

June 24, 2026

Via email

Amos N. Jones
Amos Jones Law Firm
1150 K Street NW, Suite 902
Washington, D.C. 20006
jones@amosjoneslawfirm.com

William L. Davis
Law Office of William L. Davis
108 Pasadena Dr., Ste. 200
Lexington, KY 40503
wmlDavis@hotmail.com

Re: Response to June 19, 2026 Open Meeting Act Complaint

Dear Mr. Jones and Mr. Davis:

Under KRS 61.846(1), and on behalf of the Chair of the Fayette County Board of Education, I am writing as Board counsel to respond to your Open Meetings Act complaint concerning the Board's special-called meeting held on June 10, 2026.¹

Background. As you know, on June 10, 2026, the Fayette County Board of Education called a special meeting to address the resignation notice of Superintendent Demetrus Liggins *and* personnel matters necessarily implicated by and inherent to that communication, including the appointment of an employee to provide interim district leadership. That meeting was prompted by an email Dr. Liggins sent to the Board Chair early on the morning of June 9 concerning his intended departure and a potential separation agreement. In that email, Dr. Liggins expressed that he had "reached a decision regarding my future with Fayette County Public Schools," that he had "come to the conclusion that it is time for me to step away from my role as Superintendent," that he had "come to realize that remaining in this role under the current circumstances has become unsustainable," and that he intended "to utilize personal and vacation leave through the end of June."²

¹ In your June 19, 2026 email to the Board, you describe your letter as an open records complaint. However, your letter addresses the Kentucky Open Meetings Act and in it, you claim the Board violated the Act. Because you cite KRS 61.846, and because you have not submitted an open records request to the District, the Board reasonably construes your complaint as being brought under the Open Meetings Act.

² See June 9, 2026, titled "Separation Agreement Request," email to Board Chair, attached as **Exhibit 1**.

To convene its special meeting, the Board provided an announcement on June 9, 2026,³ and included an agenda:

Pursuant to KRS Chapter 61, this notice is to inform the community and media that the chair of the Fayette County Board of Education has called a Special Called Meeting to be held on Wednesday, June 10, 2026 at 7:30 PM EDT for the purpose of addressing a resignation notice from the Superintendent and interim district leadership, at the John D. Price Administration Building, 450 Park Place, 40511. A copy of the agenda for this meeting is attached. Pursuant to KRS 61.826(2)(b), some members of the Board may appear via video-conference. Room 150 at the John D. Price Administration Building is designated as the primary location of the meeting for the viewing public.

Accordingly, the Board notified the public that it would meet to discuss matters attendant to the original notification from Dr. Liggins that indicated a transition and need for new district leadership was imminent.

After submitting his email to the Board Chair and after the Chair issued the notice above, Dr. Liggins created substantial uncertainty regarding his intentions by sending a second message that same day. In it, he suggested that the Board had misunderstood his first email and that it “was not a resignation,” and that he “remain[ed] the Superintendent of Fayette County Public Schools and will continue to fulfill the duties and responsibilities of that position.”⁴ In light of that uncertainty and the need to address district leadership, the Board proceeded with its previously noticed meeting. Thus, the Board met and entered closed session.⁵

Following closed session, the Board unanimously approved three motions:

1. A motion to place Dr. Liggins on paid administrative leave pending review and resolution of information regarding the superintendent’s employment, pursuant to KRS 160.160 and KRS 160.370, and to authorize the board chair to convey the administrative leave to Dr. Liggins in writing.

³ June 9, 2026, Special Called/Hybrid Meeting Notice of the Fayette County Board of Education, attached as **Exhibit 2**. This notice was sent between the two emails sent to the Board Chair set out in Exhibit 1.

⁴ Kelley Rosemary and Larry Smith, *FCPS’s Demetrus Liggins says he has not resigned, remains as FCPS superintendent Liggins told LEX News that he has only requested to engage “in discussions regarding a potential separation agreement” with the board*, LEX18 (June 9, 2026), <https://www.lex18.com/news/covering-kentucky/fayette-county-schoolssuperintendent-demetrus-liggins-submits-resignation.>; see also June 9, 2026 emails to Board Chair, attached as **Exhibit 3**.

⁵ Nothing about this response should be construed as a waiver of the confidentiality or privileges that apply to the Board’s closed session.

2. A motion to retain the law firm of VanAntwerp Attorneys to conduct a review of information regarding Dr. Liggins' employment, pursuant to KRS 160.160.
3. A motion to appoint Dr. Bill Bradford as acting superintendent, effective immediately, pending resolution of the review to be conducted by VanAntwerp.

