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26-ORD-259

June 4, 2026

In re: Laura Glasscock/Kentucky State University

Summary: The Kentucky State University (“the University”) violated the Open Records Act (“the Act”) when it failed to issue a timely response to a request made under the Act or properly invoke KRS 61.872(5). The Office is unable to resolve the factual dispute between the parties as to the content of the records provided.

Open Records Decision

On April 16, 2026, Laura Glasscock (“Appellant”) submitted a request to the University for two types of records.¹ On May 15, 2026, having received no response from the University, the Appellant initiated this appeal.

Upon receiving a request for public records under the Act, a public agency “shall determine within five (5) [business] days . . . after the receipt of any such request whether to comply with the request and shall notify in writing the person making the request, within the five (5) day period, of its decision.” KRS 61.880(1). This period may be extended if the records are “in active use, in storage or not otherwise available,” but the agency must give “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).

¹ Specifically, the Appellant requested: (1) “a copy of payroll records, by whatever designation and/or records series assigned by the Kentucky Department for Libraries and Archives, documenting the annual and/or monthly and/or twice monthly salaries, including stipends, of each and all employees at [the University] as of today”; and (2) “a copy of the government relations and consulting contract [the University] has with Cornerstone Government Affairs, of Washington D.C., as registered 1 Feb. 2026 with the U.S. House of Representatives under the Lobbying Disclosure Act of 1995 (House Identification 36051/ Senate Identification 75557).”

Here, the Appellant submitted a request to the University on April 16, 2026, and as of May 15, 2026, she had yet to receive a response. On appeal, the University states the Appellant “has been provided the responsive documents” and her “request and is now complete.”² However, the University does not claim to have timely responded to the Appellant’s request or that it properly invoked KRS 61.872(5) to delay her access to the records. Thus, the University violated the Act.

Turning now to the University’s response on appeal, it states the Appellant “has been provided the responsive documents,” and her “request is now complete.” In contrast, the Appellant asserts the University has “not provided responsive records.” Specifically, she asserts she requested “salary records and specifically requests documents that reflect the salary of ‘each and all employees’ at [the University] as of the date of” her request. The Appellant further states that the University “provided only job titles along with each title’s annual salary.”³ Thus, a factual dispute exists between the parties as to the content of the records produced. However, the Office has consistently stated that it cannot resolve factual disputes between a requester and a public agency about the content of the records produced. *See, e.g.*, 26-ORD-017; 22-ORD-246; 22-ORD-010; 19-ORD-083; 03-ORD-061; OAG 89-81. Here, therefore, the Office cannot resolve the factual dispute between the parties or 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 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.

² On appeal, the University also references a separate records request from the Appellant dated May 26, 2026. However, this appeal is related to the April 14, 2026, records request, which the Appellant provided with her request for appeal.

³ This is the first of many disagreements between the University and the Appellant in an extensive back-and-forth between the parties on appeal regarding the records requested and the records produced.

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Distributed to:

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