

May 12, 2026

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Re: Idaho Public Records Act Request

To whom this may concern:

The American Accountability Foundation submitted a request under the Idaho Public Records Act to the University of Idaho on March 17, 2026. AAF's request pertained to the syllabi and other class materials for several recent courses offered by the University. These courses are related to how the University of Idaho has changed its practices to comply with Idaho anti-DEI laws, which has recently been the subject of extensive news coverage. *See, e.g.,* K. Richert, *Analysis: Think the DEI debate is closed? Don't count on it*, IdahoNews.org (Jan. 22, 2026) perma.cc/P9JP-PPQZ.

AAF's request sought the following records:

Copies of the most current syllabus, course handouts, reading lists, and other informational materials distributed to students by instructors for the following courses:

WGSS 2010 Introduction to Women's, Gender, and Sexuality Studies

MEDS 5150 Ecology of Health & Medicine-Foundations 1

MEDS 5250 Ecology of Health & Medicine-Foundations 2

MEDS 5360 Ecology of Health & Medicine-Foundations 3

MEDS 5450 Ecology of Health & Medicine-Foundations 4

The University responded on April 3, 2026, and it denied the request with respect to the syllabi on the grounds that they are "trade secrets" exempt from disclosure under the Idaho Public Records Act. The University is wrong.



Under Idaho Code §74-107(1) “trade secrets” are limited to information that is the subject of reasonable effort to “maintain its secrecy” and is not “readily ascertainable.” That class syllabi are the subject of efforts to maintain their secrecy is not plausible. Class syllabi are routinely distributed to thousands of students—often in both electronic form and hard copy—with no guardrails on their further dissemination. There is no suggestion that the University of Idaho requires students to sign NDAs to ensure the confidentiality of class syllabi, nor of any other similar mechanism to “maintain [their] secrecy.” Indeed, the public domain is flooded with University of Idaho syllabi. To take just one example, the Open Syllabus database—an online open-source platform that catalogs and analyzes college syllabi—indicates it has thousands of syllabi from the University of Idaho. *See* Open Syllabus Analytics, *University of Idaho*, perma.cc/333J-Y4F9 (archived May 6, 2026).

Any suggestion that the syllabi are not “readily ascertainable” is also implausible. Class syllabi are certainly known outside the University; every student who discusses their homework or reading list with friends ensures that. As discussed above, there is no indication the University has taken meaningful measures to guard the secrecy of the syllabi and anyone with a subscription to Open Syllabus—or any of the myriad similar syllabus catalogs—could access the syllabi with ease. The syllabi likewise require relatively little time and effort by the University to develop, have marginal competitive value, and are likely widely known by employees and others involved in the business since they are accessible to anyone with a University account. Accordingly, they are plainly readily ascertainable under Idaho law.

AAF demands that the University of Idaho produce the syllabi responsive to AAF’s public records request **by June 12, 2026**. If the University persists in violating its statutory obligations under the Idaho Public Records Act, AAF reserves its rights to seek all appropriate relief from court.

Sincerely

Thomas Jones

President and Founder

