

Lantern sues UK for records related to governance change

BY MCKENNA HORSLEY
 KENTUCKY LANTERN

The Kentucky Lantern is suing the University of Kentucky after it refused to release records related to a \$375,000 settlement with a faculty leader who had challenged the administration’s decision to disband the University Senate.

The Lantern filed the lawsuit on Nov. 26 after Attorney General Russell Coleman’s office rejected the nonprofit news outlet’s appeal of UK’s decision. Under Kentucky’s open records law, parties can appeal the attorney general’s decisions in a local circuit court.

Earlier this year, the Lantern sought records of email exchanges that preceded the university signing a \$375,000 separation agreement with DeShana Collett, who had been a tenured professor in physician assistant studies. A provision in the agreement between UK and Collett required her to withdraw her request for emails among UK administrators that mentioned her. The Office of the Attorney General (OAG) had earlier ruled that under state law Collett was entitled to the records.

Collett played a prominent role last year in opposing a



MCKENNA HORSLEY | KENTUCKY LANTERN
A statue of “Bowman” on the University of Kentucky campus honors Kentucky Wildcats. The sculpture is located near the Avenue of Champions opposite Memorial Coliseum. The Patterson Office Tower is in the background.

change to UK’s internal governance and presided over a vote of no confidence in UK President Eli Capilouto. After the vote, Collett warned faculty that the administration was taking steps that she thought could lead to retaliation against the president’s critics. Collett entered the separation agreement in June 2025.

Filed in Fayette Circuit Court, the Lantern’s complaint says that while “the University’s denial and the OAG’s rubber-stamping of the denial based on a dangerous

interpretation of the preliminary records exemption should concern” Kentuckians, the “bigger picture is the University’s attempt to buy its way out of the Open Records Act.”

“This Case calls upon Kentucky’s courts to yet again tell its largest state university that the Open Records Act means what it says: disclosure is in the public interest, and the law’s exemptions must be narrowly construed,” the complaint says.

The lawsuit has been assigned to Fayette Circuit

Judge Lucy Ferguson VanMeter.

Michael Abate, who is representing the Lantern along with Jeremy Lister-Perlman, said in a statement that the case is important “for anyone that cares about transparency or the governance of the state’s flagship university.”

“UK paid almost \$400,000 to a professor that had won an open records appeal against it and made the payment contingent on her dropping her request for records. The public has a right to know what the University was willing to pay so dearly to hide,” Abate said.

“On top of that, the Attorney General’s decision attempts to re-write the narrow exemption for ‘preliminary’ records to include virtually any email or other ‘non-final’ document possessed by an agency,” he continued.” That interpretation, if accepted, would gut the Open Records Act and render most of the documents now accessible to the public off-limits.”

UK spokesman Jay Blanton defended UK’s denial of the records and pointed to the attorney general’s decision in favor of the university.

“The University believes the Attorney General’s decision is correct,” Blanton said in an email Friday. “Indeed,

the Attorney General’s decision is fully consistent with all Attorney General’s decisions since 2021.”

The Lantern’s records request mirrored a request for records from Collett that asked for emails with her name sent by Eric Monday, UK’s executive vice president for finance and administration and co-executive vice president for health affairs, between July 1, 2023 and June 30, 2024. UK denied the request in early September.

That time frame spans campus discussions around shared governance at UK. In April 2024, the UK Board of Trustees voted 19-1 to change the University Senate to a faculty senate — a move that faculty members warned would limit their decision-making power over academic decisions.

The aftermath of the no-confidence vote was the subject of an article in The Chronicle of Higher Education that reported Collett had written to faculty members warning of acts of retaliation by the UK administration after the vote.

In an Aug. 20, 2024, email, Collett forwarded a message that she had shared with faculty members to Lisa

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CONGRESSIONAL VOTES, WEEK OF NOV. 28 THROUGH DEC. 4

BY TARGETED NEWS SERVICE

WASHINGTON Here’s a look at how area members of Congress voted over the previous week.

