



House Committee on Education

February 13, 2015

Testimony of Mary Beth Herkert
Director, Archives Division, Oregon Secretary of State

Good afternoon Chair Doherty and member of the committee. For the record my name is Mary Beth Herkert and I am the Director of the Secretary of State's Archives Division. I am here today to testify on HB 2711 as it relates to student records.

There is one part of this bill that is a concern to us. Section 1d that will "require" the removal of "...student personal identifying information... from the student education record when the student personal identifying information is no longer needed for the purposes of preparing the student's education program or the student's application for employment or application to a post-secondary institution of education."

The minimum retention period of this information is 75 years as set in Oregon Administrative Rule 166-400-0060 (32). The retention period is based in part on the need for this information to prove completion of education for employment or for furthering an individual's education. It is not uncommon for students to graduate high school, go to work or enter the military, Peace Corps or a number of other service related organizations and then decide to go on to college at a later date. Without their Student Record, they cannot gain admittance. In addition, a student transcript has been used as proof of age when applying for Social Security benefits. Although the other information, such as grades will still be there, the personal identifying information is what makes it the Student Record.

I understand the need to protect personal identifying information from unauthorized access. There are numerous other public records that have personal identifying information such as commitment records, inmate case files and

adoption records. All are protected in some way, without deleting the personal identifying information - for example by the use of encryption.

Thank you for this opportunity to present some concerns of the Secretary of State's Archives Division and we are happy to work with Rep. Frederick on refining the language in the bill.