

Information on data protection when collecting data from the data subject pursuant to Art. 13 and Art. 14 GDPR

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In accordance with the **EU Data Protection Regulation**, we are providing you with the following information because we (i.e. the Landshut University of Applied Sciences) process personal data for the purpose of student exchange, for the management of outgoing and incoming students, for international contact and exchange of teachers.

Data can be collected directly by the International Office (IO) of HAW Landshut, e.g. by notifying the IO or sending documents. In the "Mobility Online" system, you can upload and manage data throughout the mobility process. Even if you enter your data yourself, your personal data is still collected by Landshut University of Applied Sciences. If HAW LA employees use the portal for administrative purposes, personal data will also be collected from them. As a rule, the collected data also flows to the foreign university, as it is required there for administrative purposes. Collected data also flows to German authorities with the corresponding legal basis.

For the information, we use an outline proposed by the Bay. State Ministry of the Interior for Sport and Integration as of October 2022.

0. designation of the processing activity

Administration of international mobilities of students and teachers

1. Name and contact details of the responsible person

Responsible for data collection is the Landshut University of Applied Sciences, Am Lurzenhof 1, 84036 Landshut,
Tel. +49 (0)871 - 506 0 Fax. +49 (0)871 - 506 506
E-mail: info@haw-landshut.de

Department responsible for the subject matter:

International Office, Ms Mehlhaff

E-mail: international_office@haw-landshut.de , Tel.: +49 (0) 871 506 156

2. Contact details of the data protection officer

Landshut University of Applied Sciences, Am Lurzenhof 1, 84036 Landshut
E-mail: datenschutz@haw-landshut.de

3. Data subjects' rights

Pflichtinformation_Art13DSGVO_IO_MobilityOnline_HAW_LA_revised11_19 en-GB_kons (003).docx

You have the following rights under the General Data Protection Regulation:

- If your personal data is processed, you have the right to receive information about the data stored about you (Art. 15 DSGVO).
- If inaccurate personal data is processed, you have the right to rectification (Art. 16 DSGVO).
- If the legal requirements are met, you may request the erasure or restriction of processing as well as object to processing (Art. 17, 18 and 21 DSGVO).
- If you have consented to the data processing or if there is a contract for data processing and the data processing is carried out with the help of automated procedures, you may have a right to data portability (Art. 20 DSGVO).
- Should you make use of your above-mentioned rights, the public body will check whether the legal requirements for this are met.

4. Right of appeal to the supervisory authority

There is a right of appeal to the Bavarian State Commissioner for Data Protection:

P.O. Box 22 12 19, 80502 Munich , Wagnmüllerstraße 18, 80538 Munich , Tel.: 089 212672-0 , Fax: 089 212672-50, Mail: poststelle@datenschutz-bayern.de

5. Purposes of the processing

The processing includes all personal data and documents made available to HAW Landshut / the International Office via the Mobility ONLINE system which are required for the processing of the mobility process (study/teaching at HAW Landshut or a foreign university/foreign company).

The International Office (IO) supports employees (teachers, researchers) and students in organising and carrying out stays abroad (studies and internships). This applies to stays at partner universities as well as at universities with which no cooperation has been concluded.

The IO supports foreign students studying at HAW Landshut and carries out the necessary data transfer to government agencies such as the BAMF. In the same way, the IO supports foreign teachers and researchers. The IO administers funding programmes and scholarship programmes such as ERASMUS and thus handles (foreign) scholarships. The processing of data includes applications for stays abroad and relevant scholarships, the implementation of the stays, the recognition and crediting of study achievements, and the processing of scholarships according to the funding guidelines, including payment. Reachability data of students and teachers are used for contacting and inviting them to information events. On application for accommodation, we pass on data to the relevant student union.

This information does not include the processing of student data intended for all students, irrespective of a stay abroad, in particular the processing of **master data** and **performance data**, data in **learning systems**, **library data**, **student card data**, **student counselling data**) or the processing of personal data (e.g. for a scholarship account, for access cards and locking systems).

We use log files, cookies and security updates to the extent technically necessary for our website and the services we provide, for testing or maintaining our systems and to ensure network and information security. Technical data about what is logged and technical data about technically necessary cookies (name, host, duration, purpose) can be found below.

