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Autoritat Catalana de Protecció de Dades

Opinion in relation to the consultation on the legal basis for the publication of the academic qualifications of the group of university students

It is presented to the Catalan Data Protection Authority in which the opinion of this Authority is requested in relation *to "the legal basis for the publication of the academic qualifications of university students ",* given the sectoral regulatory framework on the issue .

The query is formulated taking into account that Organic Law 2/2023, of March 22, of the university system, in force at the time of issuing this opinion, unlike the previous university legislation, does not provide for any specific precept regarding the publication of academic qualifications.

Having analyzed the consultation, given the current applicable regulations and the report of the Legal Counsel, the following is ruled:

I

(...)

II

The **first question** refers to the legal basis that would enable, if applicable, the publication of the academic qualifications of the university student group, and refers to Organic Law 2/2023, of March 22, of the university system (henceforth, LOSU).

As provided for in article 1 of the LOSU:

> *"1. The object of this organic law is the regulation of the university system, as well as the mechanisms of coordination, cooperation and collaboration between the Public Administrations with competences in university matters.*
>
> *(…)."*

As the query points out, according to the single repealing provision of the LOSU:

> *"1. They are expressly repealed:*
>
> *a) Organic Law 6/2001, of December 21, on Universities.*
> *b) Organic Law 4/2007, of April 12, which modifies Organic Law 6/2001, of December 21, on Universities, except for its second and fourth final provisions.*
>
> *(…)."*

Additional provision 21a of Organic Law 6/2001 (introduced by Organic Law 4/2007, of April 12, amending LO 6/2001), now repealed, provided for the following:

> *"1. The provisions of Organic Law 15/1999, of December 13, on the Protection of Personal Data, will apply to the treatment and transfer of data derived from the provisions of this Organic Law.*
>
> *Universities must adopt the necessary technical and organizational measures that guarantee the security of personal data and prevent unauthorized alteration, treatment or access.*
>
> *2. The Government will regulate, after a report from the Spanish Data Protection Agency, the content of the curricula referred to in articles 57.2 and 62.3.*
>
> *3.* ***The consent of the students will not be required for the publication of the results of the tests related to the evaluation of their knowledge and skills*** *or of the acts that are necessary for the adequate implementation and follow-up of said evaluation.*
>
> *(...)."*

In this regulatory context, the consultation asks this Authority the following questions:

*" **1.** The student's right to objective evaluation, provided for in article 33.1, f) of the LOSU and*
deployed by Royal Decree 1791/2010, it only includes the obligation of universities to guarantee, on the one hand, the effectiveness of the review and claim processes qualifications and, on the other hand, the publication of the rules governing the evaluation processes and the evaluation criteria. Can it be deduced from this legal approach the existence of a legal basis in article 6.1 of the RGPD that legitimizes the public dissemination of the academic qualifications of university students ?

***2.** In view of mechanisms such as the publicity of the correction criteria and the score assigned; the regulation of the contradictory processes of ordinary and extraordinary review of qualifications, in which it is even possible, given the concurrent circumstances, to access the content of third-party assessment tests, as well as the publication of statistical data relating to the results obtained by all 'students affected through the Gauss bell or other statistical graphic representation systems - criteria that in some cases are already indicated by the LOSU itself and the Royal Decree 1791/2010 -, it can be considered that there are less intrusive means than the publication in open (such as, for example, the publication in the virtual classroom space of the subject group in which the students are enrolled) of the academic qualifications that would allow the achievement of the same desired objective, guaranteeing objectivity and equal treatment in the evaluation of university students ?*

***3.** In view of the exceptional situation corresponding to the cases relating to the granting of honors matriculations limited to a certain number of students, it can be considered that this specific case could be a procedure of competitive competition and , therefore, would it justify the open publication of the corresponding qualifications under article 45 of Law 39/2015 and in the form collected by DA 7ª of the LOPDGDD?*

If this is the case, it would be less intrusive to publish the grades of students who meet the requirements to obtain an honors registration, according to the regulations of each university, in the space in the virtual classroom of the group of the subject in which are they enrolled?".

