

TECHNISCHE UNIVERSITÄT ILMENAU

Statutes

on Special Provisions for Studies, Examinations, and Doctorates due to the SARS-CoV-2 pandemic

- as amended by the Fifth Amendment of 25 May 2021-

According to §§ 3 paragraph 1, 35 paragraph 1 No. 1 of the Thuringian Higher Education Act (Thüringer Hochschulgesetz (ThürHG)) of 10 May 2018 (GVBl. p. 149), as amended by Article 7 of the Act of 23 March 2021 (GVBl. p. 115, 118), the Technische Universität Ilmenau (hereinafter referred to as " university ") issues the following statutes on Special Provisions for Studies, Examinations, and Doctorates due to the SARS-CoV-2 pandemic, published in the University's Official Gazette (Verköndungsblatt) 182/2020, last amended by the fifth amended statutes of 25 May 2021, published in the University's Official Gazette 200/2021.

The Senate adopted the Statutes on Special Provisions for Studies, Examinations and Doctorates on 9 June 2020. The Rector approved them on 12 June 2020. The Senate adopted the Fifth Amendment Statutes on 4 May 2021 and the President approved the Statutes on 25 May 2021.

I. General

§ 1 Scope of the statutes

II. Implementation of studies and examination procedures

§ 2 Examinations - suspension of examination and re-examination deadlines, additional attempt

§ 3 Examinations - suspension of admission requirements, change of form and organization

§ 4 Exclusion from participation in classes, final examinations and from the submission of the final thesis

§ 5 Theses, time required for scientific work

III. Doctoral studies

§ 6 Doctoral committee, its meetings

§ 7 Scientific/academic debate

IV. Examinations and scientific debates by electronic means or by electronic communication

§ 8 Regulations for conducting examinations and scientific debates by electronic means or by electronic communication

V. Final provision

§ 9 Validity

I. General

§ 1 Scope of the statutes

(1) In deviation from the existing university regulations, these statutes contain special provisions for studies, examinations, and doctoral studies, which are necessary due to imposed measures in the context of the SARS-CoV-2 pandemic to maintain the academic and doctoral system and to compensate for disadvantages that students and doctoral candidates may experience due to restrictions in the regular course of studies. Unless otherwise stipulated in these statutes, the existing regulations for studies, examinations, and doctoral studies - in particular enrolment regulations, examination and study regulations, and doctoral regulations - shall apply unchanged.

(2) The Presidential Board is authorized to decide at the end of the 2021 summer semester whether, due to continuing restrictions on the regular academic program due to imposed measures in the context of the SARS-CoV-2 pandemic, the provisions of these statutes are to be extended to subsequent semesters or submitted to the Senate for a new resolution for adjustment.

(3) All references to persons and functions in these statutes shall apply equally regardless of gender.

II. Implementation of studies and examination procedures

§ 2 Examinations - suspension of examination and re-examination deadlines, additional attempt

(1) According to article 6 § 6 sentence 4 2nd ThürCorPanG, the deadlines for final examinations (§ 10 PStO-AB) are suspended according to § 19 para. 2 sentence 1 PStO-AB (retake deadline) as well as § 10 PStO-AB (first time exam deadline). Therefore, the summer semester 2021 is not considered when determining whether examinations were taken in time according to § 21 paragraphs 1 and 2 PStO-AB (free attempt, grade improvement).

(2) On application by students, final examinations taken in the summer semester 2021 (§ 10 PStO-AB) shall be deemed not to have been taken without giving reasons. This decision does not apply to final examinations which have been assessed as "failed" due to cheating. The application must be submitted to the examination office in writing (text form) with reference to the restriction of the course of study in the summer semester 2021 due to the SARS-CoV2 pandemic by the beginning of the next examination registration period (§16 paragraph 4 PStO-AB). A late application is to be accepted if the student has missed the application through no fault of his or her own and if the application is submitted immediately after the impediment has ceased to exist, together

with the reasons for the failure. A retake of an examination according to sentence 1 is not to be credited against the total number of retakes, free attempts, and grade improvements permitted according to § 19 para. 1 and § 21 para. 3 PStO-AB.

§ 3 Examinations - suspension of admission requirements, change of form and organization

(1) The organizational structure of the examination procedures shall ensure that, no matter what form the examination takes, imposed measures in the context of the SARS-CoV-2 pandemic are adhered to protect health and reduce the risks of the pandemic.

(2) The module officers may suspend admission requirements defined in the module description for final examinations to be completed in the summer semester 2021 (§ 10 PStO-AB). The decision is to be announced in a suitable form and duly documented.

(3) Module officers may determine several possible forms for the completion of a module or course in accordance with 11 PStO-AB, whereby a regular form and, in the event that this cannot be adhered to due to imposed measures in the context of the SARS-CoV-2 pandemic or technical-organizational measures, alternative forms are to be determined. In variance to § 11 para. 2 PStO-AB, changes in the form of examinations are permissible by the module officer no later than 10 May 2021 and must be announced in a suitable form and duly documented. The module officer shall make the decision on the specific form, taking into account the given circumstances and the principle of equal opportunities, no later than three weeks before the day of the examination. The decision shall be announced in an appropriate form and duly documented. The deadlines for the publication of the examination schedule as well as for the registration for examinations according to § 16 paragraphs 2 and 4 PStO-AB shall be waived and determined by the Academic Affairs Committee. The form of examinations during the semester must be announced in good time before the start of the final examination and must be duly documented. Notwithstanding § 16 para. 6 PStO-AB, deregistration from the attempt of the examination is permitted in the electronic system up to one day before the examination.

