



TECHNISCHE UNIVERSITÄT  
CHEMNITZ

Data privacy statement regarding survey of  
personal data (information according to Art.  
13 DSGVO)

## Data privacy statement

### Third survey "Studying with a disability, longer-term illnesses or health conditions or mental health difficulties" at the Chemnitz University of Technology 2021

(version 07 January 2022)

In addition to the general information on data processing by Chemnitz University of Technology (<https://www.tu-chemnitz.de/tu/datenschutz.html>) this data protection statement informs you about the method, content and aim of the data processing within the 3rd student survey on the topic of "Studying with an Impairment" 2021.

We are very pleased that you are willing to give consent to provide us with your personal data to conduct the 3rd student survey on the topic of "Studying with an Impairment" in 2021. Precisely for this reason, it is very important that we inform you in a fair and transparent manner about data processing, so that you are informed about the associated processing practices and purposes therein. In addition, we would also like to inform you of the risks, regulations, guarantees and rights involved with the processing of personal information and inform you about how to assert your rights in this regard.

## 1. Name and contact information of the responsible party

The responsible party within the scope of the EU General Data Protection Regulation (DSGVO) and other national data protection laws of the member states, as well as additional data protection regulations is as follows:

*Technische Universität Chemnitz  
vertreten durch den Rektor Prof. Dr. Gerd Strohmeier  
Straße der Nationen 62  
09111 Chemnitz, Deutschland  
E-mail: rektor@tu-chemnitz.de  
phone: +49 371 531-10000  
fax: +49 371 531-10009  
website: www.tu-chemnitz.de*

If you have any questions in regard to this data privacy statement or the associated data processing procedures relating to 3rd student survey on the topic of "Studying with an Impairment" in 2021, or if you want to exercise the rights which you have been granted, please do not hesitate to contact us at any time:

*Technische Universität Chemnitz  
Dr. Daniela Menzel  
Straße der Nationen 62  
09111 Chemnitz, Deutschland  
E-mail: inklusion@tu-chemnitz.de  
phone: 0371-531/34949  
fax: +49 371 531-834939  
website: <https://www.tu-chemnitz.de/tu/inklusion/>*



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The above contact details correspond to the department responsible for the survey: Department 1 Academic and Legal Affairs, Central Student Advisory Service, Coordinator for Inclusion and adviser for students with disabilities or chronic illnesses.

## 2. Contact information of the Data Protection Officer

The Data Protection Officer at Chemnitz University of Technology is:

*Gernot Kirchner*

*Datenschutzbeauftragter der Technischen Universität Chemnitz*

*Straße der Nationen 62*

*09111 Chemnitz, Deutschland*

*E-mail: [datenschutzbeauftragter@tu-chemnitz.de](mailto:datenschutzbeauftragter@tu-chemnitz.de)*

*phone: +49 371 531-12030*

*fax: +49 371 531-12039*

*website: [www.tu-chemnitz.de/rektorat/dsb/](http://www.tu-chemnitz.de/rektorat/dsb/)*

## 3. Technical realisation

The technical realisation of the 3rd student survey on the topic of "Studying with an Impairment" 2021 is handled internally by the Central University Administration (Department 4 Planning, Organisation and Central Affairs, Division 4.1, section evaluation) of Chemnitz University of Technology, which can be reached via the following e-mail address: [evaluation@tu-chemnitz.de](mailto:evaluation@tu-chemnitz.de).

## 4. General information on data processing

### 4.1 Scope and purpose of processing personal information

The processing of personal information covers every operation or series of operations, which can be carried out with or without the help of automated processes, in connection with personal information. This includes the organisation, collection, storage, conversion or modification, selection, retrieval, use, transmission, distribution or any other form of provision, linking, restriction, deletion or destruction of information.

We only process personal information as is necessary within the scope of 3rd student survey on the topic of "Studying with an Impairment" 2021 for the purpose of students' subjective assessment of their impairment-related study situation at Chemnitz University of Technology. Your data will be used to improve and expand the counselling and support services for students with impairments on the basis of and for updating the action plan "Chemnitz University of Technology on the Way to an Inclusive University" as well as for updating the university development plan (subcategory inclusion).

