

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BRET PALLOTTO and
THE CENTRE DAILY TIMES,
Petitioners

v.

PENNSYLVANIA STATE UNIVERSITY
POLICE AND PUBLIC SAFETY,
Respondent

No. 2025-CV-2635-CI

Attorney for Petitioners:
Attorneys for Respondent:

Paula Knudsen Burke, Esquire
Stephanie Carfley, Esquire
Amara Riley, Esquire

OPINION AND ORDER

Rater, J.

The Court considers the Motion to Quash Appeal or, in the Alternative, Motion for Summary Judgment filed February 9, 2026, by “Respondent, The Pennsylvania State University [incorrectly pled as Pennsylvania State University Police and Public Safety]” (“the University”). A reporter for The Centre Daily Times asked the University’s police force for a year of detailed payroll and overtime records under the Right-to-Know Law (“RTKL”). The University refused, explaining that as a state-related institution it owes only the limited reporting duties of Chapter 15 of the RTKL. The Office of Open Records agreed and dismissed the newspaper’s appeal for lack of jurisdiction, holding that neither the University nor its police force is an agency the RTKL reaches. The newspaper now seeks de novo review in this Court.

The question presented is whether the University’s police force is a “local agency” or “similar governmental entity” whose payroll records the RTKL makes public, or whether the University’s status as a state-related institution confines its disclosure obligations to Chapter 15.

For reasons that follow, the Court denies the motion to quash and grants the motion for summary judgment.

Factual and Procedural Background

On June 12, 2025, Bret Pallotto, a reporter for The Centre Daily Times (together, the “newspaper”), asked the University police for “detailed payroll records including overtime pay for all Pennsylvania State University Police and Public Safety police officers from January 1, 2024, to December 31, 2024,” invoking the RTKL, 65 P.S. §§ 67.101–67.3104. Notice of Appeal and Pet. for Review, Ex. The next day, the University’s Associate General Counsel, Kelly Mroz, denied the request, stating that the University is a state-related institution and that such an institution owes only the limited reporting duties Chapter 15 sets out. 65 P.S. §§ 67.1501–67.1505.

The newspaper appealed to the Office of Open Records (“OOR”), which docketed it at AP 2025-1790. The newspaper conceded that the University is a state-related institution but argued that its police force is a separate “local agency” that the RTKL reaches under the functional test of *In re Right to Know Law Request Served on Venango County’s Tourism Promotion Agency and Lead Economic Development Agency*, 83 A.3d 1101 (Pa. Commw. 2014). The University answered with a position statement and the affidavit of Sara F. Thorndike, Senior Vice President for Finance and Business. On August 25, 2025, the OOR dismissed the appeal. It held that the University is neither a “Commonwealth agency” nor a “local agency” under the RTKL, and that the OOR therefore lacked jurisdiction.

The newspaper petitioned this Court for review on September 24, 2025. *See* 65 P.S. § 67.1302(a); 42 Pa.C.S. § 933(a)(3). The University answered on October 14, 2025, denying that its police force is an agency under the RTKL and asserting that the force is an administrative unit of the University, not a separate entity that can be sued. On February 9, 2026, the University

moved to quash or for summary judgment. At a conference held March 9, 2026, the parties agreed to brief the threshold questions the motion raises rather than proceed to a hearing, and the Court canceled the evidentiary hearing set for March 30, 2026.

The University filed its Brief in Support of Motion to Quash Appeal or, In The Alternative, Motion for Summary Judgment on March 23, 2026. The newspaper filed its Brief in Opposition to Motion to Quash Appeal and in Response to Motion for Summary Judgment on April 22, 2026. On August 3, 2026, the University filed a Notice of Supplemental Authority in Support of Motion to Quash Appeal or, In the Alternative, Motion for Summary Judgment. Oral argument occurred on May 29, 2026, and the matter is ripe for decision.

Discussion

On review of an OOR determination about a putative local agency, this Court is the ultimate factfinder and reviews the matter de novo. *Bowling v. Office of Open Records*, 75 A.3d 453, 477 (Pa. 2013). The Court may adopt the appeal officer's findings and conclusions when they are sound, but the Court is not bound by them. *Id.* The record on review is the certified record of the proceeding below. *See* 65 P.S. § 67.1303(b). Because it sits as the ultimate factfinder, and not as an appellate court confined to that record, the Court may also consider the further submissions filed by the parties in this Court. *See Bowling*, 75 A.3d at 477.

