

This English translation is offered for information purposes only. In the event of any discrepancy or doubt in interpretation, the original German texts published in the Official Notices of Rhine-Waal University of Applied Sciences take precedence. Only the original German texts are considered legally binding.



## **Regulations to offset academic adversities brought about by the SARS-CoV-2 epidemic at Rhine-Waal University of Applied Sciences**

Dated 16 December 2021  
(Official Notice 36/2021)

### Contents

Section 1	Scope
Section 2	Courses
Section 3	Examinations
Section 4	Theses
Section 5	Admission requirements
Section 6	Entry into force and expiration

## **Section 1**

### **Scope**

(1) With the following regulations, the Executive Board chooses to exercise the powers granted to it by the Coronavirus Epidemic Ordinance for Universities, dated 1 December 2021, with the goals of empowering the faculties to successfully tackle the challenges for students and educators brought about by the SARS-CoV-2 pandemic and ensuring continued academic operations.

(2) The provisions contained herein apply to all degree programmes at Rhine-Waal University of Applied Sciences without exception. Should provisions contained in the General Examination Regulations for Bachelor's and Master's Degree Programmes at Rhine-Waal University of Applied Sciences ("RPO"), dated 3 January 2018, or in degree programme-specific examination regulations or in other official HSRW regulations clash with provisions contained herein, the provisions contained herein shall temporarily supersede the conflicting regulations in the aforementioned documents in accordance with Section 12 (2) of the Coronavirus Ordinance.

(3) The power of the Senate and the Faculty Councils to enact regulations remains unaffected in accordance with Section 13 of the Coronavirus Epidemic Ordinance for Universities; Section 12 (1) and (2) of the Coronavirus Epidemic Ordinance for Universities remains unaffected.

(4) Decisions made by functionaries, bodies or members of a faculty in connection with these Regulations must be published for students in a prominent fashion on the faculty website with a clearly indicated publication date. These notification obligations are the responsibility of the deans.

## **Section 2**

### **In-person teaching**

(1) Teaching in winter semester 2021-2022 shall generally occur in person. In justifiable cases, deans may request to the Executive Board to permit exceptions to this rule and digital teaching, provided at least one fourth of teaching in the affected degree programme is conducted in person.

(2) Access to campus buildings and facilities dedicated largely to teaching is only authorised for immunised and tested persons within the meaning of Section 2 (8) of the Coronavirus Prevention Ordinance from 3 December 2021 (GV. NRW. p. 1246b), last amended by Article 1 of the amending ordinance from 8 December 2021 (GV. NRW. p. 1252a).

(3) Courses or parts thereof slated for winter semester 2021-2022 may be rescheduled for the time periods before or after the lecture period. The deans are responsible for decisions to move forward or postpone courses or parts thereof; students must be notified of these decisions as soon as possible and in accordance with Section 1 (4).

### **Section 3**

#### **Examinations**

(1) The principle of fair and equal treatment in examinations shall apply during the extraordinary circumstances caused by the pandemic, as it takes into consideration the fundamental rights of students in Germany as well as the fact that all students have been adversely affected by the coronavirus pandemic. The faculties are responsible for ensuring that this principle is upheld during the pandemic.

(2) Examinations can occur online or via digital communication. With regard to online examinations, the data privacy regulations listed in Annex 1 of these Regulations shall apply. This Annex is a component of these Regulations. In-person examinations can also be offered, provided they adhere to the Hygiene Regulations of Rhine-Waal University of Applied Sciences. Examinations offered online may remain online examinations even after in-person examinations have become permitted once again. The deans can decide to offer in-person examinations as well as online examinations if student participation is planned for accordingly. The principle of fair and equal treatment in examinations shall apply during the extraordinary circumstances caused by the pandemic, as it takes into consideration the fundamental rights of students in Germany as well as the fact that all students have been adversely affected by the coronavirus pandemic. The deans are responsible for ensuring that this principle is upheld.

(3) Section 17b RPO shall not apply to online/digital examinations. Written examinations completed at home and submitted online are considered "online examinations" within the meaning of these Regulations. Oral examinations shall be conducted online via video conference or in person, subject to the Hygiene Framework of Rhine-Waal University of Applied Sciences. Examinations may not be recorded.

