



March 13, 2020

To: Henry Yang, Chancellor
David Marshall, Executive Vice Chancellor
CC: Jeffrey Stopple, Associate Vice Chancellor for Undergraduate Education and Dean of Undergraduate Education
Eric Prieto, Chair, Undergraduate Council
Henning Bohn, Chair, Executive Council

Dear Chancellor Yang and EVC Marshall,

The Faculty Association writes to express our serious concern about the potential widespread adoption of ProctorU, the online proctoring service that many faculty were considering as they adapt their final exams to UCSB's new policies of remote instruction. ProctorU presents itself as a service that will monitor students taking exams at home. However, this service also mines the data of our students, making them available to unspecified third parties, and therefore violates our students' rights to privacy, and potentially implicates the university into becoming a surveillance tool. We therefore fear in a justifiable rush to serve our student population during this unprecedented crisis the University may incur not only in very significant and unbudgeted expenses, but also in serious violations of constitutional rights by partnering with private enterprises like ProctorU. We write to call attention to these issues and urge UCSB to rescind its contract with ProctorU and issue a statement discouraging faculty to use this service or any other private service that either sells or makes students' data available to third parties.

From information readily available on their website (<https://www.proctoru.com/ca-privacy-policy> and <https://www.proctoru.com/privacy-policy>) one can see the categories of information that ProctorU *regularly collects and discloses to third parties* which include: social security numbers; driver's license and passport numbers; other personal identifiers and biometric information including genetic, physiological, behavioral, gender identity, and biological characteristics; activity patterns and identifying information unique to each user including fingerprints, faceprints, voiceprints, iris or retina scans; IP addresses or device identifiers; browsing history, search history, and information about students' interactions with websites, applications, or advertisements; medical information including medical conditions, physical disability, and/or mental disability; photographs, video, and audio recordings; education and employment information including that related to citizenship. Moreover, in the event that ProctorU is involved in a bankruptcy, merger, acquisition, reorganization, or sale of assets, our students' information may be sold or transferred as part of that transaction.

We are extremely concerned about these policies as they violate the rights of our students often without their knowledge and understanding. This is particularly troubling for our undocumented student community. Moreover, our students do not have a choice but to submit to these violations if a professor is utilizing ProctorU as part of their class. We recognize that in our collective race to adapt our coursework and delivery in good faith, there are trade-offs and unfortunate aspects of the migration online that we must accept. This is not one of them. We are

not willing to sacrifice the privacy and digital rights of our students for the expediency of a take-home final exam. That is a price too high and unfairly borne by our students. We are confident that if the faculty were all aware of the issues involved with using ProctorU, they would feel similarly.

As such, we would like to request that UCSB adopt a policy of refusal when it comes to using ProctorU and that professors who were planning to use it be given an extension to adapt their exams to another format. We are here to educate and protect our students, and our vigilance in the digital arena is critically important in that role.

Respectfully,

UCSB Faculty Association Board