The processing of personal information is voluntary according to Art. 6 par. 1 p. 1 letter a) DSGVO and applies especially within the special criteria of personal information that falls within the scope of Art. 9 par. 1 DSGVO, only with the prior (explicit) written consent of the concerned party. As it concerns the 3rd student survey on the topic of "Studying with an Impairment" 2021, this relates to health



information in the sense of impairment due to disability, chronic or mental illness or it applies as well as information on the existence of a severely disabled person's card; that are voluntarily provided. An exception will apply in certain cases in which prior consent cannot be obtained for practical reasons and the processing of the information is permitted by other legal regulations.

In addition to the survey data in the closer sense on the topics of experiences and perceptions on the topic of studying with an impairment, evaluation of the structural accessibility of the Chemnitz University of Technology and the information and counselling services as well as special impairment-related challenges during the Corona pandemic, the following personal data will be processed for the implementation of the 3rd student survey "Studying with an Impairment" 2021:

1. TUC e-mail address (only to contact the participant, it is not asked for as a part of the questionnaire),
2. kind of impairment (mobility, visual, hearing, speech or language impairment, chronic-somatic illness, mental illness, partial performance disorder), no survey of a concrete impairment (it means the impairment that has an impact on the daily study routine does not have to be specified)
3. existence of a severely disabled person's card („no response“ possible)
4. gender; age categories; nationality (Germany vs. other); children (number)
5. faculty; degree; date of enrolment (matriculation); semester of leave due to illness (yes/no); compulsory long-term tuition fees due to exceeded the standard period of study; finance of studies; additional costs due to an impairment
6. Other voluntary information provided by the person concerned (also in open text fields) as survey data in the closer sense: experiences and perceptions on the topic of studying with an impairment (Part A: questions 2-5, Part C: questions 15-19), experiences and perceptions when choosing a course of study, application and admission (Part B); special impairment-related challenges during the Corona pandemic (Part D) as well as assessment of the structural accessibility of the Chemnitz University of Technology (Part E) and the information and counselling services at the Chemnitz University of Technology (Part F).

The TUC e-mail addresses are provided by Student Services/Department 1, Division 1.2. These are then entered into the EvaSys online-survey system to allow for the contacting of survey participants as a part of the evaluation process.

Participation in the survey is voluntary, there is no obligation to give information. If you do not wish to provide any of the requested personal information, you can leave the answer blank or select that you abstain from answering the question. If the information given in open comment fields can lead to the unambiguous identification of a person (whether participant or other affected persons, i. e. lecturers), this information will be removed as a part of the evaluation of survey results, and the answer will be anonymized accordingly.



Your personal information will only be saved and ready for further processing once you have submitted the questionnaire at the end via the "Submit" button. By submitting the survey, the data that you have entered is separated from your TUC e-mail address and the TAN that is assigned, therefore it is impossible to trace the contents of the completed survey back to a specific participant.

Furthermore, we will not save or otherwise process any IP addresses or log files relating to 3rd student survey "Studying with an Impairment" 2021 that would allow for the identification of concerned parties. The survey is pseudonymised upon completion, due to the possibility of identifying network traffic information (such as IP addresses or web server log files). This is, of course, prohibited by Chemnitz University of Technology by using technical and organizational means, and will not be carried out by Chemnitz University of Technology. In particular, those who collect the data have no technical access to IP addresses or log files via EvaSys. In this way, access is controlled and therefore IP addresses or log files are not able to be assigned to survey results. The survey is carried out as prescribed by law, so that answers and ratings do not allow for any conclusions to be drawn about individual identities.

This personal information is accordingly stored in our system. It is not stored together with other personal information of participants nor is it compared to this information.