(4) For identification purposes, a written declaration from the student confirming that he or she is indeed the examination candidate in question will suffice. Alternatively, a photo ID is also sufficient for identification purposes; in this case, the data privacy regulations in Annex 1 shall apply. In addition, the student must explicitly state in this declaration that the examination was completed independently and without the use of any unapproved aid or support. If technical difficulties occur which prevent a student from completing an examination normally, then the examination attempt must be terminated. The affected student is obligated to notify the examiner of these technical difficulties immediately. Notifying the examiner of technical issues after the examination has been completed is considered too late. A prematurely terminated examination attempt will not be counted towards a student's remaining attempts.

(5) Provisions in examination regulations requiring mandatory registration for a first examination attempt pursuant to Section 15 (9) RPO or a new attempt for a previously failed examination do not apply.

(6) Students may withdraw from an examination for any reason before the examination has commenced; missing an examination will also not have any negative effects. Every student is entitled to one free examination attempt per module for any examination failed between 20 April 2020 and winter semester 2021-2022; this does not apply to examinations that were failed as the result of cheating

within the meaning of Section 13 (3) of the General Examination Regulations (RPO). Sentence 2 does not apply to the thesis. A maximum of one free attempt per module is permitted.

## **Section 4**

### **Thesis**

The thesis can be submitted before the deadline via Rhine-Waal University's online tool *Sharepoint*. The two required hard copies may be submitted after digital submission. Students may also submit a request to their Examination Board for an exemption from the hard copy requirement in justified situations. This is considered the case, for example, when mail services have been significantly impaired by the pandemic. The Examination Board, in conjunction with the thesis supervisor, is responsible for decisions on exemptions.

## **Section 5**

### **Admission requirements**

(1) Deviating from Section 4 (3) RPO, students may submit proof of completion of the 8-week basic internship by their 6<sup>th</sup> semester re-registration deadline. This general extension will apply for the final time until summer semester 2022.

(2) Enrolment for winter semester 2021-2022 may occur online.

## **Section 6**

### **Entry into force and expiration**

(1) These Regulations shall enter into force on 1 October 2021.

(2) These Regulations shall expire on 1 April 2022. Deadlines or time frames in these Regulations extending beyond the date of expiration remain unaffected.

(3) The Regulations to Offset Academic Adversities Brought About by the SARS-CoV-2 Epidemic at Rhine-Waal University of Applied Sciences, originally dated 8 May 2020, as amended by the seventh amending statutes, shall expire with immediate effect.

## **Annex 1: Data privacy regulations for conducting online/digital examinations**

The following applies to online examinations relying on video conference tools:

- Prior to the examination, participants must be informed in a transparent, complete and comprehensible manner about the processing of their personal data within the scope of the examination, in particular with regard to any general and individual monitoring which will occur;
- Only tools which have been made available by Rhine-Waal University of Applied Sciences may be used;
- Recording of examinations is prohibited: screenshots and any audio/visual recording are not permitted;
- Monitoring of the area around students, in particular by moving the camera side to side to show the entire room, as well as any other verification of surroundings is prohibited;
- As an alternative to the sworn statement described under Section 3 (4) sent. 1, students can also be requested to verify their identity via official ID and requested students are permitted to cover any data on their ID considered irrelevant for identification purposes; recording, saving or uploading these documents is prohibited;
- Exam supervisors are obliged to use a “split-screen” set-up to ensure comparability to an in-person examination;
- Viewing students’ drafts is prohibited (no obligation to reveal the “thought process”);
- Secret supervision measures are prohibited; thus each individual supervision measure must be revealed (e.g. by showing) to affected persons;
- Any discussions or verification undertaken in the event of a suspected cheating attempt may not be revealed to other students;
- Particularly invasive tools are prohibited due to a lack of legal basis (for example: attention/movement/eye tracking, ambient audio monitoring, AI-based tools);
- Any monitoring of students’ computers beyond simple video monitoring is prohibited (due to confidentiality and the integrity of IT systems);
- GDPR compliance for data transfer must be observed when using service providers which process or publish personal data outside of the EU.