With the consultation in these terms, it is necessary to start from the basis that, according to article 4.1) of Regulation (EU) 2016/679, of April 27, general data protection (RGPD), they are personal data . *any information about an identified or identifiable natural person ("the interested party"); (…)."*

Therefore, the processing of data (art. 4.2 RGPD) of natural persons, specifically, the group of students of the Universities that are part of the Consortium, is subject to the principles and guarantees of the regulations for the protection of data (RGPD and Organic Law 3/2018, of December 5, Protection of personal data and guarantee of digital rights (LOPDGDD)).

All processing of personal data must be lawful (Article 5.1.a) RGPD) and, in this sense, a system of legitimization of data processing is established which is based on the need for one of the legal bases of the article 6.1 RGPD.

Given the information available, it does not appear that the query refers to personal information of categories deserving of special protection (art. 9.1 RGPD), the treatment of which would require, in addition to a legal basis ex . *art.* 6.1 RGPD, of a specific authorization from article 9.2 RGPD.

Therefore, for the purposes of the formulated query, it is necessary to analyze the possible concurrence of one or more legal bases of article 6.1 RGPD, according to which:

"1. The treatment will only be lawful if at least one of the following conditions is met:

a) the interested party gives his consent for the treatment of his personal data for one or several specific purposes;

b) the treatment is necessary for the execution of a contract in which the interested party is a party or for the application at the request of this pre-contractual measures;

c) the treatment is necessary for the fulfillment of a legal obligation applicable to the person responsible for the treatment;

(...).

e) the treatment is necessary for the fulfillment of a mission carried out in the public interest or in the exercise of public powers conferred on the person responsible for the treatment;

f) the treatment is necessary for the satisfaction of legitimate interests pursued by the person responsible for the treatment or by a third party, provided that these interests do not prevail over the interests or fundamental rights and freedoms of the interested party that require the protection of personal data, in particular when the interested party is a child.

(...).”

As the consultation mentions , the repealed additional provision 21a) of the LOU provided that the consent of those affected was not necessary for the publication of the knowledge assessment tests. This provision could certainly provide clarity regarding the authorization to publish academic qualifications, in connection with the provisions of the then current Organic Law 15/1999, of December 13, on the protection of personal data. Specifically, the transfer or communication regime provided for in the LOPD, based on the need for the consent of those affected with the exception, among other circumstances, that a law enables the communication (art. 11 LOPD , sections 1 and 2, to which we refer). It would therefore be necessary to place the provision for the additional provision mentioned in the aforementioned data transfer regime.

Beyond that, for the purposes in question it is necessary to start from the basis that the current regulatory framework in the field of data protection establishes that the processing of data must be lawful (art. 5 RGPD) and, to be so, it must of obtaining a sufficient legal basis (art. 6.1.RGPD).

In any case, it does not seem that the analyzed data processing can be articulated on the basis of the consent of those affected (art. 6.1.a) RGPD), given that, according to the RGPD itself, consent must be given freely, a circumstance that it would not occur, among others, in employment, professional or academic relationships, as would be the case, in which the person affected does not have a true capacity of free choice when giving said consent, it is to say, when there is an "imbalance" between the affected and the person responsible for the treatment (art. 4.11 and considering 43 RGPD).

Therefore, it will be necessary to find sufficient authorization for said treatment, taking into account the regulatory framework relevant to the consultation, if applicable, in other legal bases of article 6.1 RGPD.

III

Article 33 of the LOSU provides :

"In relation to his academic training, the student will have the following rights, without prejudice to those recognized by the university student statute approved by the Government:

(...).

f) ***To one objective evaluation and the publication of the rules that regulate the procedures for evaluation and verification of knowledge*** *, including the procedure for reviewing qualifications and the available complaint mechanisms.*

g) To the publication of the rules that regulate the progress and permanence of students in the university, according to the characteristics of the respective studies.

(...).”

