

**Senators Cirino Proponent Testimony**  
**House Bill 151**  
**5/10/23**

Chairman Young, Ranking Member Miller and members of the Workforce and Higher Education Committee, thank you for allowing me provide Proponent Testimony on House Bill 151, the Higher Education Enhancement Act.

This bill is aptly titled because it recognizes that, in Ohio, we are blessed with 14 public universities and 23 community colleges conveniently located around the state to bring post-secondary education to Ohio students and out of state students as well. We are also blessed with an array of 57 private colleges and universities, as well.

Mr. Chairman and members of the committee, at its core, HB 151 is all about the students. In Ohio, we have made many great strides in access and we are making good progress on the affordability issue by restricting tuition and fee increases and increased college aid.

The next line of focus for us is ‘quality.’ Our students and their families spend tens of thousands of dollars, and often assume large debt loads that will encumber them for years. They deserve the very best education we can deliver to them so that they can graduate, begin their careers, and earn an income that will allow them to pay off their debts. After all, going into debt for a solid education is a good investment so long as you find a well-paying job in the career of your choice. Also, Ohio’s economic future requires that we graduate students who have been taught how to think, not what to think. They need to be trained how to analyze problems and evaluate policies by looking at all sides of the issue. Graduates skilled in these areas will clearly be attractive to companies expanding in Ohio or looking to locate in Ohio.

HB 151 is a much needed course correction for our institutions of higher learning. This course correction is needed now so that we do not end up with institutions that are more focused on social engineering rather than true intellectual diversity of thought and the teaching of useful analytical skills.

This bill covers a variety of issues relating to higher education, and I will review them shortly. Let us start by reviewing one major component of the bill. That is the issue of diversity, equity and inclusion. In Ohio, the DEI infrastructure has been in place for some time now. Departments have been established, leaders hired, courses developed and litmus tests have been instituted.

We have had Title VI and Title IX for some time now, and they should suffice to protect individuals who need protection. In fact, our institutions have long supported compliance staff to make sure that compliance with federal law is maintained. I certainly agree with the goal that no one should suffer discrimination or exclusion in our educational system based on their race, creed, gender, ethnicity, or even gender preference. The question is, do we need this massive and

costly infrastructure on top of the Title VI and Title IX offices to accomplish that? In my view and that of many, we do not.

The fact is, this DEI infrastructure is a popular tool to promote social engineering and not to promote true intellectual diversity, which should be at the core of a well-rounded education. These programs undermine the first amendment, will take us down the path of indoctrination of our students, and will rob them of the opportunity to learn and think for themselves.

Additionally, these policies of hiring and promoting only those who agree with this monolithic orthodoxy will only result in our institutions' staff and faculty collectively thinking the same thing, and a lack of exposure to anyone who might think differently. The result will be no diversity of thought and I do not believe that is what we want. DEI can, is and will go wrong, and it is going on in Ohio. It will hurt our students and ruin the credibility of our colleges and universities.

The Sponsors have outlined the need for this legislation, so I will outline the substitute bill changes:

- It ensures that no topic or concept was barred from being discussed and debated in the classroom, but to ultimately ensure that multiple viewpoints are discussed and a student's own decisions can be made. This was done by clarifying the definition of "intellectual diversity," providing exemptions for mandatory diversity, equity and inclusion programs if compliance is needed for things such as state or federal laws and regulations, professional license requirements, accreditation and grant eligibility. However, a provision was added that requires state institutions initiating a diversity, equity and inclusion program under the exemption to request it through the chancellor's office with specific guidelines, as well as requires the chancellor's office to compile a report every six months of exemptions sought, rejected and approved. The legislation also emphasizes that nothing in the section shall impede faculty or students from classroom instruction, discussion or debate so long as the faculty remain committed to expressing and allowing for intellectual diversity.
- The substitute bill clarifies in the section regarding institutional partnerships with China that prohibited gifts and donations do not include things such as tuition, student fees, cost of instruction or alumni contributions. With regards to reporting, changes were made to align the reporting of donations and gifts in this section with current reporting requirements in federal law. In addition to uniform reporting requirements, the substitute bill also requires new program approvals and renewals to go through the chancellor's office, while also requiring the auditor's office to include an audit of each institution's structural safeguards as they have to deal with Chinese educational relationships in the auditor's periodic audit.

- Changes were included to ensure no scholarship dollars were left in jeopardy for students. The substitute bill also works to clarify that the segregation of things such as sex, race, gender identity, etc. was narrowed to only credit-earning classroom settings, formal orientation and graduation ceremonies. This was done to address concerns regarding policies on dormitories, sports, clubs, etc. Additionally, ambiguous language was removed in order to remove the concern regarding the teaching of specified concepts.
- Other changes were made including changing the term limits for governor appointed board of trustees at state higher education institutions from nine years to four; requiring the chancellor's office to develop a test for students to test out of the American History Act, as well as makes the course transfer eligible and only for bachelor's degree programs; allowing the state higher education institution alternative options for the posting of syllabi on the course instructor's individual website.
- While reviewing the -4 version, we noticed a couple errors so asked LSC to create a dash five. This includes clarifying the state institution of higher educations shall adopt **and enforce** policies of intellectual diversity, harmonizing all university board of trustee term limits.

Mr. Chairman and members of the committee, students are at the core of House Bill 151. The main pillar of this legislation has been allowing students to receive an education that contains a broad range of perspectives, discussion, debate, and ultimately, intellectual diversity. I believe from the bottom of my heart that education is the surest ticket out of poverty and it is our collective job to make it available to anyone who wants it. Let us just make sure that for all of this effort and dollars, we are delivering the right kind of education.

HB 151 is truly an urgent course correction to protect Ohio students and the integrity of our universities and colleges. All of the issues dealt within this bill relate to delivering quality. Thank you and I am happy to take any questions.