The University moves in the alternative for summary judgment. Summary judgment is proper only when no genuine issue of material fact remains and the moving party is entitled to judgment as a matter of law. Pa.R.Civ.P. 1035.2. The Court views the record in the light most favorable to the non-moving party and resolves every doubt against the movant. However, when the parties agree on the operative facts and divide only over their legal consequences, the question is one of law, and the Court may decide it. Here, the operative facts are undisputed.

The motion raises two questions. First, must the Court quash the appeal, either because the University police cannot be sued or because neither the OOR nor this Court have jurisdiction? Second, if the appeal survives, is the University police an “agency” whose payroll records the RTKL makes public? The Court takes each in turn.

I. The Court Denies the Motion to Quash

Quashal is usually appropriate where the order below was unappealable, the appeal was untimely, or the reviewing body otherwise lacked jurisdiction. *See Chongqing Kangning Bioeng’g Co., Ltd. v. Conrex Pharm. Corp.*, 327 A.3d 209 (Pa. Super. 2024). None of the University’s three proposed grounds result in quashal.

A. This Court has jurisdiction to review the OOR’s determination.

The University first reasons that because the OOR found it lacked jurisdiction, this Court lacks jurisdiction too. That misreads the ruling under review. Whether a given respondent is an “agency” under the RTKL is itself a merits question, one the OOR decides in the first instance and one this Court reviews de novo. *Office of Gen. Counsel v. Bumsted*, 247 A.3d 71, 76 n.7 (Pa. Commw. 2021) (de novo and plenary review of OOR determinations); *see Nottingham v. McCormick Law Firm*, No. 749 C.D. 2024, 2025 WL 3677731, slip op. at *3 (Pa. Commw. Dec. 18, 2025) (non-precedential) (“the OOR does have jurisdiction in the first instance to adjudicate whether a party ... that receives a RTKL request is an agency subject to the RTKL’s disclosure requirements,” and the court reviews that determination). A ruling that a respondent is not an agency thus decides the merits; it does not bar review. The fact that the OOR labeled its ruling “jurisdictional” does not change what it decided or this Court’s power to review it. The newspaper timely petitioned the correct court. 65 P.S. § 67.1302(a); 42 Pa.C.S. § 933(a)(3). The Court has jurisdiction.

B. That the University police cannot be sued does not require quashal.

The University next says its police force cannot be sued in its own name, so the Court must quash the appeal. An administrative subunit usually lacks the capacity to sue or be sued. *See Wells Fargo Bank, N.A. v. Joseph*, 183 A.3d 1009 (Pa. Super. 2018); *AK Steel Corp. v. Viacom, Inc.*, 835 A.2d 820 (Pa. Super. 2003). However, naming the wrong respondent does not strip the Court of jurisdiction, and it does not warrant dismissal when the real party has notice and defends. The University has appeared throughout—expressly “incorrectly pled as Pennsylvania State University Police and Public Safety”—and has litigated the merits in full. The cure for that defect is substitution or amendment, which Pennsylvania courts grant freely. *See Pa.R.C.P. 1033; Bisher v. Lehigh Valley Health Network, Inc.*, 265 A.3d 383 (Pa. 2021); *Gallo v. Yamaha Motor Corp., U.S.A.*, 484 A.2d 148 (Pa. Super. 1984).

The newspaper has not moved to substitute the University. The Court need not decide whether it would allow that substitution because amendment would be futile. As Parts II.A and II.C explain, the University, a state-related institution, owes no general disclosure duty under the RTKL, and the records sought are not among the Chapter 15 filings it must make public. However the caption reads, the defect gives no reason to quash a timely appeal, and the Court proceeds to the merits with the University as the real respondent. Because the Court denies quashal and reaches the merits regardless, this observation about futility is not necessary to the decision.

C. Reading the statute is interpretation, not legislation.

Finally, the University warns that treating its police force as a local agency would usurp the legislature’s role because two bills that would have swept campus police into the RTKL, Senate Bill 411 of 2015–16 and House Bill 2524 of 2021–22, both failed. The argument sounds in separation of powers, but it does not touch the Court’s jurisdiction. Deciding whether existing terms —“local agency” and “similar governmental entity”—reach a given respondent is ordinary

statutory interpretation. Applying the settled *Venango* test to new facts is adjudication. Part II.F takes up what the failed bills signify. For now, the argument supplies no ground to quash. The Court denies the motion to quash.