Along with roll call votes this week, the House also passed: the SBA Fraud Enforcement Extension Act (H.R. 4495), to extend the statute of limitations for fraud under certain pandemic programs; the Trafficking Survivors Relief Act (H.R. 4323), to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking; the Count the Crimes to Cut Act (H.R. 2159), to direct the Attorney General to submit to Congress a report on federal criminal offenses; and the Hospital Inpatient Services Modernization Act (H.R. 4313), to extend acute hospital care at home waiver flexibilities.

HOUSE VOTES

House Vote 1:
 CHILDREN AND SOCIAL SECURITY: The House has passed the Social Security Child Protection Act (H.R. 5348), sponsored by Rep. Lloyd Smucker, R-Pa.,

to require the Social Security Administration to issue a new Social Security number to any child less than 14 years old if the child’s Social Security card was lost or stolen in the mail. Smucker called the change “a simple fix to protect our children and make the process of interacting with the Social Security Administration easier.” The vote, on Dec. 1, was unanimous with 386 yeas, and 1 voting present.

NOT VOTING: Barr R-KY (6th), Massie R-KY (4th), Rogers (KY) R-KY (5th)

YEAS: Guthrie R-KY (2nd), Comer R-KY (1st), McGarvey D-KY (3rd)

House Vote 2:

LOANS TO BURMA: The House has passed the No New Burma Funds Act (H.R. 4423), sponsored by Rep. Nike-ma Williams, D-Ga., to require the U.S. representative at the World Bank’s International Bank for Reconstruction and Development to press for the Bank to continue its halt to financial aid for Burma, due to Burma’s military coup in 2021. Williams said “this legislation

gives our country yet another tool to put financial pressure on the Burmese government.” The vote, on Dec. 1, was unanimous with 385 yeas.

NOT VOTING: Barr R-KY (6th), Massie R-KY (4th), Rogers (KY) R-KY (5th)

YEAS: Guthrie R-KY (2nd), Comer R-KY (1st), McGarvey D-KY (3rd)

House Vote 3:

SMALL BUSINESS REGULATIONS: The House has passed the Small Business Regulatory Reduction Act (H.R. 2965), sponsored by Rep. Beth Van Duyne, R-Texas, to require the Small Business Administration to ensure that its annual regulatory budget, which is the net cost of federal regulations for that year, is no greater than zero. Van Duyne said the bill “moves the needle toward empowering small businesses by reducing red tape.” A bill opponent, Rep. Nydia Velazquez, D-N.Y., said it “may sound good on the surface, but it will have the practical effect of limiting the SBA from issuing any rules, even if the benefits outweigh the costs.” The vote, on Dec. 3, was 223 yeas to 190 nayes.

YEAS: Barr R-KY (6th), Guthrie R-KY (2nd), Massie R-KY (4th), Rogers (KY) R-KY (5th), Comer R-KY (1st)

NAYS: McGarvey D-KY (3rd)

House Vote 4:

HOTLINE FOR SMALL BUSINESS REGULATIONS: The House has passed the Destroying Unnecessary, Misaligned, and Prohibitive Red Tape Act (H.R. 4305), sponsored by Rep. Tony Wied, R-Wis., to require the Small Busi-

ness Administration (SBA) to develop a communications hotline for small businesses to tell the SBA about regulatory compliance burdens. Wied called the hotline “a commonsense way to gather input directly from the people most harmed by overregulation to allow Congress to take meaningful action.” An opponent, Rep. Nydia Velazquez, D-N.Y., said: “The bill lacks adequate reporting mechanisms to identify who is making the submissions, leaving it vulnerable to abuse.” The vote, on Dec. 3, was 269 yeas to 146 nayes.

