

From: Ryan Hagemann
To: [Sunshine Committee](#)
Subject: Exemptions Discussion
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Mr. Kron:

Please accept these comments as the Oregon Sunshine Committee deliberates on whether or not to recommend changes/deletions to certain exemptions found in Oregon's public records law.

Of the published list, two exemptions in particular are germane to public universities: ORS 192.345(25) and (29). Both still serve an important public policy objective and should remain in Chapter 192.

First, ORS 192.345(29) exempts "the electronic mail address of a student who attend a public university listed in ORS 352.002..." Prior to this exemption, it was not uncommon for large vendors to request the email addresses of all public university students in order, in part, to target the students for unwanted advertisements and spam. Prior to the exemption, if the university defined, under FERPA and education record law, the electronic address as part of "directory information," then there was no basis to prevent disclosure of thousands of email addresses for commercial purposes. University students should have not to worry about unwanted commercial advertisements in their accounts and this exemption allows universities to decline those requests. It is a narrowly tailored, effective exemption that is relevant in today's world.

Oregon Revised Statute 192.345(25) is also essential to the operation of a modern-day university. It exempts from disclosure: "the home address, professional address, and telephone number of a person who has or who is interested in donating money or property to a public university listed in ORS 352.002." Without a modicum of privacy, potential donors to public universities may decline to enter into negotiations for gifts. The cultivation of donors plays an indispensable role in establishing scholarships, identifying matching gifts for capital projects, and furthering the research mission of the university enterprise, to name a few. This relatively longstanding exemption has provided universities with an element of discretion in discharging advancement duties. After federal tax reform, non-profit organizations are unsettled because of a possible drop in philanthropy due to the substantial change in how Americans may or may not itemize deductions. Removing this exemption and exposing the contact information of donors may be yet another obstacle to ensuring universities can continue to raise essential dollars for critical mission-driven objectives.

Please consider keeping both exemptions in ORS Chapter 192.

If the committee would like more information or has any questions, I am happy to answer them.

Regards,



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