

Testimony presented by  
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**State Government Public Hearing on Senate Bill 444, Right to Know**  
Room 8E-B, East Wing, Main Capitol, Harrisburg; Monday, May 13, 2013, 10:30 a.m.

Good morning Mr. Chair and distinguished members of the Committee. My name is Steven DiGuiseppe and I am the Executive Assistant to the Vice President for Administration and Open Records Officer at Millersville University of Pennsylvania. I have served in the position of Millersville University's Open Records Officer since mid-2009, but have been employed by Millersville since 1991. Since August 2009, Millersville University has processed 115 Right to Know requests, with several taking an inordinate amount of time to research and gather specific records. Additionally, over the past two years, Millersville University has realized an increase in requests that may not be intended for release, based on the original intent of the law.

Millersville University understands the obligation of public trust to be transparent and we support the public's right/need to have access to the array of records that document the business conduct of publicly supported agencies and institutions. State Universities are accountable for official actions and the documents that are produced in conduct of that business that are otherwise not exempt from disclosure.

However, the Right to Know Law as it currently exists has created what we believe to be an unintended consequence with respect to requests from commercial entities that seek the home addresses of students, faculty and/or staff for purposes of commercial solicitation. Such requests serve no compelling public purpose and we respectfully ask that you consider exempting the home

addresses and phone numbers of students and employees of a state-owned university when the request is made to further the purpose of commercial solicitation. For example, recently, one such request asked for student names, emails and class year for all undergraduate and graduate students for the purpose of marketing rental furniture from a commercial entity.

Further, we support the proposed amendment allowing agencies to petition a court for a protective order against unduly burdensome requests, and allowing agencies to deny a request to a party to litigation if the request is related to litigation or was previously made in discovery, as well as the amendment allowing agencies to require pre-payment if record duplication costs are expected to exceed \$50, rather than \$100 threshold in the current law. Additionally we support most of the other amendments proposed by Senator Pileggi, as outlined in his memorandum of February 11, 2013 to Senate members.

Thank you for the opportunity to speak today on behalf of Millersville University. At this time, I welcome questions from the committee.