II. The Court Grants Summary Judgment

A. The statutory framework.

The RTKL binds “agencies.” It defines “agency” as a “Commonwealth agency, a local agency, a judicial agency or a legislative agency.” 65 P.S. § 67.102. A “local agency” includes “[a]ny local, intergovernmental, regional or municipal agency, authority, council, board, commission or similar governmental entity.” *Id.*

The RTKL treats the four state-related institutions differently than a local agency. The state-related institutions (Temple University, The University of Pittsburgh, The Pennsylvania State University, and Lincoln University) owe no general duty of disclosure; they owe the narrow reporting duties of Chapter 15. 65 P.S. §§ 67.102, 67.1501–67.1505. A state-related institution “has limited direct disclosure obligations under the RTKL.” *Dep’t of Educ. v. Massey*, 348 A.3d 339 (Pa. Commw. 2025). Those duties reach some salary information: the salaries of the institution’s officers and directors, its 25 highest salaries, and, because the University employs more than 2,500 people, its next 175 highest salaries. 65 P.S. § 67.1503(a)(2)–(3). The disclosure obligations do not reach the force-wide payroll and overtime records the newspaper seeks. This treatment is long settled. Under the RTKL’s statutory predecessor, the Supreme Court held that designating a university as part of the Commonwealth System of Higher Education does not make it a records “agency.” *Mooney v. Bd. of Trs. of Temple Univ.*, 292 A.2d 395 (Pa. 1972).

The fact that the University is not a covered agency does not place the salaries of its employees beyond public reach. The Supreme Court has held that the salaries and service histories of University employees—there, a football coach and University officers—are public records,

because that information is held by the State Employees' Retirement Board, a Commonwealth agency, and because University employees participate in the state retirement system. *Pa. State Univ. v. State Emps.' Ret. Bd.*, 935 A.2d 530 (Pa. 2007). The same principle governs under the current RTKL: records of the University are not immune merely because the University is not a covered agency and may be reached through a Commonwealth agency that possesses them. *Bagwell v. Pa. Dep't of Educ.*, 76 A.3d 81 (Pa. Commw. 2013). Each of those decisions, though, opens the records through a request to the covered agency that holds them. The newspaper directed its request instead to the University's own police force, for records the University itself maintains, and neither the police force nor the University is a covered agency.

No one disputes that the University is a state-related institution, or that the request, aimed at the University itself, falls outside Chapter 15. The newspaper's theory is narrower: that the University police is a separate "local agency" that must disclose. The Court tests that theory first under *Venango*, then explains why the police force's place within a state-related institution defeats required disclosure independently.

B. Under *Venango*, the University police is not a "similar governmental entity."

Whether an entity that is not itself a unit of government still counts as a "similar governmental entity," and so a "local agency," turns on the three factors of *Venango*: whether the government controls the entity's operations; whether the entity performs a governmental function; and how far the government controls or subsidizes its finances. *Venango*, 83 A.3d at 1108–1109. No single factor decides the question. The Court weighs them together. *Id.* The Court concludes that the newspaper's burden is not met by the function factor, and the other two factors cut against agency status.

1. Governmental function.

The University police performs a governmental function. Its sworn officers, certified under the Municipal Police Officers' Education and Training Commission (MPOETC) and Act 120, arrest, detain, and use force to enforce the Commonwealth's criminal law. In 2024, they made 525 arrests and answered nearly 15,000 calls. Notice of Appeal and Pet. for Review ¶¶ 22, 25. Policing is a core function of government. This factor favors the newspaper.

2. Governmental control.

This factor cuts decisively the other way. The question is whether government controls the entity's operations—its governance, management, and direction—not whether it regulates the trade the entity's employees practice. Mere cooperation with government is not control. *Venango*, 83 A.3d at 1108. The undisputed record shows that the University created its police force, employs its officers, houses it within the University's Finance and Business division, and directs it through the University's own hierarchy. Thorndike Aff. ¶¶ 5, 8, 9, 12–13. Of the 36 voting members of the University's Board of Trustees, nine hold government appointments or sit ex officio; the other 27 do not. *Id.* ¶ 4. That Board can manage, redirect, or disband the force. Our courts have held as much of this institution. *See Roy v. Pa. State Univ.*, 568 A.2d 751 (Pa. Commw. 1990) (the University's majority-private Board retains the power of management and control, and its receipt of Commonwealth funds on regulatory conditions does not make it a government agency). The Supreme Court, comparing Penn State with the universities the Commonwealth owns and operates, found its relationship to the Commonwealth “far more autonomous” and held that “PSU is not an agency of the Commonwealth,” resting that holding on the composition of the Board of Trustees. *Pa. State Univ. v. Derry Twp. Sch. Dist.*, 731 A.2d 1272, 1273–1275 (Pa. 1999); *see City of Philadelphia v. Cumberland Cty. Bd. of Assessment Appeals*, 81 A.3d 24 (Pa. 2013). *Derry Township* arose under the tax-immunity laws, and the Court cautioned that an entity's “status as an

