



Ohio Conference of the American Association of University Professors

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Testimony of Lisa Voigt, Ph.D.

Ohio Conference of the American Association of University Professors

Before the House Civil Justice Committee

Representative Stephen D. Hambley, Chair

April 9, 2019

Chair Hambley, Vice Chair Patton, and Ranking Member Brown:

My name is Lisa Voigt, and I am here on behalf of the Ohio Conference of the American Association of University Professors (AAUP), which represents 6,000 faculty at public and private institutions of higher education across the state. I am also a Professor of Spanish and Portuguese at The Ohio State University.

I am here today to express the Ohio Conference AAUP's opposition to House Bill 88.

College and university faculty care deeply about free speech. It is the foundation of academic freedom, one of the key principles of the AAUP. Free speech is not simply an aspect of the educational enterprise to be weighed against other desirable ends. It is the very precondition of the academic enterprise itself.

The AAUP's views on campus free speech actually align quite a bit with those of the sponsor of this bill. Our national organization's 1992 statement *On Freedom of Expression and Campus Speech Codes* states, "On a campus that is free and open, no idea can be banned or forbidden. No viewpoint or message may be deemed so hateful or disturbing that it may not be expressed."

However, there is a substantial difference between banning an idea and disallowing a controversial speaker that would cause massive disruption and create crowds that campus police could not control. If legislation like this would be approved, thus taking these decisions out of the hands of the institutions, we would expect that the legislature would also provide funding to cover the costs of the crowds and necessary security that hosting controversial speakers would entail.

Ohio's institutions of higher education have long enjoyed a level of autonomy to operate themselves. We believe that in regards to free speech, our institutions have done well balancing free speech with the safety and welfare of our campus communities. HB 88 would make our institutions even more likely to become involved in highly politicized controversies, and is potentially very costly – neither of which is what our students and the taxpayers can possibly want our institutions to be distracted by or expending resources on.

The bill would create new layers of bureaucracy at our colleges and universities. Unless you want to see a new Office of Free Speech at each campus, complete with its own director, administrative assistant, compliance officer, and so on, you should avoid HB 88. I can tell you that the last thing our institutions need is more bureaucracy and administration.

Moreover, this legislation appears derived from "model bills" proposed by the American Legislative Exchange Council and the Goldwater Institute. We don't think this kind of cookie-cutter legislation is appropriate for Ohio. While much attention has been drawn to a handful of

incidents nationwide, at thousands of campuses, including those in Ohio, the free exchange of ideas goes on without suppression or conflict.

Higher education faces many problems, but free speech is not one of them. The First Amendment already protects free speech, and anyone in the campus community can challenge infringements to that, if it is justified. Very simply, HB 88 is a solution in search of a problem and isn't necessary at our colleges and universities.

Thank you for the opportunity to testify. I would be happy to answer any questions.