



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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25-ORD-003

January 2, 2025

In re: Tanyqua Oliver/Fayette County Public Schools

Summary: The Office cannot find that the Fayette County Public Schools (“FCPS”) violated the Open Records Act (“the Act”) when it provided what the Appellant considered to be an incomplete record.

Open Records Decision

Tanyqua Oliver (“Appellant”) submitted a request to FCPS for a “teacher’s witness statement via writing, audio, or video.” In response, FCPS granted the request and provided responsive records.¹ The Appellant then initiated her appeal of the “complete denial of [her] open records request[.]”

On appeal, FCPS maintains that it has provided all records responsive to the Appellant’s request. The Office cannot resolve factual disputes between a requester and a public agency about whether all responsive records have been produced. *See, e.g.*, 23-ORD-175; 22-ORD-010; 19-ORD-083; 03-ORD-061; OAG 89-81. Accordingly, the Office is unable to find that FCPS violated the Act when it provided what it claims are all the responsive records it possesses.²

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

¹ FCPS also asserted that it had previously provided the same records in response to two similar requests submitted by the Appellant.

² The Appellant also complains that the contents of the witness statements are false. That is an issue beyond the scope of the Office’s review for compliance with the Act. *See, e.g.*, 23-ORD-048 n.1 (noting the Office “cannot adjudicate ancillary legal disputes in the context of an appeal brought under KRS 61.880(2)”; 22-ORD-244 n.3 (same).

any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

Russell Coleman
Attorney General

/s/ Matthew Ray
Matthew Ray
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Distributed to:

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