

O1A1 & O1A2

National Report on e-Learning in [Country]



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(*) Action: C = Creation, I = Insert, U = Update, R = Replace, D = Delete

Referenced Documents

ID	Reference	Title
1	2020-1-UK01-KA226-SCH-094506	e-Privacing Proposal
2		

Applicable Documents

ID	Reference	Title
1	COMPLEXUL EDUCAȚIONAL LAUDE-REUT	[TITLE OF THE REFERENCED DOCUMENT]

Complexul Educațional Laude-Reut	Deliverable: O1A1 & O1A2		
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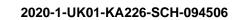






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1 Introduction

The recent changes because of pandemic situation opened new perspectives of eLearning development in Romania. Online learning is an option to ensure the access to blended and flipped approaches, developing more global collaboration between teachers and educational institutions.

In Romania, without a national online learning platform, and depending on the availability of devices and connections, teachers used a large variety of virtual platforms and applications and different tools: LMS (Moodle, Google Classroom, Zoom), social media (Facebook, wikis), tools for storing and sharing digital content (Google Drive, Drop Box), and communication tools (WhatsApp, email).

Students found a favourable ground to become more creative, more active, more collaborative, their ideas of organizing the learning being taken into consideration to a greater extent by teachers, thus becoming their real partners in the teaching-learning process.

A study of the SuperTeach project (http://superteach.ro), with 1100 responding teachers, revealed that 88% of teachers continued to teach new lessons, but 75% had no support or guidance from the school leaders. Almost 80% appreciated that this period brought a real evolution for their digital and online teaching skills, and 57% of responders said they could teach more than half of the curriculum, even if 60% felt a high degree of stress. (https://ibn.idsi.md/sites/default/files/imag_file/eL20_v3_171-Holotescu-et-al.pdf)

A real strategy for the improvement of the educational system is needed, following the experience and lessons learnt during this still ongoing crisis.

The e-Privacing project responds directly to the above issues by mapping existing e-learning platform used in Partners' countries, by proposing best practices to be adopted by schools and educational centres in the field of data protection, by delivering a GDPR roadmap for teachers and by raising awareness in the educational community with the organisation of multiple events and workshops and by creating an online learning platform to be used as an educational tool for teachers and students over data privacy and protection.

2 Current state-of-play of e-Learning in ROMANIA

This section will describe the current state-of-play of distance learning in secondary education in each partner country during the COVID-19 pandemic in regard to methods, tools and their technical characteristics. In particular this section will explore mandatory technical characteristics that are connected to aspects of data protection. This section will try to answer the following sub-sections:

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2.1 COVID-19 and distance learning

How did your country handle distance education during the COVID-19 pandemic? Were there different approaches for public and private secondary education? Were there any national directives? What were the most common issues during distance learning?

On March 11, 2020, the Romanian Ministry of Education and Research (MER) has suspended the courses in all the schools, encouraging and supporting the continuation of the educational activities for 2.8 million pupils in online environment.

In the very first days of the lockdown, MER - Ministry of Education and Research was prompt in announcing the following initiatives for supporting teachers and pupils in schools:

- The Repository with digital textbooks opened and updated since 2015, with resources available for a number of disciplines and classes (http://manuale.edu.ro).
- The resources along with continuous and effective involvement of the project CRED ("Relevant Curriculum and Open Education for All"), in which MER is a partner, together with the Institute of Educational Sciences (http://educred.ro).
- Free learning platforms and applications (G Suite for Education, Office 365), and open access tutorials (http://clasaviitorului.ro, https://www.eduapps.ro).
- TeleSchool, courses broadcasted by a national TV channel in partnership with MER, mainly in order to help the pupils prepare their final exams (http://tvrplus.ro/live/tvr-2).

During the last two years, the project CRED provided blended training on the new curriculum, Open Education and OER for more than 18 thousand teachers, using a customized Moodle platform, with multimedia modules and webinars. On many active Facebook groups, teachers and practitioners share their online teaching experiences and **CRED** different resources, and learn together with their peers: (https://www.facebook.com/groups/574392349703069), Coalition for Open Educational Resources (https://www.facebook.com/groups/REDRomania/), Inspiration for school (https://www.facebook.com/groups/1229861113750975/), and other groups of teachers (http://facebook.com/groups/PROFESORI,

http://www.facebook.com/groups/ComunitateaDidactic).