The Board also stated it was not entertaining any motions for a separation agreement, and there is no suggestion that any substantive discussions about the terms of any such proposed agreement occurred.

Your Complaint. Approaching midnight on June 18, 2026, you contacted the Board, the Board Attorney, and VanAntwerp Attorneys, LLP—the law firm investigating these issues—to advise of your representation of Dr. Liggins. Your June 18 letter provides demands from Dr. Liggins, including the rescission of his placement on paid administrative leave, issuing a public correction that Dr. Liggins did not resign, and suspending the investigation. Your letter also set a 5:00 p.m. deadline on June 22, 2026.

Nine hours later, on the morning of June 19, you contacted the Board again to submit the Open Meetings complaint addressed here. Your complaint makes five alleged violations: (1) “The Board illegally discussed resignation in closed session;” (2) “The Board failed to comply with KRS 61.815;” (3) “The Board conducted substantive deliberations or reached consensus in private;” (4) “The open-session vote could not ratify the unlawful closed-session process;” and (5) “The administrative leave, investigation, and Acting/Interim Superintendent designation are derivative of the unlawful session.”⁶

Law. The Open Meetings Act provides that the Board may enter closed session for “[d]iscussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee.”⁷ The Kentucky Supreme Court has “explained that KRS 61.810(1)(f) does not permit public agencies to discuss in closed session an employee’s voluntary resignation and subsequent reemployment as an independent contractor.”⁸ The Act also does not “permit discussion of general personnel matters in secret.”⁹ The Act does, however, permit discussions that might lead to the appointment, discipline, or dismissal of a specific employee.¹⁰

⁶ See June 19 open meetings complaint, at pgs. 4–6.

⁷ KRS 61.810(1)(f).

⁸ *Bradshaw v. Cap. Cmty. Econ./Indus. Dev. Auth.*, 727 S.W.3d 684, 704 (Ky. App. 2025).

⁹ *Lexington Herald-Leader Co. v. Univ. of Ky. Presidential Search Comm.*, 732 S.W.2d 884, 886 (Ky. 1987).

¹⁰ KRS 61.810(1)(f).

Analysis. The Board’s June 10 meeting was not a simple matter of accepting a resignation—regardless of however Dr. Liggins now wishes to describe his resignation notice. The Board’s notice and agenda for its meeting expressly identified interim district leadership as an additional and inherently related topic of discussion.¹¹ And as the motions adopted in open session and subsequent communication to Dr. Liggins have confirmed, the Board entered closed session because it had received information about alleged conduct by Dr. Liggins shortly before he tendered his resignation on June 9, and the Board therefore anticipated discussions surrounding Dr. Liggins’ resignation notice that could lead to an employee’s discipline and/or a related employee appointment—all expressly authorized by KRS 61.810(1)(f).¹²

The Act “limits the discussion of personnel matters in closed session to those specifically dealing with an individual’s appointment, discipline, or dismissal.”¹³ The “exception is designed to protect the reputation of individual persons.”¹⁴ Here, the Board did not engage in a “discussion of general personnel matters in secret,”¹⁵ and there is no evidence that it did. Instead, the Board reasonably discussed the larger context of Dr. Liggins’ employment based on information it received close in time to Dr. Liggins’ resignation communications to the Board Chair.¹⁶ In short, there is broader context for the closed session that the Board’s public meeting notice, the events that took place at the Board meeting, and subsequent communication to Dr. Liggins reasonably describe.¹⁷ Given the broader context, the Board’s closed session fell squarely within the parameters of KRS 61.810(1)(f), as well as the notice and agenda for this meeting.¹⁸

¹¹ KRS 61.810(1)(f) permits the Board to enter closed session for “[d]iscussions or hearings which might lead to the appointment . . . of an individual employee.” After returning to open session, the Board voted to appoint Dr. Bradford as acting superintendent. There is no evidence Dr. Bradford’s appointment was a violation of the Open Meetings Act. *See In re: Larry Richards/Fish and Wildlife Commission*, 21-OMD-091 (2021) (a person is appointed when they are chosen or designated to fill the role, and “KRS 61.810(1)(f) plainly applies in any instance in which the discussions may lead to the ‘appointment’ of an employee. . .”).

