

Resolution Number: RF20-406
September, 2020

notes:

Whereas:

The COVID-19 pandemic prompted a shift to remote instruction and assessment during the Spring 2020 semester. This included a greater use of and concern with third-party remote proctoring services. Remote proctoring is the process of monitoring students while they take an exam in a virtual setting. This may include a person (i.e., proctor) synchronously viewing students, video recordings of students taking an exam, and the use of artificial intelligence to notify proctors or instructors to scrutinize a student's synchronous video or a portion of an asynchronous recording. Students are expected to identify themselves through a variety of methods, reveal their physical environment to the observer, and have access to a computer, peripheral accessories, and reliable internet. This resolution is specifically concerned with the use of third-party services, normally provided by for-profit corporations, to facilitate online proctoring.

Whereas:

third-party remote online proctoring undermines the university's role to "stimulate (students') intellectual and personal development." When instructors proctor face-to-face examinations, they not only discourage cheating, but also often provide additional student support (e.g., providing additional clarification, supplying paper or other material support, informing students about the time remaining in the exam period). Third-party remote proctoring is expressly designed to minimize cheating and rarely provides any student support. This casts faculty in the role of police catching cheaters, rather than faculty acting as mentors to facilitate student success; and

Whereas:

third-party remote proctoring runs counter to San Francisco State's mission to "promote equity"; and Inequity: This includes disparate impacts due to socio-economic inequity and racial bias; and Socioeconomic inequity: Third-party remote proctoring assumes students have access to secure housing and a private work space. Given the pervasiveness of housing insecurity and cost of living in the San Francisco Bay Area, this assumption of private workspace is often not reality. Online proctoring requires high-bandwidth, reliable internet access. Without such internet access, students may be forced to prematurely terminate their exam if their connection is interrupted. Third-party remote proctoring requires a minimum level of computer hardware (e.g., laptop or desktop computer, webcam, speakers, microphone). Moreover, students' technology may not support the software they are required to download on their computer to enable third-party remote proctoring or they may not have the administrative rights to do so if they are borrowing a university-owned computer. Finally, third-party remote proctoring companies charge potentially onerous fees for their services that are directly or indirectly paid by students (2). Racial Bias: 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 (3). Facial recognition software, and other AI in this category, have consistently been found to fail to recognize people with darker skin (4). 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 (5).

Whereas:

third-party remote proctoring raises a number of accessibility concerns since it assumes students are neurotypical and able-bodied; and Neurotypical: Third-party remote proctoring may hinder the use of software that supports students with learning disabilities. 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. Furthermore, students who demonstrate tics or use body movement to promote relaxation or focus may be flagged as suspicious. Able-Bodied: As part of the self-identification and security clearance processes, students are required to use fine motor skills to show their ID and large motor skills to show the space around their workstation. Further, the verification and proctoring process relies heavily on visual and auditory cues, which present barriers for students with visual or hearing impairments.

Whereas:

third-party remote proctoring raises a number of privacy concerns that disproportionately impact the personal security of marginalized students and threaten the security of SF State; and Surveillance & Policing: 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 (6). Furthermore, this practice indirectly threatens privacy by providing video recordings of our students' faces to

companies further developing surveillance AI algorithms. Academic Freedom: The development of relationship with companies conducting third-party remote proctoring may threaten academic freedom. When faculty at UC Santa Barbara expressed their concerns to administration about third-party remote proctoring, they were legally harassed by the remote proctoring company (7). Information Security: There is concern that the introduction of third-party remote proctoring software may make students' computers more vulnerable to malware (8). The introduction of such malware could threaten students' privacy and potentially their economic well-being. Furthermore, it erodes the security of university systems that students are directly connected to (e.g., student email) and may lead to further security failures via "phishing" or other nefarious actions. Personal Safety: Students are often required to submit private information (e.g., full name, email, phone number, photo ID) to the company conducting third-party remote proctoring. Such outside entities may record students' biometric information, such as their keystroke patterns or retina scans. Third-party remote proctoring may also require students to allow instructors, and potentially strangers, to video record them in their residential space and record information on students' computer. This violation of privacy may be especially concerning for students that are undocumented or share their residential space with any other people that are undocumented, students that have been sexually harassed or could potentially be sexually harassed, or students that are actively supporting causes that could potentially make them more vulnerable to harassment or other forms of persecution by state or non-state actors. This concern is even more acute when a video recording is kept on technology not directly owned by or controlled by San Francisco State (e.g., remote proctor's server).

