

## Privacy policy for applicants and students of the University for Continuing Education Krems (Danube University Krems)

In accordance with the General Data Protection Regulation (GDPR), we inform you about the processing of your personal (p) data you provide us with as applicant and subsequently as an admitted student. The privacy policy on our [website](#) contains all information about p data collected from your computer when visiting our website.

### Controller according to Art. 4 Z 7 GDPR

University for Continuing Education Krems (Danube University Krems)  
Dr.-Karl-Dorrek-Straße 30  
3500 Krems an der Donau (in the following briefly "we" or "us")

### Contact us

Lawyer Dr. Daniel Stanonik LL.M. and Lawyer Dr. Karsten Kinast LL.M. in alternate representation  
[datenschutz@donau-uni.ac.at](mailto:datenschutz@donau-uni.ac.at) or [+43 2732 893-5506](tel:+4327328935506)

## Applicant for studies

By filling in the (online) application form you enter your *name, gender, contact details, date and place of birth, nationality, social security number<sup>1</sup>* as master data and upload a *copy of a valid ID document* to our server. We receive further p data from the *curriculum vitae (Europass)* including proof of *general university entrance qualification (higher education entrance qualification), tertiary education, professional experience and further education* you provide.

The provision of p data is a prerequisite for processing your application for admission and subsequently for admission to studies (conclusion of a continuing education contract).

Your p data is processed in order to check the admission requirements (according to the curriculum of the respective course of study), by the responsible course managers, the Service Center for Students (SCS) and other administrative units (accounting) and in order to contact you. Your p master data is also recorded automatically in our student administration program (UWKonline)

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<sup>1</sup> If you do not have a social security number, you will automatically be assigned a replacement number by Statistics Austria according to § 3 (6) Education Documentation Act.

and our Customer Relationship Management (CRM) system and to inform you in our legitimate interest about our offers and events.

For statutory statistical purposes (§ 9 Abs 6 Education Documentation Act) we also collect p information about the educational careers of your parents.

**Legal basis:** Art. 6 (1) lit b, c, e, f GDPR<sup>2</sup> in conjunction with § 70 UG 2002<sup>3</sup>, § 5 (1) UWKG<sup>4</sup>

You can also voluntarily provide us with a photo for your student ID card – as part of your application – and consent to the processing of p data for marketing purposes by providing your *marital status, professional and management experience, current activities, etc.*

**Legal basis:** Art. 6 (1) lit a GDPR<sup>5</sup>

**Recipients:** In connection with your admission to studies, a defined selection of your p data is transmitted to the data network of the Austrian universities at the Bundesrechenzentrum GmbH (BRZ) for the possible creation of a matriculation number, in accordance with the "Universitäts- & Hochschulstatistik- & Bildungsdokumentationsverordnung" (UHSBV/ University & Higher Education Statistics & Education Documentation Ordinance).

Information may be transferred additionally to our university cooperation partners and, in the case of foreign applicants, to the Österreichische Austauschdienst GmbH (OeAD), embassies and district administration offices within the framework of a mobility program for purposes of residence law.

In order to carry out recording procedures in non-presence, p data can also be transmitted via IT service providers (e. g. video conferencing system) on an appropriate contractual basis. In case of such an event a transfer to third countries or international organizations occurs in accordance with Art. 49 (1) lit b GDPR<sup>6</sup>.

**Storage period:** In case your application is rejected or non utilization of your place at university, the p data you provide will be deleted at the earliest after 2 semesters, if implemented into the study administration management at the latest after seven years.

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<sup>2</sup> **GDPR:** data processing on the basis of (b) pre-contractual measures at the request of the person concerned, (c) to fulfil a legal obligation imposed on us or (e) to perform a task assigned to us in the public interest (f) to safeguard our legitimate interests.

<sup>3</sup> **University Act (UG):** Admission to extraordinary studies requires proof of any prerequisites required in the curriculum of a university course.

<sup>4</sup> **Federal Law on the University for Continuing Education KREMS (UWKG):** The study regulations of the UG 2002 apply with the provision that university courses and "Doctor of Philosophy" doctorate studies ("PhD" studies) [...] are offered at the UWK.