Article 7.h) of the University Student Statute, approved by Royal Decree 1791/2010, of December 30, which aims to develop the rights and duties of university students and

the creation of the Council of university students (art. 1.1) and is applicable to the entire group of students of public and private Spanish universities (art. 1.2), it also provides for the right of the group of university students to an " *evaluation objective and always continuous, based on an active teaching and learning methodology."*

The consultation points out that article 33.1.f) of the LOSU *only* includes the obligation of the Universities to guarantee the effectiveness of the review and claim processes for the qualifications, and the publication of evaluation rules and criteria.

However, for the purposes of interest, it must be borne in mind that the " objective evaluation" of the knowledge acquired by a group of university students is an indeterminate legal concept, and as such must be interpreted in the context of the regulatory provisions on the exercise of the functions and the teaching and research tasks that the regulations attribute to the Universities. And it must be interpreted in the sense that these tasks and functions must be carried out with transparency and quality parameters, in the terms provided for in the regulations themselves.

Thus, LOSU recalls in its Preamble that: *" To ensure an autonomous, democratic and participatory University, in which, simultaneously, decision-making and its management can be carried out effectively and efficiently, the Law enshrines transparency and accountability of public universities, in correlation with the development and protection of their autonomy. As part of the institutional public sector, the autonomy-transparency binomial must govern all its activity, (...)."*
Thus, Article 39 LOSU establishes the following:

"1. The universities, in the exercise of their autonomy, must establish mechanisms of accountability and transparency in management, in accordance with the regulations of the corresponding Autonomous Community, or of the State, in the case contemplated in article 4.1.b).

2. In particular, the universities must establish in their Statutes the accountability mechanisms regarding the management of economic and personnel resources, ***the quality and evaluation of teaching and student performance,*** *research activities and the transfer and exchange of knowledge, the collection of resources for its development, internationalization policy, and the quality of management and the availability of university services .*
(...)."

To this it should be added that, as provided in article 2 of the LOSU:

"1. The university system ***provides and guarantees the public service of university higher education*** *through teaching, research and the transfer of knowledge.*

2. These are the functions of the universities:

a) The education and training of students through the creation, development, transmission and critical evaluation of scientific, technological, social, humanistic,

artistic and cultural knowledge, as well as the capacities, skills and abilities inherent in it.

(...)."

In addition, in relation to the principle of university autonomy, article 3.5 of the LOSU provides:

"5. In the exercise of their autonomy, universities must account to Society for the use of their means and human, material and economic resources, develop their activities through transparent management and offer a quality public service."

Likewise, in the area of Catalonia, within the framework of the competences provided for in article 172 of the EAC, Law 1/2003, of 19 February, on Universities of Catalonia (LUC), which has object of the organization of the university system of Catalonia (art. 1.1), establishes the functions of said system, in order to comply with the public service of higher education in Catalonia and, ultimately, its objectives (art. 3 LUC).

In this regulatory context, we can consider that the "objective evaluation" of students, the verification and accreditation that university students acquire the objectives of the corresponding study plan, is still another phase of the exercise of 'these public functions, or the fulfillment of a public service, which the legislation attributes to the Universities, and which are subject to the aforementioned principles.

In this context, and from the perspective of data protection, we can consider that, in principle, the treatment or treatments of personal data that the Universities must carry out in order to comply with the functions attributed to them by the applicable regulations and the principles that are required of them.

From this perspective, it seems clear that, since the legislation establishes that Universities must ensure the correct fulfillment of the provision of the public service of higher education, everything that is part of it, such as the evaluation and the accreditation of the achievement of the skills by the group of university students, and the processing of data that derives from it, could be legitimized by the legal basis of article 6.1.e) of the 'RGPD, since the accreditation and communication of the student's qualifications, would result in treatment *"necessary for the fulfillment of a mission carried out in the public interest or in the exercise of public powers granted to the person responsible for the treatment."*

Remember that, according to article 6.3 of the RGPD:

"The basis of the treatment indicated in section 1, letters c) and e), must be established by:

a) the Law of the Union, or

b) the law of the Member States that applies to the person responsible for the treatment.