Whereas:

if an exam format is used, there are a number of actions that may be used to discourage cheating without using third-party remote proctoring. Given that academic dishonesty may include an array of behaviors that students and faculty may not consistently perceive as "cheating", instructors should not only discuss what behaviors are not allowed, but also why those behaviors are not allowed and further emphasize examinations as a step towards the intrinsic goal of learning. Student self-efficacy may be increased and academic honesty supported by helping students to focus on the exam content and help them become comfortable with the testing format. Further technological steps may be taken, such as the randomization of test questions order or the presentation of equivalent questions. Moreover, rather than using closed-ended questions (e.g., multiple-choice) that facilitate cheating, an exam may require students to analyze quantitative or qualitative information that varies across students. Furthermore, open-note or collaborative exam formats discourage cheating and may be more authentic examples of the challenges they face outside of academia. There are alternatives to high-stakes exams that decrease the incentives and opportunity to cheat. Such options include a series of lower-stakes academic activities rather than fewer high-stakes academic activities. Portfolios could be used to promote comparison and synthesis of student work. Student learning could also be assessed using essays, videos, or performance in simulation exercises. Therefore, be it

Resolved:

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 restricted or banned in SF State courses starting the Fall 2020 semester.

Resolved:

that this resolution should be shared with ASCSU and the Chancellor's office.

Resolved:

NOTES: 1)Grajek, S. (4/10/2020) EDUCAUSE COVID-19 QuickPoll Results: Grading and Proctoring. <https://er.educause.edu/blogs/2020/4/educause-covid-19-quickpoll-results-grading-and-proctoring#fn1> 2) The per student exam cost often is function of the service offered and the duration of the exam. A two-hour exam with full services can cost \$20 to \$50 according to resources from University of Illinois and John Hopkins School of Public Health. 3) Swauger, S. (4/2/2020) Our bodies encoded: Algorithmic test proctoring in higher education. Hybrid Pedagogy. <https://hybridpedagogy.org/our-bodies-encoded-algorithmic-test-proctoring-in-higher-education/> 4) Bolamwini, J. & Gebru, T. (2018) Gender shades: Intersectional accuracy disparities in commercial gender classification. Proceedings of Machine Learning Research. 81(1) <http://proceedings.mlr.press/v81/buolamwini18a/buolamwini18a.pdf> 5) Woldeab, D. & Brothen, T. (2019) 21st century assessment: Online proctoring, test anxiety, and student performance. International Journal of E-Learning & Distance Education. 34(1) <https://files.eric.ed.gov/fulltext/EJ1227595.pdf> 6) Davis, J. E. (4/16/15) The flaws of online course testing. Connected Learning Alliance. <https://clalliance.org/blog/the-flaws-of-online-course-testing/> 7) Reichman, H. (3/27/20) An egregious case of legal bullying. Academe Blog. <https://academeblog.org/2020/03/27/an-egregious-case-of-legal-bullying/> 8) Chin, M. (4/29/2020) Exam anxiety: How remote test-proctoring is creeping students out. The Verge. <https://www.theverge.com/2020/4/29/21232777/examity-remote-test-proctoring-online-class-education> 9) A memo from the CSU Chancellors' Office (8/4/2020) from Alison M. Wrynn, AVP of Academic Programs, Innovations, and Faculty Development discourages the use of remote proctoring and provides a number of alternatives to remote proctoring. 10) Dyer, J. M., Pettyjohn, H. C., & Saladin, S. (2020). Academic dishonesty and testing: How student beliefs and test settings impact decisions to cheat. Journal of the National College Testing Association. 4(1). <https://www.ncta-testing.org/assets/docs/JNCTA/2020%20-%20JNCTA%20-%20Academic%20Dishonesty%20and%20Testing.pdf>