agency or instrumentality varies, depending on the issue for which the determination is being made.” 731 A.2d at 1274. In *Derry Township*, the Supreme Court cited *Roy* in concluding that the University is not a state agency for Right-to-Know purposes in particular and the board-composition reasoning the Court applied is the reasoning *Venango* gives for the control factor.

The newspaper’s suggested “control” is MPOETC certification, the University’s part in a 2009 intermunicipal mutual-aid agreement, and the routing of its arrests through the county courts. None of that shows that government controls the police force’s operations. MPOETC certification regulates individual officers statewide and applies to every municipal department alike. It does not place the University police under government management. The mutual-aid agreement is cooperation among independent departments, and cooperation is not control. Processing arrests through the courts marks every law-enforcement agency and says nothing about who runs this one. The newspaper points to no government body that appoints the force’s leaders, sets its budget, hires or fires its officers, or directs its work. The control factor weighs firmly against agency status.

3. Financial control.

The financial factor also favors the University, and does so on facts the newspaper concedes. What matters is how much of the entity’s finances are controlled by the government, not whether the entity’s parent takes public money in the aggregate. *See Venango*, 83 A.3d at 1109; *S. Alleghenies Planning & Dev. Comm’n v. Latker*, 322 A.3d 297 (Pa. Commw. June 27, 2024) (non-precedential) (remanding where the record contained no findings on the proportion of public funding in the entity’s overall budget, leaving the court unable to assess financial control); *Pysher v. Clinton Twp. Volunteer Fire Co.*, 209 A.3d 1116 (Pa. Commw. 2019) (vacating and remanding because the record would not support a *Venango* analysis), *aff’d*, No. 766 C.D. 2022, 2023 WL 6930835 (Pa. Commw. May 24, 2023) (non-precedential) (attributing over half the fire company’s budget to public funds and holding it a local agency).

Ms. Thorndike's Affidavit establishes that the University's operating budget for the 2025–2026 fiscal year is \$10.1 billion, and that the Commonwealth's appropriation “does not include a specific line item or allocation restricted to University Police and Public Safety.” Thorndike Aff. ¶¶ 6, 16. The newspaper's expert concedes this point, and puts the appropriation at roughly \$242 million for the 2024–2025 fiscal year. Pet'r's Pre-Hr'g Statement, Ex. A at 8 (unpaginated). Assuming a similar allocation for the 2025–2026 fiscal year, this amounts to approximately 2.4% of the University's operating budget. The newspaper's answer—that the appropriations still “fund[] or support[]” the force “in whole or in part”—is exactly the argument our courts reject: public money, without more, neither converts an entity into a government agency nor gives government financial control over it. *See Venango*, 83 A.3d at 1109; *Roy*, 568 A.2d at 754. The one targeted grant the newspaper cites—a single \$30,000 award in 2020—changes nothing. The newspaper offers no figure for the public share of the police budget and no evidence that any government body controls the force's finances. This factor weighs against agency status.

4. Weighing the factors.

Only the governmental-function factor favors the newspaper. Because no single factor controls, and because the control and financial-control factors—each resting on undisputed facts—weigh firmly against agency status, the Court concludes that the University police is not a “similar governmental entity,” and so not a “local agency,” under the RTKL. Performing a governmental function, standing alone, does not make an entity an agency. If it did, every private contractor doing public work would fall within the RTKL - the result *Venango's* multi-factor test forecloses.

The RTKL's separate provision for contractor records does not change the analysis. The RTKL makes a private party's records public only where a covered agency has contracted out a governmental function it would otherwise perform itself, and the Supreme Court applied that provision to require disclosure by the private operator of a public authority's stadium. *SWB Yankees*

LLC v. Wintermantel, 45 A.3d 1029 (Pa. 2012); 65 P.S. § 67.506(d)(1). No covered agency contracted anything out in the present case. The University police is a unit of the University itself, not a private party performing some agency's delegated function, and no agency principal stands behind it. Section 67.506(d)(1) thus has nothing to operate on.