The purpose of the treatment must be determined in said legal basis or, in relation to the treatment referred to in section 1, letter e), it will be necessary for the fulfillment of a mission carried out in the public interest or in the exercise of conferred public powers to the person responsible for the treatment. (..).”

This reference to the legitimate basis established in accordance with the internal law of the Member States requires that the development rule, when dealing with the protection of personal data of a fundamental right, has the status of law (Article 53 CE), as recognized by the article 8 of the LOPDGDD.

For all this, the joint interpretation of the different regulatory provisions relating to the functions that the legislation attributes to Universities, allows us to consider that, in the case raised, the legal basis of article 6.1.e) RGPD meets.

IV

Having said that, another consideration must be made regarding the concurrence of a sufficient legal basis for the processing of data subject to consultation.

Article 6.1.f) RGPD provides that the treatment may be lawful when: *"the treatment is necessary for the satisfaction of legitimate interests pursued by the person responsible for the treatment or by a third party, provided that the interests or the fundamental rights and freedoms of the interested party that require the protection of personal data, (...).”*

In this case, to consider the concurrence of this legal basis, it is necessary to examine whether the treatment in question (publication or dissemination of qualifications of the group of university students) can be understood as necessary for the satisfaction of a legitimate interest of the person in charge or of third parties, in particular, the rest of the students of the university group, who could have this legitimate interest in knowing the academic qualifications of the corresponding group, subject or course.

This legitimate interest can be considered to be concurrent in relation to academic qualifications in general, and also, logically, in specific cases where an element of "competitive competition" could be given, in the terms indicated by the query (question 3), for example, in relation to the granting of honorary degrees, extraordinary prizes, the granting of grants or scholarships, etc.

In any case, the legitimate interest in knowing and verifying the general results of the academic qualifications, for the purposes of having more contrasted information on the specific application of the previously defined evaluation criteria, may coincide in relation to the academic results of any group or subject, and not only in relation to certain cases, such as the granting of honorary registrations, in which there is also a legitimate interest, due to the fact that its granting is limited to a certain number of those affected.

As this Authority has decided on previous occasions (among others, in Opinions CNS 9/2020, CNS 38/2022 or CNS 13/2023, available on the website www.apdcat.cat), the provision of article 6.1 .f) of the RGPD is not a novelty but previously this same legal

basis was already provided for in article 7.f) of Directive 95/46/CE, of direct application in Spain, as it recognized the Judgment of the Court of Justice of the European Union of November 24, 2011.

In relation to this legal basis, recital 47 of the RGPD gives as an example that could justify the application of the legal basis of legitimate interest the cases in which there is a previous relationship between the person in charge and the interested party , as happens in the case at hand, since we are talking about the legitimate interest of university students, regarding the grades and assessment made by the University to which they belong and which, as has been pointed out, must respond to criteria of 'objectivity.

In any case, recital 47 establishes the need to carry out a *"meticulous assessment, even in those situations in which the interested party can reasonably foresee, at the time and in the context of the collection of personal data, that it may produce - a treatment for this purpose".*

In the weighting or weighing test required by the application of Article 6.1.f) the criteria defined by the Article 29 Working Group (WG 29), which analyzed the application of the 'legitimate interest in the *"Opinion 06/2014 on the concept of legitimate interest of the data controller under Article 7 of Directive 95/46/EC".* These criteria would be transferable to the regulation contained in article 6.1.f) of the RGPD to determine whether, in view of the specific circumstances of the case (the rights and interests involved, the reasonable expectations that those affected may have in the your relationship with the person in charge and the safeguards offered by the person in charge), it is appropriate or not to resort to this legal basis.

For these purposes, as has been pointed out, students who are part of the university's own student body may have a legitimate interest in knowledge and access to academic qualifications as a whole, in order to be able to contrast the application of the objective evaluation criteria by the University (criteria of which the legislation obliges to provide information).

