



# Testing Regulations

Centrally organised tests:

- **digital tests with your own laptop at the HU (BYOD: Bring Your Own Device);**
  - **digital tests on fixed PCs at the HU;**
  - **written tests at the HU and;**
- **online proctored tests outside the HU.**

## 2023-2024

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# 1. Introduction

These regulations are intended for HU students and employees. These regulations contain the rules regarding the course of action prior to, during and after all tests organised centrally by the Test Centre (TC) of HU University of Applied Sciences and to which a mark is assigned. These are<sup>1</sup>:

- digital tests on the student's laptop at the HU (BYOD: Bring Your Own Device);
- digital tests on fixed PCs of and at the HU;
- written tests at the HU;
- online proctored tests outside the HU.

These regulations describe in four different chapters the rules for each centrally organised form of test. Detailed information on data registration and hardware and software requirements for digital tests on one's own laptop at the HU and online proctored tests outside the HU are described in the relevant manuals for students and lecturers (<https://husite.nl/digitalehu/en/distance-education/digital-exams>) and in the Privacy Statement (<https://husite.nl/digitalehu2/wp-content/uploads/sites/244/2021/03/Privacyverklaring-het-nieuwe-centrale-toetsen-180121-1-32947-EN-1.docx>). The definition list (see Chapter 1.2) explains the terms used in these regulations.

The centrally organised forms of testing are briefly described below:

- **[Digital tests on students' laptops at HU \(BYOD: Bring Your Own Device\)](#)**  
A digital test on the student's laptop at the HU site is also called testing using Bring Your Own Device (BYOD). In this form of testing, students use their own laptop (or a borrowed laptop) to take a digital test at an HU location with the presence of an invigilator. HU currently uses the digital testing system TestVision for this purpose. BYOD tests use blocking software. This software prevents the student from opening other applications or websites during the test. For more information on this software, see the manual (<https://help.schoolyear.com/hc/en-gb/articles/6080795254301-Start-an-exam-from-Testvision>). The blocking software does not make screen and sound recordings during BYOD tests.
- **[Digital tests on fixed computers of and at the HU](#)**  
A digital test is a test taken on a fixed HU PC at a designated HU location (e.g. in the digital test rooms at location Padualaan 97).<sup>2</sup>
- **[Written examination at the HU](#)**  
In these regulations, a written test means a test taken on paper at an HU location in the presence of an invigilator.

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<sup>1</sup> In the case of national knowledge tests, such as ITT and IA, national rules and conditions are applied. Students should consult these rules and conditions with the body where the test in question is taken (see also Article 1.1 OER HU).

<sup>2</sup> HU currently uses the digital testing system TestVision for this purpose.

- **Online proctored examination outside the HU**

Online proctoring is a method of online testing, where students can take a test anywhere with an internet connection. In this form of testing, students take an online test outside an HU location (usually at home) on their own laptop or PC in a digital testing system<sup>3</sup>. In online proctoring, the HU uses proctoring software. For more information on this software, see the manual ([https://husite.nl/digitalehu/wp-content/uploads/sites/244/2023/08/Handleiding-student-Online-Proctoring-EN\\_v25-08-2023.pdf](https://husite.nl/digitalehu/wp-content/uploads/sites/244/2023/08/Handleiding-student-Online-Proctoring-EN_v25-08-2023.pdf)). The proctoring software makes image and sound recordings of the student and makes an image recording of the ID proof.

### *Non-centrally organised tests*

There are also digital, written and other tests organised by an institute itself. If an institute chooses to organise a test itself, the general rules of the OER HU, the Higher Education and Research Act (WHW) and any additional guidelines of the Examination Board also apply. The rules for non-centrally organised tests to which a mark is assigned may not conflict with the rules as expressed in these Testing Regulations. If the student has questions about non-centrally organised tests, the student may contact the institute itself.

## **2. General provisions**

### **2.1 Scope of regulations**

2.1.1 These regulations govern the conduct prior to, during and after all centrally organised tests organised by the HU Test Centre (TC), to which a mark is assigned:

- o the digital tests on the student's own laptop at the HU (BYOD);
- o the digital tests on fixed PCs at the HU;
- o the written tests at the HU;
- o the online proctored tests outside the HU.

2.1.2 These regulations are valid from 1 September 2023 and will be updated, if necessary, after the 2023-2024 academic year.

2.1.3 During the tests covered by these regulations, in addition to the rules in these regulations, the rules as stated in the OER HU and the study guide of the study programme in which the student is enrolled also apply.

### **2.2 Definitions**

Blocking software	Software used in digital tests on the student's own laptop at the HU (BYOD) to secure these tests against irregularities by
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<sup>3</sup> The HU currently uses the digital testing system TestVision for this purpose.

	blocking access to unauthorised digital resources or unauthorised digital functions.
BYOD	BYOD stands for Bring Your Own Device. This form of test-taking takes place at a designated HU location where the student uses his own laptop (and thus no tablet or smartphone). The student must download and install blocking software. The blocking software does not make any video or audio recordings of the student and the identification document.
HU Committee of Examination Boards (CvE HU)	The CvE HU is a consultative structure of the chairs of all HU Examination Boards.
Digital test	A test taken in the digital test system <sup>4</sup> on the student's own laptop (BYOD) at the HU, on a fixed HU PC at a designated HU location (e.g. in the digital test rooms at location Padualaan 97) or via online proctoring outside the HU.
Digital test on own laptop (BYOD)	A digital test on the student's own laptop at the HU location is also known as Bring Your Own Device (BYOD) testing. This type of test takes place at a designated HU location where the student uses their own laptop (not a tablet or smartphone). The student must download and install blocking software. The blocking software does not make any video or audio recordings of the student and the identification document.
Examination Board	A board established in accordance with Section 7.12 of the Higher Education and Research Act (Wet op het Hoger Onderwijs; WHW) for the purpose of conducting, organising, coordinating and guaranteeing the quality of tests and examinations of one or more study programmes. Duties, powers, composition and appointment are described in the HU Examination Board Regulations ( <a href="https://www.internationalhu.com/rights-and-obligations">https://www.internationalhu.com/rights-and-obligations</a> ).
Examiner	A lecturer designated by the Examination Board who is in charge of administering tests and determining their results (OER HU Appendix 1 terms). The examiner is legally responsible for the test administration (Section 7.12c WHW). If the test is administered by the Test Centre, part of the examiner's duties and responsibilities are transferred to the staff of the Test Centre/invigilators. In the case of tests organised centrally by the Test Centre, the examiner does not have to be present. This means that the examiner is not an invigilator in the relevant test.
HUKAS	The digital request system of the HU Examination Boards. Here, the student or lecturer can submit a request to the Examination Board. An examiner can also report a suspected irregularity here. <a href="https://hukas.hu.nl">https://hukas.hu.nl</a>
Invigilator	A person appointed by the Test Centre who, during central testing at an HU location, checks the identity of the student before the test starts on the basis of a valid identity document and checks whether the student is on the

<sup>4</sup> HU currently uses the digital testing system TestVision for administering digital theory tests.

