

Testimony of Caroline T. Clark, Ph.D.
Before the Higher Education Committee
Representative Tom Young, Chair
Representatives Steve Demetriou and Josh Williams, Primary Sponsors
May 15, 2023

Chair Young, Ranking Member Miller, and Members of Higher Education Committee:

My name is Caroline Clark, and I am a professor in the College of Education and Human Ecology at the Ohio State University where I have taught for over 26 years. Today, I do not represent Ohio State University, but rather am submitting testimony as a private citizen in opposition to House Bill 151.

This bill will in no way “enhance” higher education. Rather, it will undermine Ohio’s efforts to attract and retain a talented workforce; it will waste state money by duplicating pre-existing laws, policies, and practices; and it will degrade, rather than promote, free expression.

This bill will have an especially deleterious effect on the preparation and retention of workers in the state of Ohio. The prohibitions against requiring “*diversity, equity, and inclusion courses or training for students*” risk the accreditation of several key programs, especially in the fields of nursing, mental health care, and education. For example, the Commission on Collegiate Nursing Education requires diversity, equity, and inclusion education as a key credentialing component and to support nurses in understanding health disparities and social determinants of health (1-3). Similarly, the American Counseling Association requires the development of diversity, equity, and inclusion competencies in the preparation of mental health counselors, school counselors, marriage and family therapists, and other counseling specialties to support multicultural, marginalized, and underserved communities (4). Loss of accreditation would have a cascading impact on Ohio’s critical need for nursing and mental health care professionals. Non-accredited programs will lose access to federal funding, which requires adherence to these standards, and puts the licensure of students in jeopardy, as students in these fields are required to pass national examinations and may well seek programs outside of Ohio, further depleting the preparation and supply of local health care professionals. An expressed goal of Governor DeWine is to make Ohio a “*national leader in mental health research and innovation*,” and expand access to “*wellness and recovery services*” and other mental health services. House Bill 151 forecloses possibilities for nurses and mental health professionals to be trained and licensed in the state and for accredited mental health research to thrive.

Even if exceptions are made for accreditation purposes, as proposed by some, the damage will run deeper than this. The chilling effect of this Bill and those like it will dissuade individuals from seeking education and employment in Ohio, knowing that the environment engendered by such Bills is not truly supportive of diversity, equity, inclusion, and belonging, key elements to mental health thriving and addressing health disparities.

House Bill 151 is also an unnecessary, fiscally irresponsible piece of legislation. Many of its mandates are already in place. For example, most high school graduates complete required courses in U.S. History and Government, making this repetition costly to families paying for these credits and to Ohio universities required to design and administer such a course. Similarly, Ohio universities already collect and make available course syllabi, regularly review faculty, and offer students the opportunity evaluate instruction, including opportunities for open-ended response. The costs and bureaucracy of these requirements is a clear example of unnecessary government overreach and fiscal irresponsibility.

Most pointedly, this bill is duplicative of Senate Bill 135. Introduced by Senator Jerry C. Cirino in Spring 2022, SB 135 mandates that all Ohio public universities have a specific free speech policy, including reporting and sanctioning mechanisms for instructors who violate this policy. Despite this legislation, which is currently in effect, Ohio legislators continue to claim, in outlets such as the *Columbus Dispatch*, that “Our First Amendment is under assault in academia.” But what, indeed, is there to fix? Shouldn’t we at least allow SB 135 to take effect before declaring its ineffectiveness? Is yet another bill, targeting non-problems, creating wasteful spending, and enlarging government programs and oversight necessary?

In short, House Bill 151 aims to “fix” what is not broken. It targets the wrong issues and offers the wrong solutions. As recent research shows, lack of free speech and ideological indoctrination are not due to the lack of intellectual diversity among faculty but instead, are more reflective of students self-censoring in response to peers (5). As one study out of North Carolina found, “*students were more concerned about their fellow students’ opinions than about those of their instructors,*” and faculty members were not perceived by students to be “*pushing political agendas.*” Indeed, rather than being the problem targeted by House Bill 151, university faculty were the primary *solution*, particularly when class sizes were smaller and there were more faculty to facilitate small group discussion and intergroup dialogues.

House Bill 151 will fix nothing. Instead, it will harm existing and much needed programs, waste Ohio resources, and curb the academic freedom of faculty. Rather than fostering intellectual diversity, this bill will only hinder dialogue, by squelching discussion of necessary topics and hampering academic freedom. As Ohio legislators, if you truly seek to enhance higher education and protect free expression, then you should reject this bill in its entirety, and instead, invest funding into Higher Education in things that *will* make a difference: smaller class sizes; true intellectual diversity protected by academic freedom to attract world class faculty and researchers; and accredited academic programs.

References:

- (1) <https://health.usf.edu/nursing/college-overview/accreditation>
- (2) <https://www.aacnursing.org/CCNE-Accreditation/Accreditation-Resources/Standards-Procedures-Guidelines>
- (3) <https://www.aacnursing.org/Portals/42/CCNE/PDF/Standards-Final-2018.pdf>
- (4) <https://www.counseling.org/knowledge-center/ethics>
- (5) <https://www.chronicle.com/article/the-real-source-of-self-censorship>