

Questionmark OnDemand Live Online Proctoring

Service Specification

Questionmark provides assessment management technology that enables trainers, educators and testing professionals to author, schedule, deliver and report on surveys, quizzes, tests and exams via its Software-as-a-Service Questionmark OnDemand product. This Service Specification defines the service characteristics for a Live Online Proctoring Service provided as an addition to Questionmark OnDemand and subject to the terms and conditions agreed in the Order.

1. Definitions

Within this Service Specification the following definitions shall apply:

- a. "Candidate" (also called "Participant") means any person that participates in an Exam by answering questions or otherwise responding to the Exam process.
- b. "Candidate Authentication Process" is the process that the Proctor will use to confirm the Candidate's identity.
- c. "Candidate Wait Time for Proctor" is the time, measured at the server, that it takes for Candidate to connect with a Proctor, excluding any time consumed due to technical issues, calculated as follows:
 - i. If Candidate arrives before the Scheduled Time: Candidate Wait

Time for Proctor is calculated as the time from the Scheduled Time to the time that Candidate is engaged with the Proctor.

- ii. If Candidate arrives on or after the Scheduled Time but before the No Show time: Candidate Wait Time for Proctor is calculated as the time from when the Candidate requests to interact with the Proctor and the time that Candidate actually connects with the Proctor.
- iii. Wait times for No Show Candidates are excluded from the calculation.
- d. "Candidate Wait Time for Technical Support" is the time that it takes for Candidate to connect with Technical Support after making a request. For telephone Technical Support, this is the time before a Candidate is in voice communication; for email Technical Support, this is the time in which a first response is given to an email question. Candidate Wait Time for Technical Support excludes any time during Holiday Unavailability periods.
- e. "Continue Exam" is a control that a Proctor uses to resume a paused Exam.
- f. "Customer" is as defined in the Order.
- g. "Exam" (also called "Assessment") means a set of questions to determine knowledge, skill or ability answered by a Candidate.

- h. "Exam Delivery System" is the sub-set of the system that interacts with the Candidate to connect the Candidate with the Proctor and to permit the Candidate to answer and submit the Exam.
- i. "Exam Session Started" is when an Exam session actually starts or when an Exam session has been scheduled and has not been cancelled within 24 hours and the Candidate is a No Show, as more particularly defined in Section 2.2 below.
- j. "FAQ" means a web page containing Frequently Asked Questions to assist the Candidate with technical issues relating to the Live Online Proctoring Service
- k. "Holiday Unavailability" is the period agreed between the Parties when Online Proctoring will not be available.
- l. "Incident" is an unusual incident where evidence has been captured to indicate that the Candidate appears to have changed, that the Exam content appears to be being harvested or the Candidate appears to have had unauthorized access to people or prohibited materials during the Exam.
- m. "Live Online Proctored Exams" is an Exam Session Started that is delivered by the Live Online Proctoring Service.
- n. "No Show" is when a Candidate has booked an appointment for an Exam but does not show up within 15 minutes of the Scheduled Time.
- o. "Live Online Proctoring Service" is the service provided to authenticate a Candidate's identity, to start/pause/un-pause/terminate an Exam and to remotely monitor the audio and video provided by the Candidate's device to minimize the risk of cheating.
- p. "Order" means the written quotation for the Live Online Proctoring Service provided by Questionmark, which has been accepted by the Customer, as such Order may be amended from time to time by mutual agreement of the Parties.
- q. "Parties" or "Party" means Questionmark and/or Customer.
- r. "Pause Exam" is a control that a Proctor uses to suspend a Candidate's access to an Exam whilst a Potential Incident is investigated.
- s. "Potential Incident" is an unusual incident which might indicate that the Candidate has changed, that the Exam content is being harvested or the Candidate has access to unauthorized people or prohibited materials during the Exam.
- t. "Proctor" is a person that has been certified by Questionmark and/or its sub-contractor by a Proctor Certification Process to authenticate Candidates and monitor Candidates as they take Exams.
- u. "Proctor Certification Process" is a process used to train and certify Proctors including:
 - i. Instruction on how to properly complete the Candidate Authentication Process.
 - ii. Instruction and a test on detecting aberrant Candidate behaviors designed to enhance the Proctor's ability to spot a Potential Incident.
 - iii. Instruction on the technology to be used by the Proctor to onboard Candidates, record evidence, and start Exams, Pause Exam, un-pause Exams and Terminate Exams.

- iv. Instruction and a test on privacy which includes privacy policies and privacy guidelines for the protection of Candidate privacy.
- v. Instruction and a test on online security awareness which includes understanding such things as phishing, password protection etc.

In addition, every Proctor must sign an agreement attesting to their willingness to adhere to privacy requirements.

