(1) All examination and assessment instruments, including developmental materials and workpapers directly related thereto, that are prepared, prescribed or administered by a university are exempt from disclosure under section 119.07(1), Florida Statutes, and section 24(a), Article I, Florida Constitution, as provided in section 1008.23, Florida Statutes.

(2) Access, maintenance and destruction of examination and assessment instruments and related developmental materials and workpapers shall be governed by university regulation, which at a minimum shall include provisions for:
   (a) Protecting the security and confidentiality of examination and assessment instruments from unauthorized access or disclosure.
   (b) Maintaining the security of such instruments through encrypted electronic means or secure storage, as applicable.
   (c) Requiring third-party contractors responsible for administering or proctoring examinations or assessments to comply with the university regulation.
   (d) Destruction of obsolete examination and assessment instruments and related materials pursuant to records retention schedules applicable to state universities.
   (e) Defining permissible access to, or authorized disclosure of, examination and assessment instruments to faculty, staff and students outside of the regular examination or testing process.

Authority: Section 7(d), art. IX, Fla. Const.; Section 1008.23, Florida Statutes. History: New 3-30-22