YEAS: Barr R-KY (6th), Guthrie R-KY (2nd), Massie R-KY (4th), Rogers (KY) R-KY (5th), Comer R-KY (1st)

NAYS: McGarvey D-KY (3rd)

House Vote 5:

CHINA AND PUBLIC SCHOOLS: The House has passed the Combating the Lies of Authoritarians in School Systems Act (H.R. 1005), sponsored by Rep. David P. Joyce, R-Ohio. The bill would condition federal funding for a public school on the school not having taken funds from China’s government, and require public schools to inform the Education Department of their receipt of funds from any foreign source. Joyce said: “As China seeks greater influence in education across the globe, we should take commonsense steps to protect our children and maintain the integrity of the U.S. system of schools.” An opponent, Rep. Bobby Scott, D-Va., said: “This bill would compel schools to implement new reporting mechanisms, monitor-

ing procedures, and compliance structures despite the complete absence of any factual verified threats.” The vote, on Dec. 3, was 242 yeas to 176 nayes.

YEAS: Barr R-KY (6th), Guthrie R-KY (2nd), Massie R-KY (4th), Rogers (KY) R-KY (5th), Comer R-KY (1st)

NAYS: McGarvey D-KY (3rd)

House Vote 6:

CHINA AND PUBLIC SCHOOLS: The House has passed the Promoting Responsible Oversight To Eliminate Communist Teachings for Our Kids Act (H.R. 1069), sponsored by Rep. Kevin Hern, R-Okla., to block federal funding to public schools that, either directly or indirectly, have ties to China’s government. Hern said the ban was needed because China’s leaders were “succeeding in their mission to indoctrinate American students with their Communist ideals.” An opponent, Rep. Bobby Scott, D-Va., questioned whether the bill addressed an actual problem, and said it “would create significant administrative burdens to our schools and chill community investment in our children.” The vote, on Dec. 4, was 247 yeas to 164 nayes.

YEAS: Barr R-KY (6th), Guthrie R-KY (2nd), Massie R-KY (4th), Rogers (KY) R-KY (5th), Comer R-KY (1st)

NAYS: McGarvey D-KY (3rd)

House Vote 7:

FOREIGN INFLUENCE IN SCHOOLS: The House has passed the Transparency in Reporting of Adversarial Contributions to Education Act (H.R. 1049), sponsored by Rep. Aar-

on Bean, R-Fla., to condition federal funding to local school districts on the districts informing students’ parents of their right to request and receive information regarding foreign influence in schools. Bean said: “We cannot allow our students, the future of our great nation, to be corrupted by foreign adversaries who are systematically and aggressively attempting to influence our nation’s K-12 schools.” A bill opponent, Rep. Bobby Scott, D-Va., said it “burdens our already overstretched schools with new reporting requirements, new paperwork, and new bureaucratic hurdles, all without adding a single dollar to help them meet their obligations.” The vote, on Dec. 4, was 247 yeas to 166 nayes.

YEAS: Barr R-KY (6th), Guthrie R-KY (2nd), Massie R-KY (4th), Rogers (KY) R-KY (5th), Comer R-KY (1st)

NAYS: McGarvey D-KY (3rd)

SENATE VOTES

Senate Vote 1:

NORTH CAROLINA JUDGE: The Senate has confirmed the nomination of David Bragdon to be a judge on the U.S. District Court for the Middle District of North Carolina. Bragdon has been a Justice Department attorney for the Eastern District of North Carolina since 2007, after time as a private practice lawyer in Alabama, and was a Justice Department advisor for the Philippines from 2017 to 2020. An opponent, Sen. Dick Durbin, D-Ill., criticized Bragdon for refusing “to disavow his prior writings” posted on a personal website while Bragdon was in college. The vote, on Dec. 2, was 53 yeas to 45 nayes.

YEAS: Paul R-KY, McConnell R-KY

Senate Vote 2:

SECOND NORTH CAROLINA JUDGE:

The Senate has confirmed the nomination of Lindsey Ann Freeman to be a judge on the U.S. District Court for the Middle District of North Carolina. An assistant U.S. attorney

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