Examples of processing that we do not do and that we do not allow others to do - unless you activate it or give us consent to do so:

- Behavioural profiling
- Analysis of the behaviour in the portal
- Processing of data for advertising or marketing purposes
- Social plug ins / connections to social networks.

Technically, this means that we never cause the code executed on your end device (operating system, browser) to establish a connection to the server of a third party, unless you consciously establish this connection, e.g. by clicking on a link, or you give us permission to establish the connection. We also do not cause this to happen in order to download content from another server, i.e. we do not use font libraries, third-party scripts or any content delivery networks.

So you move around the Mobility Online Portal completely unobserved.

6. Legal bases of the processing

Pursuant to Art. 2 (1) of the Bavarian Data Protection Act (BayDSG), the EU General Data Protection Regulation (DSGVO) is applicable to Landshut University of Applied Sciences with regard to the automated processing of your personal data, the processing of personal data in non-automated file systems and the processing of such data in files.

Cultivating internationality is a task set by the Bavarian legislature for Bavarian higher education institutions in Art. 2 para. 4 sentence 1 and sentence 2 HIG (Art. 2 para. 5 sentence 3 BayHSchG aF):

"The universities engage in international cooperation. ²They support student mobility in terms of subject matter and organisation."

Insofar as personal data is required for the fulfilment of this task, Art. 4 Para. 1 BayDSG in conjunction with the subject law, i.e. Art. 2 Para. 4 HIG is the legal basis for the processing. This legal basis applies to students as well as to teachers, but also to the administrative staff of the International Office. The legal basis for processing the data of guest lecturers is Art. 6 para. 1 letter b DSGVO. If, for example, a student wishes to study a semester abroad or a semester at another university, he or she initiates an administrative procedure by submitting an application accordingly. For scholarships that we administer, the legal basis for the processing of personal data for the scholarship is the scholarship contract in conjunction with Art. 6 para. 1 letter b DSGVO, if such a contract is concluded, otherwise the processing is based on Art. 4 para. 1 BayDSG in conjunction with Art.2 para. 4 HIG (internationality) and Art. 2 para. 6 HIG (social promotion), insofar as the processing for the implementation of the scholarship is to be seen as an administrative procedure of the university. The processing includes the transfer of data to the funding body.

In special cases (e.g. also in the case of data transfer to third countries without an adequate level of data protection or in the case of transfers of special categories of data pursuant to Art. 9 (1) DSGVO), consent pursuant to Art. 6 (1) (a) DSGVO in conjunction with Art. 7 DSGVO, pursuant to Art. 49 (1) (a) DSGVO (third countries) or Art. 9 (2) (a) DSGVO (special categories of data) is the legal basis.

If you apply for a study stay in a third country with a non-adequate level of data protection or apply for such a stay, we will assume that you have consented to the transfer of the data to the higher education institution in the third country (see point 10 below).

On the basis of the right of residence, we collect data and transmit data of foreign students in order to comply with our legal obligation (Art. 6 para. 1 letter c DSGVO). In particular, pursuant to Art. 6 para. 1 letter c DSGVO in conjunction with §§ 16c, 18e and 19a AufenthG and in the case of applications pursuant to §§18f and 19b AufenthG, we collect data and pass it on to competent bodies such as the BAMF. You can find more details as a foreign student who wants to study at HAW Landshut under [BAMF - Federal Office for Migration and Refugees - Mobility as a Student](#)

Please refer to the data protection declaration on data processing pursuant to Art. 13 and 14 of the General Data Protection Regulation (DSGVO) for the mobility notification procedure pursuant to Sections 16c, 18e and 19a of the Residence Act and applications pursuant to Sections 18f and 19b of the Residence Act of the BAMF.

We use log files, cookies and security updates, insofar as it is technically necessary for our website and the services we offer, for the testing or maintenance of our systems and to ensure network and information security in accordance with Art. 6 para. 1 BayDSG in conjunction with Art. 6 para. 1 letters c and e DSGVO, insofar as a telemedium is offered in accordance with § 19 para. 4 TTDSG [§ 13 para. 7 TMG aF] in conjunction with Art. 6 para. 1 letters c DSGVO, insofar as services are offered by us as a public authority in accordance with the E-Government Act in accordance with Art. 11 para. 1 BayEGovG, in conjunction with Art. 6 (1) (c) and (e) DSGVO and, insofar as telecommunication services are offered, in accordance with § 12 TTDSG [§ 100 TKG aF].