The survey and ensuing analyses and evaluation are carried out in such a way that answers and ratings do not allow for the identifying of survey participants. The minimum response rate that allows a survey to move forward with its evaluation is  $n = 5$  responses per question. This applies as well to degree program-specific evaluations. Answers to open-ended questions will also be released if the response rate is  $n < 5$ . Answers given to open-ended questions are anonymised prior to granting access to evaluation results, independent of whether other answers from the same survey are released. In addition, all characteristics are evaluated separately from one another, or only in such combinations that the group size of a cohort is greater than 5, and therefore cannot be unequivocally deduced from an identifiable participant. Furthermore, the personal information is not merged with other sources (such as student information databases), in order to inhibit the identification of survey participants. The automated reports for the degree programs and central institutions of Chemnitz University of Technology contain aggregated data and/or open answers that have had all of their personal references removed (anonymisation).

### **3.2 Legal basis for the processing of personal information**

The legal basis for processing the TUC e-mail addresses for the purpose of participant contact, as well as processing personal information by answering the 3rd student survey "Studying with an Impairment" 2021, are Art. 6, par. 1, s. 1, letter c) and e) DSGVO in conjunction with § 14, par. 1, s. 1, no. 1 and 6 SächsHSFG according to Rektoratsbeschluss RB 03/04/21 - 13.0 (21.04.21). Furthermore, the 3rd student survey "Studying with an Impairment" 2021 is based on the data protection guideline of the TU Chemnitz for the sending of circular e-mails via automatically generated e-mail distribution lists of 06.10.2021.



Participation in the survey is voluntary: in accordance with Art. 6 par. 1 s. 1 letter a) and Art. 9 par. 2 letter a) DSGVO, the data subject has (expressly) consented to the processing of the aforementioned personal data for one or more specified purposes.

The 3rd student survey "Studying with an Impairment" 2021 serves the implementation of the study programme, because the design of the study programme for students with impairments should be supported or made possible and improved. In addition, the survey serves the development planning for the update of the university development plan of the TU Chemnitz (inclusion as the 9th objective in the area of "university policy, development and communication") and for the update of the action plan "The TU Chemnitz on the way to an inclusive university" (according to the update of the state action plan until 2022/23 according to the Saxon coalition agreement 2019-2024)

### **3.3 Storage period (deletion of data, limitations on storage)**

The personal information processed as a part of this survey will only be stored in a way that enables the identification of the participants for as long a period as necessary for the purposes of the survey.

The deletion of the e-mail addresses required for sending TAN by Department 4, Division 4.1 takes place when the survey is closed in the EvaSys system, it means when the result reports (PDF file) are created. At this point, the e-mail addresses are no longer required for contacting the respondents by e-mail to participate in the survey.

The PDF result reports (survey results) are deleted by the Department 4, Division 4.1 four weeks after data transfer to the Inclusion Coordinator. This storage period results from the end of the survey period.

The online survey results in the EvaSys system (relates to the data stored about the surveys carried out and can be called up again and again as unchanged raw data (corresponds to back-up) will be deleted by Department 4, Division 4.1 at the end of the semester in which the survey takes place, this means 31.03.2022.

The survey results (concerns the data set exported from EvaSys, which forms the basis for statistical data evaluations beyond the PDF results report) will be deleted by the responsible department at the earliest possible time with regard to their evaluation, but no later than the end of the following semester in which the survey takes place (this means 30.09.2022).

A comparison with the earlier survey dates of absolute and relative frequencies takes place while statistical-descriptive data evaluation. This is not a panel survey, i.e. a survey at several points in time with the same sample. Result reports and presentations are publications of anonymised survey data and no conclusions can be drawn about personal data. All personal data will be processed anonymously in a comparison with the previous survey dates in 2016 and 2018 and are therefore not subject to deletion.



### 3.4 Recipients of personal information

Personal information is only processed by the respective entities mentioned below:

1. Chemnitz University of Technology, Department 1 Academic and Legal Affairs, Central Student Advisory Service, Coordinator for Inclusion and adviser for students with disabilities or chronic illnesses
2. Chemnitz University of Technology, Department 4 Planning, Organisation and Central Affairs, Division 4.1, section evaluation
3. Chemnitz University of Technology, University Computer Centre
4. EvaSys – Electric Paper Evaluation System GmbH as part of remote maintenance of evaluation information, according to Art. 28 DSGVO (if applicable)
5. If needed, other third parties in connection with the publication of anonymised result reports and anonymised result presentations within Chemnitz University of Technology and at external events.

