

May 11, 2026

Laurie Beyer-Kropuenske
Chief Data Practices Compliance Officer
University of Minnesota Office of the General Counsel
Via Email

Re: University of Minnesota Public Records Request #26-477

Ms. Beyer-Kropuenske,

The American Accountability Foundation submitted a request under the Minnesota Government Data Practices Act to the University of Minnesota on March 17, 2026. AAF requested syllabi and class materials for several recent courses offered by the University. These courses are related to recent reporting about the views and ideologies being taught at the University of Minnesota. *See, e.g., Campus Reform, Taxpayer-funded Minnesota Program pushes 'critical Indigenous theory,' protest art, and Black Marxism'*, (Oct. 20, 2025) perma.cc/J56H-V77L.

Specifically, AAF requested the following:

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

Human Sexuality INMD 6816

Justice, Law, and Medicine (JLM) MED 6603

Lesbian, Gay, Bisexual, and Transgender (LGBT) Health FMCH 7527

Sexual and Gender Health in Clinical Practice FMCH 7585

On April 9, 2026 you responded and indicated the University is “unable to produce copies for release” because the syllabi “are copyrighted and protected intellectual property,” although you indicated you would “provide [AAF] with an opportunity to inspect the data in-person.”

Your response is inadequate and your asserted grounds for withholding the syllabi are incorrect. In *Nat'l Council on Teacher Quality v. Minnesota State Colleges &*



Universities, 837 N.W.2d 314 (Minn. Ct. App. 2013), the Minnesota Court of Appeals encountered a situation where the Minnesota State Colleges and Universities system faced a request for syllabi under the Minnesota Government Data Practices Act. It declined to produce copies of the syllabi on the grounds that they were copyrighted, but it offered to allow the plaintiff to “inspect” the syllabi in person—a mirror of your response. *Id.* at 316. The court breezily rejected that unsupported argument. *Id.* at 320.

When a third-party’s reason for requesting documents “will constitute fair use,” ... a government agency cannot refuse to provide the requested data” by asserting copyright protections. *Id.* at 319. Fair use under the Copyright Act includes “purposes such as criticism, comment, ... scholarship, or research.” 17 U.S.C. §107. AAF’s stated purpose is “investigative research,” and it frequently publishes “research,” “comment[ary],” and “criticism” of various policies. *See* American Accountability Foundation, *Home*, perma.cc/ZJ7N-AEAR (archived May 6, 2026). AAF intends to use the requested syllabi to further that mission. That is a quintessential example of fair use under the Copyright Act.

For the same reasons the court in *National Council* made clear that merely “allowing the [plaintiff] to access the syllabi but refusing to make copies” is a violation of law. 837 N.W.2d at 319. “[G]overnment agencies ‘may not assert copyright ownership to deny members of the public their right to inspect *and copy* government data.’” *Id.* at 320 (quoting Op. Att’y Gen. 852, at 2 (Dec. 4, 1995)). Accordingly, your grounds for withholding the documents are baseless.

AAF demands that the University of Minnesota produce the syllabi responsive to AAF’s request **by June 12, 2026**. If the University persists in violating its statutory obligations under the Minnesota Government Data Practices Act and asserting baseless defenses for doing so, AAF reserves its rights to seek all appropriate relief in court.

Sincerely,

Thomas Jones

President and Founder

