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26-ORD-231

May 26, 2026

In re: Travon Byers/Kentucky State University

**Summary:** Kentucky State University (“the University”) violated the Open Records Act (“the Act”) when it failed to respond in writing within five business days of receiving a request.

***Open Records Decision***

On January 21, 2026, Travon Byers (“the Appellant”) submitted a request to the University for (1) “Current employment contracts for all Residential Directors”; (2) “Current employment contracts for members of the executive leadership team, excluding legal counsel”; (3) “The current contract between Kentucky State University and Southern Foods”; (4) “A current roster of all university police officers and security personnel”; (5) “Employment records for the Dean of Students”; (6) “Employment Contract for the Conduct Officer”; (7) “A salary report from last fiscal year”; and (8) “Case details for” 20 different case numbers.

On February 5, 2026, the University responded, asking the Appellant to “provide further information or clarification regarding the case number references.” The Appellant explained that those numbers referred to the University’s “crime bulletin” and he seeks the “corresponding case file and related records maintained by the University.” Upon receipt of that clarification, the University stated, on February 26, 2026, that it “will follow up.” On March 16, 2026, having received no further response from the University, the Appellant initiated this appeal.

Upon receiving a request for public records, a public agency must determine within five business days whether to comply with the request or deny it and “shall notify in writing the person making the request, within the five (5) day period, of its decision.” KRS 61.880(1). A public agency may extend the deadline for production of the records, but only if the records are “in active use, in storage or not otherwise available” and the agency provides “a detailed explanation of the cause . . . for further delay and the place, time, and earliest date on which the public record[s] will be available for inspection.” KRS 61.872(5).

On appeal, the University does not dispute that it failed to timely grant or deny the Appellant's request. Although it did acknowledge the request when it asked a clarifying question of the Appellant, the University did not grant or deny the request. Nor did it invoke KRS 61.872(5) to delay its final response. Therefore, the University violated the Act when it did not timely respond to the Appellant's 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

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Distributed to:

Travon Byers, Appellant  
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