The personal information will not be passed on to third parties, nor will it be transferred to another EU country, country outside the EU, or international organisation.

### 3.5 Data protection impact assessment

A data protection impact assessment is not required for the data processing carried out within the scope of 3rd student survey "Studying with an Impairment" 2021, as these are not likely to present a high risk to the rights and freedoms of individual participants.

In particular, during this course of processing data

- There is no assessment or ranking of the participants (in the form of profiling or predictions made) based on health, personal beliefs, personal interests or behavior,
- There is no automatic decision-making with any legal or related consequences,
- No systematic monitoring will be carried out,
- There will be no comparisons or merging of data with records from other processes and operations,
- No data from protected participants will be processed whatsoever,
- No new forms of data collection or data use will be utilized,
- In no way will participants be prevented from exercising their rights, utilising services provided to them, or carrying out a contract.

The data processing takes place exclusively within the Chemnitz University of Technology and the scope of the data processing results from the number of enrolled students in the corresponding subject semesters and study programmes. Due to the evaluation of a group size of five or more persons per attribute and the removal of personal references in open-ended questions, the identity of survey participants can only be deduced via the participant themselves. Thus, the responsible party



alone cannot identify individual participants. Information from open comment fields are only released to the respective degree program for evaluation. If information provided in these fields could lead to unambiguous identification of a person (whether participant or other affected person, such as a lecturer), this information will be removed in the course of processing the evaluation and the answer will thus be anonymised.

### **3.6 Data security**

The security of your personal information while in possession of and under the scope of 3rd student survey "Studying with an Impairment" 2021 is also of the utmost importance. Therefore, appropriate steps have been taken as it concerns to the necessary technical measures, costs of implementation, the type, scope, circumstances and the purposes of the data processing, as well as the likelihood of access and the severity of the risks associated with the data processing as it pertains to the legal interests of the participants, in particular as it concerns the processing of special categories of personal information. Relevant technical guidelines and recommendations as set forth by the Federal Office for Information Security (BSI) have been taken into consideration. This applies, above all, to the IT Basic Protections as provided by BSI.

In particular, when processing personal information that falls within the guidelines of art. 9, par. 1 DSGVO, appropriate and specific measures have to be provided, so as to safeguard the interests of the participant. Taking into account the necessary technical measures, costs of implementation and the type, scope, circumstances and purposes of the data processing, as well as the likelihood of access and the severity of the risks associated with the data processing as it pertains to legal interests of the participants, the measures named by Art. 25 (data protection through technology design and data protection-friendly default settings), Art. 32 (security of processing), and art. 36 DSGVO (prior consultation) apply specifically:

- To ensure that it can be subsequently verified and ascertained whether or not and by whom personal information has been entered, edited or removed,
- To increase awareness and train those involved in data processing operations.

### **3.7 Right of revocation of the declaration of consent under data privacy law or possibility of elimination**

The consent given is voluntary, i.e. free from coercion and pressure. You have the right to revoke your declaration of consent under data protection law at any time, either in whole or separately, without giving reasons and without unreasonable disadvantages, with effect for the future. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation. The revocation of consent is as simple as giving consent. In the event of revocation, the personal data in question will be deleted without delay if there is no other legal basis for the processing (Art. 17 par. 1 letter b) DSGVO).

The revocation must be submitted in written form or by e-mail to:



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*Technische Universität Chemnitz  
Dezernat 4 Planung, Organisation und Zentrale Angelegenheiten  
Abteilung 4.1  
Bereich Evaluation  
Straße der Nationen 62  
09111 Chemnitz, Deutschland  
E-mail: [evaluation@tu-chemnitz.de](mailto:evaluation@tu-chemnitz.de)*

### **3.8 Legal/contractual requirements for the providing of personal data and consequences of not providing it**

We hereby further inform you that the provision of personal data is required by law for the fulfilment of tasks pursuant to § 14 par. 1 s. 1 no. 1 and 6 in conjunction with § 14 par. 2 s. 1 SächsHSFG and that you are obliged to provide the personal data. However, failure to provide your personal data will not have any consequences for you. If you do not provide your data, your experiences and perceptions will not be included in the development of support and improvement strategies for your studies with an impairment or in the further development planning by updating the university action plan for the implementation of the UN Convention on the Rights of Persons with Disabilities and the university development planning. Participation in the online survey is therefore voluntary and based on your (explicit) consent, or it is possible not to answer individual questions. Participation can also be cancelled at any time after it has begun by closing the browser window.