C. Independently, the University police is a unit of a state-related institution reachable only under Chapter 15.

The *Venango* analysis rests on a premise this case lacks. Its factors address discrete entities—a private nonprofit corporation (*Venango*), a volunteer fire company (*Pysher*), a regional planning commission (*Latker*)—each with its own legal existence, governing body, and budget, and the question each time was whether that free-standing entity resembled a governmental one. The University police is no such entity. On the undisputed record, the University police is a department of the University, with no separate legal existence. The only entity it belongs to is the University, and the RTKL makes the University a state-related institution answerable only under Chapter 15. 65 P.S. §§ 67.102, 67.1501.

Having named the state-related institutions and fixed their limited duties, the General Assembly said nothing about subjecting their departments, divisions, or units to the general disclosure regime the institutions themselves escape. Had the General Assembly meant to treat a state-related institution's police force—or its athletics departments or its physical plant—as a free-standing local agency, it could have said so. It did not. To carve the police force out of the University and burden it with duties the University itself does not bear would rewrite the statute rather than apply it. This furnishes an independent ground for judgment for the University. The agency charged with administering the RTKL has repeatedly reached the same result, dismissing for lack of jurisdiction requests aimed at the police forces of state-related universities because those forces are not agencies under the RTKL. *Bard v. Univ. of Pittsburgh Police Dep't*, OOR Dkt.

AP 2025-0898, 2025 WL 1092286 (Pa. Off. Open Rec. Apr. 9, 2025); *Hoyer v. Pa. State Univ. Harrisburg Campus Police*, OOR Dkt. AP 2015-0451, 2015 WL 1774042 (Pa. Off. Open Rec. Apr. 14, 2015); *LaVigne v. Pa. State Univ. Police*, OOR Dkt. AP 2011-1470, 2011 WL 6359476 (Pa. Off. Open Rec. Dec. 8, 2011) (this respondent); *Bluestine v. Temple Univ. Police Dep't*, OOR Dkt. AP 2011-0344, 2011 WL 1290668 (Pa. Off. Open Rec. Mar. 30, 2011). These determinations do not bind the Court on de novo review, but they reflect a settled administrative construction that accords with the result the RTKL compels.

D. No genuine issue of material fact remains.

The newspaper argues that judgment is premature because the parties have not developed a factual record, pointing to *Latker*, where the Commonwealth Court remanded rather than decide the *Venango* question on the record before it. The comparison does not hold. The *Latker* Court remanded because the record contained no findings at all about the entity's finances, leaving the court nothing from which to measure the proportion of public funding or assess financial control. *Latker*, 322 A.3d 297, at *7–8. The Court in *Pysher I* remanded for the same reason. In the present case, the record supplies what those records lacked.

Five facts decide this case: the University's status as a state-related institution; its police force's status as a department without separate legal existence; the University's employment of the officers; the makeup of its Board of Trustees; and the absence of any appropriation earmarked for the police. All five come from the Thorndike Affidavit, part of the certified record, and all five stand uncontradicted. The newspaper's expert, whose report the Court considers as a matter of de novo latitude, concedes the decisive financial facts. The newspaper identifies no further fact it would develop that could change the legal consequences of those already established.

What divides the parties is the legal import of those facts: whether MPOETC certification and mutual-aid cooperation amount to government "control," and whether general appropriations

amount to government “financial control.” Those are questions of law. An expert’s contrary label for undisputed facts, or his opinion on the ultimate question whether the force is a “local agency,” neither creates a fact dispute nor binds the Court. The case is ripe for judgment as a matter of law.

E. The out-of-state cases do not compel a different result.

The newspaper leans on two out-of-state decisions that subjected university police to those states’ open-records laws: *Salt Lake Tribune v. State Records Committee*, No. 160904365 (Utah 3d Jud. Dist. Ct. 2018), *interlocutory review declined and remanded*, 456 P.3d 728 (Utah 2019), and *State ex rel. Schiffbauer v. Banaszak*, 33 N.E.3d 52 (Ohio 2015). Neither binds this Court, and each construes a statute unlike the RTKL.

In *Salt Lake Tribune*, the district court held that Brigham Young University’s police were a “governmental entity” under Utah’s Government Records Access and Management Act, because that Act reaches an entity “established by the government to carry out the public’s business” and because the department existed as a police force only by a state enabling statute and continuing state certification. That ruling carries less weight than the newspaper gives it. It was an interlocutory order, and the Utah Supreme Court declined to review it. While the appeal was pending, the Utah legislature amended the Act to define the police departments of private universities as governmental entities, which left the certified question without precedential value and prompted a remand. *Salt Lake Tribune*, 456 P.3d at 729–731. The district court’s construction stands unreviewed, and the version of the statute it construed has been superseded.

