



COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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25-ORD-403

December 15, 2025

In re: MaKenzie Calame/University of Kentucky

Summary: The Office cannot find that the University of Kentucky (“the University”) violated the Open Records Act (“the Act”) because the Office cannot resolve the factual dispute between the parties concerning receipt of a request for records.

Open Records Decision

On October 6, 2025, MaKenzie Calame (“the Appellant”) allegedly submitted a request to the University for certain records relating to its football program. Having received no response by November 13, 2025, the Appellant initiated this appeal.

Under KRS 61.880(1), a public agency must respond within five business days after receipt of a request for records. Here, the Appellant claims the University failed to timely respond to her request. However, the University states it did not receive the request because the Appellant sent it to an incorrect email address.¹ As the Office cannot adjudicate disputed issues of fact, such as whether an agency received a request to inspect records, the Office cannot find that the University failed to respond in a timely manner. *See, e.g.*, 22-ORD-010. Accordingly, the Office cannot find that the University violated the Act.

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court pursuant to KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Pursuant to 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 According to the information appearing on the University’s website, the email address of its records custodian is ukopenrecords@uky.edu. *See* <https://legal.uky.edu/open-records> (last accessed Dec. 10, 2025). This was not the address to which the Appellant sent her request.

Russell Coleman

Attorney General

/s/ James M. Herrick

James M. Herrick

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Distributed to:

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