Moved by Dhindsa, seconded by Egbeyemi that the McMaster Students Union adopts the following statement:

**Whereas**, any vetting process for approving the use of Respondus assessment tools has not been sufficiently and clearly communicated to students, and it has not been clearly communicated with students whether or not other proctoring softwares were required to undergo a vetting process before being used in a McMaster course; **and**

**Whereas**, there has been at least one instance of a McMaster course using a proctoring software other than Respondus during the 2020/21 academic year; **and**

**Whereas**, even though students consent to the use and associated risks of Respondus assessment tools when enrolling in a course, Respondus maintains that they reserve the right to modify [their] [Privacy Policy](https://web.respondus.com/privacy-policy/) and [Terms of Use](https://web.respondus.com/tou-monitor-student/) at any time1,2; **and**

**Whereas**, Respondus’ failure to actively and publicly inform students of any Privacy Policy and Terms of Use modification makes it difficult for students to provide informed consent to the use of Respondus assessment tools; **and**

**Whereas**, the [December 2nd Avenue to Learn (A2L) Frequently Asked Questions (FAQ) post](https://secretariat.mcmaster.ca/app/uploads/FAQ-Online-Proctoring.pdf) and associated communications from the University fail to sufficiently address concerns regarding data storage, including but not limited to whether the legal or contractual standards that must be met for data storage and use are upheld3; **and**

**Whereas**, the A2L FAQ does not clearly outline what happens to the data that was collected from students after the storage period has elapsed; **and**

**Whereas**, the omission of all information regarding data storage may cause students to feel as though their privacy rights are being infringed upon; **and**

**Whereas**, the A2L FAQ states that “[student] information is not shared with any other third-party, including recordings and personal information”, yet the A2L FAQ also states that Respondus uses “[independent, third-party security firms to perform penetration testing and other vulnerability scans](https://web.respondus.com/tou-monitor-student/)”, potentially allowing access of student data from third parties4; **and**

**Whereas**, these two inconsistent statements have led students to doubt McMaster’s transparency with Respondus’ privacy practices; **and**

**Whereas**, the A2L FAQ does not provide information on how [aggregated and biometric data](https://secretariat.mcmaster.ca/app/uploads/PIA-Report-Online-Proctoring-Respondus.pdf) is processed or used by Respondus, or how this processed data is used5; **and**

**Whereas**, students have not been sufficiently informed on how the [research that is being conducted using their data](https://web.respondus.com/tou-monitor-student/) will be used in the future6; **and**

**Whereas**, security breaches leave student data vulnerable7,8; **and**

**Whereas**, Respondus “[disclaims any responsibility for any harm resulting from downloading or accessing any information or data through Respondus Monitor”](https://web.respondus.com/tou-monitor-student/)9 **and**

**Whereas**, Respondus also [“disclaims any responsibility for the deletion, failure to store, mis-delivery, or untimely delivery of any information or data”](https://web.respondus.com/tou-monitor-student/)9; **and**

**Whereas**, McMaster University has not announced their responsibility should any harm or data mis-management come to fruition; **and**

**Whereas**, Respondus claims they “shall not be liable if a security breach occurs, if the site malfunctions, or if information is misused or mismanaged in any way to your detriment”; **and**

**Whereas**, there have been security breaches related to the use of proctoring softwares at other Canadian universities, [such as WesternU](https://www.cbc.ca/news/canada/london/western-students-alerted-about-security-breach-at-exam-monitor-proctortrack-1.5764354#:~:text=0-,A%20security%20breach%20of%20Proctortrack%2C%20the%20software%20Western%20University%20uses,home%20using%20their%20own%20computers)10; **and**

**Whereas**, McMaster University has not publicly and transparently assured student data protection in a potential security breach, **and**

**Whereas**, the A2L FAQ does not provide clarity to standards met when referring to the fact that Respondus is [“securing”](https://secretariat.mcmaster.ca/app/uploads/FAQ-Online-Proctoring.pdf) files stored on a student’s computer3; **and**

**Whereas**, many students have shared experiences of heightened and unreasonable levels of anxieties and fears specifically due to the use of Respondus assessment tools; **and**

**Whereas**, there was an insufficient and unclear student consultation process in the initial Summer 2020 Privacy Impact Assessment process conducted by the University and subsequent implementation of online learning academic assessment guidelines, leading students to feel that they have been unable to voice their concerns; **and**

**Whereas**, many McMaster University courses have employed alternative testing methods, modifying their assessments to maintain academic integrity, without the use of Respondus assessment tools; **and**

**Whereas**, the University of Ottawa has implemented a policy stating that “[students can choose not to consent to Respondus](https://uottawa.saea-tlss.ca/en/transition-to-remote-teaching/respondus-faq)” and that [instructors will have alternative options in place if a student chooses not to conse](https://uottawa.saea-tlss.ca/en/transition-to-remote-teaching/respondus-faq)nt, however, McMaster University hasn’t clearly communicated alternatives should students choose not to consent to Respondus11; **and**

**Whereas**, many of these concerns have been brought to the attention of the university directly by students through multiple avenues (including open letters, emails, face-to-face meetings, and direct student reports to the Secretariat’s Office and Ombuds Office) but have yet to be fully addressed; **therefore**

**Be it resolved** that the 2020/2021 Student Representative Assembly (SRA) shares in the disappointment of the McMaster community concerning the insufficient and unclear communication to students regarding the adoption and use of Respondus assessment tools, and the failure to address student concerns; **be it further**

**Resolved**, that the 2020/2021 SRA reiterates the MSU’s stance that Respondus assessment tools should not be used for academic assessments unless all other alternative options have been thoroughly considered and researched; **be it further**

**Resolved**, that the 2020/2021 SRA calls on McMaster University administration to thoroughly and diligently respond to student concerns and provide straightforward and unambiguous information on data usage and privacy concerns; **be it further**

**Resolved**, that the 2020/2021 SRA calls on McMaster University administration to immediately and clearly communicate with students that it is within their right not to consent to the use of Respondus, and to work with instructors to ensure that alternative assessment methods will be provided for the course if a student chooses not to consent; **be it further**

**Resolved**, that the 2020/2021 SRA also calls on the McMaster University administration to actively involve students in any further decision making concerning the methodology of academic assessments.

References

1. <https://web.respondus.com/privacy-policy/>
2. <https://web.respondus.com/tou-monitor-student/>
3. <https://secretariat.mcmaster.ca/app/uploads/FAQ-Online-Proctoring.pdf>
4. <https://web.respondus.com/tou-monitor-student/>
5. <https://secretariat.mcmaster.ca/app/uploads/PIA-Report-Online-Proctoring-Respondus.pdf>
6. <https://web.respondus.com/tou-monitor-student/>
7. Roberds, W., & Schreft, S. L. (2009). Data breaches and identity theft. *Journal of Monetary Economics*, *56*(7), 918-929.
8. Webster, P. (2020). Canadian digital health data breaches: time for reform. *The Lancet Digital Health*, *2*(3), e113-e114.
9. <https://www.cbc.ca/news/canada/london/western-students-alerted-about-security-breach-at-exam-monitor-proctortrack-1.5764354#:~:text=0-,A%20security%20breach%20of%20Proctortrack%2C%20the%20software%20Western%20University%20uses,home%20using%20their%20own%20computers>
10. #3 again
11. <https://uottawa.saea-tlss.ca/en/transition-to-remote-teaching/respondus-faq>