In any case, the effects of the weighting (or of the "meticulous assessment" required by the RGPD), in relation to the concurrence of legitimate interest, it is necessary to take into account the impact that the processing of the data may have for to the affected people.

With regard to the factors mentioned in WG 29, the nature of the processed data must first be taken into account. In this sense, the processing does not affect data of special categories (art. 9.1 RGPD), but identification and academic data of those affected. Nor does it seem that, in general, knowing the specific academic qualifications of a certain subject can allow obtaining an academic profile of the people affected.

WG 29 also takes into account *"the way in which the data is treated, for example, if the data has been disclosed to the public or otherwise made available to a large number of people (...). "*

In this sense, and as we will see later, the fact that it can be considered that a legal basis for the treatment is present does not prevent the application of the rest of the

principles and guarantees of data protection, so that a generalized access can be limited or permanent to the disseminated information.

Likewise, it is appropriate to take into account another of the factors pointed out by WG 29, such as *"the reasonable expectations of the interested party, especially in relation to the use and disclosure of data in the relevant context".*

It does not seem that disseminating the grades of exams or controls carried out at universities should affect the privacy of the student body in general terms.

Given the academic context in which the query is raised, it can hardly be considered that the group of university students can have expectations of privacy in the sense of considering that information about academic qualifications will not be known, at least in the university itself.

Even more so, taking into account the additional guarantees that the possible concurrence of the aforementioned legal basis (art. 6.1.f) RGPD) would require.

Regarding this, as GT 29 states in the aforementioned Opinion, the additional guarantees to prevent an undue impact on the interested parties include:

"- the minimization of data (for example, strict limitations on the collection of data or its immediate elimination after its use);
- technical and organizational measures to ensure that the data cannot be used for the purpose of adopting measures or taking other actions in relation to the people ("functional separation");
- extensive use of anonymization techniques, data aggregation, privacy protection technologies, privacy protection by design, impact assessments related to data protection and privacy;
- increased transparency, general and unconditional right of voluntary exclusion, portability of data and related measures to empower those interested."

In the case we are dealing with, it would be particularly relevant to ensure that the affected people will have the option to oppose the treatment for reasons related to their personal situation.

We remind you that, with regard to the right of opposition, article 21 of the RGPD provides for the following:

"1. The interested party will have the right to object at any time, for reasons related to his particular situation, to personal data concerning him being the object of a treatment based on the provisions of article 6, section 1, letters e) of), including the elaboration of profiles on the basis of these provisions. The person in charge of the treatment will stop processing the personal data, unless it proves compelling legitimate reasons for the treatment that prevail over the interests, rights and liberties of the interested party, or for the formulation, exercise or defense of claims.

(...)."

Therefore, it would be advisable for the Universities to provide one or more suitable channels to be able to exercise the right of opposition to the processing of the data subject to consultation, as well as the other rights recognized in the RGPD.

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Having said that, as this Authority has agreed, provision that meets one or more legal bases of article 6.1 RGPD, does not mean an absolute authorization for the processing of the data, nor does it of course exclude the need to comply with the rest of principles and guarantees of data protection regulations.

In particular, according to the principle of minimization, the personal data subject to treatment must be adequate, relevant and limited to what is necessary in relation to the purposes of the treatment (art. 5.1.c) RGPD).

At the outset, the **second question** asked cites some examples of information processing in the university field - for example, the publication of statistical data or the possibility of accessing the content of third-party assessment tests in cases of review of qualifications-, in the sense that this may lead to consider that there are *"less intrusive means than the open publication"* of the qualifications.

For the purposes that concern, the lawfulness or otherwise of the communication of data in each case, will proceed or not based on the concurrence of a sufficient legal basis, as is clear from the RGPD.

In any case, the convenience of applying *"less intrusive means than the open publication"* of personal data, can be understood as a consequence of the necessary application of the principle of minimization, mentioned, but not of the fact that as a result of other treatments of data, which respond to other purposes (publication of statistical information, transparency, review or claim by a student, for example), whether or not certain information related to academic qualifications can be accessed.

