



University of the Philippines

OFFICE OF THE PRESIDENT

19 April 2021

MEMORANDUM NO. TJH 21-12

**FOR : Chancellors
Vice Presidents and Secretary of the University**

cc : Director Paulo Noel G. Paje, UP ITDC

**SUBJECT : UP PRIVACY NOTICE FOR CLASSES AND OTHER
CLASS-RELATED ACTIVITIES CONDUCTED VIA
VIDEO CONFERENCE APPLICATIONS**

Please see to it that the attached privacy notice will be posted in the various learning management systems (e.g., UVLE, UP registration sites, and other relevant sites) to enable our students to read the same.

Kindly direct all our teaching personnel to insert the applicable paragraphs in the privacy notice to the email invitations containing links to class and class-related activities conducted using Zoom and other video conferencing apps.

UP ITDC is likewise directed to post this notice in the UP System privacy site and to send a copy of such notice to all teaching personnel and students through their UP mail accounts.

For your immediate compliance.


TEODORO J. HERBOSA, M.D.
Executive Vice President
By authority of the President

**UNIVERSITY OF THE PHILIPPINES (UP) PRIVACY NOTICE
FOR CLASSES AND OTHER CLASS-RELATED ACTIVITIES
CONDUCTED VIA VIDEO CONFERENCE APPLICATIONS**

POLICY

The University of the Philippines needs to process your personal and sensitive personal information (personal data) —that is, information that identifies you as an individual in order to exercise and safeguard academic freedom and uphold your right to quality education.

UP is committed to comply with the Philippine Data Privacy Act of 2012 (DPA) <http://www.officialgazette.gov.ph/2012/08/15/republic-act-no-10173/> in order to protect your right to data privacy.

This notice explains in general terms:

- a. The purpose/s and legal bases for the processing of your personal data that UP collects from you when classes and other related activities are conducted and documented using Zoom and other video conferencing applications;
- b. The measures in place to protect your data privacy; and
- c. The rights that you may exercise in relation to such information.

The term *UP/University/us/we* refers to the University of the Philippines System and Constituent University (CU) offices and authorized personnel.

The term *you/your* refers to all students of the University of the Philippines System whose information are processed using Zoom and other video conferencing applications.

PERSONAL DATA COLLECTED FROM STUDENTS, THE PURPOSE/S AND LEGAL BASES FOR PROCESSING SUCH INFORMATION

Attendance may be checked by using the app’s module for generating meeting reports. Such reports contain your name, email address and attendance status. Personal data are collected to verify your identity and prevent fraud.

During classes and related activities using video conference applications the following personal information may be collected and processed: your name, image, voice, personal views and opinions, answers to polls, and coursework, including files, presentations and other materials that you share during the session, to which you may claim copyright and other similar relevant information.

Your teacher may, with your consent, record class sessions. Such recordings may be made for the following purposes: to enable you or other class members, including those unable to attend the session in real time, to view or review the session to support learning; to enable

your teachers to review sessions to improve teaching; and for UP to conduct research and assessment and perform its functions as an academic institution.

When your participation or contribution in such class session is not being evaluated, you may be advised by your teacher to turn your video and audio off and participate or ask questions through chat or email in order to minimize the processing of your personal information. Please minimize the processing of personal information about you and other people who may be in the area when you are in a video conference session by using a virtual background and informing others that you are attending a class via video conference so that their personal information will not be inadvertently recorded during such session.

In other instances, recordings of the sessions will allow your teachers to document, review and monitor your performance, proctor online examinations, and give feedback and grades.

Authorized personnel of IT offices may process user information and related information and statistics about meetings such as if audio, video, screen sharing and recording were being used, network quality information, etc. in order to provide technical support and advisories for users, information for administrators and to perform the functions of their office.

UP may also process your personal data for purposes allowed by the DPA and other applicable laws, including the following:

- a. To compile statistics and conduct research, subject to applicable research ethics guidelines;
- b. To carry out its mandate as the National University;
- c. To comply with other applicable statutory and regulatory requirements, including directives, issuances by, or obligations of UP to any competent authority, regulator, enforcement agency, court, or quasi-judicial body;
- d. To establish, exercise, or defend legal claims; and
- e. To fulfill other purposes directly related to the above-stated purposes.

UP processes your personal data through Zoom and other officially approved videoconferencing applications in order to fulfill contractual obligations to you, comply with legal obligations, pursue its legitimate interests and carry out its functions as public authority, including the right and responsibility to exercise academic freedom pursuant to the Constitution, the UP Charter and other applicable laws and regulations.

