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25-ORD-357

November 13, 2025

In re: Michael Frazier/University of Kentucky

Summary: The University of Kentucky (“the University”) did not violate the Open Records Act (“the Act”) when it denied a request for copies that did not precisely describe the public records requested.

Open Records Decision

Michael Frazier (“Appellant”) submitted a request to the University seeking “[a]ny and all communication[s] (including but not limited to emails, internal chats, text messages, memoranda, or correspondence) containing” three keywords: “Kirk,” “Barr,” or “Andy Barr.” The Appellant further specified that he sought communications sent between September 10 and October 7, 2025. In response, the University denied the request as unreasonably burdensome under KRS 61.872(6) because the “request does not provide the University with enough information to conduct any proper search.” This appeal followed.

When a person requests copies of public records under the Act, “[t]he public agency shall mail copies of the public records to a person . . . after he or she precisely describes the public records which are readily available within the public agency.” KRS 61.872(3)(b). A description is precise “if it describes the records in definite, specific, and unequivocal terms.” 98-ORD-17 (internal quotation marks omitted). This standard may not be met when a request does not “describe records by type, origin, county, or any identifier other than relation to a subject.” 20-ORD-017 (quoting 13-ORD-077). Requests for any and all records “related to a broad and ill-defined topic” generally fail to precisely describe the records. 22-ORD-182; *see also* 21-ORD-034 (finding a request for any and all records relating to “change of duties,” “freedom of speech,” or “usage of signs” did not precisely describe the records); *but see Univ. of Ky. v. Kernel Press, Inc.*, 620 S.W.3d 43, 48 n.2 (Ky. 2021) (holding a request was proper when it sought “all records detailing [the] resignation” of a specific

employee). A request that does not precisely describe the records “places an unreasonable burden on the agency to produce often incalculable numbers of widely dispersed and ill-defined public records.” 99-ORD-14.

On appeal, the University explains that the Appellant’s request requires it to search the email accounts of all University students and employees. Therefore, according to the University, the request implicated the email accounts of over 71,000 individuals.¹ When considering whether a request for correspondence precisely describes the records sought, the Office has consistently found that requests seeking correspondence sent to or from named individuals, containing certain keywords, and for a limited period of time precisely describe the records sought. *See, e.g.*, 23-ORD-006 (considering a request for all communications to or from 13 individuals for a three-year period, containing eight unique search terms); *see also* 23-ORD-010 (finding a request for all correspondence between 13 individuals “related to or mentioning” a former employee for an 18-month period precisely described the records).

Here, the Appellant’s request contained four keywords and was limited to a one-month period. However, the request sought communications sent to or by any of 71,000 unnamed individuals. Moreover, the Appellant did not limit his request to electronic records. Under the Act, a “requester is required to describe the records he or she seeks so as to make locating them reasonably possible.” *City of Fort Thomas v. Cincinnati Enquirer*, 406 S.W.3d 842, 855 (Ky. 2013). A request seeking physical and electronic communications sent to or by 71,000 individuals does not describe records in such a manner that “locating them [is] reasonably possible.” Accordingly, given the broad scope of the request, the Appellant has not “precisely describe[d] the public records which are readily available within the public agency,” as is required by KRS 61.872(3)(b). Accordingly, the University did not violate the Act when it denied the Appellant’s request.

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

¹ The University states that it has approximately 38,000 students and 33,000 employees.

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/s/ Zachary M. Zimmerer
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Distributed to:

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