



CONFIDENTIAL INVESTIGATION REPORT – ATTORNEY CLIENT

PRIVILEGED

TO: University of Idaho (C. Scott Green, University of Idaho President)

FROM: Hawley Troxell

DATE: March 14, 2023

RE: Investigation of UI Diversity and Inclusion Initiatives and WWAMI Program

I. INVESTIGATION SUMMARY

This law firm (Hawley Troxell) was engaged by University of Idaho (UI) to conduct an independent, follow-up investigation to a previous investigation conducted by Hawley Troxell regarding UI’s diversity and inclusion initiatives in 2022 (hereinafter the “2022 Investigation”). This investigation addresses allegations concerning the salaries of certain UI employees and the funding sources of those salaries. Specifically, UI requested that we investigate the funding sources of the salaries of the following UI employees to determine whether the salaries are by paid state appropriations:

- CAMP Director
- CAMP Recruitment Specialist - Program Coordinator
- CAMP Advising Specialist
- CAMP/OMA Retention Specialist
- CAMP Administrative Assistant
- Chief Diversity Office and Executive Director of Tribal Relations
- Director, Black and African American Cultural Center
- Administrative Assistant, OEI
- Director, LGBTQA Office
- Admin Assistant, OEI LGBTQA
- Director, OED, Native American Student Center
- Program Coordinator, OED Native American Student Center

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Idaho EPSCoR, Diversity, Outreach and Comms Coordinator
Director, OEI, OMA
Program Coordinator, OEI, OMA
Admin Assistant II, OEI, OMA
Director, OED, Women's Center
OVW Project Director
Program Coordinator, OED, Women's Center
Office Manager, OED, Women's Center
Micron Director of Diversity, Inclusion, and Outreach
Associate Dean for Inclusion & Assistant Clinical Professor of Law
Associate Dean for Inclusion, Associate Professor, Special education (CEHHS)

Additionally, this investigation report also addresses certain allegations contained in an article published by the Idaho Freedom Foundation in January 2023, titled “Idaho Medical Education is Harming Youth In the Guise of Health Care” (hereinafter the “WWAMI Article”).

II. FINDINGS

A. Funding Sources of Certain UI Employees.

Based upon our investigation, we conclude that, as of 2023, none of the positions listed above are paid by state appropriations, with the exception of two positions which are discussed in more detail below. Our investigation confirmed that the salaries for these positions are not paid by state appropriates and are instead paid through other funding sources, such as grant and gift funding.

As to the two salaries that are partially paid by state appropriations, the Micron Director of Diversity, Inclusion, and Outreach salary was paid \$17,721.80 from state appropriations, which represents 27% of the position’s total salary. However, our investigation concluded that while 50% of the duties of the Director position are related to diversity, equity, and inclusion, 50% of duties are not related to DEI initiatives. This

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would be consistent with 27% percent of the position's salary being paid by state appropriations. Additionally, our investigation also revealed that the Micron Director of Diversity, Inclusion, and Outreach will no longer be funded by state appropriations beginning in 2023 and will instead be funded by gift and grant monies.

As to the Associate Dean for Inclusion, Associate Professor, Special Education (CEHHS), \$74,485.38 of the total salary for the position was paid by state appropriations, while \$4,019.82 of the salary came from other funds. However, our investigation concluded that this is consistent with the duties of the position, of which 10% are related to diversity, equity, and inclusion, while 90% of the duties are regular associate professor duties unrelated to DEI initiatives.

Aside from these two positions, none of the salaries for the positions listed above are paid by state appropriations.

B. The WWAMI Article.

Based upon our investigation, we were unable to substantiate the claims made in the WWAMI Article that "Idaho tax-payers are subsidizing pro-abortion, radical gender, and critical race theory ideologies through the University of Washington School of Medicine's WWAMI program."

For example, the WWAMI Article states that the university mandates "that all students – including those studying at Idaho WWAMI – should have experience in all aspects of reproductive health, including family planning contraception, and abortion." To the extent that this insinuates that Idaho WWAMI students are required to learn about abortion against their will, this is a mischaracterization. Notably, the WWAMI Article

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leaves out language from UW's statement regarding *Dobbs v. Jackson Women's Health*.

Specifically, UW states:

The Court's decision does not affect abortion services provided in Washington, which are protected under state law. However, we recognize that there may be implications for UW faculty, clinicians, residents and students in the WWAMI region outside of Washington, as well as patients from states who may seek care in Washington because of this decision.

...

As an integrated clinical, research and learning health system, UW Medicine is committed to training the next generation of healthcare professionals, and we believe that our medical students, residents and fellow trainees must learn about all aspects of reproductive healthcare, including family planning, contraception and abortion, **to care for patients effectively and responsibly.**

The Supreme Court's decision will not affect the School of Medicine's curriculum. Our medical students learn about abortion in a classroom setting. **Medical students are not required to participate in abortion care;** however, those who request clinical exposure to abortion will continue to be able to receive this training in Washington, as they do today.¹

Thus, it is still the student's choice as to whether they wish to participate in clinical exposure to abortion or not and students are entirely free to not participate in such care should they wish not to. Further, to the extent students learn about abortion in the classroom, it is for the purpose to effectively and responsibly care for patients.

The WWAMI Article also claims that "all second-year medical students are required to take a "Lifecycles" course, where students learn about hormone therapies, sexuality, and sexual orientation." While these topics may be included as a small part of

¹ See <https://newsroom.uw.edu/news/uw-medicine-responds-high-court-decision-abortion>.

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the Lifecycles course, the course is actually much broader in nature, as evidenced by the Lifecycles course description, which reads:

Covers normal and abnormal human development reproductive functions including formation and maturation of ova and sperm, menstruation, normal pregnancy, and labor and delivery. Provides information concerning infertility, family planning techniques, urinary disorders, and reproductive aging and demography of human population. Includes relevant fundamental scientific principles in pelvic anatomy, pathology, histology, imaging, and pharmacology.²

The WWAMI Article further states that family medicine “has the most extensive collection of critical social justice teaching at the University of Washington’s curriculum,” and that “students would take a battery of courses that include LGBTQ Health and Health Disparities, Transgender Patients, and several transgender health care clinical rotations.” Based upon our investigation, these courses are electives, and there are alternative elective courses offered, such as Team Based Care in Rural/Underserved Settings, that do not have an LGBTQ component. Further, we found no evidence indicating that a family medicine student is required to participate in a transgender health care clinical rotation. To the extent such a rotation is offered, it would be the student’s choice of whether to participate in it. Additionally, while there is a course offered on the UW Seattle Campus titled, “Critical Race Theory and Medicine,” this course is an elective and is not required as part of the family medicine curriculum. Further, this course is not offered in Idaho.

² See <https://myplan.uw.edu/course/#/courses/MEDSCI570>

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Based upon our investigation, we were not able to substantiate the claim that “Idaho tax-payers are subsidizing pro-abortion, radical gender, and critical race theory ideologies through the University of Washington School of Medicine’s WWAMI program.” Further, our investigation concluded that, to the extent the UW School of Medicine offers courses with diversity, equity, or inclusion components, such courses are either not required by the curriculum, or merely include these components as a small part of the coursework.

END REPORT