



COMMONWEALTH OF KENTUCKY  
OFFICE OF THE ATTORNEY GENERAL

RUSSELL COLEMAN  
ATTORNEY GENERAL

1024 CAPITAL CENTER DRIVE  
SUITE 200  
FRANKFORT, KY 40601  
(502) 696-5300

26-ORD-202

May 11, 2026

In re: Jacob Brown/University of Kentucky

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

***Open Records Decision***

On April 6, 2026, Jacob Brown (“Appellant”) submitted a request to the University seeking five “examples of written responses issued by the [University] between March 1, 2024,” and the date of the request, in which the request “was denied on FERPA grounds and the requester was directed to the appropriate custodian or process for accessing their records.”<sup>1</sup> In response, the University denied the request as unreasonably burdensome under KRS 61.872(6), explaining that the Appellant had not provided it “with enough information to conduct a 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

---

<sup>1</sup> “FERPA” refers to the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

unreasonable burden on the agency to produce often incalculable numbers of widely dispersed and ill-defined public records.” 99-ORD-14.

Here, the University explains that, as written by the Appellant, only open records responses that both (1) deny a request “on FERPA grounds” and (2) direct the custodian to the proper custodian or process for accessing records are responsive to his request. According to the University, “[i]t is unlikely that such a record exists.” However, the University further explains that it does not know this for certain because doing so would require it to manually review each of the approximately 2,400 responses it issued during the time frame of the request. The University has explained that there is not a manner by which it can conduct an electronic search for the type of response described by the Appellant. Rather, each response would need to be manually reviewed to determine whether it meets the Appellant’s specifications.

A request that requires a manual review of roughly 2,400 distinct records before the agency can respond does not precisely describe the records sought. The Office has previously found that a request did not precisely describe the records sought when locating responsive records would require the agency to manually search nearly 8,000 employee files. *See, e.g.*, 23-ORD-066 n.2; *see also* 25-ORD-051 (finding a request that would require a manual search of over 19,000 files did not precisely describe the records sought). Here, to locate responsive records, the University would have to manually review 2,400 different responses to records requests. Thus, the Appellant’s request did not “precisely describe[ ] public records which are readily available within the public agency,” as required by KRS 61.872(3)(b). Accordingly, the University did not violate the Act when it denied the request.

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.

**Russell Coleman**  
Attorney General

/s/ Zachary M. Zimmerer  
Zachary M. Zimmerer  
Assistant Attorney General

#302

Distributed to:

Jacob Brown, Appellant

Amy R. Spagnuolo, Principal Paralegal/Director of Open Records, Office of Legal  
Counsel, University of Kentucky

William Thro, General Counsel