¹² To be sure, Dr. Liggins former counsel acknowledged in an interview with the Lexington Herald-Leader that, “[i]n these circumstances, paid administrative leave is appropriate.” Valarie Honeycutt Spears, *Fayette superintendent’s attorney says he asked for administrative leave*, Lexington Herald-Leader (June 13, 2026), <https://www.kentucky.com/news/local/education/article316109750.html>.

¹³ *In re Mr. Roberts W. Keats*, OAG 83-415, 1983 Ky. Op. Att’y Gen. 2-506 (1983).

¹⁴ *Id.*

¹⁵ *Lexington Herald-Leader Co. v. Univ. of Kentucky Presidential Search Comm.*, 732 S.W.2d 884, 886 (Ky. 1987).

¹⁶ *See* June 11, 2026 letter regarding administrative leave with pay, attached as **Exhibit 4**; *see also* Valarie Honeycutt Spears, *Fayette superintendent’s attorney says he asked for administrative leave*, Lexington Herald-Leader (June 13, 2026), <https://www.kentucky.com/news/local/education/article316109750.html> (Mr. Massey explained the new information was “some complaints by a third party that I think the board, as public officials, as elected officials, have a duty . . . to take a look at things. And that’s what they’re doing. And, that’s fine.”).

¹⁷ *See* June 11, 2026 letter regarding administrative leave with pay, attached as **Exhibit 4**.

¹⁸ Your letter also claims the Board impermissibly “conducted substantive deliberations or reach[ed] consensus” in closed session. While final action may not be taken during closed session under KRS 61.815(1)(c), there is no violation of the Act if the Board exits closed session and votes on a motion in open session, and you have no basis nor any evidence to suggest it did otherwise. *See In re: Kentucky Leader-News/Muhlenberg County Board of Education*, 17-OMD-124 (2017) (“When a formal vote is conducted subsequently in open session, the purpose of

Carter, the case cited in your letter, does not compel a different conclusion. There, the dispute centered solely on a superintendent's voluntary resignation and reemployment arrangement as an independent contractor. Here, by contrast, the Board entered closed session to consider information potentially relating to Dr. Liggins' June 9 emails that could lead to disciplinary action and to discuss the appointment of an employee—not an independent contractor—to provide interim district leadership, all of which is confirmed in the notice for the June 10 special meeting, as well as the conduct of and actions resulting from that meeting.

Conclusion. For the reasons above, the Board denies your complaint, and will not rescind its actions. Instead, the Board will await the results of the investigation and then take appropriate action.

Sincerely,



Carminé Iaccarino
Josh Salsburey

cc: Tyler Murphy, Chair

Enclosures: Exhibit 1, June 9 email
Exhibit 2, Special Meeting Notice
Exhibit 3, subsequent June 9 email
Exhibit 4, June 11 correspondence

the Open Meetings Act is fulfilled.”); *In re: The Oldham Era/City of La Grange*, 19-OMD-038 (2019) (“It is well established in our decisions that reaching a consensus in closed session does not constitute ‘action taken’ in violation of the Open Meetings Act, provided the agency subsequently takes final action in open session with each member’s vote recorded in the minutes.”).

EXHIBIT 1

From: [Demetrus Liggins](#)
To: [Tyler Murphy](#)
Cc: [Joshua Salsburey](#)
Subject: Separation Agreement Request
Date: Tuesday, June 9, 2026 3:13:29 AM

Good morning, Chair Murphy.

After much reflection, prayer, and many difficult conversations with those closest to me, I have reached a decision regarding my future with Fayette County Public Schools.

While I have explored and considered other options, I have come to the conclusion that it is time for me to step away from my role as Superintendent and pursue a separation agreement with the Board. This is not a decision I have made lightly. In truth, it is one I have resisted for quite some time because of my deep love for this district, our students, our staff, and the community we serve.

Over the past several months, the increasingly divisive environment surrounding the district and the constant focus on controversy rather than progress have taken a significant personal and professional toll on me. Despite the tremendous accomplishments achieved by our students, staff, and schools, much of the public conversation has remained centered on conflict, criticism, and distraction. I have done my best to remain focused on the work, to lead with integrity, and to keep students at the center of every decision.

This decision should not be interpreted as a reflection on the work we have accomplished together. In many ways, FCPS is stronger today than when I arrived. Together, we have celebrated historic gains in student achievement, expanded opportunities for students, improved outcomes across the district, strengthened community partnerships, and positioned FCPS for continued success. I remain incredibly proud of that work and grateful to have been part of it.

