

### **Regulation 3.005 Examinations and Assessments**

- (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