

Editorial: Transparency isn't optional

The Kentucky Kernel Editorial Board

Editor's note: The following editorial reflects the opinions of the Kentucky Kernel's editorial board and does not necessarily represent the views of the University of Kentucky or its administration.

This summer at the University of Kentucky has been anything but quiet.

In just a few months, UK has replaced two deans, disbanded its Office for Community Relations, dealt with two campus arson investigations, approved a 3% tuition hike, suspended an assistant coach and seen former student Sophia Rosing released from jail early.



Through all of this, though, President Eli Capilouto has demonstrated that he can act decisively when he chooses.

He was ahead of the Trump administration and the Kentucky General Assembly in dismantling the university's diversity, equity and inclusion programs (DEI), a deft move that revealed his ability to anticipate political headwinds as well as any university president in the nation.

So, the Kentucky Kernel cannot understand why an administration capable of handling DEI changes with such calculated foresight and control struggles so mightily with something as basic as public records.

This pattern of silence is especially troubling because transparency matters to everyone on campus.

Students, faculty and the public rely on timely access to official records to understand decisions that affect tuition, safety and daily life.

Under the Kentucky Open Records Act, agencies like UK are required to respond promptly, provide clear legal reasons for any denial and disclose information unless a specific exemption applies.

Yet, UK continues to exploit gray areas and issue vague refusals, especially when the subject reflects poorly on the institution and sometimes even when it doesn't.

The Kentucky Kernel editorial board calls on Capilouto and his administration to change course. Transparency should not come only after a lawsuit or a court order. It should be the standard.

Consider the pattern.

In 2016, James Harwood, a former associate professor, was accused of sexual harassment and assault.

Instead of holding him accountable, UK allowed him to resign while under investigation. Capilouto claimed the Kernel was publishing “salacious details” and initially refused to release the investigation documents.

The Kernel sued under the Open Records Act. Six years later—in 2021—the Kentucky Supreme Court ruled unanimously that UK could not withhold the records entirely.

Reconsider the pattern.

Former UK swim coach Lars Jorgensen was able to retire in June 2024 while under a Title IX investigation and facing a federal lawsuit accusing him of fostering a sexually hostile environment.

Once more, the university provided vagueness instead of accountability.

The pattern continues.

In September 2024, an alleged sexual assault was reported in Chellgren Hall. The Kernel requested open records from UK, including data from the dorm’s check-in system, to determine whether non-UK student Chase McGuire was checked in as a guest during the assault.

UK denied the record request, “considered an invasion of personal privacy.” After seven months, the Kernel received the records, which showed McGuire checked into the dorm during the alleged assault period.

Notice the pattern.

Now, this summer, similar delays and roadblocks continued with multiple other requests.

On June 6, an email sent to faculty by Provost Robert S. DiPaola confirmed Rosalie Mainous was no longer serving as dean of the College of Nursing.

Jay Blanton, UK’s spokesperson declined to provide a reason, saying, “As a matter of policy, we don’t talk about personnel matters.”

The Kernel submitted an open records request on June 19 seeking the complete personnel files of Padraic Kenney and Rosalie Mainous, including any records reflecting changes in employment status, roles, compensation or related investigations.

The university provided the documents on July 3, two weeks later, but the reason for the dean’s departure remains unclear.

According to Kentucky law, agencies must respond in writing within five business days, and the university did notify us within that period that our request would take longer to process.

Have you recognized the pattern?

On July 14, the Kernel requested records regarding Champions Blue LLC, a \$141 million new athletics holding company — the first of its kind in collegiate sports — that is projected to run a \$31 million deficit in its first two years. Requested documents included:

Business model documents, including charters, plans and strategies.

Multi-year financial plans.

Presentations to the UK Board of Regents or the Athletic Department.

Financial statements on initiation funds, including loans and their sources.

On July 21, UK responded that it was “waiting to hear from one of the attorneys in the Legal Office before we can proceed.” The Kernel appealed the university’s response to the Kentucky Attorney General’s Office (AG).

On July 25, the AG extended the decision deadline to Sept. 8, citing an “unmanageable increase in the number of appeals.”

The pattern is unmistakable.

From Harwood to Jorgensen, from Chellgren Hall to removing deans, to Champions Blue, the university has repeatedly chosen opacity over accountability, delay over disclosure and convenience over compliance.

Our editorial board is not asking for favors. We are demanding compliance.

UK must stop treating open records as optional.

It must provide access fully, promptly and in accordance with state law.

Compliance is not optional, and neither is accountability.

UK also needs to stop allowing professors or coaches to resign while under Title IX investigation, using secrecy to shield misconduct from public scrutiny.

Kentucky law is clear: transparency is not optional.

The Open Records Act exists to protect the public's right to truth, not the university's image.

Compliance is mandatory, and accountability is nonnegotiable.

UK must choose between continuing to hide behind delays or embrace transparency and integrity and finally break the pattern.