All private schools immediately offered temporary solutions and began looking for safe platforms for online teaching, first for students over the age of 10 (5th grade), then gradually for younger students, in kindergarten. Each school offered its own platform and its own sets of rules for online school.

Most of the public schools have a later response. Meanwhile, the ministry started Telescoala (https://digital.educred.ro/telescoala), a series of lessons for the student with national exam and a YouTube channel (https://youtube.com/playlist?list=PLxO8-C91Lp92xRiauh3jJUZxl2e32QTsU).

Regarding the access of students to online school, here are the data:

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	Total number of students	Without Internet access	Without device
Public	2806550 (96%)	206219 (7.35% of public- school students)	248.144 (8.84% of public- school students)
Private	121562 (4%)	1358 (1.12% of private school students)	2549 (2.10% of private school students)

https://data.gov.ro/dataset/situatia-conectare-elevi-la-internet-in-anul-scolar-2020-2021

https://romania.ureport.in/opinion/1667/

Before the pandemic started, about 5000 teachers were instructed on https://digital.educred.ro/ - a national program about school digitalization. The course contains instruction for use of two platforms:

- GSuite
- Office 365

2.2 Methods and tools for distance learning

What were the most common methods and tools for distance learning in secondary education? What kind of online platforms and application did educators use to teach? Was there any available training to educators beforehand? Were there any directives towards data protection?

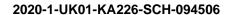
The most common teaching methods:

- Demonstration, simulation, tutorials
- Quizzes
- Use of digital presentation (ppt, Quizziz, Menti)
- Educational games
- Learn by discovery (ex: Geogebra)
- Debates
- Projects
- Use of digital schoolbooks (https://manuale.edu.ro/) with interactive activities
- Group learning

For the mathematics teacher, looking for fast writing of symbols, different layouts and drawings, it was a real challenge to choose one good virtual whiteboard. OpenBoard (https://openboard.ch/) was one of the best solutions. Obviously, the use required the purchase of graphics tablets, The alternative was to use tablet PC and native apps.

One of the main problems during online lessons was the lack of interaction with students. Online, teachers cannot evaluate so easy what students understand and learn, since most

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of the Romanian evaluation are based on essay items. All teacher and students faced an increased volume of homework, few of them digital. Many parents complained that their children lacked the writing exercise, so the student continued to use paper notebooks, which were later scanned and sent to teachers for evaluation.

During the pandemic, the digital lessons were taught by::

- Google Meet (in GSuite)
- Microsoft Teams (in Office 365)
- Adservio (a Romanian platform)
- Zoom
- WebEx
- even WhatsApp in disadvantaged areas.

The online school was recognised by ministry first in a public letter on 30th March 2020 (https://www.edu.ro/monica-anisie-ministrul-educa%C8%9Biei-%C8%99i-cercet%C4%83rii-transmis-o-scrisoare-cadrelor-didactice), stating:

- teachers must interact with student, review the lessons taught in school, without teaching new content and without evaluation (sic!).
- the recommended guide for teaching online is DIGITAL pe educred.ro. Each teacher must choose or create his own resources.
- Students can use Telescoala for learning new content.

Romania has 20 years of history in an attempt to digitalize schools:

- AEL (http://www.emanual.ro/index.php/articles/c32) is a complex platform for teaching, learning, evaluation and management of multimedia educational content, providing any organization with a complete, flexible and secure training solution. It was launch in all Romanian schools in 2001, along with the AEL laboratories. This is a network platform, enriched with thousands of lessons, based on Flash content (now, discontinued). All the content was accessible in browser at the beginning of pandemic.
- Every national exam has its site:
 - o http://evaluare.edu.ro/ for the 8th grade graduates.
 - o http://bacalaureat.edu.ro/ (2004) for the 12th grade graduates
 - o http://admitere.edu.ro/ (2000) for high school admission
 - o http://titularizare.edu.ro/
 - http://definitivat.edu.ro/

Since 2018, the parents signed a GDPR agreement for the results of their child to be published. For the first three sites, where student were involved, in 10th June 2020 they decide to anonymize the results (each student receive a code) https://www.edu.ro/sites/default/files/Info_Evaluare%20nationala_MEC.pdf.