	attendance list. During the test, the invigilator supervises the test room. The invigilator of the test in question is not the reviewer. <sup>5</sup>
Irregularity	If a student does or fails to do something in violation of the rules, guidelines and/or instructions relating to the taking of tests, this may be regarded as an irregularity. When a student commits an irregularity that prevents the examiner from forming a correct opinion about the student's knowledge, insight and skills or that of a fellow student, this is called fraud. See Article 4.12 OER HU ( <a href="https://studiegids.hu.nl">https://studiegids.hu.nl</a> ) and the Directive on Irregularities ( <a href="https://wegwijs.hu.nl/studie-info/in-en-uitschrijven/toetsen/onregelmatigheden-bij-tentamens-en-examens">https://wegwijs.hu.nl/studie-info/in-en-uitschrijven/toetsen/onregelmatigheden-bij-tentamens-en-examens</a> ).
OER HU	HU Education and Examination Regulations ( <a href="https://studiegids.hu.nl">https://studiegids.hu.nl</a> )
Official report	The report of the reviewer or invigilator describing the arguments for suspected irregularity, which is sent to the Examination Board.
Online proctored test	An online proctored test is an online digital test outside an HU location (usually at home) where a proctoring company's software is used to monitor the student during the test to prevent irregularities. The proctoring software makes video and audio recordings of the student and makes a recording of the ID.
OSIRIS	The digital study tracking system for all study programmes and students at HU, which contains the student's study data.
Proctoring company	The software company that provides the proctoring software for HU's online proctored tests.
Proctoring system	A digital system that monitors online digital tests taken outside an HU site. This system can be used to prevent and investigate irregularities in online digital tests taken outside an HU site.
Report	For digital tests on the student's own laptop taken at the HU (BYOD), student data such as indicators of behaviour and hardware data are stored in a report. This can be used when investigating irregularities or technical problems experienced by the student during the test.
Reviewer	The reviewer is the person who views the images in an online proctored test outside the HU. This is a lecturer or an examiner. The reviewer checks the recorded material of the online proctored test. If the reviewer is not the examiner of the test, the reviewer reports to the examiner. Based on the review report, the examiner determines whether irregularities are suspected and reports this to the Examination Board and the student.
Review report	A report of each online proctored test is available with the observation data. This review report is used by the reviewer when checking the image and sound recordings.

<sup>5</sup> Depending on the test-taking format, an invigilator may or may not be used.

Student	The person who, in accordance with Section 7.32 et seq. of the WHW or other statutory regulations, is enrolled as a student (full-time, part-time, or dual) at the HU.
Test	A test of the student's knowledge, understanding and skills, along with their assessment. A test is attached to each course. There are various test forms, such as a written test, digital test, assessment, oral test. The WHW also refers to 'examination' (OER HU Appendix 1 Terms under 41). Only centrally organised tests are described in these Regulations (Section 2.1.1).
Test Centre (TC)	The Test Centre (TC) supports the administration of the centrally organised tests. The most common test-taking forms are: the digital test with your own laptop at the HU, the digital test on fixed PCs at the HU, the written test at the HU and the online proctored test outside the HU.
University Board	The University Board (instellingsbestuur; CvB) is responsible for the Education and Examination Regulations (Onderwijs- en Examenregeling; OER) and for the HU-wide organisation and procedures around tests and examinations to which these regulations apply.
WHW	Higher Education and Research Act (WHW)
Written exam	In these regulations, written test means a test taken on paper at an HU location in the presence of an invigilator.



## 3. Digital test on the student's own laptop at the HU (BYOD)

### 3.1 Participating in the test

3.1.1 A student can only take the test if the student is registered for that test. If a student does not take the test or, in the case of a digital test, does not log in and take the test, the test is recorded with an NP (Not Present) in Osiris. The student has then used a test opportunity.

3.1.2 To participate in a test, the student must present a valid identification document upon entry. A valid identification document is exclusively:

- a valid passport;
- a valid European identity card;
- a valid alien's document<sup>6</sup>;
- a valid Dutch or international driving licence (*according to the rules, an international driving licence is not a driving licence from another country, but a translation of the Dutch driving licence usable in another country*).

A scan or photo of the proof of identity will not be accepted.

### 3.2 Before start of the test

3.2.1 The student brings their own laptop to the location where the test is taken. The student is responsible for a properly functioning laptop, charger and any other supplies. For all requirements for the laptop and the necessary software, see <https://help.schoolyear.com/hc/en-gb/articles/6359488555933-What-are-the-minimum-computer-requirements>. See Article 3.7 of these regulations for the possibility of requesting to loan a laptop if the student does not have a (suitable) laptop or if the student is not allowed or does not want to download software on their own laptop.

3.2.2 Devices that can make an internet connection or be used as storage media (e.g. watches, mobile phones, cameras) must be switched off. The exception to this is when the student has to digitally subscribe to the attendance list by showing the digital student card on the mobile phone (see Article 3.2.3). After the invigilator has seen and scanned the student card, the student should switch off the mobile phone and put it away in a place designated by the

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<sup>6</sup> Students who do not have a valid alien's document, but are legally enrolled, can apply to the Examination Board for the issue of a certificate that, in combination with the alien's document in question, will still allow them to participate in the test.

invigilator. The student shall follow the invigilator's instructions on where property (coats, bags and tools) should be placed in the room.

- 3.2.3 There is an attendance list in the room for the student to sign<sup>7</sup>. Before the start of the test, the student must show a valid identification document to the invigilator in the test room. Furthermore, if applicable, the student completes all worksheets in full with the requested personal details. Worksheets are all documents that can be issued with a (digital) test, such as, among others, scrap paper, test questions on paper and test forms.
- 3.2.4 Before the test begins, the student places the identity document on the top right corner of the table. The invigilator may wish to look at the identity document again.
- 3.2.5 The test room is accessible from 30 minutes before the start of an HU test. The test starts punctually. The start time and test room are listed in OSIRIS. After the start of the test, the student will not be admitted to the test.
- 3.2.6 In the case of a centrally organised test at the HU, students may receive certain test facilities, such as extra time and/or use of pre-reading software. A test facility should be requested in advance from the Examination Board. If the student suffers from dyslexia and wishes to make use of the standard test facility "33% extra test time for centrally organised theory tests", the student can request this directly from the Student Counselling Centre. For more information on test facilities, see the Test Facilities Card 'Tests at the HU location' on the [HU site](#) on facilities in study and testing.
- 3.2.7 To participate in the test, the student logs in with their own HU account.

### **3.3 While taking the test**

- 3.3.1 It is not permitted, by any means, to duplicate the test questions.
- 3.3.2 A digital test using the student's own laptop at HU is started and completed within the specified time unless the student has been allocated the test facility 'extra test time'.
- 3.3.3 While taking the test, only those aids may be used which are marked as such on the test or assignment sheet, supplemented by aids which have been allocated to the student in question by the Examination Board. The authorised aids may not contain any notes, unless it is indicated on the test that notes may also be kept with the test.

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<sup>7</sup> In digital testing, signing in on the attendance list may take place digitally via a scanning method using your (digital) student card or student number.

The use of mobile phones, tablets, smartwatches, headphones<sup>8</sup> and similar devices is not permitted during the test.

