

July 3, 2020

Dear President Santa Ono, Provost Andrew Szeri, Dr. Simon Bates, and Deans of UBC,

In moving to remote instruction, we recognize how the COVID-19 pandemic has created challenges surrounding the rising incidents of academic misconduct, and we commend the efforts of faculty and teaching staff to produce a quality online teaching experience. We thank all faculty and teaching staff for their unrelenting efforts to provide academic continuity under incredibly difficult circumstances.

With respect to exam invigilation, however, it has become increasingly clear that usage of **Proctorio** negatively impacts students' academic performance, and students have repeatedly expressed that they are not comfortable utilizing this software. While the sudden onset of the pandemic has left instructors with few options but to use Proctorio as a test proctoring software, **its continued usage is not suitable for Summer Term 2 and Fall 2020 on the grounds of unethical corporate practices, reoccurring technical implementation difficulties, and intrinsically discriminatory programming.**

In response to a UBC student claiming that Proctorio had failed to provide support when encountering an issue with a UBC online proctored exam, [Proctorio CEO Mike Olsen posted excerpts of a support chat log](#)¹, generating [concerns around a privacy breach](#)². It is evident that this is not an isolated incident - this is one of [many incidents](#)³ of Proctorio's poor support response and points to Proctorio's [disregard for student privacy and protection of student data](#).⁴ Students report not being able to access their instructors for test-related questions, and being denied access to the exam due to connectivity issues.

Additionally, Proctorio and other algorithmic test proctoring software raise concerns about discrimination against [students based on their bodies, external surroundings, and behaviours](#)⁵. Algorithmic test proctoring software has been demonstrated to discriminate against people of colour, students with accessibility needs and medical conditions, trans students, students with connectivity difficulties, and students with children by flagging "abnormal" behaviours and denying access to certain groups of students.

As a result, Proctorio does not reinforce academic integrity, but instead reinforces a discriminatory exclusion and surveillance culture that is detrimental to student learning and test-taking ability. In light of UBC's commitments to equity, diversity, and inclusion and the

¹ [LeafyBento] (June 28, 2020). "[Proctorio CEO Mike Olsen Under Fire For Releasing Chat Transcripts on r/UBC](#)"; Reddit

² Lee, Shereen (June 30, 2020) "[Proctorio CEO releases student's chat logs, sparking renewed privacy concerns](#)"; The Ubyyssey

³ Bajaj, Maneevak, Li, Jessica (April 4, 2020). "[Students, faculty express concerns about online exam invigilation amid COVID-19 outbreak](#)"; The Ubyyssey

⁴ Fishleigh, Ellie (June 16, 2020). "[American Remote Invigilation Software Being Used For UK Exams: Proctorio's Crib Sheet](#)"; TechRound

⁵ Swauger, Shea (April 2, 2020). "[Our Bodies Encoded: Algorithmic Test Proctoring in Higher Education](#)"; Hybrid Pedagogy

Inclusion Action Plan's Goal 4.B of “implement[ing] inclusive course design, teaching practice, and assessments,”⁶ UBC should not be subscribing to a pedagogy of punishment by investing in discriminatory surveillance practices. No student should have their grade put at risk due to biased data algorithms and technical difficulties.

While we understand that Proctorio may not have violated the letter of the law, we contend that the Proctorio CEO's treatment of a UBC student breached the spirit of the law, as well as norms surrounding privacy. The Proctorio CEO's actions further illustrates the wider concerns that students are deeply unsettled by Proctorio's surveillance and have their academic futures put at risk by technical issues. In response to student concerns, [Dutch Universities are currently organizing an external technical audit of Proctorio](#).⁷ UBC should follow suit or participate as an observer in the audit process in order to mitigate harm to students. Organizations such as the Algorithmic Justice League currently conduct algorithmic audits, within a human rights framework.

During the past, present, and future - regardless of a pandemic, - students deserve to have fair assessments conducted in good faith by instructors who treat them with a high degree of trust, respect, and dignity. There are many ways to build academic integrity and values of honesty within assessments that do not require Proctorio's unnecessarily invasive surveillance. We recognize and applaud the guidance given in the *Guiding Principles for Fall 2020 Adaptations* on building academic integrity into the course beyond Proctorio and Turnitin. However, further action must be taken in light of serious student concerns.

The University of British Columbia consistently ranks in the top 50 institutions for higher education, and employs many talented and creative faculty and staff members who are highly capable of designing alternative methods of invigilation. Examples from this past term include breakout rooms on Zoom, examination styles emphasizing applied learning outcomes, as well as invigilation provided by the Centre for Accessibility, to name a few.

We call upon the Senate, the University Administration, and the Deans to implement the following recommendations:

1. UBC must end its relationship with Proctorio and other invasive, algorithmic remote test proctoring software. As Proctorio has shown a disregard for student privacy by releasing student support logs, we call upon UBC to end its contract with Proctorio as the extent to which Proctorio is willing to infringe upon FIPPA is uncertain;
2. Support and provide resources to faculty in identifying and incorporating alternate final assessment methods in order to avoid Proctorio and other algorithmic exam software;

⁶ The University of British Columbia. “[Building Inclusive UBC: An Inclusion Action Plan](#)”; The University of British Columbia

⁷ Konings, Han (July 3, 2020). [ESA Director Remains Confident in Proctorio](#); Cursor

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3. If choosing to utilize remote proctoring software, UBC instructors must provide low-barrier options to opt out of using remote proctoring software and offer alternate forms of assessment;
4. Incorporating stronger language against the use of Proctorio and remote proctoring software, as well as explanations about concerns regarding Proctorio in the *Guiding Principles for Fall 2020 Adaptations*;
5. If choosing to utilize remote proctoring software, UBC instructors must provide a clear rationale for their usage of the software (i.e. invigilation required for professional accreditation programs) and demonstrate their understanding of how it will affect students in a statement of academic integrity expectations within the course syllabi (p15, *Guiding Principles for Fall 2020 Adaptations*)
6. If continuing with the usage of Proctorio, UBC must conduct an external technical audit of Proctorio's privacy mechanisms in order to mitigate harm to students.

We firmly oppose the use of Proctorio in subsequent academic terms and hope to hold UBC accountable to an ethical and compassionate approach to assessment and education. We hope the University will take a proactive approach by considering our calls to action, and we look forward to hearing from you regarding the implementation of these recommendations.

Signed,

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