7. Categories of personal data (if applicable, this is in addition to what the data subject already knows)

We give you an overview here. As a data subject using the portal, you know the data that you enter directly or upload to the portal. Data that you may give to HAW Landshut outside of the portal is also mentioned here.

1.	<p>Communication metadata such as IP address: as follows</p> <ul style="list-style-type: none"> • Date and time of the request • Name of the requested webpage • Page from which the webpage was requested • Access status (for example, web page transferred, web page not found) • Web browser and operating system used • Complete IP address of the requesting computer 	This data is used for the technical provision of the portal and the handling of the portal. This data is provided by the user's end system, regardless of the user's role.
2.	Attributes on persons (e.g. name, availability, subject, university semester, semester, age)	This data is used for case processing, i.e. the processing of a study or lectureship or a scholarship.
3.	Content data (as far as not No. 2) (applications, reports, approvals, performance records, scholarship documents, correspondence,	See above

	<p>photos; data required for the stay by the country of the host university, as far as they are collected by HAW Landshut). In particular, we provide the foreign universities with confirmation of grades and learning agreements (comparison of courses). Confirmations for students requiring a visa are issued by Landshut University of Applied Sciences to the students for forwarding to visa authorities.</p>	
4.	<p>EU-specific identities / student IDs etc. Mainly in connection with Erasmus Without Paper or other projects of the European Union</p>	See above
5.	<p>Data of the so-called MoNa procedure of the BAMF. (This is a subset of the data mentioned in point 3, which we present separately as it is defined in specific legal bases).</p> <ul style="list-style-type: none"> • Residence permit of the first EU state (issued for study purposes and according to the REST Directive) • recognised, valid passport/passport replacement (copy only) • Proof of participation in a Union or multilateral programme with mobility measures or the agreement between the higher education institutions. • Admission of the host university • Proof of livelihood (incl. proof of health insurance) <p>For more details, see the BAMF privacy statement.</p>	<p>Mobility notification procedures according to §§ 16c, 18e and 19a AufenthG and applications according to § 18f, § 19b AufenthG</p>
6	Transaction logs	<p>This data shows who changed or set what and when, and is used to ensure that processes can be traced.</p>
7.	Communication logs (so-called server logs)	<p>Metadata of the communication is recorded in these logs. They are used for IT security.</p>
8.	Administration data (accounts and authorisations), in particular also of administrative staff of the International Office.	<p>This data tells who has an account in the system and who has what rights in the system, how the authenticity (identity) is checked and how the authorisation is checked.</p>
9.	Crypto material	<p>Certificates, keys, procedures, salt, seed, etc. for securing confidentiality and/or authenticity and integrity</p>

<p>9.</p>	<p>End device identifiers (cookies) Details (name, purpose, duration, domain)</p> <p>JSESSIONID</p> <p>Session control</p> <p>runs at the end of the session</p> <p>service4mobility.com</p>	<p>These identifiers are only required for technical reasons in order to display information in your terminal device.</p> <p>(We do not analyse your behaviour, neither for advertising purposes nor for web analysis purposes)</p>
	<p>For information: Structural data on higher education institutions, the range of courses offered, study and examination regulations, transcripts, certificates and diplomas.</p>	<p>This non-personal data is linked to personal data.</p>

8. Sources of personal data not collected from the data subject

The International Office uses data from the general student administration (SSZ/PRIMUSS) as far as this is necessary for the fulfilment of its tasks. Only the data that is relevant for an international transaction is used. As a rule, this involves master data and performance data stored there, but only to the extent required, in particular transcript of records / grade confirmation or application for recognition.

9. Recipients or categories of recipients of the personal data

Internal positions:

Your personal data will be passed on to organisational units/departments of Landshut University of Applied Sciences that are responsible for teaching, insofar as this is necessary for the processing purposes. This includes the faculty in which you are enrolled or will be enrolled. This includes the Student Service Centre (SSZ) with the student administration system PRIMUSS.

Third:

(Partner) universities

Where necessary, we pass on your data to the university where you are planning and applying for your stay. For this purpose, we use European exchange formats where appropriate. If necessary, we also use clearing houses set up by the EU for this purpose.

