

Regulation 3.005 Examination and Assessments.

(1) All examination and assessment instruments, including developmental materials and workpapers directly related thereto, ~~that are prepared, prescribed, or administered~~ held 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. Such materials shall be maintained by the university pursuant to the General Records Schedule GS5 for Public Universities and Colleges as published by the Florida Department of State or General Records Schedule GS1 for State and Local Government Agencies, as applicable.

(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 the following.

- (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 student examination and assessment scoring records ~~instruments and related materials~~ pursuant to the General Records Schedule GS5 for Public Universities and Colleges as published by the Florida Department of State or General Records Schedule GS1 for State and Local Government Agencies, as applicable ~~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; Amended XX-XX-26.