



COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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26-ORD-378

August 21, 2026

In re: Reuben Adatorwovor/University of Kentucky

Summary: The University of Kentucky (“the University”) violated the Open Records Act (“the Act”) when it failed to send a written response within five business days of receiving a request as required under KRS 61.880(1).

Open Records Decision

On Friday, April 24, 2026, Reuben Adatorwovor (“the Appellant”) submitted a request to the University for copies of “email communications (including sent and received emails, as well as any attachments) involving” Associate Provost Dr. Rebecca Thomas, Provost Dr. Robert DiPaola, and Dean of the College of Public Health Dr. Heather Bush, from March 1 to April 15, 2026, containing “the following keywords in the subject line or body: ‘Adatorwovor’ or ‘Dr. Adatorwovor,’ or ‘Dr. Reuben Adatorwovor,’ [or] ‘Reuben.’” By email sent on May 1, 2026, the fifth business day following submission of his request, the Appellant requested an update regarding the status of his request. On July 24, 2026, the Appellant initiated this appeal, claiming the University “has neither acknowledged receipt of my request nor responded within five (5) business days required by KRS 61.880(1).”

In response, the University stated that it “responded to his April 24, 2026, request on May 7, 2026.” The University included a copy of its May 7 response with its response to this appeal. In addition, the University provided the Appellant with another copy of its May 7 response on July 28, 2026.¹ The University acknowledges the “confusion was caused by the wording of the University’s response. . . . Due to a clerical error, [the University] repeated a previous request from [the Appellant]”

¹ Upon receiving the Notice of Appeal from the Office regarding this appeal, the University forwarded a copy of its written response to the Appellant dated May 7, 2026, for consideration as part of the record. In the University’s May 7 response, the University set forth several different grounds for denying the Appellant’s request. However, issues regarding the University’s denial are not ripe for review because the Appellant filed this appeal based solely on the University’s failure to respond timely. *See* 26-ORD-054; 25-ORD-252; 25-ORD-199; 24-ORD-258.

rather than including a verbatim account of the request to which it was responding as the University does generally. Moreover, the University acknowledges that it did not send a written response within five business days of receiving the Appellant's April 24 request.

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).

Here, the relevant facts are not in dispute. The University does not deny receiving Appellant's request on April 24. Nor does the University dispute it failed to respond to the Appellant's request within five business days of receiving it, as KRS 61.880(1) requires. Rather, the University states it responded on May 7, 2026, the ninth business day following receipt of the Appellant's request. By failing to respond within five business days, 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.

Russell Coleman
Attorney General

/s/ Michelle D. Harrison
Michelle D. Harrison
Assistant Attorney General

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Distributed to:

Reuben Adatorwovor, Appellant
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William Thro, General Counsel, University of Kentucky