- 3.3.4 The student takes the test in the HU test room reserved for the test in question.
- 3.3.5 Once the student has signed in (digitally) on the attendance list, the student may not leave the examination room with the intention of returning and continuing the test, unless the Examination Board has granted toilet visits as a facility to the student concerned. In addition, toilet visits are only allowed if the test lasts longer than 2 hours and with permission of the invigilator and accompanied by an invigilator.
- 3.3.6 For the first 15 minutes after the start of the test, the student may not leave the test room if the student has completed the test.
- 3.3.7 During the test, the student is not allowed to eat unless the Examination Board has granted this as a facility to the student concerned. A transparent bottle of water on the table is allowed.
- 3.3.8 The student must follow instructions given by the employees of the Test Centre/invigilator/examiner before, during or immediately after the test.
- 3.3.9 An invigilator or examiner who suspects that a student is guilty of an irregularity<sup>9</sup> during the test shall make a report and send it to the Examination Board. The student has the right to complete the test without hindrance.
- 3.3.10 The Examination Board investigates and rules on the reported irregularity. The test will not be assessed until the Examination Board has given its permission.
- 3.3.11 Irregularity in digital tests at the HU (BYOD) means in any case:
- taking the test outside the test room reserved for the test in question;
  - use of another person's identity (another person's identity document);
  - (attempted) use of unauthorised sources and tools, such as consulting the internet (via phone, smartwatch or other devices), using chatbots, books and help from individuals with the aim of influencing the test result;
  - (attempted) use of unauthorised stored, projected, printed or handwritten texts, images or cheat sheets for the purpose of influencing the test result;
  - (any attempt to) make images or copies of the test or the theft of paper and/or test information;
  - (any attempt to) make technical modifications that undermine the blocking software.

The above list of examples is not exhaustive.

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<sup>8</sup> Students who use pre-reading software as a test facility are allowed to use headphones.

<sup>9</sup> See Article 4.12 OER HU.

### 3.4 Concluding the test

- 3.4.1 Students are not allowed to communicate with fellow students and/or exchange property in the test room until all tests have been handed in or completed.
- 3.4.2 All issued materials (such as the test paper, scrap paper and assignments) must be handed back to the invigilator after the end of the test. No paper and test information may be taken out of the test room.
- 3.4.3 When completing the digital test on the student's own laptop (BYOD), the student must raise their hand so that the invigilator can see that the test is being closed in the digital test programme. The student closes the digital test before leaving the test room.
- 3.4.4 At the end of the test time, the invigilator calls the students still present one by one to take the test work, scrap paper and test questions.
- 3.4.5 The student signs the attendance list before leaving, as proof of participation in and submission of the test.
- 3.4.6 After the test, the invigilator records the time at which the student leaves the room.
- 3.4.7 In the case of digital tests with the student's own laptop at the HU (BYOD), the blocking software can be removed from the laptop after the test. More information on this can be found on <https://help.schoolyear.com/hc/en-gb/articles/6353666273437-How-can-I-remove-Schoolyear-from-my-computer->.

### 3.5 Support and malfunctions

- 3.5.1 In case of (technical or other) problems during the test, the student must report this to the invigilator in the test room as soon as possible. If malfunctions with e.g. the laptop cannot be solved, standard calamity facilities are available during test periods (e.g. spare HU laptops). The invigilator can refer the student to these. For more information, see also HU Wegwijs - BYOD).
- 3.5.2 If the test-taking is disrupted by problems that are demonstrably beyond the student's control, the student may submit a request to the Examination Board for an extra test opportunity (Article 4.4.1 OER HU). The student must have reported this situation to the invigilator during the test session. The student then receives a form from the invigilator on which the student can report the situation. The student then returns the form to the invigilator.
- 3.5.3 If technical problems occur (e.g. power failure within the HU or at the company supplying the blocking software or a malfunction of the WiFi network) as a result of which one or more students cannot take (or complete) the test or cannot log in and

take the test, the test may be declared "not valid" by the Examination Board, in which case the test opportunity for the student will be retained (see Article 4.9 OER HU).

- 3.5.4 If a digital test is taken on one's own laptop at the HU without the blocking software being active, the Examination Board will institute an investigation (Article 4.12 OER HU) and the test may be declared "not valid" if it appears that the reliability of the test-taking cannot be guaranteed. Before the Examination Board declares this test invalid, the student is first heard.
- 3.5.5 In the event of collective force majeure situations (calamities such as total power failure, test system failure, disasters), the Assessment Calamity Protocol for University of Applied Sciences Utrecht (CvB, 2020) will be followed. If impactful calamities are observed during and after test-taking, the institution-wide Examination Board(s) and/or the CvE HU may decide to cancel the test and/or schedule a new test moment. The student's test opportunity is then maintained.

### 3.6 Registration of data

- 3.6.1 During the test on one's own laptop at the HU (BYOD), blocking software is used to secure digital tests against irregularities. This is done by blocking access to unauthorised digital resources or unauthorised digital functions. In this process, students' personal data are temporarily stored with the aim of preventing fraud and so that the supplier can check where any technical problems come from. The [Privacy Statement](#) describes what personal data is temporarily stored. More information about how the blocking software works: <https://help.schoolyear.com/hc/en-gb/categories/6078141141277-Students>.

### 3.7 The students' rights

- 3.7.1 Students are entitled to a digitally accessible test in accordance with level AA of the WCAG standards. A digitally accessible test is a test that is equally difficult or easy for everyone to do. The test method does not affect the result. It means, for instance, that the test questions are also readable for the colour-blind, that there are explanatory texts for pictures and graphs, that the contrast can be adjusted, that the test can be read with reading software if this has been granted by the Examination Board, that it is possible to navigate through a digital test without using a mouse. See [WCAG.nl](http://WCAG.nl) and the [HU-site](#) on support for study and testing.
- 3.7.2 In the case of a **digital test with their own laptop at an HU location (BYOD)**, if a student does not have the necessary hardware and software, a request can be made to the Test Centre prior to the test to be able to take the test on an HU computer or laptop. Students wishing to claim this must submit a timely request to the Test

Centre via <https://wegwijs.hu.nl/study-info/deregistration/exams/loan-laptop-for-digital-exams-via-byod>.

- 3.7.3 Students who object to the use of blocking software on their own laptops and also find the use of an HU laptop inappropriate due to their privacy concerns may make this known to and discuss it with the Data Protection Officer (FG). Students can make an appointment via [askprivacy@hu.nl](mailto:askprivacy@hu.nl) or use the complaint form at the STIP (Student Information Point). In an interview, the FG will provide information on privacy assurance with the blocking software and consider whether concerns can be addressed. In case of insufficient capacity, the HU Privacy Organisation will assist the FG in this task.
- 3.7.4 Students who have insurmountable objections to taking a digital test on their own laptop using blocking software because of the use of personal data have the right to refuse the test-taking form for that reason. If the educational institution cannot demonstrate that the compelling legitimate interests of the educational institution outweigh the interests, rights and freedoms of the student, a suitable alternative test form must be offered that sufficiently eliminates the student's privacy objections. In doing so, study delay should be avoided as much as possible<sup>10</sup>.
- 3.7.5 Students who do not wish to participate in taking a digital test using their own laptop with blocking software may request the Examination Board to be deregistered for the test (in deviation from Article 4.7 OER HU), if the deadline for registration has expired before the moment that it has been announced that the test will be taken using blocking software. Students do not use a test opportunity in this way and can still use the test opportunity in the current academic year if the study programme organises another test opportunity. The study programme is not obliged to do this.
- 3.7.6 If the student submits a request to the Examination Board, the rules in the OER HU regarding the possibility of appeal and the request for a provisional arrangement apply in full.