### **3.9 Right of objection or possibility of removal**

You have the right to object at any time, on grounds relating to your specific situation, to the processing of personal data concerning you which is carried out on the basis of Art. 6 par. 1 s. 1 letter e) DSGVO. In this case, the controller shall no longer process the personal data relating to you unless it can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims.

## **4. Participant rights**

If your personal information is processed, you as the participant are considered according to the DSGVO to be a data subject. As such, you as the participant have the rights mentioned below as it relates to the responsible party: Right of access, Right to rectification, Right to erasure ("Right to be forgotten"), Right to restriction of processing, right of disclosure, Right to data portability, Right to not be subject to a decision based solely on automated processing – including profiling. You can contact us at any time to assert your rights against Chemnitz University of Technology or if you have further questions about data protection.

All notifications and measures pursuant to Articles 15 to 22 (including rights of access, rectification, erasure, restriction of processing, notification, data portability, right of objection) and Article 34 DSGVO (right of notification in the event of data protection violations) are provided free of charge.





However, in the case of manifestly unfounded or - especially in the case of frequent repetition - excessive requests by a person concerned, the responsible person may either demand an appropriate fee, taking into account the administrative costs of informing or notifying or implementing the requested measure, or refuse to act on the request. For these cases, however, Chemnitz University of Technology must provide evidence of the manifestly unfounded or excessive nature of the request.

In addition, it is mentioned that there are restrictions to the rights of the data subject according to §§ 7-10 SächsDSDG. This affects, among other things, the right of deletion and the right to information as well as the duty to provide information to the data subjects.

However, Chemnitz University of Technology cannot (any longer) regularly identify an individual on the basis of the personal data processed within the 3rd student survey "Studying with an Impairment" 2021 and is also not obliged to retain, obtain or process additional information for the mere purpose of granting the rights of data subjects in order to identify the data subject. However, you as a concerned person are free to provide additional information that allows you to be identified and thus to exercise your rights. In order to be able to exercise some of these rights or to enable us to provide the necessary information, it may therefore be necessary for you to enable us to locate your record by tracing your answers in the questionnaire. Without your cooperation, it is not possible for us to allocate a file to a concerned person.

#### a) Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or legal remedies, you have the right to lodge a complaint with a supervisory authority, specifically in the member state where you as the participant reside, your place of work, or the place in which the alleged violation took place, if you as the participant believes that the processing of your personal information is in violation of applicable data protection regulations.

The proper supervisory authority in the Free State of Saxony, according to Art. 51 DSGVO in conjunction with §§ 14-16 of the SächsDSDG, is as follows:

*Sächsischer Datenschutzbeauftragte*

*Frau Dr. Juliane Hundert*

*Devrientstraße 5*

*01067 Dresden*

*Postal address for written correspondence: Postfach 11 01 32, 01330 Dresden*

*website: [www.saechsdsb.de](http://www.saechsdsb.de) or [www.datenschutz.sachsen.de](http://www.datenschutz.sachsen.de)*

*E-mail: [saechsdsb@slt.sachsen.de](mailto:saechsdsb@slt.sachsen.de)*

*phone: 0351/85471-101*

*fax: 0351/85471-109*

The supervisory authority in which the complaint was lodged shall inform the complainant of the status and results of the complaint, which includes the possibility of legal remedy in accordance with Art. 78 DSGVO.



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b) Further information on your rights

You can find more information about your rights under the following link: <https://www.tu-chemnitz.de/tu/datenschutz.html#x>.

## **5. Updating this privacy statement**

This data privacy statement is currently valid and is dated January 2022. Due to changes in legal or regulatory requirements, it may become necessary to update this data privacy statement. You can access and print out the current data privacy statement at any time on the website at <https://www.tu-chemnitz.de/tu/inklusion/befragung2021.html>.