UP, through your teachers and with your cooperation, will provide for the secure processing of your personal data during videoconference sessions, storage and deletion of attendance rosters and recordings. Your personal data shall be securely kept for as long as the above purposes for processing such data exist, in order to establish or defend legal claims, or as otherwise allowed or required by the DPA and other applicable laws and issuances.

INSTANCES WHEN YOUR PERSONAL DATA MAY BE DISCLOSED TO THIRD PARTIES AND THE PURPOSE AND LEGAL BASIS FOR SUCH DISCLOSURES

As stated above, recorded class sessions which may contain your personal data may be made available to you and members of the same class such as those unable to attend in real time because of connectivity problems to enable you and the class to view or review the session. Such disclosure in support of student learning is made pursuant to the performance of the University of its academic functions and its legitimate interests.

Such recordings are made available to you only for your personal use and solely for the purpose of supporting your learning. You are not permitted to record or take screenshots of such sessions, post or share the same without the consent of your teacher and persons whose personal data are processed in such sessions. Such consent must be in written, electronic or recorded form.

Note that unauthorized processing of personal information is a punishable offense under the Philippine Data Privacy Act, other applicable laws and UP regulations.

On the other hand, your teacher must seek your consent (or that of your parents or guardian if you are a minor) in making available recorded class sessions containing your personal data to other classes or other audiences through a separate email or other equivalent means. Consent must be in written, electronic or recorded form. If you wish to withdraw consent, write or send an email to your teacher, identifying the processing activity for which you are withdrawing consent and attach a copy of your UP ID. Note that consent may be withdrawn only for a processing activity/ies for which consent is the sole applicable lawful ground for such processing.

Disclosures may also be made by UP in order to comply with lawful orders of public authorities, to establish, exercise, or defend legal claims; and to make disclosures that are otherwise permitted by the DPA and other applicable laws, rules and regulations.

HOW UP OBTAINS YOUR CONSENT

By accessing online classes conducted through videoconferencing apps used by your teacher to offer class sessions you certify that you:

- a. have read this privacy notice which was sent to your UP mail account as well as through email and other invitations containing the link to your online class;
- b. understand that UP must necessarily process your personal data in order to carry out its mandate pursuant to the Constitution, its Charter and other applicable laws; and
- c. grant your consent to and recognize UP's authority to process your personal data pursuant to this notice.

HOW UP PROTECTS YOUR PERSONAL DATA

UP has put in place reasonable and appropriate security measures to protect your right to privacy and is committed to reviewing and improving the same. Rest assured that only duly authorized personnel are allowed to process your personal data.

UP requires that your teachers provide you access to video conference meetings through the learning management system (LMS) used by your campus or through emails sent via UP mail. Users must provide the proper credentials in order to gain access to the proper LMS as well as to UP mail.

UP takes reasonable and appropriate steps to see to it that its third party service providers who process your personal data uphold your right to data privacy.

From time to time UP offices will issue advisories informing members of the UP community regarding how they can securely use videoconferencing applications for classes based on the latest privacy and/or security information updates.

YOUR RIGHTS UNDER THE DPA

You have the following rights subject to the conditions and limitations provided under the DPA and other applicable laws and regulations:

- a. The right to access and correct your personal information;
- b. The right to be informed about the processing of your personal data through this and other applicable privacy notices;
- c. The right to object to the processing of your personal data, to suspend, withdraw or order the blocking, removal or destruction thereof from our filing system, except in instances when the processing of personal data is necessary for us to comply with UP's mandate, statutory and regulatory requirements, or is processed using a lawful basis other than consent;
- d. The right to receive, pursuant to a valid decision, damages for the inaccurate, incomplete, outdated, false, unlawful, or unauthorized use of personal data, taking into account any violation of your rights and freedoms as a data subject; and
- e. The right to lodge a complaint before the National Privacy Commission provided that you first exhaust administrative remedies by filing a request with the proper office regarding the processing of your information, or the handling of your requests for access, correction, blocking of the processing of your personal data and the like.

REVISIONS TO THIS PRIVACY NOTICE AND QUERIES REGARDING DATA PRIVACY

We encourage you to visit this site from time to time to see revisions to this privacy notice. Any changes to this notice will be reflected on this site.

For queries, comments or suggestions regarding this privacy notice please contact the University of the Philippines System Data Protection Officer through the following:

a. Via post

c/o the Office of the President
2F North Wing Quezon Hall
(Admin Building) University Avenue,
UP Diliman, Quezon City 1101
Philippines

b. Through the following landlines

(632) 89280110; (632) 89818500 loc. 2521

c. Through email

dpo@up.edu.ph

For other data privacy concerns please contact the Data Protection Officer of your CU.