### **3.8 The student's obligations**

- 3.8.1 A [Privacy Statement](#) has been drawn up for digital tests on the student's own laptop at the HU (BYOD). The student should take note of this Privacy Statement prior to the test.

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<sup>10</sup> See *Service document HO 2021-2022* no 15, Ministry of OCW, 10 May 2022.

## 3.9 Privacy and data protection

3.9.1 Since 25 May 2018, the same privacy legislation applies across the EU: General Data Protection Regulation (GDPR), in the Netherlands, it is known as *Algemene Verordening Gegevensbescherming (AVG)*. These rules also apply to the storage and retention of personal data from the digital tests on one's own laptop at the HU. The contract drawn up by the HU with the company providing the blocking software complies with European regulations. The contract describes the desired level of protection of the processing of personal data involved and the responsibilities of controller and processor. A data protection impact assessment (DPIA) has also been carried out. See <https://een.hu.nl/weten-regelen/een-dpia-wat-is-dat> and <https://wegwijs.hu.nl/digital/privacy--security/personal-data/the-data-protection-officer> for more information on a DPIA and contact details of the privacy officers.

## 3.10 Saving data

- 3.10.1 When students take a digital test with their own laptop at the HU, data are temporarily stored by the company providing the blocking software (see [Privacy Statement](#)).
- 3.10.2 Collected data will only be used when taking a digital test with the student's own laptop at the HU for investigating possible irregularities and technical problems.
- 3.10.3 Student data stored include name, e-mail address and student number (linked to the specific test) and indicators of behaviour without the behaviour itself being stored via screen recordings. In addition, hardware and software data (e.g. type of laptop and operating system) are stored. This can be used when investigating irregularities or technical problems experienced by the student during the test. The data is kept for a set number of days and then deleted. The [Privacy Statement](#) describe this retention period. Within this retention period, if necessary for further investigation, the examiner or reviewer can download a report, which is kept until the assessment of the test has become irrevocable. This may be longer than the established retention period if, for example, an appeal procedure or investigation on suspicion of irregularity is pending before the Examination Board. The printout of the report will be retained for as long as necessary to further investigate and decide on the legitimacy of the result of a test (this includes any legal proceedings concerning it).
- 3.10.4 The report is also subject to the General Data Protection Regulation (GDPR) as it contains traceable personal data.
- 3.10.5 The GDPR applies to data processing within digital testing on the student's own laptop (BYOD). The Data Protection Officer (FG) monitors compliance with the GDPR. Processing agreements have been signed with the supplier of the blocking software and this supplier is bound by the GDPR based on the GDPR and these agreements.

- 3.10.6 The HU ensures that clear and transparent information is provided to students about digital tests using their own laptops at the HU, such as the processing of personal data, the purpose of the processing and how the processing is done.
- 3.10.7 When a suspected irregularity has been reported to the Examination Board, a printout of the blocking software report is also passed to the Examination Board. The report will be retained by the Examination Board until the investigation of the suspected irregularity is completed by the Examination Board. The Examination Board ensures the destruction of the report in HUKAS within 14 days after the assessment, whether or not on appeal, has become final.

### **3.11 Access to personal data**

- 3.11.1 Students have the right to access or correct any personal data that has been processed if it contains factual inaccuracies, have personal data deleted, limit the processing of personal data, and limit the portability of personal data. This refers to all personal data processed within the test-taking process and recorded as a result of the assessment.
- 3.11.2 If the student wishes to exercise these privacy rights, the student may notify the HU Data Protection Officer at: [fg@HU.nl](mailto:fg@HU.nl).
- 3.11.3 In order to process the request for access to personal data, the student will be asked to provide identification. This will verify that the request is made by the correct person. If the student is not satisfied with the way the HU handles the student's personal data, the student also has the right to file a complaint with the Personal Data Authority.
- 3.11.4 Examiners and the Examination Board have access to the data, as mentioned in Article 3.10 paragraph 1 and paragraph 7 of these regulations, to assess whether the test was taken in accordance with the rules.
- 3.11.5 When a student starts an appeal procedure, if necessary and if requested, the reports will be delivered to the HU Legal Office. In case of an appeal procedure, the CBE (Board of Appeal for Examinations) and, if applicable, also the Administrative Law Division of the Council of State will receive the report.

## **4. Digital exam on the fixed computer of and at the HU**

### **4.1 Participating in the test**

- 4.1.1 A student can only take the test if the student is registered for that test. If a student does not take the test or, in the case of a digital test, does not log in and take the



test, the test is recorded with an NP (Not Present) in Osiris. The student has then used a test opportunity.

- 4.1.2 To participate in a test, the student must present a valid identification document upon entry. A valid identification document is exclusively:
- a valid passport;
  - a valid European identity card;
  - a valid alien's document<sup>11</sup>;
  - a valid Dutch or international driving licence (*according to the rules, an international driving licence is not a driving licence from another country, but a translation of the Dutch driving licence usable in another country*).

A scan or photo of the proof of identity will not be accepted.

## 4.2 Before start of the test

- 4.2.1 Devices that can make an internet connection or be used as storage media (e.g. watches, mobile phones, cameras) must be switched off. The exception to this is when the student has to digitally subscribe to the attendance list by showing the digital student card on the mobile phone (see Article 4.2.2). After the invigilator has seen and scanned the student card, the student should switch off the mobile phone and put it away in a place designated by the invigilator. The student shall follow the invigilator's instructions on where property (coats, bags and tools) should be placed in the room.
- 4.2.2 There is an attendance list in the room for the student to sign<sup>12</sup>. Before the start of the test, the student must show a valid identification document to the invigilator in the test room. Furthermore, if applicable, the student completes all worksheets in full with the requested personal details. Worksheets are all documents that can be issued with a (digital) test, such as, among others, scrap paper, test questions on paper and test forms.
- 4.2.3 Before the test begins, the student places the identity document on the top right corner of the table. The invigilator may wish to look at the identity document again.
- 4.2.4 The test room is accessible from 30 minutes before the start of an HU test. The test starts punctually. The start time and test room are listed in OSIRIS. After the start of the test, the student will not be admitted to the test.
- 4.2.5 In the case of a centrally organised test at the HU, students may receive certain test facilities, such as extra time and/or use of pre-reading software. A

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<sup>11</sup> Students who do not have a valid alien's document, but are legally enrolled, can apply to the Examination Board for the issue of a certificate that, in combination with the alien's document in question, will still allow them to participate in the test.

