

# Pandemic Response: Online Testing and Academic Integrity

## Security & Privacy Considerations

PRESENTED BY:

DONNA MCPARTLAND, MCPARTLAND PRIVACY ADVISING LLC

JARRET DYER, NATIONAL COLLEGE TESTING ASSOCIATION

RACHEL SCHOENIG, CORNERSTONE STRATEGIES, LLC

RAY NICOSIA, EDUCATIONAL TESTING SERVICE

# Agenda

- Technology Considerations
- Beyond the Technology
- Discussion / Q&A
- Checklist

# Technology Considerations

1. Type of Monitoring
2. Preparation
3. Agreements & Messaging
4. Technology Requirements
5. Test Taker Identification
6. Environment Security
7. Proctor or Admin controls
8. System Capabilities
9. Policies and Procedures

	<b>Capabilities</b>	<b>Vendor 1</b>	<b>Vendor 2</b>
<b>Type of Monitoring</b>	live online monitoring	X	X
	record and review	X	
	record	X	X
	self proctor		X
	Scheduled	X	X
	on demand 24/7 availability	X	
<b>Preparation</b>	Proctor training	X	
	Admin training	X	
	guided exam set up process for test taker		X
<b>Agreements / messaging</b>	ability to capture test taker agreement	X	X
	modifiable pre-test messaging		X
	modifiable post test messaging		X

# Vendor Contracting

- Security
- Privacy
- PII
- Notices

# Beyond the Technology

- Legal considerations
- Initial assessment considerations
- Setting and communication expectations
- Monitoring examinees
- Identification
- Protecting the testing process
- Post-test

# Legal Considerations – Privacy



- FERPA
- State Privacy Laws
- International Laws
  - PIPEDA
  - GDPR
  - Other
- Clear, On Time Notice to Students

Photo courtesy of Pexels.com

# Recent Governmental Guidance

- US DOE issued Corona virus FAQs

[https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/FERPA%20and%20Coronavirus%20Frequently%20Asked%20Questions\\_0.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/FERPA%20and%20Coronavirus%20Frequently%20Asked%20Questions_0.pdf)

- Senate requests to DOE and FTC to protect student data

<https://www.washingtonpost.com/education/2020/03/24/senators-urge-trump-administration-protect-student-data-rush-online-schooling/>

- FSU students file a petition to “refrain from using” software designed to deter cheating on exams, arguing the technology violates privacy rights.

<https://edscoop.com/students-say-florida-states-online-exam-tech-violates-privacy/>

# Checklist

Privacy Considerations	Yes	No	Notes
Are you using a third party vendor to deliver the assessment or monitor test takers?			
Is the vendor acting under the “school official” exception of FERPA?			
Are state laws and school requirements being followed by vendors? (for example, written contracts; legitimate educational purpose; specify PII collected; no sale, rental, licensing of student PII; no target ads/profiling (k-12); opt out; encryption)			
Have you provided clear, easily understandable notice to students about new procedures?			

# Legal Considerations



- Accreditation / federal and state regulations
- State and federal laws
- Copyright laws
- Contract and other civil laws

Photo courtesy of Pexels.com

# Initial Assessment Considerations

- Get buy-in
- Testing window v. Testing event
- Multiple assessment forms / versions
- Authorized testing aids

# Checklist

Initial Testing Considerations	Yes	No	Notes
Do you have a testing window (as opposed to a test event where are test takers test at same time)?			
Do you have multiple forms of the test?			
Have you defined what technology is needed to securely test? (e.g., lockdown browser, webcam, etc.)			

# Setting and Communicating Expectations

- Honor Code
- Beyond the honor code
  - Specific Assessment-related expectations
  - Privacy and Security notices and agreements
  - Reminders and “nudges”

# Checklist

Expectations and Agreements	Yes	No	Notes
Have you reminded students of the applicable Honor Code?			
Do you have additional test specific expectations to provide the test taker?			
<ul style="list-style-type: none"><li>Do you know how you will provide those additional expectations (e.g., on screen, by email)?</li></ul>			
Do you plan to capture test taker agreement to testing rules?			
<ul style="list-style-type: none"><li>If so, do you know how you will capture a record of the agreement (e.g., electronic signature, verbal consent)?</li></ul>			Consider FERPA

# Monitoring Exams: Methods

- Honor System / Self Proctoring
- Live Online Proctoring
- Record and Review
- Record

# Monitoring Considerations

- Outcome impacts security
- Time, Expertise, and Training
- Defining authorized behavior
- Intervention and Reporting
- Policies and Procedures for
  - Test Takers
  - Proctors

# Checklist

Test Monitoring Considerations	Yes	No	Notes
Have you decided the type of test monitoring you will use?			
Have you defined authorized behavior and the consequences for engaging in unauthorized behavior?			
Have you communicated this information to the test taker?			
Have you communicated this information to the proctor?			
Have you identified when the proctor should intervene and the consequences for unauthorized behavior?			
Have you defined how the proctor should report concerns?			

# Identification: Methods

- Roll call
- Personal recognition
- Identification
- Government issued photo identification
- Biometrics

# Identification Considerations

- Outcome impacts security
- Benefit of consistency
- Ease of use
- Capturing identifiers
- Handling and reporting concerns
- Privacy considerations

# Proctor ID Form

Identification	Yes	No	Notes
Is identification required?			
Did the test taker present the correct type of identification?			
Does the photo match the presenter?			
Does the name on the ID match the name on the roster?			

# Post Test Considerations

- Confidentiality reminders
- Analyses
- Acting on reports
  - Follow the process
  - Consider consequences
- Retention

# Checklist

Post-Test Considerations	Yes	No	Notes
Will you remind test takers again of confidentiality obligations?			
Are you planning any post test analyses?			
Is there a process for students suspected of engaging in unauthorized or irregular behavior?			
Do you know how you will retain test results and proctor reports?			

# Internet and other tech issues....

- Communicate often
- Expect interruptions
- Be patient
- Be available by another means
- Is there a back-up plan?
- Remember to be agile – these are uncharted waters...

# Reminders

- Get buy in
- Go beyond the technology
- Build test and processes with security & privacy in mind
- Communicate clearly with test takers
- Vet your vendors
- Be flexible
- Access resources

- Donna McPartland, McPartland Privacy Advising LLC  
[dmcpartland@privacyadvising.com](mailto:dmcpartland@privacyadvising.com)
- Jarret Dyer, National College Testing Association  
[president@ncta-testing.org](mailto:president@ncta-testing.org)
- Rachel Schoenig, Cornerstone Strategies LLC  
[rachel@cornerstonestrategies.org](mailto:rachel@cornerstonestrategies.org)
- Ray Nicosia, ETS  
[rnicosia@ets.org](mailto:rnicosia@ets.org)

Questions?