



CAL POLY
Civil Rights & Compliance

Public Records Access Unit
Civil Rights & Compliance Office

Office: 805-756-6770
pra@calpoly.edu

November 4, 2024

SENT VIA ELECTRONIC MAIL

John Mezzapesa
Interim Deputy Building Official
Community Development, Building and Safety
City of San Luis Obispo
JMezzape@slocity.org

Re: Cal Poly's Final Response to Public Records Act Request

Dear Mr. Mezzapesa:

Cal Poly received your October 25, 2024, Public Records Act request for the following records:

I was wondering if you would be willing to share if your records have any fraternity/sorority events registered at any of the following addresses to take place in the near future or within the last year:

1. 12 Hathway
2. 171 Orange
3. 132 California
4. 1218/1220 Bond
5. 1327 Foothill
6. 1684/1688 Mill
7. 281 Hathway
8. 1229 Fredericks
9. 260 Chaplin
10. 348/350 Hathway
11. 66 Rafael
12. 2090 Hays
13. 1525 Slack
14. 496 Kentucky/1350 Stafford
15. 654/358 Graves
16. 146 Stenner
17. 385 Chaplin
18. 301 Hathway



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Cal Poly has reviewed your request for records under Government Code §7922.535 and has determined that the records you seek are not public records and therefore are not subject to the California Public Records Act (Cal. Gov't Code §7920.530).

The California Public Records Act (CPRA) provides access to public records, which is defined as “any writing containing information relating to the conduct of the public’s business.” Cal. Govt. Code §7920.530. The CPRA is designed “to ensure public access to vital information about the government’s conduct of its business.” *City of San Jose v. Superior Court* (1999) 74 Cal.App.4th 1008, 1019-1020. Records concerning the addresses where fraternity/sorority registered events occurred (i.e., student residential addresses) are not records regarding the conduct of the university’s business. To the extent that the university may have information concerning the addresses of fraternity/sorority events, disclosure of such records does not contribute to the public's understanding of the university's business and therefore they are not public records to be disclosed under the California Public Records Act.

Even if the requested records could be construed as public records, they would be subject to the following exemptions which would require that they be withheld:

- Materials that reflect student education records or may violate student privacy. Cal. Govt. Code §§7927.705, 7922.000; 21 U.S.C. §1232g.
- General Privacy Rights. Cal. Govt. Code §7927.705; Cal. Const. Art. 1, §1.
- Records where the public interest against disclosure outweighs the public interest in disclosure. Cal. Govt. Code §7922.000.

The information that Cal Poly is able to provide concerning fraternity/sorority registered events can be found in our 2023-2024 Campus Recognized Sorority and Fraternity Transparency Act Report (*see* Cal. Ed. Code § 66310 et seq) which is posted on the below listed at the below web address:

<https://greeklife.calpoly.edu/reports>

As Cal Poly’s Public Records Access Officer, I made the decision that certain records are exempt and will not be disclosed.

If you have any questions, please contact the Public Records Access Unit at pra@calpoly.edu.

Sincerely,

Kevin Cushing
Public Records Access Officer
Civil Rights & Compliance Office – Public Records Access Unit
California Polytechnic State University