Online Proctoring: Selection & Privacy Checklist

A one-page gate to run before you proctor: pick the lightest defensible approach, clear the consent and biometric-law questions, and set retention. Engineering guidance, not legal advice.

A. Choose the lightest defensible approach

- [ ] Confirm the exam is high-stakes enough to justify proctoring at all
- [ ] Considered cheat-resistant assessment design as the primary control first
- [ ] Matched the approach to need: live (intervene), record-and-review, or automated
- [ ] Budgeted human review of automated flags (est. 5-8% false positives)

B. Consent & biometric law

- [ ] Written, informed consent obtained before any faceprint is collected (BIPA)
- [ ] Lawful basis + GDPR Art 9 condition documented for EU/UK test-takers
- [ ] No emotion / stress inference (banned in EU education since Feb 2025)
- [ ] Avoided routine room scans; reviewed Ogletree (4th Amendment) for public bodies

C. Fairness & accessibility

- [ ] Face detection tested across skin tones, lighting, and camera quality
- [ ] Accommodations for disabled, neurodivergent, and caregiving test-takers
- [ ] Every flag reviewed by a human with context; no automatic fail
- [ ] Documented appeal route for a wrongly flagged test-taker

D. Data, retention & security

- [ ] Data-processing agreement (GDPR Art 28) signed with the proctoring vendor
- [ ] Collect the least data needed; retention period defined and enforced
- [ ] Recordings and biometric data encrypted in transit and at rest
- [ ] EU AI Act high-risk duties checked for automated proctoring (from Aug 2026)



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This checklist picks the lightest proctoring approach and clears consent, biometric law, fairness and retention. Our seven-volume handbook covers the stack behind remote exams: start with Volume 7 for EU AI Act duties, biometrics and real-time AI, then Volume 6 for face detection and computer vision and Volume 3 for WebRTC video.

WHAT YOU WILL FIND INSIDE

- EU AI Act duties and biometric data rules
- Real-time video AI and moderation pipelines
- Face detection and its accuracy across conditions
- WebRTC capture and recording for live sessions

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