(4) Should it not be possible to carry out final examinations in the form specified in paragraph 3 due to imposed measures, including the requirements of the university's own infection protection concept, in the context of the SARS-CoV-2 pandemic, the module officers must redefine a form that differs from the module description - in the correspondingly necessary case also from § 11 para. 3 PStO-AB - while observing the principle of competence-oriented examination. The determination is to be announced

in a suitable manner in good time - as a rule one week - before the day of the examination and duly documented. If the announcement of the changed form of the examination can only be made after the deadline for de-registration according to § 16 para. 6 PStO-AB, the deregistration is possible until the beginning of the examination. If students indicate that they are unable to participate in the final examination in the form specified in sentence 1 due to imposed measures in the context of the SARS-CoV-2 pandemic virus, an individual regulation regarding the form of the final examination can be made by the responsible examination board upon individual application by students in agreement with the examiners and with due consideration of equal opportunities.

(5) Should it not be possible to complete final examinations during the SARS-CoV-2 pandemic due to imposed measures, including the requirements of the university's own infection protection concept, the module officers may determine that final examinations are to be completed either by electronic means (e.g., by video conferencing, email or within a communication and network-based examination system approved by the university) or by postal delivery. The provisions for a proper examination procedure as well as the special requirements of the Presidential Board for ensuring data protection, identifying students, documenting the examination process, ensuring the authenticity and immutability of the examination results, preventing attempts at misuse and cheating, and dealing with technical malfunctions must be observed.

(6) In addition to § 28 para. 1 PStO-AB, individual regulations regarding the form of examinations may be made by mutual agreement between the examiner and the student within the framework of the compensation for disadvantages due to the special protection worthiness of the student to be examined in the context of the SARS-CoV-2 pandemic. The Examination Board shall decide on the granting of compensation for disadvantages in accordance with sentence 1.

(7) In deviation from § 54 para. 6 ThürHG, students who are not examination candidates may be excluded from attending oral final examinations, insofar as this is necessary to comply with imposed measures in the context of the SARS-CoV-2 pandemic as well as to comply with the principle of equal opportunity, in particular the avoidance of attempted cheating.

(8) In deviation from § 18 (2) PStO-AB, the grading procedures for final examinations taken in the examination periods of the 2020 / 2021 winter semester and the 2021 summer semester must be completed no later than four weeks after the end of the respective examination period. When entered in the electronic examination administration, the grade is deemed to have been announced eight weeks after the end of the respective examination period.

§ 4 Exclusion from participation in classes, final examinations and from the submission of the final thesis

(1) Students are to be excluded, in deviation from § 3 para. 1 and § 7 para. 4 PStO-AB, from participation in the classes offered by the university, in final examinations and from the completion of the final thesis or parts thereof, and if necessary also in the course of a class or examination, if these students show symptoms of a COVID-19 disease or any cold symptoms that have not been verified by a physician. Here the Thuringian regulation about extraordinary special measures for the containment of a sudden spread of the Coronavirus SARS-CoV-2 in connection with the Thuringian regulation about basic infection protection rules for the containment of the spread of the Coronavirus SARS-CoV-2, in the respectively valid versions, apply.

(2) Students to whom one of the situations mentioned in paragraph 1 applies must notify the Examination Office responsible for them accordingly by means of a simple declaration in writing.

(3) Der Exclusion in accordance with paragraph 1 must not be to the students' disadvantage in the further examination procedure; it must be considered when determining examination deadlines in particular.

§ 5 Theses, time required for scientific work

The processing period stipulated by the Examination and Study Regulations or Examination Regulations - Special Provisions (PStO-BB, PO-BB) for written scientific work in the context of final theses (§ 24 PStO-AB), which are prepared in the summer semester 2021, is to be extended once by two months upon application with justification of the prevention of processing due to imposed measures in the context of the SARS-CoV-2 pandemic. The extension in accordance with sentence 1 shall not be credited against the regularly permitted extension period according to § 24 PStO-AB.

III. Doctoral studies

§ 6 Doctoral committee, its meetings

Within the framework of § 7 para. 6 Doctoral Regulations - General Provisions of the University (PromO-AB), meetings of the Doctoral Committee may be held in video conferences for the purpose of complying with imposed measures in the context of the SARS-CoV-2 pandemic.

§ 7 Scientific/academic debate

In the summer semester 2021, the scientific debate in accordance with §§ 9 and 10 PromO-AB for the purpose of compliance with imposed measures in the context of the virus SARS-CoV-2 pandemic can take place by means of electronic communication, e.g., video conferencing. Here § 4 (5), sentences 2 and 3, applies accordingly.