<sup>12</sup> In digital testing, signing in on the attendance list may take place digitally via a scanning method using your (digital) student card or student number.

test facility should be requested in advance from the Examination Board. If the student suffers from dyslexia and wishes to make use of the standard test facility "33% extra test time for centrally organised theory tests", the student can request this directly from the Student Counselling Centre. For more information on test facilities, see the Test Facilities Card 'Tests at the HU location' on the [HU site](#) on facilities in study and testing.

4.2.6 To participate in the test, the student logs in with their own HU account.

### **4.3 While taking the test**

4.3.1 It is not permitted, by any means, to duplicate the test questions.

4.3.2 While taking the test, only those aids may be used which are marked as such on the test or assignment sheet, supplemented by aids which have been allocated to the student in question by the Examination Board. The authorised aids may not contain any notes, unless it is indicated on the test that notes may also be kept with the test. The use of mobile phones, tablets, smartwatches, headphones<sup>13</sup> and similar devices is not permitted during the test.

4.3.3 The student takes the test on a fixed HU PC in the HU test room that is reserved for that particular test at that time.

4.3.4 Once the student has signed in (digitally) on the attendance list, the student may not leave the examination room with the intention of returning and continuing the test, unless the Examination Board has granted toilet visits as a facility to the student concerned. In addition, toilet visits are only allowed if the test lasts longer than 2 hours and with permission of the invigilator and accompanied by an invigilator.

4.3.5 For the first 15 minutes after the start of the test, the student may not leave the test room if the student has completed the test.

4.3.6 During the test, the student is not allowed to eat unless the Examination Board has granted this as a facility to the student concerned. A transparent bottle of water on the table is allowed.

4.3.7 The student must follow instructions given by the employees of the Test Centre/invigilator/examiner before, during or immediately after the test.

4.3.8 An invigilator or examiner who suspects that a student is guilty of an irregularity<sup>14</sup> during the test shall make a report and send it to the Examination Board. The student has the right to complete the test without hindrance.

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<sup>13</sup> Students who use pre-reading software as a test facility are allowed to use headphones.

<sup>14</sup> See Article 4.12 OER HU.

4.3.9 The Examination Board investigates and rules on the reported irregularity. The test will not be assessed until the Examination Board has given its permission.

4.3.10 Irregularity in digital tests on the fixed computer of and at the HU means in any case:

- use of another person's identity (another person's identity document);
- (attempted) use of unauthorised sources and tools, such as consulting the internet (via phone, smartwatch or other devices), using chatbots, books and help from individuals with the aim of influencing the test result;
- (attempted) use of unauthorised stored, projected, printed or handwritten texts, images or cheat sheets for the purpose of influencing the test result;
- (any attempt to) make images or copies of the test or the theft of paper and/or test information;

The above list of examples is not exhaustive.

## **4.4 Concluding the test**

4.4.1 Students are not allowed to communicate with fellow students and/or exchange property in the test room until all tests have been handed in or completed.

4.4.2 All issued materials (such as the test paper, scrap paper and assignments) must be handed back to the invigilator after the end of the test. No paper and test information may be taken out of the test room.

4.4.3 At the end of the test time, the invigilator calls the students still present one by one to take the test work, scrap paper and test questions.

4.4.4 The student closes the digital test in the digital test programme before leaving the test room.

4.4.5 The student signs the attendance list before leaving, as proof of participation in and submission of the test.

4.4.6 After the test, the invigilator records the time at which the student leaves the room.

## **4.5 Support and malfunctions**

4.5.1 In case of problems (technical or otherwise) during the test, the student may approach the invigilator in the test room.

4.5.2 When taking the test is disrupted by problems that are demonstrably beyond the student's control, the student may submit a request to the Examination Board for an

extra opportunity to take the test (Article 4.4 OER HU). The student must have reported this situation while taking the test to the invigilator. The student will then receive a form from the invigilator on which he or she can report the situation.

- 4.5.3 If technical problems occur (e.g. power failure within the HU or a failure of the WiFi network), as a result of which one or more students cannot (complete) the test or cannot log in and take the test, the test may be declared "not valid" by the Examination Board, in which case the test opportunity for the student will be retained (see Article 4.9 OER HU).
- 4.5.4 In the event of collective force majeure situations (calamities such as total power failure, test system failure, disasters), the Assessment Calamity Protocol for University of Applied Sciences Utrecht (CvB, 2020) will be followed. If impactful calamities are observed during and after test-taking, the institution-wide Examination Board(s) and/or the CvE HU may decide to cancel the test and/or schedule a new test moment. The student's test opportunity is then maintained.

## **4.6 The student's rights**

- 4.6.1. Students are entitled to a digitally accessible test in accordance with level AA of the WCAG standards. A digitally accessible test is a test that is equally difficult or easy for everyone to do. The test method does not affect the result. It means, for example, that the test questions are also readable for colour-blind people, that there are explanatory texts for pictures and graphs, that the contrast can be adjusted, that the test can be read with reading software if this has been granted by the Examination Board, that it is possible to navigate through a digital test without using a mouse. See [WCAG.nl](https://www.wcag.nl) and the [HU site](#) on study and testing support.

# **5. Written test at the HU**

## **5.1 Participating in the test**

- 5.1.1 A student can only take the test if the student is registered for that test. If a student does not take the test, the test is recorded with an NP (Not Present) in Osiris. The student has then used a test opportunity.
- 5.1.2 To participate in a test, the student must present a valid identification document upon entry. A valid identification document is exclusively:
- a valid passport;
  - a valid European identity card;

- a valid alien's document<sup>15</sup>;
- a valid Dutch or international driving licence (*according to the rules, an international driving licence is not a driving licence from another country, but a translation of the Dutch driving licence usable in another country*).

A scan or photo of the proof of identity will not be accepted.

## 5.2 Before start of the test

- 5.2.1 Devices that can make an internet connection or be used as storage media (e.g. watches, mobile phones, cameras) must be switched off. The exception to this is when the student has to digitally subscribe to the attendance list by showing the digital student card on the mobile phone (see Article 5.2.2). After the invigilator has seen and scanned the student card, the student should switch off the mobile phone and put it away in a place designated by the invigilator. The student shall follow the invigilator's instructions on where property (coats, bags and tools) should be placed in the room.
- 5.2.2 There is an attendance list in the room for the student to sign<sup>16</sup>. Before the start of the test, the student must show a valid identification document to the invigilator in the test room. Furthermore, if applicable, the student completes all worksheets in full with the requested personal details. Worksheets are all documents that can be issued with a (digital) test, such as, among others, scrap paper, test questions on paper and test forms.
- 5.2.3 Before the test begins, the student places the identity document on the top right corner of the table. The invigilator may wish to look at the identity document again.
- 5.2.4 The test room is accessible from 30 minutes before the start of an HU test. The test starts punctually. The start time and test room are listed in OSIRIS. After the start of the test, the student will not be admitted to the test.
- 5.2.5 In the case of a centrally organised test at the HU, students may receive certain test facilities, such as extra time. A test facility should be requested in advance from the Examination Board. If the student suffers from dyslexia and wishes to make use of the standard test facility "33% extra test time for centrally organised theory tests", the student can request this directly from the Student Counselling Centre. For more information on test facilities, see the Test Facilities Card 'Tests at the HU location' on the [HU site](#) on facilities in study and testing.

