

Presented as written testimony in opposition to HB-151 (and SB-53)

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“Good” faculty should have [nothing to worry about](#), Senator Jerry Cirino (R-Kirtland), the author of [Senate Bill 83](#) promises. If professors are concerned, he adds, it’s likely because “they’re not good at what they do.” As teachers read through this misguided projectile headed at higher ed institutions, many of us have the same thoughts about the senator.

What is evident in this bill is that its supporters either don’t know or don’t care about what actually happens in our college and university classrooms. Indeed, this bill seems explicitly designed to further cut the ground from under teachers already facing innumerable challenges as they try to create spaces where *actual learning* can happen.

The purpose of SB-83 is “quite simple,” [Sen. Cirino](#) argues. “It ensures free expression on campus and in the classroom at Ohio’s public universities and colleges.” Yet, as good teachers can attest, nothing is ever that “simple.” “Intellectual diversity” sits at the heart of SB-83. Once passed, the legislation would “establish and implement intellectual diversity rubrics for course approval, approval of courses to satisfy general education requirements, student course evaluations, common reading programs, annual reviews, strategic goals for each department, and student learning outcomes.”

For faculty who are already weighed down with constant demands to construct and grade rubrics, jump through accreditation hoops, and satisfy administrators, what we see is yet more time being siphoned from instruction to bureaucracy.

But the real issue goes far beyond bean-counting and indicates that in their attempts to fall in line with other Republican dominated states, our lawmakers are willing to sacrifice our students’ education on the altar of their ideology. How, we ask, is intellectual “diversity” to be determined? Who is doing the determining?

Is the economics professor violating “intellectual diversity” rules if she doesn’t include Marx along with Adam Smith in her introductory course? After my history students have read Martin Luther King Jr’s “Letter from a Birmingham Jail” along with other required texts, shouldn’t I add Angela Davis to the syllabus, for King alone hardly represents the diversity of Black thinkers. “Intellectual diversity,” I would remind our legislators, does not come in just two flavors, “liberal” and “conservative.” Take it from Baskin Robbins, there are far more than 31 flavors of diversity out there, even if the bill pretends otherwise.

And if we can’t define (or contain) what “diversity” is, how do we to know we have achieved it? This, too, is “simple”: The legislation requires that we “guarantee” that students have “reach[ed] their own conclusions about controversial matters.” But how, exactly, do we do this?

Do I require that students in my higher ed seminar submit to an fMRI so I can see how they *really* came to their conclusions? All Ohio's legislators have spent years in classrooms as students, if not teachers. They know that teachers will lose students to boredom if they are not continually engaging them, *influencing* them, prodding them to think deeply about the subject matter. We don't give them answers, but the means of getting at answers. A smart writer once observed that to get people to build a boat, you don't give a blueprint. You make them long for the edge of the sea. That's what we are trying to do; judging by this bill, that is what you are trying to prevent.

In its attempt to inhibit colleges and universities from becoming centers of "indoctrination," the bill repeatedly requires that they "not endorse, oppose, comment, or take action, as an institution, on the public policy controversies of the day." "Controversies" are defined as pertaining to "...any belief or policy that is the subject of political controversy, including issues such as climate change, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion." What will this mean in practice, besides the fact that "controversies" are only defined as being...controversial?

Universities could not encourage students to vote since [some](#) consider this "controversial." Colleges could not create carbon-neutral campuses since climate change is "controversial." In short, the same universities designed to graduate students who can think critically and ethically, must themselves refrain from ethical judgments because some undefined person might find them "controversial."

Boards of trustees (not faculty or administrators) are required to develop "intellectual diversity rubrics" to guide all college courses. Although "professional judgments" about how to accomplish this are permitted, they can be overridden if considered "misused." Exactly what "intellectual diversity" is, how it is determined, and why trustees are equipped to determine this, is not explained. Will the Ohio State University be able to recruit the best biologists if they fear that some trustee can decide that they have violated intellectual diversity rules by not teaching Biblical interpretations in an evolutionary biology class? Will Cleveland State University be able to hire the best historians if they must teach "both sides" of the "slavery issue"? Ridiculous? Talk to faculty at the [New College](#) in Florida, or [North Idaho College](#) before assuming it won't happen here.

Finally, SB 83 insists that we should prepare students to deal with a complex world by essentially hiding from it. The measure would prohibit "academic relationships" with institutions located in, or associated with, China. There is no conceivable future that does not include China as a major actor; forbidding students and faculty from engaging with that country is hardly the smartest way to understand and manage the future.

When looking at SB 83, we need to consider whether it will lead to universities and colleges that can attract the faculty and students most eager and best prepared to deal with the actual challenges we face. Or whether, seeing greater opportunities in Michigan or New York, they will simply depart for neighboring states. Make no mistake: SB 83 is a dagger aimed at the very

heart of higher education in Ohio, and, therefore, at the economic future of the state. This bill doesn't support "intellectual diversity," inquiry, curiosity, or debate, and it must be defeated if we want to save higher education in Ohio.

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