- v. "Program Manager" is the person(s) employed by the Customer to manage the Exam(s).
- w. "Questionmark" is one of Questionmark Corporation, Questionmark Computing Limited or Questionmark GmbH as defined in the Order.
- x. "Questionmark Secure" is Questionmark's secure browser and associated software which Questionmark will make freely available to Candidates for purposes of participating in an Exam.
- y. "Scheduled Maintenance" means maintenance that is planned in order to add features, resolve issues and/or enhance functionalities in the Live Online Proctoring Service and associated technology. Questionmark will provide Customer with details of its Scheduled Maintenance schedule and will use good faith efforts to minimize the duration of and perform any Scheduled Maintenance during off peak hours and, whenever possible, minimize impact to Customer.
- z. "Scheduled Time" is the start time that a Candidate has booked to start their Exam.

- aa. "Service Specification" means this document.
- bb. "Supported Devices" is the range of hardware and software used on devices that are supported to access and use the Live Online Proctoring Service.
- cc. "System Check" means the check performed prior to taking an Exam to ensure that the technology is working correctly. The System Check will include checks of the technology required to take an Exam, as Candidates will need to install Questionmark Secure browser. If the System Check fails, the Candidate will be referred to an FAQ that will assist the Candidate resolve the errors. If, after reviewing the FAQ, the Candidate cannot get the System Check to work the Candidate can send an email or enter into a chat session for Technical Support. If the FAQ, chat session and email fails to remedy the situation, as a last resort, the Candidate would be called on the phone by Technical Support, all as more particularly described in Section 2.1.
- dd. "Technical Support" is the service provided to assist Candidates resolve technical challenges with Supported Devices directly related to, and in order to, allow System Checks to work correctly or determine that the Candidate's device is not compatible with the Exam Delivery System. The Technical Support service will work with Candidates to attempt to diagnose and resolve common technical issues (e.g. version of browser not correct) and inform Candidates of commonly required URLs (e.g. the URL of an updated version). Technical Support will not be responsible for resolving

issues which prevent a device from working or installing system software.

ee. "Terminate Exam" is a control that a Proctor uses to stop an Exam when they have determined that Exam security is threatened.

2. Services to be delivered unless otherwise set out in the Order

Unless otherwise set out in the Order the services to be delivered will be as follows:

2.1 Technical Support Service for Candidates.

Questionmark will provide Technical Support services for Candidates in English with the following services:

- a. Links to an FAQ that will assist the Candidate resolve issues.
- b. Links to a chat application to provide a text chat session with a Technical Support representative which will be available 24 hours a day, seven-days-a-week, excluding Holiday Unavailability and Scheduled Maintenance periods.
- c. Links to email where Candidates can email for assistance with a Technical Support representative being available 24 hours a day, seven-days-a-week, excluding Holiday Unavailability and Scheduled Maintenance, to respond to emails.
- d. Call back to a phone number provided by the Candidate (via textual chat or email) to provide Technical Support which will be available 24 hours a day, seven-days-a-week, excluding Holiday

Unavailability and Scheduled Maintenance periods.

Questionmark will plan to sufficiently staff Technical Support services to reasonably meet the anticipated volumes of calls/emails from Candidates.

Questionmark will refer to Customer any issues raised as Technical Support that are not appropriate for Technical Support, including billing or other subscription management questions, forgotten password questions, identifying a Candidate's correct user id and any questions on the content or results of the Exams.

2.2 Proctored Exam Sessions. As set out in the Order, Customer may pre-purchase a number of Live Online Proctored Exams based on the number of Exam Session Started. An Exam Session Started will be counted as follows:

- Starting an Exam for the first time or
- Retaking an Exam that Candidate has previously failed to complete or pass or
- No Show or
- Failing to cancel an Exam within 24 hours of the time scheduled to take that Exam

Should an Exam be started but not completed due to a failure at Questionmark's server, then the Exam start will not be counted as an Exam Session

Started. If an Exam is terminated due to an Incident and Customer later determines that the Candidate can retake the Exam, the retake does not count as an Exam Session Started.

2.3 Types of Exams being Proctored. Unless otherwise set out in the Order Exams are limited to a maximum of 2 hours in length.

2.4 Booking an Exam Appointment. A Candidate will be able to book an appointment, or connect directly, with a Proctor within a reasonable time frame, regardless of the time zone in which the Candidate is located.

2.5 Proctoring. Questionmark will provide the Live Online Proctoring Service in English for Candidates with a maximum Proctor to Candidates ratio of 1:10, with the following coverage:

- a. The Live Online Proctoring Service will be available 24 hours a day, seven-days-a-week, excluding Holiday Unavailability and Scheduled Maintenance periods.
- b. Questionmark will plan to sufficiently staff the Live Online Proctoring Service to reasonably meet the anticipated volumes of Exams scheduled and use reasonable skill and care in the Candidate Authentication Process.
- c. Audio and video will be monitored from the Candidate's device by the Proctor in order to authenticate the Candidate. In addition to the user name and password required to

access the Exam Delivery System, the Candidate Authentication Process will normally require the Candidate to present one primary and one secondary original form of valid (i.e. not expired) identification ("ID").

