

Court Rules that Universities Can't Scan Students' Rooms During Remote Testing

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In a case brought against Cleveland State University, a federal court has ruled that it is unconstitutional for a state university to require a student to allow a virtual camera scan of their home testing area during a remote In a case brought against Cleveland State University, a federal court has ruled that it is unconstitutional for a state university to require a student to allow a virtual camera scan of their home testing area during a remote proctored exam. The case, [Ogletree v. Cleveland State University](#), arose when a student attending the university during the pandemic was asked to sweep his camera around his room in which tax documents and medications were also stored, although the resulting video didn't capture anything sensitive.

The court summarily found that the Fourth Amendment's protection against unreasonable searches applied to the state university, and that students' privacy interests outweighed the school's interest in discouraging cheaters. The court left the door open, though, for less intrusive remote proctoring methods, such as lockdown software and AI that detects suspicious movements.

This ruling is a vindication for students who have objected to what many see as security theatre. As the court acknowledged, enterprising cheaters have a myriad of ways to cheat remote proctoring, such as leaving the camera's view for a dishonest "bathroom" break. However, by tying its reasoning to the Fourth Amendment rather than tortious invasion of privacy, the court has drawn a distinction between the rights of public and private school students. It's also unclear at this point whether this ruling is limited to universities or if it also would apply to organizations such as state bars and medical boards.

Read the full ruling [here](#).

Blair Robinson contributed to this article.

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