During the pandemic, Teaching-Staff Resource Center (CCD) organized a series of webinars about online tools. Pupils participate in individual and group activities, creating projects and presentations, for which they send photos and multimedia content on the online platforms.

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There are situations in which, in order to be connected with pupils and parents, teachers used WhatsApp or Telegram groups, and sometimes only e-mail.

2.3 Technical characteristics and data protection

Please briefly describe technical characteristics of tools, platforms and applications that were used in secondary education in regard to data protection. How did this tools ensure that students' and educators' personal data are protected? Were there any issues with any of the tools and if yes, how was the situation handled?

1. **Office 365 with Microsoft Teams** was used in schools as a platform that integrates software for video conferencing, calendar, file manager, and specific teaching tools: themes and notes. The platform was accessible for schools and universities.

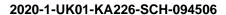
Data protection policies depend on how the platform is managed. Students and teachers have accounts based only on first and last name, and in the case of two-step authentication, a telephone number is also required. The only problem is that the password change process becomes very difficult. It is possible to record meetings, but the recording is stored in the cloud in the teacher's account and can only be downloaded by the teacher.

- 2. Adservio originally designed as a virtual catalog, it has been expanded with file, theme and questionnaire manager. During the pandemic, video conferencing modules were added and free access was provided to a large number of schools. For a good management of the virtual catalog, all students of the school must be enrolled in it. Each student has an associated account, as well as accounts for parents / guardians. Each account is created based on a code. When creating the account, the user must provide contact details (phone number, email). Adservio is registered as a company that processes personal data. (https://www.adservio.ro/ro/politica-de-confidentialitate)
- 3. **GSuite** cu **Google Classroom** și **Google Meet** The school has a standardized subdomain on which accounts are created for each teacher and student, through interaction with the national digital education system (SIIIR).
- 4. **Zoom and WebEx** were widely used. The problem with these applications is that although they have more video conferencing facilities than Teams and Meet, they are not associated with platforms, they do not require the existence of standard accounts.

On 10th September 2020 - <u>OMEC 5545.pdf (edu.ro)</u> states that every school has the obligation to institute a series of measures technical and organizational information on the protection and storage of personal data concerning:

- online security
- ensuring the confidentiality of data;
- preventing the risk of data loss;
- preventing the modification of personal data;
- prohibition of unauthorized access to personal data as art. 5 of Regulation (EU) 2016/679
 - Name of the pupils and teachers using online platform

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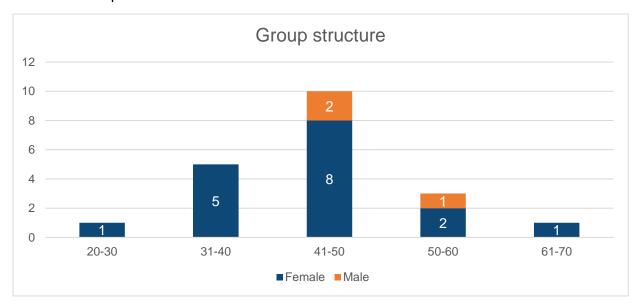


- Image and voice of the participants
- Messages, videoclips, files or any other material which contain data used on educational platform
- o Results of the evaluation
- o connection data to the application or educational platform

3. Educators' survey results

Please describe the results from the educators' survey that was conducted by the school organisations of the partnership. There are 20 questions in the survey, so please create 20 different sub-sections to present each answer, along with some brief explanation.

