

Lauren Squires

Testimony against proposed changes in HB49 substitute budget bill

Senate Finance Committee, Higher Ed Subcommittee Hearing

Thursday May 25, 2017, 9 am

Statehouse South Hearing Room

Subcommittee Chair Gardner, Vice Chair Williams, Senators Bacon, Dolan, Kunze, Thomas, and Wilson:

My name is Lauren Squires, and I teach at Ohio State University, where I have been an assistant professor in the Department of English since 2012. I am writing to testify about my great concern about three proposed changes affecting higher education faculty and staff in the substitute budget bill HB 49.

The first issue is sick leave. New language in Sec. 124.38 places college/university employees in a category wherein we are to earn only 2/3 the amount of sick leave as other public employees. Cutting sick leave would disproportionately affect women, parents, anyone with chronic health problems, and anyone with other caregiving responsibilities. For new parents, including birth mothers, sick leave is an important component of paid parental leave. At OSU, birth parents receive 6 weeks of paid leave, and then may use sick leave, up to 6 more weeks, to extend leave during this critical time. Of course, having sick leave available depends on having worked long enough to accrue it, so women having children earlier in their time of service already face a shortened maternity leave, and this policy would make things much worse. I gave birth to a child in the second semester of my third year at Ohio State. Under the new policy, I would only have accrued enough sick leave by that point to take 9 weeks of paid leave; the policy would effectively shorten leave times for many new mothers. The policy would also penalize non-birth parents and others with family obligations. Note that, at least at OSU, faculty and staff do not accrue “personal days,” and regular (9-month) faculty do not even accrue vacation leave time: sick days are the only mechanism we have for accommodating urgent health or family needs.

Note also that since family medical leave only covers employees with at least one full year of service, employees who have a major health event in their first year of service have, again, sick leave as their only mechanism for paid leave. For a regular (12-month) staff member at the end of their first year of service, this proposal would cut their available leave from around 3 weeks to only around 2. Moreover, the prohibition against collective bargaining around sick leave is a violation of workers’ rights. This policy would have a deleterious effect on colleges as workplaces in terms of both tangible aspects—physical and mental wellness of employees—and morale. Ultimately this would make Ohio’s higher education institutions less desirable for potential faculty, staff, doctors, nurses, and all other job titles. I urge you to remove the sick language provision from the budget bill.

The second issue is the post-tenure review language (Sec. 3345.451). Colleges and universities *already review faculty every year*, both before and after tenure. I believe the proposed legislation may be based on untrue stereotypes about tenured professors: that they do not work, and that they are not accountable to anyone. This could not be further from the truth. At Ohio State, we are subject to rigorous evaluation by our peers, and our department heads, every year we are

employed. University policy stipulates that all faculty must submit annual documentation of their performance; and, must receive an evaluative letter and face-to-face meeting with their department head. Post-tenure faculty already receive detailed feedback about whether they are meeting expectations or not, for each year of their employment. And be assured that there *are* expectations for tenured faculty that mean they continue to do our share of teaching, researching, and service. The attempt to dictate the content of our post-tenure reviews constitutes an infringement on both faculty self-governance and institutional autonomy.

Additionally, there are already policies in place that allow for tenured professors to be disciplined or dismissed. The stringency of these policies at the University level is commensurate with the gravity of tenure: At OSU, dismissal of a tenured faculty member involves a college-level committee investigation, an appeals process, a faculty hearing committee, the President, and the Board of Trustees. By contrast, HB 49's proposal would grant the right of discipline and dismissal to college deans. This is wholly inappropriate: it circumvents the levels of review that serve as protection for faculty against haphazard evaluation, retaliation, or discrimination, which is one of the protections of tenure itself, with its foundation on and of academic freedom. Tenure is not determined or decided by only a department head, dean, or group of faculty peers: it is decided at all of these levels and more, including the Provost and the Board of Trustees. My own tenure case has been under review since last summer; I am still awaiting that final level of approval, from the Board of Trustees. These levels of review exist because of the seriousness with which the University takes the decision to award tenure—as it should. The decision about post-tenure dismissal—or loss of tenure/rank—must be equally weighted. To omit these levels of review constitutes an attack on tenure itself. I urge you to remove the post-tenure review language from the budget bill.

Third and finally is the matter of textbooks. New language in Sec. 102.023 would require anyone assigning a textbook as part of their teaching duties to submit an extensive financial disclosure form to the Ohio Ethics Commission. Such an idea seems grounded in a misunderstanding of how faculty members decide to assign textbooks. We choose textbooks based on the needs of students in our courses. We are professionals and experts in our subject matters, and we base decisions about course materials on our educational experience, in combination with other factors, especially affordability. The legislature seems to think that faculty members are pulling in financial gifts or special treatment from textbook publishers. I have never heard of such a scenario, and would be shocked to find that it existed. It is true that textbook publishers often provide one free copy of a textbook to a faculty member in order for her to decide whether a textbook suits her needs. This “examination copy” is a primary mechanism by which we assess materials for quality.

Since the disclosure form comes with a \$35 filing fee, the state stands to make hundreds of thousands of dollars from these disclosures—by my calculation, over \$100,000 per year from Ohio State faculty alone. There is no reason to require us to pay \$35 a year in order to prove that we have not been paid off by textbook publishers. This would also prove a hardship for our already low-paid associated/auxiliary faculty (lecturers and adjuncts) and graduate teaching assistants. All faculty already submit annual conflict-of-interest disclosures to the university, which cover financial stakes, consulting fees, gifts, provided travel, and other issues covered

under the budget's proposed language—though this is independent of whether we assign textbooks or not.

I assume that the disclosure policy is intended to address textbook affordability, which all faculty are aware of as a growing concern on our campuses. Perhaps the state could do more to engage in dialogue with faculty about ways to decrease material costs for students, without creating new financial or administrative burdens on faculty (particularly ones which, as I've noted, seem to address only a nonexistent problem). I myself have received a grant from OSU's Affordable Learning Exchange to replace the textbooks for one of my courses with a freely accessible set of online modules. Faculty are willing to work with our universities to serve our students in the best ways possible, to find solutions that are both effective and beneficial for all involved. But I do not see how the proposed requirement will do anything to address affordability, and I urge you to remove it from the budget bill.

Thank you for considering my testimony. I am happy to discuss these or any other issues affecting higher education with any legislator or your staff.