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<sup>15</sup> Students who do not have a valid alien's document, but are legally enrolled, can apply to the Examination Board for the issue of a certificate that, in combination with the alien's document in question, will still allow them to participate in the test.

<sup>16</sup> It can happen that signing in on the attendance list takes place digitally via a scanning method using your (digital) student card or student number.

## 5.3 While taking the test

- 5.3.1 It is not permitted, by any means, to duplicate the test questions.
- 5.3.2 While taking the test, only those aids may be used which are marked as such on the test or assignment sheet, supplemented by aids which have been allocated to the student in question by the Examination Board. The authorised aids may not contain any notes, unless it is indicated on the test that notes may also be kept with the test. The use of mobile phones, tablets, smartwatches, headphones<sup>17</sup> and similar devices is not permitted during the test.
- 5.3.3 The student takes the test in the test room of the HU that is reserved for that particular test.
- 5.3.4 Once the student has signed in (digitally) on the attendance list, the student may not leave the examination room with the intention of returning and continuing the test, unless the Examination Board has granted toilet visits as a facility to the student concerned. In addition, toilet visits are only allowed if the test lasts longer than 2 hours and with permission of the invigilator and accompanied by an invigilator.
- 5.3.5 For the first 15 minutes after the start of the test, the student may not leave the test room if the student has completed the test.
- 5.3.6 During the test, the student is not allowed to eat unless the Examination Board has granted this as a facility to the student concerned. A transparent bottle of water on the table is allowed.
- 5.3.7 The student must follow instructions given by the employees of the Test Centre/invigilator/examiner before, during or immediately after the test.
- 5.3.8 An invigilator or examiner who suspects that a student is guilty of an irregularity<sup>18</sup> during the test shall make a report and send it to the Examination Board. The student has the right to complete the test without hindrance.
- 5.3.9 The Examination Board investigates and rules on the reported irregularity. The test will not be assessed until the Examination Board has given its permission.
- 5.3.10 Irregularity in written tests at the HU means in any case:
- use of another person's identity (another person's identity document);
  - (attempted) use of unauthorised sources and tools, such as consulting the internet (via phone, smartwatch or other devices), using chatbots, books and help from individuals with the aim of influencing the test result;

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<sup>17</sup> Students who use pre-reading software as a test facility are allowed to use headphones.

<sup>18</sup> See Article 4.12 OER HU.

- (attempted) use of unauthorised stored, projected, printed or handwritten texts, images or cheat sheets for the purpose of influencing the test result;
- (any attempt to) make images or copies of the test or the theft of paper and/or test information;

The above list of examples is not exhaustive.

## **5.4 Concluding the test**

- 5.4.1 Students are not allowed to communicate with fellow students and/or exchange property in the test room until all tests have been handed in or completed.
- 5.4.2 If the student finishes before the end of the test time at a written test at the HU, the student announces this by raising their hand. The invigilator indicates that the test work can be handed in.
- 5.4.3 All issued materials (such as the test paper, scrap paper and assignments) must be handed back to the invigilator after the end of the test. No paper and test information may be taken out of the test room.
- 5.4.4 At the end of the test time, the invigilator calls the students still present one by one to take the test work, scrap paper and test questions.
- 5.4.5 The student signs the attendance list before leaving, as proof of participation in and submission of the test.
- 5.4.6 After the test, the invigilator records the time at which the student leaves the room.

## **5.5 Support and malfunctions**

- 5.5.1 In case of problems during the test, the student may approach the invigilator in the test room.
- 5.5.2 If the taking of the test is disrupted by problems that are demonstrably beyond the student's control, the student may submit a request to the Examination Board for an extra opportunity to take the test (Article 4.4 OER HU). The student must have reported this situation while taking the test to the invigilator. The student will then receive a form from the invigilator on which he or she can report the situation.
- 5.5.3 In the event of collective force majeure situations (calamities such as total power failure, test system failure, disasters), the Assessment Calamity Protocol for University of Applied Sciences Utrecht (CvB, 2020) will be followed. If impactful calamities are observed during and after test-taking, the institution-wide

Examination Board(s) and/or the CvE HU may decide to cancel the test and/or schedule a new test moment. The student's test opportunity is then maintained.

## 6. Online proctored test outside the HU

### 6.1 Participating in the test

- 6.1.1 A student can only take the test if the student is registered for that test. If a student does not log in and take the test, the test is recorded with an NP (Not Present) in Osiris. The student has then used a test opportunity.
- 6.1.2 To participate in a test, the student must present a valid identification document at the start of the test to the camera of the laptop/computer. A valid identification document is exclusively:
- a valid passport;
  - a valid European identity card;
  - a valid alien's document<sup>19</sup>;
  - a valid Dutch or international driving licence (*according to the rules, an international driving licence is not a driving licence from another country, but a translation of the Dutch driving licence usable in another country*).

A scan or photo of the proof of identity will not be accepted.

- 6.1.3 Due to privacy reasons, it is advised to tape over the citizen service number (Burgerservicenummer) on the proof of identity for online proctored tests in connection with image recordings of the proof of identity.

### 6.2 Before start of the test

- 6.2.1 To take the online proctored test outside the HU, a computer or laptop with working webcam, microphone and proctoring software is required. For all requirements for the laptop or computer and the necessary software and hardware, see the manual ([https://husite.nl/digitalehu/wp-content/uploads/sites/244/2023/08/Handleiding-student-Online-Proctoring-EN\\_v25-08-2023.pdf](https://husite.nl/digitalehu/wp-content/uploads/sites/244/2023/08/Handleiding-student-Online-Proctoring-EN_v25-08-2023.pdf)). See Article 6.8 of these regulations the possibility of requesting a loan laptop if the student does not have a (suitable) laptop or if the student is not allowed or does not want to download software on the laptop.
- 6.2.2 Aids that can make an internet connection or can be used as storage media (e.g. smartwatches, mobile phones, cameras) must be switched off.

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<sup>19</sup> Students who do not have a valid alien's document, but are legally enrolled, can apply to the Examination Board for the issue of a certificate that, in combination with the alien's document in question, will still allow them to participate in the test.



- 6.2.3 The test starts punctually. The start time is listed in OSIRIS.
- 6.2.4 In a centrally organised test, students may be granted certain test facilities, such as extra time and/or use of reading software. A test facility must be requested in advance from the Examination Board. If the student has dyslexia and wants to make use of the standard test facility "33% extra test time for centrally organised theory tests", the student can request this directly from the Student Counselling Office. For more information on test facilities for online proctored tests outside the HU, see the Test Facilities Card 'Digital tests outside the HU' on the [HU site](#) on facilities in study and testing.
- 6.2.5 To participate in the test, the student logs in with their own HU account.