IV. Examinations and scientific debates by electronic means or by electronic communication

§ 8 Regulations for conducting examinations and scientific debates by electronic means or by electronic communication

(1) The following regulations shall also apply to the colloquium as component of the thesis (§ 24 PStO-AB) and to the doctoral examination procedure, in particular the scientific debates according to § 7.

(2) Before the first examination, all types of final examinations (hereinafter referred to as "examinations") in electronic form (§ 11 Paragraph 1 PStO-AB) or electronic communication must be documented in the directory of processing activities in accordance with Article 30 of the General Data Protection Regulations of the European Union (DSGVO) as well as the data protection declaration in accordance with Articles 12, 13, 14 DSGVO, which students can easily take note of and keep permanently. The Data Protection Officer must have approved both documents. The technical and organizational measures listed in the directory of processing activities, which are specific to the type of examinations, apply in addition to the general regulations listed below.

(3) For the purpose of safeguarding and at the same time taking into account equal opportunities, students may be required to have freely available standard software installed on their terminal equipment in due time as specified in paragraph 10. Such software may, in particular, be a web browser or a client for the video conferencing system to be used. The installation or generally any use of software for monitoring the student's terminal device is excluded.

(4) In principle, only services from the field of information technology (IT services) hosted on servers of the university may be used for the processing of students' personal data. Exceptions are the students' computers including the software installed on them and the internet connection. Furthermore, video conferencing systems (paragraph 8) and plagiarism detection systems (paragraph 9) approved by the University Computer Centre may be used. Exceptionally, other IT services hosted by third party providers may be used if the third party providers are based in the European Union, a commissioned

processing agreement has been concluded and a data protection impact assessment has been carried out in accordance with Art. 35 DSGVO.

(5) Students are usually identified by using an IT service of the University Computing Centre, for example, a Moodle instance or TUILM mail, which allows access only with the individual data (Uni-Account) assigned by the University for access to University-wide IT services. As an exception, for types of examinations that use only a video conferencing system as an electronic means, identification may be provided by means of the student ID card or by means of official identification documents such as an ID card or passport. Electronic transmission of official identification documents as a photograph or scan is not permitted.

(6) In accordance with the regulations for written examinations, which are not transmitted by electronic communication, the tasks, the students' assignments and the examiners' evaluations of a final examination must be kept either as paper copies or electronically in a standardized, commonly used format.

(7) Students must not be subject to video surveillance. For examination interviews/discussions by means of electronic communication (video conferencing), paragraph 8 applies.

(8) Differing from paragraph 7, the use of video conferencing systems approved by the University Computer Centre is permitted for conducting oral examinations and scientific debates. In this case, the examiner may demand before the start of the examination or during the examination - if there is reasonable suspicion- that the candidate performs a 360-degree pan with the camera in order to detect unauthorized aids or helpers. The video image must not be altered electronically, for example, by virtual backgrounds or alterations of the person depicted. All participants (examiners, exam committee members, students) must ensure that only persons legally permitted are present during the oral examination, whether in person or virtually. The presence of further persons is excluded; with regard to § 54 para. 6 ThürHG reference is made to the validity of § 3 para. 7. The video image of all participants in the examination may be recorded solely by the approved video conferencing system and only for the purpose of immediate transmission to the other participants in the conversation. Any recording beyond this is not permitted, irrespective of the technology used.

(9) The use of electronic systems for plagiarism detection is permitted. However, an examiner must evaluate and decide whether plagiarism has occurred and whether the examination is therefore deemed to have been failed.

(10) As a rule, students shall be informed about the technical procedure of the examination in writing (by e-mail) no later than seven days before the day

of the examination. Reference may be made to general, freely available documents, provided that this is possible due to the examination standardization.

(11) Should they prefer, students are given the opportunity to practice the technical procedure of the examination and to test the suitability of their technical equipment, in particular the computer with the software installed on it and the Internet access, under realistic conditions, usually no later than seven days before the day of the examination, organized by the examiner.

(12) Students may ask questions about the examination process in advance of an examination by e-mail, as well as orally, by telephone or by video conferencing system at times specified by the examiner. During the examination as well as immediately before and after it, technical support by email as well as by telephone must be provided within the scope of personnel possibilities. Video conferencing systems can be used for this purpose if their use is voluntary for the students.

(13) Students are responsible for providing a computer and suitable Internet access for taking examinations. If necessary, the university provides students with rental devices and university rooms equipped with sufficient Internet capacity within the scope of existing possibilities for examinations.

(14) The examination process, in particular special incidents such as technical malfunctions, notes and comments of the students on the examination process or termination of the examination and its reason, must be documented in writing, if necessary supplementing the minutes (records) according to § 15 PStO-AB, and properly stored.

V. Final provision

§ 9 Validity

The Statutes on Special Provisions for Studies and Examinations due to the SARS-CoV-2 Pandemic are valid on the day following their publication in the University Gazette starting with the summer semester 2020, in the version of the Fifth Amendment Statutes as of the summer semester 2021.

Ilmenau, 25 May 2021
signed by
Univ.-Prof. Dr.-Ing. habil.
Kai-Uwe Sattler
President