Thus, the processing of the data in question (dissemination or publication of academic results) must take place in terms appropriate to the aforementioned principle of minimization, which could lead, as the query points out, to a less "intrusive" dissemination or widespread than open publication.

As this Authority already pointed out in Recommendation 1/2008, of the Catalan Data Protection Agency on the dissemination of information containing personal data via the Internet, "weighting is necessary so that *the information provided is strictly appropriate and is maintained only for the appropriate time to achieve the purpose that legitimizes the dissemination of the data "* (section 4).

Thus, it could be an option adjusted to the principle of minimization, publishing and disseminating the academic qualifications subject to consultation through teaching intranets, or the so-called "virtual classrooms", systems which, by definition, have more limited access than dissemination over the internet, or in the open.

In any case, the academic data subject to consultation must be known, apart from the person concerned, by the rest of the students or teaching staff of the same group or academic year, or if applicable, by staff of the university there must access for the fulfillment of its functions, given the aforementioned legal bases.

It is also not ruled out to disseminate through notice boards or lists, if it is adequately disseminated in spaces accessible to the group or course in question, rather than in spaces of general access.

This type of more limited dissemination, which the consultation itself points out, would be appropriate if it allows, in general, to comply with the intended purpose and, at the same time, avoid a generalized dissemination of personal information beyond the strictly academic field, which does not seems necessary.

In relation to this, according to the seventh additional provision of the LOPDGDD:

> *"1. When it is necessary to publish an administrative act that contains personal data of the person affected, it will be identified by means of his name and surname, adding four random numerical digits from the national identity document, foreigner's identity number, passport or equivalent document. When the publication refers to a plurality of those affected, these random figures must be alternated.*
>
> *(…)."*

Starting from the basis that in the case examined it is lawful to publish information on academic qualifications, for the purposes of identifying the persons affected it would be necessary to limit the dissemination to the data strictly necessary for the intended purpose, as they would be, in principle, the name and surname of the student and the qualification obtained.

This, without prejudice to the fact that it is convenient in some cases - such as to avoid confusion due to the coincidence of students' names - to include a second identifying element, specifically, the four random digits of the DNI or corresponding document, in the terms specified in the document " *Guidance for the provisional application of the seventh additional provision of the LOPDGDD",* of March 4, 2019, drawn up by the Catalan Data Protection Authority, the Spanish Data Protection Agency Data, the Basque Data Protection Agency and the Council for Transparency and Data Protection of Andalusia, also available on the Authority's website.

It is worth noting that limiting the dissemination of academic qualification data to what is strictly necessary is the reiterated criterion of this Authority, indicated in several resolutions that can be consulted on the aforementioned website (among others, Resolution PS 2/2018 or PS 50 /2014), in the sense that, without prejudice to the legitimacy of universities to publish information on academic qualifications, it is always necessary to avoid the publication of excessive data and conform to the principle of minimization.

Thus, it would be necessary, on the one hand, to use data dissemination mechanisms that ensure knowledge of these academic qualifications by the student body itself and by the university community to the extent that they may have a

legitimate interest in knowing the information, without the need to disseminate the information in a more generalized way, or in the open, and on the other hand, disseminate only the data necessary to fulfill the intended purpose.

Finally, it is worth remembering the need to limit the exposure or dissemination of information to the time necessary to fulfill the purpose, as is clear from the principles of data protection, and as already pointed out in Recommendation 1/2018 (section 8).

Regarding this, and as this Authority has done on other occasions (among others, Opinions CNS 2/2023 or CNS 40/2021), the data controller must ensure that the exposure time of personal information not be excessive, taking into account the intended purpose.

The permanent publicity or dissemination of personal information could be considered an interference with the fundamental right to the protection of personal data if it is not sufficiently justified, and in this sense, the Authority has agreed in Recommendation 1/2008 that by if the applicable regulations do not expressly provide for a period of public exposure, dissemination must be temporarily limited to the period necessary to achieve the purpose that justifies the publication of the data.

Remember, also, the need to properly comply with the principle of information (arts. 12 to 14 RGPD).