### **6.3 While taking the test**

- 6.3.1 It is not permitted, by any means, to duplicate the test questions.
- 6.3.2 An online proctored test outside the HU shall be started and completed within the set time limit, unless the student has been granted the test facility 'extra test time'.
- 6.3.3 While taking a test, only those aids may be used which are indicated as such on the test or assignment sheet, supplemented by aids which the Examination Board has allocated to the student concerned. The authorised aids may not contain any notes, unless it is indicated on the test that notes may also be kept with the test. The use of mobile phone, tablet, smartwatch, headphones<sup>20</sup>, camera, extra screen, Xbox Live and similar devices is not allowed during the test. To prevent information from devices being used during the test, the study programme may stipulate that certain devices be on screen during the test. The desk should otherwise be free of irrelevant and unauthorised objects.
- 6.3.4 There are conditions attached to the room in which the student takes the test (see the student manual on [Digital HU](#).) The student may not leave the room in which the test is taken during the taking.
- 6.3.5 The student is alone in the room where the test is being taken and must remain in view of the webcam throughout the entire test and be audible through the microphone. Talking aloud and mouth movements that resemble talking are not allowed. Covering the mouth in any way is also not permitted.
- 6.3.6 No eating is allowed during the test unless the Examination Board has granted this as a facility to the student concerned. A transparent bottle or glass of water on the desk is allowed.

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<sup>20</sup> Students who use pre-reading software as a test facility are allowed to use headphones.

- 6.3.7 Toilet visits are not allowed unless the Examination Board has granted this as a provision to the student concerned.
- 6.3.8 A reviewer who suspects that a student has committed an irregularity<sup>21</sup> during the test makes an official report. The examiner then reports the suspicion to the Examination Board and attaches a printout of the review report to the report.
- 6.3.9 The Examination Board investigates and rules on the reported irregularity. The test will not be assessed until the Examination Board has given its permission.
- 6.3.10 Irregularity in online proctored tests outside the HU means in any case:
- use of another person's identity (another person's identity document);
  - (attempted) use of unauthorised sources and tools, such as consulting the internet (via phone, smartwatch or other devices), using chatbots, books and help from individuals with the aim of influencing the test result;
  - (attempted) use of unauthorised stored, projected, printed or handwritten texts, images or cheat sheets for the purpose of influencing the test result;
  - the student who is no longer in view of the webcam during the examination and/or has switched off the microphone, insofar as this takes place outside of authorised breaks (if any)
  - (any attempt to) make images or copies of the test;
  - (any attempt to) make technical modifications that undermine the proctoring software.

The above list of examples is not exhaustive.

## 6.4 Concluding the test

- 6.4.1 An online proctored test is started and completed within the specified time, unless the student has been allocated the test facility 'extra test time'.
- 6.4.2 After the test has been completed, the proctoring software can be removed again. More information on this can be found in the student manual on [Digital HU](#).
- 6.4.3 The identity of all students in an online proctored test is established by the reviewer on the basis of the video recording of the identity document after the test.

## 6.5 Review

- 6.5.1 In the case of online proctored tests outside the HU, a review is carried out to see how the test was administered. The review is carried out by a reviewer. To this end,

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<sup>21</sup> See Article 4.12 OER HU.

the reviewer (see definition list in Article 2 of these Regulations) looks at the stored information. This is not, therefore, the assessment of the test, but the assessment of the test-taking.

- 6.5.2 The reviewer assesses the course of the test-taking based on the camera images and the recorded use of, among other things, clipboard function, mouse, browser, screen shots, all websites visited and all other open applications and screens connected to the student's computer. The stored and collected data is reviewed, analysed and assessed for irregularities after the test by a reviewer based on the markings made in the stored information by the proctoring system. This information is visible on the screen while watching the video footage.
- 6.5.3 How many and which recordings are reviewed is determined by the test's taking settings (see *Digital Testing Manual for Lecturers* on [Digital HU](#)). Behaviour detected by the system is viewed. This may depend, for example, on the number of students who took the test or on a pre-agreed number or percentage of tests (sample), and according to behaviour signalled by the system.
- 6.5.4 For the definition of reviewer and explanation of the division of roles between examiner and reviewer, see the definition list in Article 2 of these regulations.

## 6.6 Support and malfunctions

- 6.6.1 In case of technical problems with equipment or Wi-Fi that cannot be solved by the student, the HU helpdesk provides assistance ([helpdesk@hu.nl](mailto:helpdesk@hu.nl)). In case of problems during an online proctored (home) test, the student can contact the proctoring organisation via the English-language chat support of the relevant proctoring software. For all other problems during the test, or if the proctoring system's chat support cannot help, the student must report this as soon as possible during the test via [onlinetoetsing@hu.nl](mailto:onlinetoetsing@hu.nl). This applies not only to failures of the systems (WiFi or computer) but also failures due to people coming in, attention-seeking pets, environmental noise, etc. should be indicated in the chat. For more information, see also the student manual on [Digital HU](#).
- 6.6.2 If the test-taking is disrupted by problems that are demonstrably beyond the student's control, the student may submit a request to the Examination Board for an extra test opportunity (Article 4.4 OER HU). The student must have reported this situation while taking the test via an email to [onlinetoetsing@hu.nl](mailto:onlinetoetsing@hu.nl).
- 6.6.3 If technical problems occur (e.g. power failure at the proctoring company or a failure of the WiFi network), as a result of which one or more students cannot (complete) the test or cannot log in and take the test, the test may be declared "not valid" by the Examination Board, in which case the test opportunity for the student will be retained (see Article 4.9 OER HU).

- 6.6.4 If an online proctored test is taken outside the HU without the proctoring software being active, the Examination Board will institute an investigation (Article 4.12 OER HU) and the test may be declared "not valid" if it appears that the reliability of the test-taking cannot be guaranteed. Before the Examination Board declares this test invalid, the student will first be heard.
- 6.6.5 In the event of collective force majeure situations (calamities such as total power failure, test system failure, disasters), the Assessment Calamity Protocol for University of Applied Sciences Utrecht (CvB, 2020) will be followed. If impactful calamities are observed during and after test-taking, the institution-wide Examination Board(s) and/or the CvE HU may decide to cancel the test and/or schedule a new test moment. The student's test opportunity is then maintained.

## 6.7 Registration of data

- 6.7.1 In the case of online proctored tests outside the HU, personal data of the student are stored for the purpose of establishing the student's identity and to prevent and detect fraud. The data recorded for identity verification are personal data such as name, and student number and a displayed valid ID proof.
- 6.7.2 A video and audio recording is made of the student and their environment during an online proctored test outside the HU, and actions on the keyboard, activities on the computer and (eye) movements of the student are recorded and recorded with an 'artificial intelligence' system. An image recording of the ID proof is also made and the IP address and online search behaviour are recorded. The room in which the test is taken is (partially) recorded.
- 6.7.3 The proctoring software then records the behaviour of the student while taking the test. The moments when the proctoring system signals changes in the student's behaviour, such as posture and movement, in the sounds and movements in the room in which the test is taken, as well as in the use of the keyboard and programmes on the computer, are indicated by the system with markings.
- 6.7.4 How many and which recordings are watched back is determined by the test's taking settings (see *Digital Testing Manual for Lecturers* on [Digital HU](#)). Behaviour detected by the system is viewed. This may depend, for example, on the number of students who took the test or on a pre-agreed number or percentage of tests (sample), and according to behaviour signalled by the system.

