

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
January 26, 2022

SUBJECT: Public Notice of Intent to Adopt New Board of Governors Regulation 3.005, Examination and Assessment Instruments

PROPOSED BOARD ACTION

Consider approval of Public Notice of Intent to Adopt New Board of Governors Regulation 3.005, Examination and Assessment Instruments.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution, Section 1008.23, Florida Statutes

BACKGROUND INFORMATION

During the 2021 legislative session, section 1008.23, Florida Statutes, was amended to protect postsecondary examination and assessment instruments and directly related developmental materials and workpapers from disclosure to the public under Florida's public records laws. Section 1008.23 provides for the Board of Governors to adopt a regulation that governs access, maintenance, and destruction of the instruments and related materials for the state universities. The proposed regulation will require each university to adopt a regulation that, at a minimum, includes provisions for protecting the instruments from unauthorized access or disclosure; for maintaining the security of the instruments; for ensuring third-party contractors' compliance with the university regulation; for the destruction of obsolete instruments; and for governing authorized access or disclosure outside of the regular examination process.

If approved by the Academic and Student Affairs Committee and the Board of Governors, the proposed regulation will be available for public comment for thirty days. If no concerns are raised during that time, the regulation will come before the Board of Governors for final approval at the next meeting.

Supporting Documentation Included:

In Academic and Student Affairs
Committee Materials