



DATE: 6 May 2021

TO: Talia Bettcher, Chair
Academic Senate

FROM: Michael Clarke, Chair *mclarke/ke*
Student Policy Committee

CC: N. Wada-McKee, R. Chavez

SUBJECT: **Proposed resolution on the use of third-party online proctoring systems**

Over the course of the Spring semester, the Student Policy Committee discussed the implementation of third-party online proctoring systems as a consequence of our shift to remote instruction as well as the possible detrimental effects of the practice upon students. In this conversation, we also corresponded with faculty from other CSU who had similar worries about these practices and, as a result, already produced resolutions and policy measures to curb and / or eliminate their use. The result of these discussions is the attached resolution offered in consideration for the Senate. The resolution outlines what the committee feels is a preponderance of possible negative effects that the use of these systems could have on student access, inclusion, equity, and freedom.

1 **Resolution on the Use of Third-Party Online Proctoring Systems**

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4 **Whereas:** The COVID-A9 pandemic prompted a shift to remote instruction and assessment of student
5 learning in the Spring 2019 semester; and

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7 **Whereas:** The shift to remote assessment of student learning amplified the use of third-party
8 proctoring services; and

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10 **Whereas:** Such third-party proctoring services require students to identify themselves, reveal their
11 physical environment to an observer, have access to a computer with a video camera, must
12 download software, and possess a reliable internet connection, which is contrary to Cal
13 State LA’s commitment to promoting equity and inclusion; and

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15 **Whereas:** The use of third-party proctoring services may include synchronously viewing and/or
16 recording each student taking an exam, and then subjecting each student’s examination to
17 proctor’s or an artificial intelligence algorithm review; and

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19 **Whereas:** Third-party remote proctoring is often supported by artificial intelligence (AI) algorithms,
20 which automatically detect “undesirable” actions (e.g., student looking away from the
21 screen) or incidences (e.g., another person walking into the room). The AI cues the proctor
22 or instructor to review synchronous or asynchronous video when “aberrations” from
23 programmed norms are detected. Facial recognition software, and other AI in this category,
24 have consistently been found to fail to recognize people with darker skin. Therefore, it may
25 be more likely for Black and brown students to be flagged by the AI, and thus be more
26 closely surveilled due to the color of their skin. Such increased scrutiny may lead to poorer
27 test performance due to stereotype threat coupled with traumatic histories of surveillance.

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29 **Whereas:** Third-party remote proctoring may hinder the use of software that supports students with
30 learning disabilities. And, moreover, it violates students with disabilities rights to privacy
31 since they may be required to disclose their disability to a stranger and have that disclosure
32 recorded; and

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34 **Whereas:** Third-party remote proctoring supports the norm of surveillance and diminishes the norm of
35 a right to privacy. This erosion of privacy may be especially harmful to the academic
36 performance of students from communities that regularly experience enhanced surveillance
37 and policing (e.g., Black, Muslim, and trans students) and may further add to stereotype
38 threat; and

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40 **Whereas:** Furthermore, third-party proctoring indirectly threatens privacy by providing video
41 recordings of our students’ faces to companies further developing surveillance AI
42 algorithms; and

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44 **Whereas:** The use of third-party proctoring services is expensive, and students may be asked to pay
45 for such services; and

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47 **Whereas:** The use of third-party proctoring services preceded the pandemic and are likely to extend
48 well beyond the pandemic; and

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50 **Whereas:** There are alternative measure that can be employed by instructors to discourage cheating
51 without using remote proctoring services, such as randomization of test question order or
52 the presentation of equivalent questions, or requiring students to analyze quantitative or
53 qualitative information that varies across students, or open note or collaborative exam
54 formats, or a series of low-stakes academic activities rather than high-stakes exams;
55 Therefore, be it

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57 **Resolved:** Effective Fall 2021, that third-party remote proctoring which includes synchronous or
58 asynchronous video recording, recording of biometric data, or collecting any other private
59 data by third-party providers should be banned at Cal State LA.