I. Respondents: 20



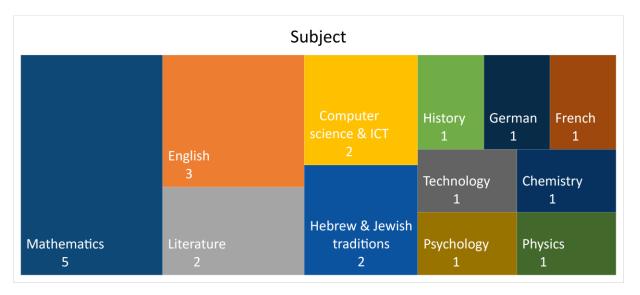
19 teachers, 1 counsellor

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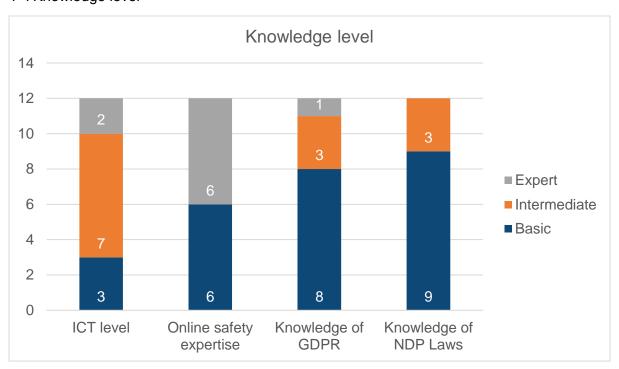








II. Questions:1-4 Knowledge level



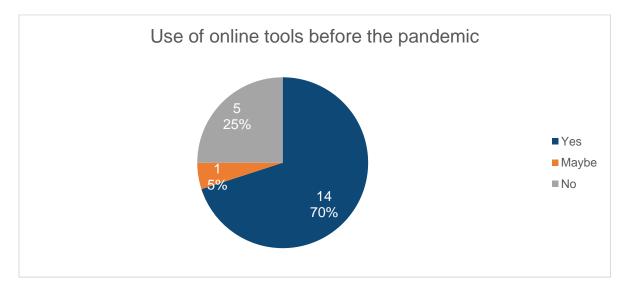
5. Have you ever used online tools to teach your students before the pandemic?

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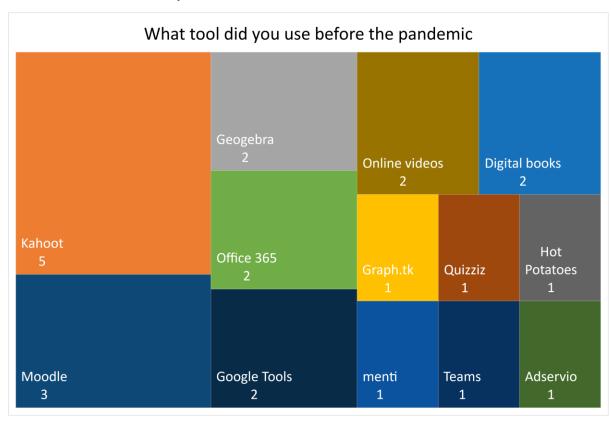








6. What tools did you use?



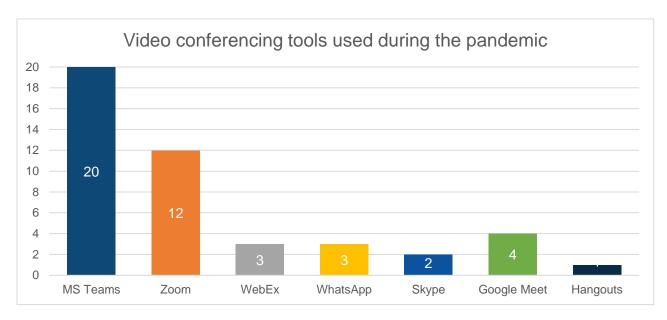
7. What kind of video conferencing tools did you use to teach your students during the pandemic?