<sup>5</sup> You may revoke your consent at any time, without this affecting the legality of the processing carried out until the revocation.

<sup>6</sup> The transfer is necessary for the performance of a contract between the data subject or for the implementation of pre-contractual measures at the request of the data subject.

## First-year students and students

### General information

After receiving the mandatory course fee and admission to the study course, an earlier *p matriculation number* will be reactivated or a new *matriculation number* will be created as mentioned above. We process them additionally to the *p data* collected in the application to administer your study course.

At the start of your studies, we assign you an *e-mail account* from Micro Focus GroupWise including common functions such as calendar and task management. The storage space of this *p university e-mail address* is available on our servers, and is used to process all applications under study law especially when you invoke your right to electronic communication.<sup>7</sup>

Your *p master data* is also processed during the creation of your personal student ID and parking card for using the parking garage and will be forwarded to the garage owner. In addition, your student ID card gives you access to the (electronic) services of the University Library, the digital databases offered for teaching and research purposes<sup>8</sup> and the loan system, in the context of which your *p master data* may also be processed in the dunning process.

In our legitimate interest you will also receive newsletters sent via e-mail, other study related mailings and information on university events and we might contact you for research purposes.

**Legal basis:** Art. 6 (1) lit b, c, e, f DSGVO in conjunction with §§ 3, 4 (2) UWKG, § 2f & II. Part UG<sup>9</sup>

**Recipients:** According to the UHSBV (University & Higher Education Statistics & Education Documentation Ordinance) your data is regularly transmitted during your studies to the data network of the universities at the Austrian Federal Computing Center. Furthermore, it is transmitted as part of the overall student record to Statistics Austria, the Austrian student body (Österreichische Hochschülerschaft) and the Ministry of Education, Science and Research for planning, control, supervisory and statistical purposes.

In order to organize a personalized course of study for you, your *p data* might as well be transmitted included in a list compiling course participants to contractually obliged external lecturers before the courses start.

Depending on the university course/study you attend or your application for the participation in a mobility program, your *p data* (in extracts) may also be transferred to our cooperation partners, educational institutions within the framework of jointly established studies, to public and private

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<sup>7</sup> See § 1a E-Government Act (from 1.1.2020)

<sup>8</sup> Selected databases can independently collect and process your name and e-mail address for the provision of their services on the basis of corresponding framework agreements with us.

<sup>9</sup> Tasks of the universities, study law, information of the public

project partners and sponsors. For an overview of these third parties please contact the person responsible for your university course/study or our data protection officer.

If you complete your studies by handing in an academic thesis (Master thesis) or dissertation which is assessed positive, the papers will be forwarded to the Austrian Library Network – including your p data – and, in the case of dissertations, additionally to the Austrian National Library (§ 86 UG).

If needed a transfer to third countries or international organizations occurs in accordance with Art. 49 (1) lit b or c GDPR.

**Storage period:** After completing your studies the *social security number* is deleted after two years at the latest. The p examination data is stored for 80 years (§53 UG), *examination records and assessment documents (in particular expert opinions, correction of written examinations and examination papers)* (§79 or 84 UG) for min. 6 months from the end of the examination<sup>10</sup> and *mobility applications* for 10 years (cf. §2g FOG) from the date of application.

Apart from this, your p (master) data is stored until the end of the statutory retention periods, e. g. according to the Austrian Commercial Code (UGB)<sup>11</sup>, contractually agreed periods within the scope of grants, the end of any foreseeable or pending legal disputes, other prescribed retention periods<sup>12</sup> and any objection to the receipt of information material and/or newsletters.

## Digital teaching and learning

In accordance with our legal mandate to implement new forms of teaching and learning, in particular distance learning, we use the digital teaching, communication and administration platform Moodle (learning management system) in our courses. Furthermore, we use stationary and mobile video transmission systems for live and/or on-demand streaming and video conferences in the lecture halls/seminar rooms and other course-specific applications such as IMB Mahara (e-portfolio with community functions), "Mattermost & Jitsi" (communication platform), etc.<sup>13</sup>

In order to enable your participation in learning management systems, your *name* and *contact data (e-mail)* are processed mandatorily. Failing to do so will stand in the way of fulfilling the continuing education contract with us.

