

Attorney General asked to intervene in Fayette superintendent dispute

BY VALARIE HONEYCUTT SPEARS
TRIBUNE NEWS SERVICE

Fayette County Public Schools Superintendent Demetrus Liggins' efforts to get his paid leave voided and return to work could be tied up in court several months — and that's if it goes no further than circuit court, according to a former Kentucky assistant attorney general.

In an appeal Tuesday to Kentucky Attorney General Russell Coleman, Liggins' attorney Amos Jones said asked Coleman's office to rule against the Fayette County Board of Education and void the board's June 10 special-called meeting in which the school board put Liggins on paid leave.

Liggins and Jones believe the school board violated open meeting law because it held much of the meeting in closed session.

Liggins and Jones previously asked the school board to reinstate Liggins on its own. On June 24, the school board rejected that request and insisted it did not violate state open meetings law.

"The board should be found in violation of (state law) because it is in violation of the statute. The Attorney General should require the Board to reverse its June 24



RYAN C. HERMENS/Tribune News Service

Demetrus Liggins, Fayette County schools superintendent, speaks during the district's Budget Solutions Work Group last month in Lexington. Currently on paid leave, an attorney is asking the state attorney general to negate that action.

position, acknowledge the violation, rescind the actions derivative of the illegal closed session, and begin anew in public if it wishes to consider any lawful action concerning Dr. Liggins," the appeal said.

Amye Bensenhaver, served as

an assistant attorney general for 25 years, focusing exclusively on open meetings and open records disputes, said "Liggins and his attorney misunderstand the role of the Kentucky Attorney General in open meetings appeals."

Bensenhaver now serves as co-

director of the Kentucky Open Government Coalition, a non-profit, non-partisan advocacy group that she said expands public awareness and understanding of open meetings and records.

"By law, the Attorney General is restricted to reviewing the appeal

and issuing a decision stating whether the board violated the open meetings law," Bensenhaver said. "He cannot impose discipline or void the action that results from a substantiated violation of the open meetings law."

Bensenhaver said she does believe the school board violated the open meetings law. But "only the appropriate circuit court can void an action that resulted from a violation of the open meetings law," not the attorney general, she said.

"The AG review is a speedy 10 business days," Bensenhaver said. "But if he prevails on the open meetings issues, the matter could still be tied up in court for years — certainly several months — and that's if it goes no further than circuit court."

Jones said he was "gratified" that Bensenhaver agrees that the school board violated open meetings law, but he says he and Liggins have "properly requested" all other relief authorized by state law.

"Obviously, the Open Government Coalition is for open meetings and for following the statutes, and so are we. We are glad that their public work and current witness validate the request to issue a decision stating whether the law was violated," Jones said.

Three-year state audit critical of Jefferson County Schools

BY TOM LATEK
KENTUCKY TODAY

FRANKFORT — State Auditor Allison Ball released a special examination Tuesday of the Jefferson County Public School District, highlighting concerns about communication, financial over-spending and district operations.

Legislation passed during the 2024 session of the General Assembly required the special examination of JCPS to evaluate the district's overall performance and operations. The Auditor's Office worked alongside an independent education consulting firm to

conduct a comprehensive review of JCPS functions covering the period from July 1, 2022, through June 30, 2025.

"From the highest levels of the district, we see a lack of communication and goal setting; there has been no cohesive plan for several years now," Ball said. "And in each working budget report from FY22 to FY26, expenses exceeded revenues. Anyone paying attention could see that JCPS' financial picture was painted in red and was a roadmap to failure. Given that the School Board approved the maximum property tax increase every year over the last decade,

we know it's a spending, not a revenue, problem."

The examination found that over a 20-year period, JCPS' per-student revenue increased by 62 percent, while average teacher salaries rose by just 12 percent. It also cited a culture of fear among teachers, with many expressing concerns about retaliation if they spoke out against district leadership or feared being targeted and denied opportunities.

"JCPS teachers work hard every day, and they should feel supported and valued by the district. I'm grateful for their willingness to show up for Louisville's students, even

in the face of countless challenges outside of their control," Ball said.

The report also found that JCPS continues to operate a Diversity, Equity, and Inclusion program under the name Diversity, Equity, & Poverty (DEP). According to the examination, the district employs 40 individuals in DEI-related positions. Despite those efforts, the report states that African American students—who make up the district's largest racial group at 35 percent of enrollment — continue to experience significant educational challenges.

"Despite the district losing \$9.7 million in grant

funding, JCPS continues to put its federal funding in jeopardy by maintaining its use of DEI," Ball said. "The district needs to assess whether these programs and positions are actually serving the students they are intended for."

During the time frame of the audit, former Superintendent Marty Pollio announced he would retire at the end of the 2024-25 school year. The school board selected Brian Yearwood to become the superintendent last summer.

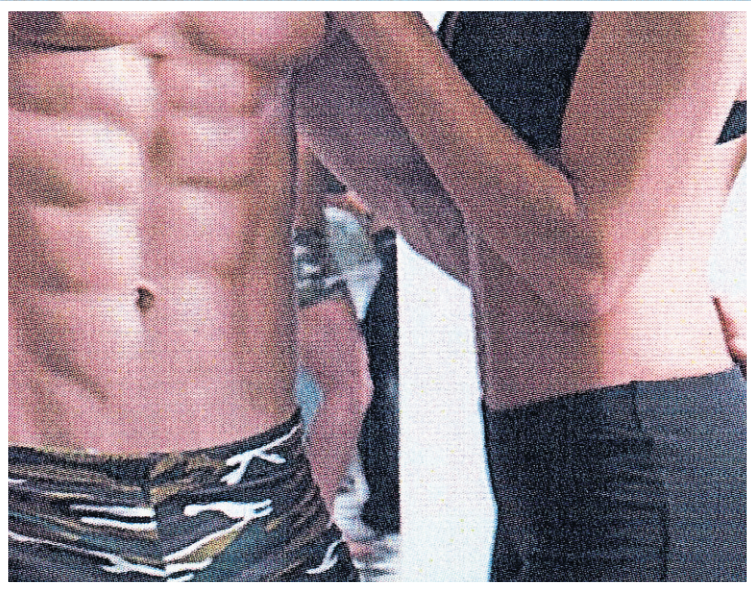
The audit was published with a response from Yearwood. He said he began his tenure at the

district "inheriting an institution in the midst of significant challenges, a \$188 million budget deficit, loss of community trust following transportation disruptions, staffing shortages, and a period of organizational instability that had affected the District's ability to focus on its core mission."

He also noted most of the activities reviewed in the report happened before he joined the district.

The complete 503-page report, including its recommendations and the JCPS response, is available under the auditreports link on auditor's website at auditor.ky.gov.

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