be destroyed as soon as the result of the exam has been recorded in Osiris and the result has become legally inviolable.
5. On the subject of online proctoring, the TU/e is proactively transparent with regard to the processing of types of personal data, the purpose of the processing and the manner in which the processing takes place. The TU/e Privacy Statement 'Exams with online proctoring' has been drawn up for this purpose (see Appendix 4).

Chapter 7 Legal protection

Article 7.1 Privacy
1. Students have the right to access the personal data that are processed, correct personal data if it contains factual inaccuracies, to delete personal data, to limit the processing of personal data and portability of personal data and to object to the processing of personal data.
2. Students who wish to exercise any the privacy rights, as referred to in paragraph 1, can contact the Data Protection Officer of the TU/e via: privacy@tue.nl.

Article 7.2 General
Students may appeal against a decision of the Examination Committee or examiners on the basis of Article 7.1 of the Regulations of the Examination Committee.
Chapter 8 Final stipulations

Article 8.1 Fraude
In the event of (a suspicion of) fraud, Article 3.5 of the Regulations of the Examination Committee applies. See also Article 3.2, paragraphs 3 and 4 of these regulations.

Article 8.2 Force majeur
In the event of force majeur (for example total power failure, test system failure) the Department Board may decide that the examination be cancelled.

Article 8.3 Final considerations
These Regulations may be cited as the TU/e Online Proctored Examination Regulations; they were last altered on 11 06 2020 and apply as of 11 06 2020.