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<sup>10</sup> Excluded from this are exams held via Moodle, see the storage regulations in the "Digital Teaching and Learning" section below.

<sup>11</sup> Company Code

<sup>12</sup> Decree of the Ministry of Social Affairs of May 24th, 2018, concerning the storage of training documents for health professionals

<sup>13</sup> Please also note the additional application-specific data protection declarations stored in the respective systems.

The technical functionality of Moodle is guaranteed by the following cookies:

Name	Description	Storage period
<b>MoodleSession</b>	To maintain your access rights during system use	Up to the respective log-out/browser close
<b>MoodleID</b>	Storage login user name for automatic entry	Unlimited until deactivation by user

Our system administrators log access to the Moodle platform due to system security and maintenance of the network infrastructure. In terms of designing your personal profile, you make all further entries voluntarily and therefore you can change and delete them at any time.

The transmission of contents (examinations, contributions in blogs, tasks etc.) for the purpose of teaching and research is carried out according to the instructions of the respective lecturer and/or for exchange with other course participants. If you upload works you yourself are responsible for complying with personal data provisions, (copy) rights and usage and general conditions of third parties.

Moodle's integrated interfaces link necessary and useful systems for the study process, allowing them to collect and process your *name* and *e-mail address* for the provision of their services based on corresponding contracts with us. These are: "Turnitin" for the plagiarism check of written (final) papers, "EvaSys" for the evaluation of courses, "Pearson" to offer you ebooks in the context of distance learning and other services that are continuously updated<sup>14</sup>.

When attending courses with live and/or on-demand streaming and via video conferencing, your *image/video* and *sound data* can be streamed or recorded in our legitimate interest and will be processed via our digital teaching, communication and administration platforms (e. g. Moodle) or our media server donauuni.presentations2go.eu. This data is available to other course participants, our scientific and administrative staff, including any third parties commissioned for digital processing, contractually obligated lecturers, as well as for reporting in extracts to the general public.

As far as the premises permit, an area can be set up in which the course attendance is also possible without your person being recorded. With regard to any picture/video and/or sound data created, you are not entitled to any financial compensation.

**Legal basis:** Art. 6 (1) lit b, c, e, f GDPR in conjunction with § 4 (2) Z4 UWKG<sup>15</sup>, § 14 UG<sup>16</sup>

**Recipients:** In order to carry out digitized courses, your p data will also be processed by IT service providers, e. g. the streaming system provider Presentations2Go, on a contractual basis and

<sup>14</sup> Please refer to footnote # 13.

<sup>15</sup> UWKG § 4 (2) 4: Consideration of new forms of teaching and learning, especially distance learning.

<sup>16</sup> UG § 14: Evaluation and Quality Assurance

transmitted to them for storage. Our digital channels (website, social media pages, YouTube, media servers) might also publish excerpts from on-demand streams.

If a transfer to third countries or international organizations occurs it is pursuant to Art. 49 (1) lit c GDPR, or to our contract processors based on an adequacy decision of the EU Commission pursuant to Art. 45 (1) GDPR, or based on standard contractual clauses pursuant to Art. 46 (5) GDPR.

**Storage period:** Live streams created during courses are only available at the time of the course. We store on-demand streams until fulfilled purpose. The profile set up on our digital teaching, communication and administration platform Moodle (incl. forums and learning materials) including the associated p data is currently available to you without limit in terms of lifelong learning due to the strongly varying study length of the students. You can delete the p data you have added voluntarily at any time. Please find more information regarding the duration of the course-specific applications in the included specific privacy notices.

## Your rights

To exercise your rights to information, rectification, deletion, data transmission, restriction of processing or revocation of consent or objection to the processing of your p data, please contact the above mentioned data protection officer.

If you have any complaints, please contact the Austrian Data Protection Authority (<https://www.data-protection-authority.gv.at/>).