Following the provisions of article 33.f) of the LOSU, we recall that, according to article 7.g) of the Statute of university students, they have the right: *" To be informed of the university's rules on the evaluation and the qualification review procedure."*

Beyond this, by application of the provisions of the data protection regulations, the Universities, as responsible for the treatment, must comply with the duty to inform those affected - in this case, the university students - of the data processing that will be carried out following the knowledge evaluation and qualification processes.

Specifically, the Universities must inform them of the channels that will be used in each case to communicate, in the terms provided for in the applicable regulations, the personal data relating to the academic qualifications of the student body.

In any case, if the universities adequately inform the student body itself about the way in which the communication or dissemination of the academic qualifications will be carried out prior to the treatment taking place, it does not seem that it can be generated in those affected an expectation of privacy - an issue we have already referred to - in the sense of understanding that their academic qualifications will not be the subject of communication or knowledge by third parties.

VI

Finally, the **third question** refers to the case of the awarding of honors matriculations which, being limited to a certain number of students, the consultation considers that it could be a case of competitive competition and its publication

based on to the provisions of article 45 of Law 39/2015, and in the terms of the seventh additional provision of the LOPDGDD, mentioned.

According to article 45.1 of Law 39/2015, of October 1, on common administrative procedure of public administrations:

"1. The administrative acts will be subject to publication when the regulatory rules of each procedure establish it or when it is recommended for reasons of public interest appreciated by the competent body.

In any case, the administrative acts will be subject to publication, giving effect to the notification, in the following cases:

a) When the act is addressed to an indeterminate plurality of persons or when the Administration considers that the notification made to a single interested party is insufficient to guarantee the notification to all, being, in this last case, additional to the one made individually.
b) When it comes to acts that are part of a selective or competitive procedure of any kind. In this case, the call for the procedure must indicate the medium where the successive publications will be made, lacking validity if they are carried out in different places."

In the academic or university field, certain procedures may incorporate an element of competitive competition, such as not only the granting of honors, but other procedures for granting scholarships or grants for study or research, etc.

In some cases, of course, the specific regulations that are applicable could entail the obligation to publish or disseminate certain personal information. Therefore, in these cases, the legal basis of article 6.1.c) of the RGPD may apply, either by the obligation to publish administrative acts, where appropriate, in application of Law 39/2015, or by application of other sectoral regulations, such as, for example, the one referring to university research, an issue that this Authority has specifically analyzed in Opinion CNS 53/2018, to which we refer.

Beyond this, it has already been pointed out that, in relation to the set of academic qualifications and, therefore, also in relation to the qualifications referred to honors matriculations or the granting of other awards or academic recognitions, it seems clear the legality of the treatment (in relation to art. 6.1, sections e) and) RGPD) , in the terms indicated.

In any case, for the purposes of the question posed, also in relation to the dissemination of personal information linked to the granting of honorary registrations, the principles and guarantees of data protection will apply, specifically, the principle of minimization, as well as the parameters and guidelines derived from the seventh additional provision of the LOPDGDD.

Therefore, the considerations made in Legal Basis V of this opinion can be extended to the case relating to the dissemination of information on the awarding of honorary registrations.

Conclusions

Question 1. Taking into account the applicable regulations, it can be considered that there is a sufficient legal basis for the publication and dissemination of the academic qualifications of the group of university students (ex. art. 6.1, sections e) and *)* RGPD), without prejudice to the necessary compliance with the rest of the principles and guarantees of the data protection regulations.

Question 2. Given the principle of minimization, only the data necessary to comply with the intended purpose (ensuring knowledge of academic qualifications within the scope of the university community) should be disseminated, taking into account the parameters and guidelines derived from the provision additional seventh of the LOPDGDD.

Question 3. In relation to the dissemination of personal information linked to the granting of honorary registrations, the principles and guarantees of data protection apply, in particular, the principle of minimization, as well as the parameters and guidelines derived from the seventh additional provision of the LOPDGDD.

Barcelona, September 22, 2023