- d. Questionmark will take a picture of the IDs provided and store these for review, if required.
- e. Monitor the Candidate. After successful completion of the Candidate Authentication Process, the Proctor will start the Exam to permit the Candidate to answer the Exam questions. During the Exam the Proctor will monitor the audio and video from the Candidate's device to identify a Potential Incident. During the Exam, the Proctor may Pause Exam if they detect and to investigate a Potential Incident. If the Potential Incident is investigated and determined to be a false alarm (and so not an Incident) the Proctor will Continue Exam. If the Potential Incident is investigated and determined to be an Incident the Proctor will Terminate Exam and inform the Candidate.

2.6 Incidents. Questionmark will record evidence and circumstances that lead to triggering Potential Incidents and Incidents. Questionmark is responsible for using reasonable skill and care in recording information and for following Customer's rules on whether behavior leads to a

Potential Incident or Incident. The responsibility for determining whether an Incident impacts a Candidate's certification is entirely Customer's.

2.7 Authentication. Detailed criteria to be applied in the Candidate Authentication Process shall be agreed between Questionmark and Customer from time to time in addition to those in Section 2.5. Questionmark shall use reasonable skill and care in performing the Candidate Authentication Process, but shall not be liable to Customer, Candidate or any third party for any errors in carrying out the same, including, but not limited to situations in which a Candidate or alleged Candidate presents false ID that is not spotted by the Proctor and if a Candidate presents genuine ID which appears false to the Proctor.

2.8 Personal Data. In respect of Candidate personal data within the Live Online Proctoring Service, Customer is the data controller and Questionmark is the data processor. The Customer confirms that it is permitted to transmit to Questionmark for processing under this Agreement all Candidate personal data without breach of any law, agreement, arrangement or duty or the rights of any third party as necessary for the provision of the Live Online Proctoring Service.

3. Service Level Agreement

3.1 Record Keeping. Questionmark shall track and maintain records and will make such records available to Customer upon request

to demonstrate compliance with the terms of this Service Specification.

3.2 Metrics. The following metrics will be tracked by Questionmark and reported to Customer when requested:

- a. Number of:
 - i. Candidates with appointments
 - ii. Exam Session Started
 - iii. No Shows for booked appointments
 - iv. Incidents
 - v. Technical Support sessions with Candidates
 - vi.
- b. Average number of Candidates per Proctor
- c. Average time in the previous 90 days for:
 - i. Candidate Wait Time for Proctor
 - ii. Candidate Wait Time for Technical Support

3.3 Service Level Commitment. Proctor Connection Rate, defined as a 90-day moving average of the Candidate Wait Time for Proctor, shall be targeted to not exceed five (5) minutes.

3.4 Access to Open Internet. Access to the open internet is restricted in some jurisdictions. Access to and use of the Online Proctoring Service or components thereof requires access to the open internet. Customer is responsible for ensuring that Customer and Candidates have sufficient access to the open internet in order to use the Online Proctoring Service. For clarity the inability of Customer or Candidates to access and use the Online Proctoring Service due to open internet restrictions in any jurisdiction shall

not constitute a failure by Questionmark to perform its obligations under this Service Specification.

4. Escalation Process

4.1 Teams. Customer and Questionmark will establish and maintain the following teams:

- a. Support Team. The Support Team will deal with day to day and operational issues with the Live Online Proctoring Service and will include representatives from both Parties. The Support Team will meet from time to time and will focus on operational issues and Candidate Satisfaction.
- b. Program Management Team. The Program Management Team will plan to ensure smooth running of the Live Online Proctoring Services and amicable resolution of any recurring issues. The Program Management Team will deal with recurring and strategic issues and consist of representatives from both Parties. Each Party shall ensure that its Program Management Team members make all reasonable efforts to attend Program Management Team meetings. If any Program Management Team member is unable to attend a meeting, that person shall use all reasonable endeavors to ensure that a delegate attends the relevant meeting in his/her place who is briefed and prepared; and that he/she is debriefed by such delegate after the meeting. Each Party may co-opt additional attendees to the Program Management Team as required.

4.2 Informal Escalation. All serious issues and concerns should usually be raised firstly at the meetings of the Support Team and then, if unresolved, escalated to the Program Management Team before raising the issues more formally.

4.3 Standard Information Systems for Candidates. The following information systems are available for Candidates:

	Normal Operations	Options During Holiday Unavailability
Frequently Asked Questions Page	Yes	Yes
Online Chat with Technical Support	Yes	No
Email with Technical Support	Yes	No
Phone calls answered for Technical Support	Yes	No
Email auto-response to set expectations	Yes (if required)	Yes
Phone message by auto-attendant to set expectations	Yes (if required)	Yes