## 6.8 The student's rights

- 6.8.1 Students are entitled to a digitally accessible test in accordance with level AA of the WCAG standards. A digitally accessible test is a test that is equally difficult or easy for everyone to do. The test method does not affect the result. It means, for instance, that the test questions are also readable for the colour-blind, that there are explanatory texts with pictures and graphs, that the contrast can be adjusted, that the test can be read with reading software if this has been granted by the Examination Board, that it is possible to navigate through a digital test without using a mouse. See [WCAG.nl](https://www.wcag.nl) and the [HU-site](https://www.hu.nl) on support for study and testing.
- 6.8.2 In the case of an online proctored test outside the HU, if a student does not have the necessary hardware and software, or cannot take the test in a suitable room, a request can be made to the Test Centre prior to the test to take the test at an HU location, on an HU computer or laptop. Students wishing to claim this must submit a timely request to the Test Centre via <https://wegwijs.hu.nl/study-info/deregistration/exams/loan-laptop-for-digital-exams-via-byod>.
- 6.8.3 Students who have insurmountable objections to taking an online proctored test outside the HU due to the use of personal data have the right to refuse the test for that reason. If the educational institution cannot demonstrate that the compelling legitimate interests of the educational institution outweigh the interests, rights and freedoms of the student, a suitable alternative form of testing must be offered that sufficiently eliminates the student's privacy objections. In doing so, study delay should be avoided as much as possible.<sup>22</sup>
- 6.8.4 Students who object to the use of proctoring software on their own laptops and also find the use of an HU laptop inappropriate for their privacy concerns may make this known to and discuss it with the Data Protection Officer (FG). Students can make an appointment at [fg@hu.nl](mailto:fg@hu.nl) or use the complaint form at the STIP (STudent Information Point). In an interview, the FG will provide information on privacy assurance in proctoring and consider whether concerns can be addressed. In case of insufficient capacity, the Privacy Organisation of the HU will assist the FG in this task.
- 6.8.5 Students who do not wish to participate in the taking of an online proctored test outside the HU may request the Examination Board to be deregistered for the online proctored test (in deviation from Article 4.7 OER HU), if the deadline for registration has expired before the moment that it has been communicated that the test will be taken using online proctoring. Students do not use a test opportunity in this way and can still use the test opportunity in the current academic year if the study programme organises another test opportunity. The study programme is not obliged to do so.

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<sup>22</sup> See *Service document HO 2021-2022* no 15, Ministry of OCW, 10 May 2022.

6.8.6 If the student submits a request to the Examination Board, the rules in the OER HU regarding the possibility of appeal and the request for a provisional arrangement apply in full.

## 6.9 Obligations of the student

6.9.1 A [Privacy Statement](#) has been drawn up for online proctored tests taken outside HU. The student should take note of this Privacy Statement prior to the test.

## 6.10 Privacy and data protection

6.10.1 Since 25 May 2018, the same privacy legislation applies across the EU: General Data Protection Regulation (GDPR), in the Netherlands, it is known as *Algemene Verordening Gegevensbescherming (AVG)*. These rules also apply to the storage and retention of personal data from the digital tests on one's own laptop at the HU and online proctored tests outside HU. The contract drawn up by the HU with the company providing the blocking software complies with European regulations. The contract describes the desired level of protection of the processing of personal data involved and the responsibilities of controller and processor. A data protection impact assessment (DPIA) has also been carried out. See <https://een.hu.nl/weten-regelen/een-dpia-wat-is-dat> and <https://wegwijs.hu.nl/digital/privacy--security/personal-data/the-data-protection-officer> for more information on a DPIA and contact details of the privacy officers.

## 6.11 Saving data

6.11.1 When the student takes an **online proctored test outside the HU**, data is temporarily stored by the company providing the proctoring software (see [Privacy Statement](#)).

6.11.2 Collected data are used in online proctored tests only for investigating possible irregularities and for identification purposes.

6.11.3 The review report in the case of online proctored tests outside the HU will be kept for a set number of days and then deleted. The [manual](#) and [Privacy Statement](#) describe this retention period. Within this retention period, a review is carried out on a selected number of files where discrepancies have been found. Within this period, if necessary for further investigation, the examiner or reviewer may make a printout of the review report, which is retained until the assessment of the test has become irrevocable. This may be longer than the established retention period if, for example, an appeal procedure or investigation on suspicion of irregularity is pending before the Examination Board. The printout of the review report will be retained for as long as necessary to further investigate and make a decision on the legitimacy of the result of a test (this includes any legal proceedings concerning it).

- 6.11.4 The review report is also subject to the General Data Protection Regulation (GDPR) as it contains traceable personal data.
- 6.11.5 The GDPR applies to data processing within online proctoring. The Data Protection Officer (FG) monitors compliance with the GDPR. Processing agreements have been signed with the proctoring software supplier and this supplier is bound by the GDPR based on the GDPR and these agreements.
- 6.11.6 The HU shall provide clear and transparent information about online proctoring to students such as the processing of personal data, the purpose of the processing and how the processing is done.
- 6.11.7 When a suspected irregularity has been reported to the Examination Board, a printout of the review report is also transmitted to the Examination Board. The review report is retained by the Examination Board until the investigation on the suspected irregularity is completed by the Examination Board. The Examination Board ensures the destruction of the review report in HUKAS within 14 days after the assessment, whether on appeal or otherwise, has become irrevocable.

## **6.12 Access to personal data**

- 6.12.1 Students have the right to access or correct any personal data that has been processed if it contains factual inaccuracies, have personal data deleted, limit the processing of personal data, and limit the portability of personal data. This includes all personal data processed within the test-taking process and recorded as a result of the assessment. For more information, see <https://een.hu.nl/en/guidebook/privacy-desk> (Chapter 3 of the GDPR) and <https://wegwijs.hu.nl/digital/privacy--security/personal-data/the-privacy-desk>.
- 6.12.2 If the student wishes to exercise these privacy rights, they may notify the HU Data Protection Officer at: [fg@HU.nl](mailto:fg@HU.nl).
- 6.12.3 In order to process the request for access to personal data, the student will be asked for identification. This will verify that the request is made by the correct person. If the student is not satisfied with the way the HU handles the student's personal data, the student also has the right to file a complaint with the Personal Data Authority.
- 6.12.4 Reviewers and the Examination Board have access to the data, as mentioned in Article 6.11 paragraph 1 and paragraph 7 of these regulations, to assess whether the test was taken in accordance with the rules.
- 6.12.5 When a student initiates an appeal procedure, the reports are delivered to the HU Legal Counselling Office if necessary and if requested. In the event of an appeal procedure, the CBE (Board of Appeal for Examinations) and, if applicable, the

Administrative Law Division of the Council of State are given access to the review report.

## **7. Final provisions**

### **7.1 Examination Board**

7.1.1 The Examination Board is authorised to make an exception to these regulations in individual cases in favour of the student in case of extreme unfairness.

7.1.2 In cases not provided for in these regulations the Examination Board shall decide.

### **7.2 In conclusion**

7.2.1 These regulations may be cited as Testing Regulations.

7.2.2 These regulations will be reviewed annually and, if necessary, updated once a year.