However, after much soul-searching, I have come to realize that remaining in this role under the current circumstances has become unsustainable for me personally and for my family. I also no longer believe it is the best path forward for the district. At some point, leadership requires recognizing when it is time to turn the page, and I have reached that point.

I want to express my sincere gratitude to the Board for its support, guidance, and partnership throughout my tenure. I recognize that the challenges of the past year have affected all of us, and I appreciate the time, energy, and commitment each member has invested in serving this community. I will always be grateful for the opportunity to work alongside the Board in service of Fayette County's students, staff, and families.

Beginning Wednesday, I intend to utilize personal and vacation leave through the end of June. At that point, I will have exactly three years remaining on my contract.

Recognizing that I would be voluntarily foregoing the final three years of my contract, I would respectfully request, as part of a mutually agreeable separation agreement, one year of continued compensation and benefits consistent with the provisions of my contract, covering the period of July 1, 2026, through June 30, 2027.

My hope is that we can approach this in a manner that is respectful, professional, and beneficial to all parties involved. I am not seeking conflict. Rather, I am seeking closure and a path forward that allows the district, the Board, and me personally to move forward with clarity and peace.

At the Board's earliest convenience, I would appreciate consideration of this request. My intention is simply to bring this chapter to a close in a way that honors the work we have done together while also recognizing the reality of where I find myself today.

This has not been an easy decision for me. I have devoted much of my life and career to public education because I believe deeply in its power to change lives. Leaving this role and this community is heartbreaking in many ways. At the same time, I know in my heart that it is the right decision. Bringing this chapter to a close would provide a sense of peace and closure that I greatly need.

Thank you again for your leadership, your trust, and the opportunity to serve this community. Despite the challenges, I remain incredibly proud of what we have accomplished together on behalf of children. Those accomplishments will always be among the most meaningful of my career, and I will leave with deep appreciation for the opportunity to have been part of this work.

With appreciation,

-DL

P.S. I am copying the board's legal counsel because this request involves a potential separation agreement and related contractual considerations.

Demetrus Liggins, Ph.D.
Superintendent

859.422-0303 (office)

FAYETTE COUNTY PUBLIC SCHOOLS

John D. Price Administration Building
450 Park Place | Lexington, KY 40511

External Email — Do not click links or open attachments unless you recognize the sender.

EXHIBIT 2



450 Park Place
Lexington, KY 40511
Phone: (859) 422-4100
FCPS.net

Board of Education:
Tyler Murphy, Chair
Amy Green, Vice Chair
Amanda Ferguson
Monica Mundy, PhD
Penny Christian

Superintendent:
Demetrus Liggins, PhD

An Equal Opportunity
School District

Special Called/Hybrid Meeting

Notice of the Fayette County Board of Education

June 9, 2026

Pursuant to KRS Chapter 61, this notice is to inform the community and media that the chair of the Fayette County Board of Education has called a Special Called Meeting, on Wednesday, June 10, 2026 at 7:30 PM ET/6:30 PM CT for the purpose of addressing a resignation notice from the Superintendent and discussing interim district leadership, at the John D. Price Administration Building, 450 Park Place, 40511. Some members of the Board may appear via video-conference. Room 150 is hereby designated as the primary location of the meeting, for the viewing public.

Sincerely,

A handwritten signature in blue ink, appearing to be "Tyler Murphy", is written below the word "Sincerely,".

Notice of this meeting was emailed on June 9, 2026



Fayette County Board of Education Special Called Meeting Agenda

By Hybrid Video Teleconference with Physical Location
June 10, 2026
7:30 PM

1. Call to order.
2. Roll call.
3. Closed session to discuss resignation notice. KRS 61.810(1)(f).
4. Action on closed session.
5. Adjourn.

EXHIBIT 3

From: [Demetrus Liggins](#)
To: [Tyler Murphy](#)
Cc: [Joshua Salsburey](#)
Subject: Re: Separation Agreement Request
Date: Tuesday, June 9, 2026 9:02:07 PM

Good evening, Chair Murphy.

I am following up on the email I sent earlier to correct a significant mischaracterization of its contents.

My email was not a resignation, did not constitute a resignation, and should not be interpreted as a resignation. At no point did I submit a resignation from my position as Superintendent of Fayette County Public Schools.

The email simply requested that the Board consider entering into discussions regarding a potential separation agreement. Any resignation would have been contingent upon the successful negotiation and mutual approval of such an agreement. No such agreement has been discussed, negotiated, or approved. Therefore, no resignation has occurred.