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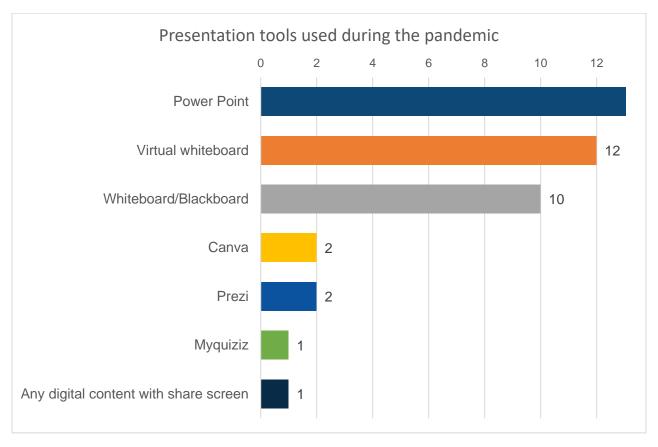








8. What kind of presentation tools did you use to teach your students during the pandemic?

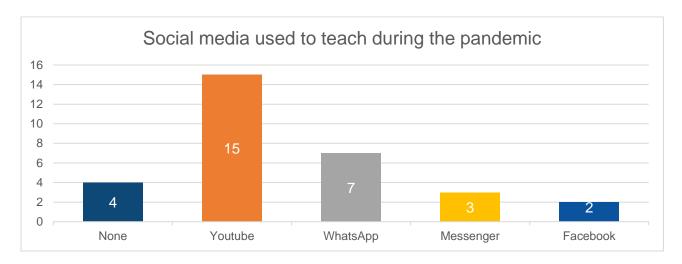


9. What kind of social media platform did you use to teach your students during the pandemic?

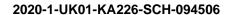
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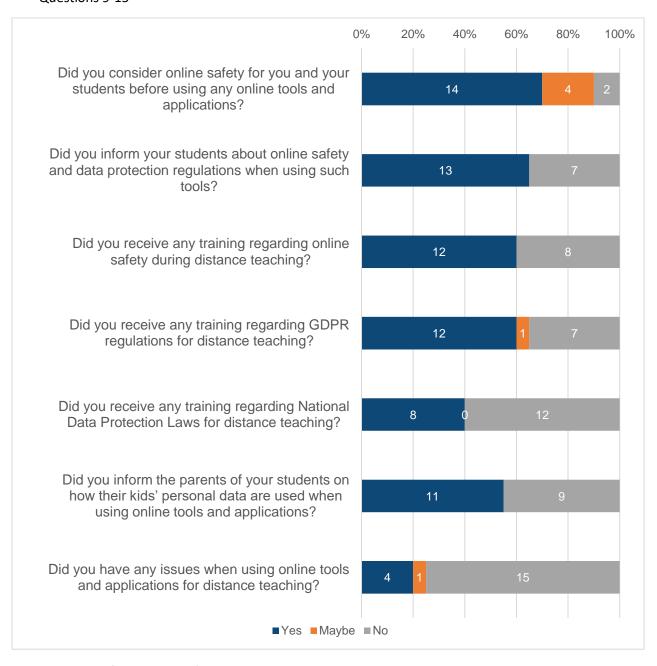
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Questions 9-15



16. Please, specify what kind of issues.

Technical problems (2 answers)

The students refused to use their camera (legit) and some of them considered to use same rule in sharing their screens during the ICT lessons. Some students participate at online school in inappropriate spaces (cars, terraces, in public) or their parents assist the lesson. All the participants were exposed. One student get a screenshot and used it in an inappropriate manner.

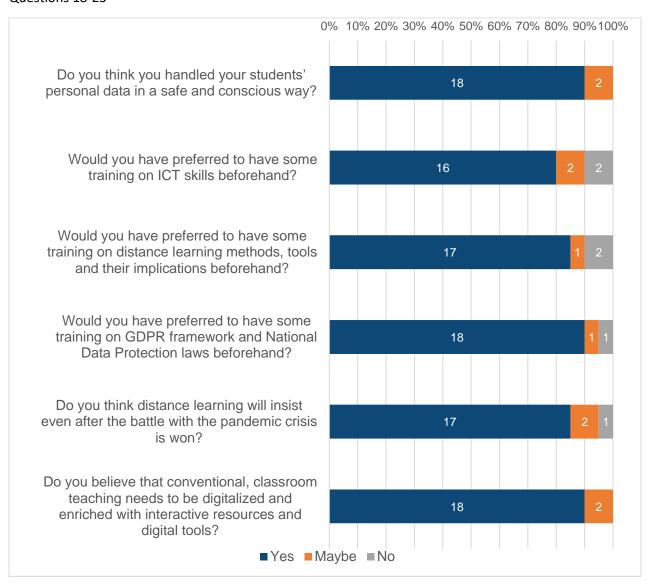
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Questions 18-23



