



The Ohio Association of Colleges of Teacher Education

<http://www.acteohio.org/>

September 2021

Dear Honorable Representatives of the Ohio House:

**OVERARCHING POSITION:** The Ohio Association of Colleges of Teacher Education (OACTE), a state chapter of the American Association of Colleges of Teacher Education, in collaboration with the State University Education Deans (SUED) and the Ohio Association of Private Colleges of Teacher Education (OAPCTE), is strongly opposed to the passage of HB 322 and HB 327.

**DESCRIPTION OF BILLS:** Both bills are similar in that they identify specific “divisive” or “prohibited” content that may not be taught in public schools or state agencies including the Ohio Department of Higher Education. The Ohio Council of Social Studies (OCSS), a state affiliate of the national organization of social studies teachers, describes “divisive concepts” as “a list of specific topics dealing with race, sex, slavery, and bias” (OCSS). HB 322 “discourages discussion of current events, controversial issues, or activities that involve social or policy advocacy” while it protects teachers from being required to teach “anything that goes against their ‘sincerely held religious or philosophical convictions’” (OCSS). HB 327 requires withholding of state funding for public schools or universities who violate the provisions. HB 327 does say that “divisive or controversial concepts can be taught if done so objectively and impartially,” but leaves an unanswered question as to who determines what is objective and impartial, leading to potential fear on the part of anyone even attempting to teach such material.

**OBJECTION:** We hold that these bills are antithetical to the principle of freedom of speech and would be detrimental to P-12 education, higher education broadly, and teacher education specifically.

The root of our concern is founded in an argument for freedom of expression within academics. Moore (2021) argues that “Freedom of expression is essential for participatory democracy, scientific progress, individualism, and civic education in K-12 schools and universities. Citizens must have access to all opinions, empirical evidence, historical information, and competing narratives to make informed decisions regarding political candidates, policies, and issues.”

<https://www.tandfonline.com/eprint/VW9IDB7ZNWQDYQ44UESH/full?target=10.1080/00377996.2021.1949258>). Any attempt to limit this freedom limits students’ ability to engage in meaningful dialogue around sensitive topics that require consideration and discussion of differing opinions, including those that are controversial, disturbing, or radical.

In teacher education, the majority of candidates are white middle class females. These demographics do not mirror the demographics of American schools. Ingersoll (2018) found that half of all teacher turnover occurs in high-poverty, high-minority, urban and rural schools. To prepare classroom-ready teachers who are likely to remain in the profession and positively impact student learning, teacher educators must prepare new teachers for classrooms where they will teach, where many of their

students will not look like them or share their life experiences. This means they need to understand issues around ethnicity, race, gender, and socio-economics by studying historical perspectives and experiences of those who come from different backgrounds. Preparing to teach all students effectively often involves teaching concepts that, by some interpretations, may appear to include concepts these bills label “divisive” or “prohibited.” This content is also mandated according to professional teaching standards adopted by the Ohio Department of Higher Education.

Even if the content (objectively taught) may be technically allowed under the bill, the strict prohibitions and the proposed punishment for violators may prevent teacher educators from introducing content that many consider essential to preparing teachers to work with diverse students. As the Action Network argues, “ this type of legislation ... could ... stifle the kinds of discussions that faculty have everyday with their students, which help students learn critical thinking, communications skills, and make them thoughtful, well-rounded citizens.” (<https://actionnetwork.org/letters/anti-academic-freedom-bills-threaten-faculty-higher-education>). If there is any place where controversial content should be discussed, it would certainly be in our schools under the mediation of a skilled teacher.

The League of Women Voters (LWV) of Ohio argues that this legislation restricts students’ ability to develop fully as citizens by limiting discussion. The bills do not honor the tradition of local control. In addition, they place undue burdens on the Ohio Superintendent of Public Instruction for enforcement. LWV states that the language in the bills are so subjective that they are unenforceable, while the harsh language and punishments alone may result in educator self-censorship to avoid controversy (<https://www.lwvohio.org/honesteducationmatters>). At a time when Ohio is facing imminent teacher shortages, this bill provides one more disincentive for young adults to enter the profession.

OACTE advocates for “Policies that enhance the professionalization of teaching through the recognition and reward of teachers as knowledgeable professionals with specialized knowledge and skills” ([http://acteohio.org/posState/OACTE\\_Legislative\\_Platform\\_Brochure.pdf](http://acteohio.org/posState/OACTE_Legislative_Platform_Brochure.pdf)). Rather than trusting districts to work on the curricular issues of dealing with sensitive topics around ethnicity, race, gender and other differences and treating teachers (and higher education faculty) as knowledgeable capable professionals, the bills seek to police districts and teachers through prohibition, intimidation, and threats of punishment that could ultimately eliminate discussions of difference at all.

Based on these objections, and consistent with the recommendations of numerous other organizations ([https://www.aaup.org/sites/default/files/Statement-Efforts-Restrict-Teaching-Race-Final\\_0.pdf](https://www.aaup.org/sites/default/files/Statement-Efforts-Restrict-Teaching-Race-Final_0.pdf)), OACTE opposes these bills and strongly urges you to vote against both bills.

Sincerely,

Brian Yusko, President  
Ohio Association of Colleges of Teacher Education

James Hannon, Chairperson  
State University Education Deans

Julie McIntosh, President  
Ohio Association of Private Colleges of Teacher Education