

Resolution on the Use of Third-Party Online Proctoring Systems

- Whereas:** The COVID-19 pandemic prompted a shift to remote instruction and assessment of student learning in the Spring 2020 semester; and
- Whereas:** The shift to remote assessment of student learning amplified the use of third-party proctoring services; and
- Whereas:** Such third-party proctoring services require students to identify themselves, reveal their physical environment to an observer, have access to a computer with a video camera, download software, and possess a reliable internet connection, which is contrary to Cal State LA's commitment to promoting equity and inclusion; and
- Whereas:** The use of third-party proctoring services may include synchronously viewing and/or recording each student taking an exam, and then subjecting each student's examination to proctors or an artificial intelligence algorithm review; and
- Whereas:** Third-party remote proctoring is often supported by artificial intelligence (AI) algorithms, which automatically detect "undesirable" actions (e.g., student looking away from the screen) or incidences (e.g., another person walking into the room). The AI cues the proctor or instructor to review synchronous or asynchronous video when "aberrations" from programmed norms are detected. Facial recognition software, and other AI in this category, have consistently been found to fail to recognize people with darker skin. Therefore, it may be more likely for Black and brown students to be flagged by the AI, and thus be more closely surveilled due to the color of their skin. Such increased scrutiny may lead to poorer test performance due to stereotype threat coupled with traumatic histories of surveillance.
- Whereas:** Third-party remote proctoring may hinder the use of software that supports students with learning disabilities. And, moreover, it violates students with disabilities rights to privacy since they may be required to disclose their disability to a stranger and have that disclosure recorded; and
- Whereas:** Third-party remote proctoring supports the norm of surveillance and diminishes the norm of a right to privacy. This erosion of privacy may be especially harmful to the academic performance of students from communities that regularly experience enhanced surveillance and policing (e.g., Black, Muslim, and trans students) and may further add to stereotype threat; and
- Whereas:** Furthermore, third-party proctoring indirectly threatens privacy by providing video recordings of our students' faces to companies further developing surveillance AI algorithms; and
- Whereas:** The use of third-party proctoring services is expensive, and students may be asked to pay for such services; and
- Whereas:** The use of third-party proctoring services preceded the pandemic and are likely to extend well beyond the pandemic; and

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

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

Approved by the California State University, Los Angeles Academic Senate: September 14, 2021