4. National Data Protection Laws in Romania

This section will describe the most important aspects of National Data Protection (NDP) Laws in each partner country in regard to the education of underage students via distance learning. This section will try to answer the following sub-sections:

4.1 Specific data protection laws

GDPR is an EU law with mandatory rules for how organizations and companies must use personal data in an integrity friendly way. Personal data means any information which, directly or indirectly, could identify a living person. Name, phone number, and address are schoolbook examples of personal data.

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As an EU Member State, Romania complies with the GDPR, which is directly applicable.

The competent authorities are subject to the Law no. 363/2018 on the protection of natural persons in relation to the processing of personal data. Personal data must be legally and fairly processed in relation to the data subject. Any processing of personal data will be legal only if the processing is based on a basis provided by the law.

 Romanian National Supervisory Authority for Personal Data Processing: www.dataprotection.ro

In furtherance of the GDPR, Law no. 190/2018 ("**Law 190**") was issued to provide measures necessary for the implementation at the national level of certain GDPR provisions, such as: processing of genetic, biometric or health concerning data, processing of a national identification number, electronic surveillance of the employees at the workplace, or the sanctions applicable to public authorities in case of a GDPR breach. (https://cms.law/en/int/expert-guides/cms-expert-guide-to-data-protection-and-cyber-security-laws/romania)

In addition, the Romanian Data Protection Authority for Personal Data Processing ("RDPA") has issued secondary legislation, regulating mainly:

- data breach notification (RDPA Decision no. 128/2018);
- solving data privacy complaints (RDPA Decision no. 133/2018)
- data privacy investigations (RDPA Decision no. 161/2018);
- data processing operations which require mandatory data privacy impact assessments (RDPA Decision no. 174/2018).

The processing of personal data must be made in a way which guarantees their security including protection against unauthorized or illegal processing against loss, destruction or accidental damage. Confidentiality commitments are established with employees, consultants and other parties who have access to personal data. (https://en.teachforromania.org/privacy-policy/)

4.2 Legal implications for online tools for education

The Order of the Ministry of Education and Research no. 4020/ 07.04.2020 regulates that: during the state of emergency the direct didactic activity ("face-to-face" interaction) was suspended, respecting the quality of the didactic act and assuming the public responsibility, teachers used alternative teaching methods for education (online platforms)

U-Report survey supported by UNICEF, regarding online school showed us that from the over 2400 children and youth respondents, that, in terms of online communication between students and class master, 72% believe that information is easily conveyed, tasks are understood, and the problems encountered are insignificant. Almost a third of the respondents (28%) have not managed to maintain an active communication with their

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class masters; in some cases, this communication is non-existent. (https://www.unicef.org/romania/stories/u-report-survey-regarding-online-school)

- 41% of the respondents cover more than 50% of the course materials through online platforms, while 44% and the remaining 14% cover the most important subjects, and certain subjects are not covered at all.
- In terms of homework time, 41% spend more time than before the lockdown, while 35% spend less time or no time at all doing homework.
- 36% of the children and young people interviewed would have liked a meeting to be held by someone (the teacher, etc.) to explain how to use the platforms and 42% did not consider it necessary.
- 73% of respondents believe that online communication platforms are useful for educational purposes, while 16% of them do not find them useful.

Regarding the way students have adapted to using these platforms, 82% have adapted easily or with some difficulties, while 8% believe that it has been difficult for them to adapt.

With new technology comes new responsibilities for schools. Computer networks open new forums for research and learning, and expand the repertoire of instructional tools for teachers, but computer networks in the hands of students also pose risks. School districts need to control what information students have access to and, more importantly, who has access to student information.

Despite the constitutional protection of expression, Romanian schools must ensure that students are protected in the virtual world and that parents are fully informed as to how the system is being used by their children. Teachers should address these issues with students and the dangers of what might happen to information that they transmit through chatrooms, websites, e-mails or even through "cookies," which store information about a user's preferences.