Schiffbauer turns on the same kind of clause. Ohio’s Public Records Act reaches any body “established by the laws of this state for the exercise of any function of government.” The Ohio Supreme Court held that Otterbein University’s department is a public office because a private university may create a campus police force only under a state enabling statute, so the department “exists only through [the enabling statute].” *Schiffbauer*, 33 N.E.3d at 53–54. The court expressly

rejected the argument that the department fell outside the Act because it was a subdivision of a private university. *Id.* at 54. This Court does not disagree with that reading of Ohio law; it simply has a different statute to apply.

The RTKL has no comparable clause. It asks instead, under *Venango*, whether government controls the entity and its finances. The University's police force was established by the University, not by the Commonwealth. Thorndike Aff. ¶ 9. The feature that carried the day in *Salt Lake Tribune*—statutory authorization plus pervasive state regulation and certification of the police function—is, under *Venango*, the kind of regulation and cooperation our courts hold insufficient to show control. The out-of-state cases thus confirm the result *Venango* dictates here.

Other courts have gone the other way on similar facts, which shows that these outcomes turn on the text of each state's statute rather than on any general rule that a campus police force's police powers make its records public. *See Corp. of Mercer Univ. v. Barrett & Farahany, LLP*, 610 S.E.2d 138 (Ga. App. 2005) (campus police exercising police power granted by the State on a private university campus not subject to Georgia's Open Records Act), *superseded by statute as stated in Smith v. Northside Hospital, Inc.*, 807 S.E.2d 909 (Ga. 2017); *Ochsner v. Elon Univ.*, 725 S.E.2d 914 (N.C. App. 2012) (private university not subject to North Carolina's Public Records Act; dismissal of a suit for campus-police records affirmed), *aff'd and ordered not precedential*, 737 S.E.2d 737 (N.C. 2013).

F. The failed bills are not a basis for decision.

The Court gives no weight to the two bills that would have brought campus police within the RTKL and then failed. The Court's conclusion rests on the statute the General Assembly enacted and on the *Venango* framework, not on inferences from legislation that never passed. Such inferences are, in any event, an unreliable guide to intent.

In so holding, the Court does not discount the concern that drives the newspaper's request. Those who may arrest, detain, and use force wield among the gravest powers government confers, and the public has a strong and legitimate interest in the transparency of any force that wields them—the very interest the Right-to-Know Law exists to serve. However, in setting the Law's reach, the General Assembly drew the lines it drew: it placed state-related institutions under Chapter 15 alone, and it did not except their police from that choice. It is not this Court's place to redraw those lines to reach a result it might think wiser as a matter of policy. The remedy for the concern the newspaper raises, if one is warranted, lies with the General Assembly, which remains free to bring campus police within the Law's reach, as more than once it has been asked to do.

Conclusion

The Court has jurisdiction and will not quash the appeal. However, the University police is not an “agency” whose records the RTKL opens to the public, and the University is entitled to judgment as a matter of law.

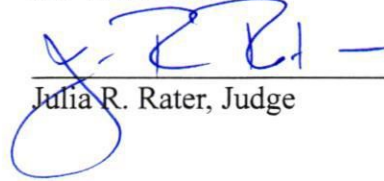
ORDER

NOW THIS 14 day of August, 2026, upon consideration of the Motion to Quash Appeal or, in the Alternative, Motion for Summary Judgment filed by “Respondent, The Pennsylvania State University [incorrectly pled as Pennsylvania State University Police and Public Safety]”, the briefs of the parties, the certified record, counsels' oral argument, and the relevant law, it is hereby ORDERED as follows:

1. The Motion to Quash Appeal is **DENIED**.
2. The Motion for Summary Judgment is **GRANTED**.
3. The Final Determination of the Office of Open Records at Docket No. AP 2025-1790 is **AFFIRMED** on other grounds, the Petition for Review is **DENIED**, and judgment is

entered in favor of the named Respondent Pennsylvania State University Police and Public Safety and the Pennsylvania State University and against Petitioners Bret Pallotto and The Centre Daily Times.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "J. Rater", is written over a horizontal line. Below the line, the text "Julia R. Rater, Judge" is printed. A large, loopy blue circle is drawn around the signature and the line.