Funding organisations:

If you are sponsored during your stay by a scholarship that you applied for through the IO and that is processed through the IO, we will pass on your data to the sponsoring organisation (in particular the DAAD) to the extent that we are obliged to do so and that this is necessary for the implementation. This includes data about you and your stay.

Student Union:

In order to obtain accommodation, we pass on data to the Studentenwerk Oberpfalz/Niederbayern upon your application.

Federal Office for Migration and Refugees (BAMF)

For the implementation of the residence in accordance with the provisions of the Residence Act (see above)

We only pass on your data to **other third parties**, i.e. bodies outside the university that are not processors, if we are obliged to do so by law (e.g. due to tax or residence regulations) or if you give us permission to do so.

Processor:

Recipients of the data may also be service providers who provide IT services for us. Contracts for commissioned processing pursuant to Art. 28 DSGVO are then concluded between us as Landshut University of Applied Sciences and such service providers. These contracts ensure that the university has full control and authority to issue instructions regarding commissioned processing.

We have concluded such an order processing contract for the "Mobility Online" system with the company SOP. Our email provider and order processor is also the Leibniz Computing Centre at the Bavarian Academy of Sciences and Humanities. It receives organisational data from us for the email-providing and also serves the data exchange with the service sync&share. The PRIMUSS association of Bavarian universities is also an order processor with subcontractor Regionalrechenzentrum Erlangen (RRZE).

10. Transfer of personal data to a third country

A transfer to a third country¹ or an international organisation only takes place if you have requested this. In the case of third countries with an **inadequate level of data protection**, you give us your consent. The USA is a country with an inadequate level of data protection. The UK is currently (2022) a country with an adequate level of data protection according to a decision of the EU Commission.

We hereby expressly warn you and point out that you have no adequate means of control under the rule of law, in particular with regard to spying by intelligence services of such third countries or other state interventions in data protection. As a rule, you will not be notified of such interventions and you cannot take legal action against such interventions. An independent data protection supervisory authority is not available to you, unlike in the EU.

11. Right of withdrawal for consent

Insofar as we process your personal data on the **basis of your consent**, you have the right to revoke your consent at any time in accordance with Art. 7 (3) DSGVO. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation.

12. Duration of the storage of personal data

¹ Third countries are states that are not members of the European Union and do not belong to the European Economic Area. A data export there must be secured in a special way, especially if the third country does not have an adequate level of data protection.

Unless you give us further consent, we will only store your data for as long as and to the extent that this is necessary to carry out an application, an application or a project (study).

As a rule, we delete all data on the stay of foreign students and teachers after the end of the next semester following the end of the stay, as long as we are not legally obliged (e.g. for tax reasons) to hold the data for a longer period.

According to the requirements of the funding body, we keep data relevant to grants, for example ERASMUS + grants according to the following quote: "DG EAC EAC [Directorate General for Education and Culture of the Commission of the European Community] will process your personal data for the duration of your grant project, i.e. for a maximum of 36 months. Thereafter, DG EAC must keep your personal data for as long as required by the EU Financial Regulation for audit purposes, as audits or fraud investigations are regularly carried out after the closure of actions, for which the data must be available in order to exclude falsified participations and double funding. Finally, we will delete data no later than 10 years after the end of the year in which the agreement between the national agency and the Commission (called a contribution agreement) was concluded. These agreements usually last 3 to 4 years. "

Data collected in the context of domestic study abroad are part of the usual student data and are treated in the same way as student data in general.

For employees (lecturers), the stay abroad is kept in the personnel file. The data of guest lecturers is stored insofar as it is necessary for the processing of the contract.

Data on unsuccessful applications and applications that have not been carried out or have been withdrawn will be deleted at the end of the following semester.

If you have given us consent for certain processing and revoke such consent, we will delete your data in accordance with the provisions of the DSGVO (cf. Art. 17 (1) (b) DSGVO).

13. Obligation to provide the data

Insofar as the data is necessary for an administrative procedure, i.e. the implementation of a stay abroad or as a guest (outgoing/incoming) or if there is a legal obligation for the university, we require this data.

If you object to further processing, we will delete the data and terminate the administrative procedure. If you withdraw applications etc. and/or terminate the administrative procedure, we will also delete the data received.