A. GENERAL STATEMENT

All Examination and Assessment Instruments, including developmental materials, answer keys, and workpapers directly related thereto, that are prepared, prescribed, or administered by Florida Gulf Coast University (FGCU or University) are exempt from disclosure under section 119.07(1), Florida Statutes; section 24(a), Article I, Florida Constitution, as provided in section 1008.23, Florida Statutes; and Board of Governors (BOG) Regulation 3.005, Examinations and Assessments. This Regulation governs the access, maintenance, and destruction of Examination and Assessment Instruments and related developmental materials and workpapers.

B. DEFINITION OF TERMS

Examination and Assessment Instrument: Materials that contribute to the final grade of an academic course, or which is required for program admission, placement, certification, or graduation. Examination and Assessment Instruments refers only to the actual “instrument” and not student examination responses. When an “instrument” is completed by a student, it becomes “an education record” and is considered confidential and exempt from public disclosure pursuant to state and federal law protecting education records.

C. ACCESS, MAINTENANCE, AND DESTRUCTION OF EXAMINATION AND ASSESSMENT INSTRUMENTS

The University shall:

1. Protect the security and confidentiality of Examination and Assessment Instruments from unauthorized access or disclosure;

2. Maintain the security of such instruments through encrypted electronic means or secure storage, as applicable;

3. Require third-party contractors responsible for administering or proctoring examinations or assessments to comply with this Regulation;

4. Destroy obsolete Examination and Assessment Instruments, and related materials, pursuant to records retention schedules applicable; and

5. Define 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 24(a), Article I, Florida Constitution
Sections 119.07(1) and 1008.23, Florida Statutes
BOG Regulation 3.005, Examination and Assessment Instruments

History of Regulation
New 06/13/23

Approved by Florida Gulf Coast University Board of Trustees
June 13, 2023