To be clear, a request to discuss a possible separation agreement is not a resignation. They are separate and distinct matters. Characterizing my email as a resignation notice is factually incorrect.

Further, due to the apparent misunderstanding and misinterpretation of my correspondence, I hereby withdraw and rescind my request to engage in discussions regarding a potential separation agreement. Accordingly, there is no matter before the Board requiring consideration in a special called meeting related to my email, and I respectfully request that the special called meeting be canceled.

I remain the Superintendent of Fayette County Public Schools and will continue to fulfill the duties and responsibilities of that position.

Thank you.

Demetrus Liggins, Ph.D.
Superintendent
859.422-0303 (office)
FAYETTE COUNTY PUBLIC SCHOOLS
John D. Price Administration Building
450 Park Place | Lexington, KY 40511

On Tue, Jun 9, 2026 at 3:13 AM Demetrus Liggins <demetrus.liggins@fayette.kyschools.us> wrote:

Good morning, Chair Murphy.

After much reflection, prayer, and many difficult conversations with those closest to me, I have reached a decision regarding my future with Fayette County Public Schools.

While I have explored and considered other options, I have come to the conclusion that it is time for me to step away from my role as Superintendent and pursue a

separation agreement with the Board. This is not a decision I have made lightly. In truth, it is one I have resisted for quite some time because of my deep love for this district, our students, our staff, and the community we serve.

Over the past several months, the increasingly divisive environment surrounding the district and the constant focus on controversy rather than progress have taken a significant personal and professional toll on me. Despite the tremendous accomplishments achieved by our students, staff, and schools, much of the public conversation has remained centered on conflict, criticism, and distraction. I have done my best to remain focused on the work, to lead with integrity, and to keep students at the center of every decision.

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However, after much soul-searching, I have come to realize that remaining in this role under the current circumstances has become unsustainable for me personally and for my family. I also no longer believe it is the best path forward for the district. At some point, leadership requires recognizing when it is time to turn the page, and I have reached that point.

I want to express my sincere gratitude to the Board for its support, guidance, and partnership throughout my tenure. I recognize that the challenges of the past year have affected all of us, and I appreciate the time, energy, and commitment each member has invested in serving this community. I will always be grateful for the opportunity to work alongside the Board in service of Fayette County's students, staff, and families.

Beginning Wednesday, I intend to utilize personal and vacation leave through the end of June. At that point, I will have exactly three years remaining on my contract.

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With appreciation,

-DL

P.S. I am copying the board's legal counsel because this request involves a potential separation agreement and related contractual considerations.

Demetrus Liggins, Ph.D.

Superintendent

859.422-0303 (office)

FAYETTE COUNTY PUBLIC SCHOOLS

John D. Price Administration Building

450 Park Place | Lexington, KY 40511

EXHIBIT 4



450 Park Place
Lexington, KY 40511
Phone: (859) 422-4100
FCPS.net

Board of Education:
Tyler Murphy, Chair
Amy Green, Vice Chair
Amanda Ferguson
Monica Mundy, PhD
Penny Christian

Superintendent:
Demetrus Liggins, PhD

An Equal Opportunity
School District

June 11, 2026

Dr. Demetrus Liggins
c/o C. Ed Massey
Via electronic mail: cedmassey@nkylawyers.com

Re: Administrative leave with pay pending review

Dr. Liggins:

This is to notify you that by action taken pursuant to KRS 160.160 and KRS 160.370 at a duly called meeting on June 10, 2026, the Fayette County Board of Education has placed you on paid administrative leave pending review and resolution of information the Board received this week regarding your employment. The Board has retained the law firm of VanAntwerp Attorneys to conduct that review. The Board has appointed Dr. Bill Bradford to serve as Acting Superintendent pending resolution of that review.

This administrative leave is necessary to prevent significant disruption of the workplace and educational process. This administrative leave with pay is effective immediately and will continue pending the outcome and resolution of the review. Upon conclusion of the review, the Board will determine what action, if any, may be appropriate and provide you with written notice of the same that specifies the basis for it.

During the period of administrative leave with pay, you will not have access to District email or computer systems and are required to turn in all District access tools. You are not to speak with anyone affiliated with FCPS regarding this matter, without my prior approval, as it may interfere with the review. Further, you are directed to be available between 8:00 a.m. and 5:00 p.m., district business days, and are not allowed on any Fayette County Public School property or FCPS sponsored event without prior authorization from me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Murphy".

Tyler Murphy, NBCT
Chair, Fayette County Board of Education