Privacy statement: CodeGrade

Date: 27 November 2022, V1.1

The Vrije Universiteit Amsterdam (hereinafter **VU Amsterdam**) has chosen to support active blended learning and teaching with specific tools that encourage students to study effectively and engagingly, and give lecturers insight into student progress.

VU Amsterdam is committed to protecting your privacy and the security of your personal data. In this privacy statement, we describe how we handle your personal data for the CodeGrade service. We process your personal data in accordance with applicable privacy legislation, including the General Data Protection Regulation (AVG/GDPR) and the Dutch General Data Protection Regulation Implementation Act (UAVG).

CodeGrade is an online programme where students can submit programming assignments and where teachers can assess the quality of the assignments. CodeGrade performs automated grading to check the correct functioning of code and detect plagiarism of code. There is also the possibility for teachers to provide inline comments and use rubrics for assessment. Students can give each other peer feedback on code.

CodeGrade never gives a final grade on assignments without human intervention. There is always checking by the teacher.

1. Who is responsible for processing my personal data?

Stitching VU (**VU Amsterdam**) - which maintains the Vrije Universiteit Amsterdam - is responsible for the data processing described in this privacy statement. VU Amsterdam has a legal duty to ensure that your personal data are processed in accordance with applicable privacy legislation, including the General Data Protection Regulation (GDPR) and the Dutch UAVG.

2. For what purpose are my personal data processed and on what legal basis?

We process your personal data on the basis of a 'legitimate interest' (Article 6(1)(f), AVG). The legitimate interest concerns achieving optimal education. In addition, the processing is necessary to comply with the legal obligation to conduct examinations (WHW, Art. 7.10).

The personal data are used exclusively for submitting and grading and providing feedback on programming assignments and transferring an assessment to the Canvas Learning Management System of VU Amsteddam. Without automated processing, it is impossible to provide large numbers of students with high-quality feedback on their programming assignments sufficiently quickly. Also, calculating similarity scores for the purpose of plagiarism detection is impossible without automated processing.

3.   Which (categories of) personal data are processed?

We process the following personal data from you:

- full name;
- VU email address;
- LMS ID ("Learning Management System" or "Virtual Learning Environment" ID).

The following data will be processed from you for the assignments:
- submitted programming assignments;
- Feedback and grades for assignments;
- Server log data (when were commands and associated feedback saved or edited).

4.   Who has access to my personal data?

Personal data will only be accessed and processed by teachers and examiners at VU Amsterdam who, by virtue of their position, have a role in processing your personal data for the above purposes and for whom it is necessary for them to have access to the personal data. In addition, CodeGrade and its subcontractors (sub-processors) have access to your data to improve their systems.

5.   Will my personal data be shared with third parties?

Personal data collected within the framework of the purposes (see question 2) are stored on well-secured servers of the company CodeGrade and its subcontractors. Your personal data will not be shared with others, unless VU Amsterdam is required to do so by law or court order.

VU Amsterdam has entered into a processor agreement with CodeGrade to ensure that your personal data is processed carefully, securely and in accordance with AVG. This also provides that CodeGrade and its subcontractors may never process the personal data for their own purposes and may only act in accordance with instructions from VU Amsterdam.

6.   Will my personal data be transferred to international organisations or countries outside the European Economic Area?

No, your personal data will not be transferred to international organisations or countries outside the European Economic Area (EEA). The EEA includes all EU countries plus Norway, Liechtenstein and Iceland. No additional rules apply to transfers of personal data between these countries under the AVG.

7.   How long will my personal data be kept?

We do not keep your personal data for longer than necessary to achieve the predefined purposes or as long as required by law.

8.   How will my personal data be secured?

VU Amsterdam takes appropriate technical and organisational measures to protect your personal data against loss and any form of unlawful processing.

9.   Who can I contact with questions about the processing of my personal data?

Your questions about how your personal data are processed can be sent to t.kielmann@vu.nl.

10. How can I exercise my privacy rights?

Based on the AVG, you have - under certain conditions - the right to access the personal data processed about you, the right to correct your personal data if it contains factual inaccuracies, the right to erase your personal data, the right to restrict the processing of your personal data, the right to portability of your personal data and the right to object to the processing of your personal data.

If you wish to exercise these privacy rights, you may notify the VU's Data Protection Officer at:

Data protection officer
De Boelelaan 1105
1081 HV AMSTERDAM
functionarisgegevensbescherming@vu.nl

To process the request, you will be asked to identify yourself. This will verify that the request has been made by the right person. If you are not satisfied with the way we handle your personal data, you have the right to lodge a complaint with the Personal Data Authority.

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