Boards of education have ultimate responsibility for overseeing computer network use in schools. Boards must take precautions and guard local rules for student' post, making sure that users access only appropriate sites on the Internet, making sure that users understand the dangers of on-line communication; and making sure that networks are reserved for educational purposes.

Schools assess the risks to all private data, and review policies and procedures, applying security measures to protection data.

4.3 Components of GDPR

An element of novelty that this European normative act brings to the Romanian legal framework is the establishment of the mandatory designation at the level of the data controller or processor, in some cases, of a data protection officer. ADPO has set tasks:

- Inform and advise the organization of its obligations.
- Monitor compliance, including awareness raising, staff training, and audits.
- Cooperate with data protection authorities and act as a contact point.

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The most important elements of the GDPR:

- Rights of Individuals. There has been a desire to strengthen data subject rights within the GDPR.
- Right to be Informed. Under GDPR, individuals have the right to receive a copy of the personal information held about them by a company.
- Data Protection Officer (DPO)
- Obligations on data processors.
- Data Protection Impact Assessment and data breach response.

In order to ensure a harmonised application of the General Data Protection Regulation, Article 29 Working Party issued the Guidelines on Data Protection Officers (DPO), accessible on the dedicated section on the General Data Protection Regulation http://www.dataprotection.ro/index.jsp?page=Regulamentul_nr_679_2016, on the website of the National Supervisory Authority for Personal Data Processing.

4.4 Common ground between GDPR and NDP Laws

GDPR stands for General Data Protection Regulation. It's the core of Europe's digital privacy legislation. At its core, GDPR is a new set of rules designed to give EU citizens more control over their personal data. It aims to simplify the regulatory environment for business so both citizens and businesses in the European Union can fully benefit from the digital economy.

Unlike previous legislation, the GDPR focuses on the rights of the person whose data is processed, such as the right to be informed about the operations by which personal data is processed, what data is processed, on what basis it is processed, for how long it is stored and under what conditions it can be accessed/deleted/corrected, etc.

Romanian supervisory authority (hereinafter "RO SA") has submitted its draft accreditation requirements under Article 43 (1)(b) to the EDPB. The file was deemed complete on 26 January 2021. The RO national accreditation body (NAB) will perform accreditation of certification bodies to certify using GDPR certification criteria. This means that the NAB will use ISO 17065 and the additional requirements set up by the RO SA, once they are approved by the RO SA, following an opinion from the Board on the draft requirements, to accredit certification bodies.

Steps to GDPR compliance, organizations can use this step process:

- 1. Understand the law it relates to collecting, processing, and storing data, including the legislation's many special categories.
- 2. Create a roadmap Perform data discovery and the risks to data.
- 3. Know which data is regulated
- 4. Begin with critical data and procedures
- 5. Assess and document other risks, investigate any other risks to data
- 6. Revise

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GDPR sets out a duty for all organisations to report certain types of data breaches which involve unauthorised access to or loss of personal data to the relevant supervisory authority. In some cases, organisations must also inform individuals affected by the breach. (https://www.zdnet.com/article/gdpr-an-executive-guide-to-what-you-need-to-know/)

5. Conclusion

The GDPR was implemented in Romania in 2018 through the Law. The Law is relatively comprehensive and includes, in particular, detailed provisions on the processing of data for journalistic purposes or academic or artistic expressions, on certification bodies, and on corrective measures and sanctions for both private and public bodies. Under the Law, the ANSPDCP is the competent supervisory authority for data protection matters. The ANSPDCP is an active regulator that has released a dedicated GDPR resource centre for organisations.

The GDPR updates the principles established two decades ago by Directive 95/46/EC, which stopped applying when the GDPR came into force.

Schools are required to inform students and their families about how their personal data may be collected and used, more information regarding the use of data by the school can be found in the GDPR Data Protection Policy, available on each school website.

One of the major changes GDPR brings is providing consumers with a right to know when their data has been hacked. Organisations are required to notify the appropriate national bodies as soon as possible in order to ensure EU citizens can take appropriate measures to prevent their data from being abused.

6. References

Please include all the refences you used. Use APA style and do not forget to cite them in the text.

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