



*The OEA will lead the way for continuous improvement of public education while advocating for members and the learners they serve.*

**Ohio House Higher Education Committee  
Scott DiMauro – President, Ohio Education Association  
Substitute House Bill 151 Opponent Testimony  
May 17, 2023**

Chair Young, Ranking Member Miller, and members of the House Higher Education Committee, my name is Scott DiMauro. I am a high school social studies teacher from Worthington with 16 years of classroom teaching experience and currently serve as President of the Ohio Education Association. On behalf of approximately 1,400 higher education members from both four- and two- year colleges and universities, thank you for this opportunity to provide testimony to express our unequivocal opposition to Substitute House Bill 151.

Substitute House Bill 151 proposes to make extensive changes to practices and policies at Ohio’s higher education institutions. The bill proposes to micromanage state institutions of higher education by usurping the authority of boards of trustees and administrators who oversee the daily operations of these institutions by requiring changes to mission statements, faculty workload policies, and syllabi requirements. It also proposes state-mandated performance reviews and evaluation requirements. **This bill also represents the largest attack on collective bargaining rights since Senate Bill 5 in 2011.**

Additionally, Substitute House Bill 151 includes a new graduation requirement that higher education students take three credit hours in American government or American history and enumerates a specific list of documents that must be included in instruction, documents which are all already covered in Ohio high schools.

The above-mentioned provisions take away institutional flexibility to meet the needs of students enrolled in various education programs in favor of government one-size-fits-all state mandates. OEA believes that these topics are best addressed at the local level with institutions determining systems that work for their students and campuses.

Attacks on Collective Bargaining– Limits on Bargaining, Due Process, Takes Away Right to Strike

Substitute House Bill 151 harms worker’s rights by taking away collective bargaining and due process protections for higher education employees on a range of working conditions. OEA opposes the HB 151 prohibition on collective bargaining in state institutions of higher education with regard to faculty performance evaluation systems, tenure (due process) and retrenchment policies, as well as post-tenure review policies (which under the bill could lead to censure, remedial training, for-cause termination, or any other action permitted by the institution’s post-tenure review policy).



The bill further seeks to silence the voice of workers by taking away the right to strike for higher education employees. OEA opposes eliminating the right to strike, which is a last resort dispute resolution option if extensive collective bargaining negotiations reach final impasse. However, strikes are extremely rare due to Ohio's well-balanced collective bargaining law, which includes the right to strike. For example, only one strike has occurred in the last decade at public institutions of higher education with employees represented by OEA. Ohio's collective bargaining law has strict limits on how and when a strike can be authorized, but maintaining the right to strike is important to maintaining the balance that makes Ohio's collective bargaining law work. Finally, collective bargaining does not only benefit unionized employees, as our members' working conditions are their students' learning conditions.

### Diversity, Equity, and Inclusion (DEI), Academic Freedom, Free Speech

Substitute House Bill 151 proposes numerous changes to Diversity, Equity, and Inclusion (DEI) efforts, academic freedom, and free speech at institutions of higher education including, but not limited to, banning mandatory programming or training courses on DEI, preventing colleges from using diversity statements, prohibiting colleges and universities from commenting on any controversial policy, and requiring "intellectual diversity" rubrics for course approvals.

DEI programming is important in higher education because it helps nurture a learning environment in which students experience a sense of belonging which results in better student outcomes. OEA believes college students deserve a diverse and reflective education. Understanding the multiple perspectives and experiences that have shaped the country and world to this point, and building skills that include the acceptance of differences and recognition of commonalities within those differences, are some of the best tools we can give adult learners to prepare them to be productive citizens and contributors to the global society.

Provisions in the bill stand in stark opposition to the goals of business. The U.S. Chamber of Commerce states the following: "We believe diversity, equity, and inclusion (DEI) is a business imperative." Intel, which is set to invest \$20 billion in chip factories that will create thousands of Ohio jobs states this in its policy on inclusivity: "We [Intel] are advancing diversity, equity and accessibility, and inclusion in our global workforce, and advocating for public policies and laws that combat discrimination and inequities impacting our employees and our communities."

Through adopted local policies, Ohio's public colleges and universities currently have a strong commitment to protecting freedom of speech that creates an academic environment of open discourse and rigorous inquiry. Differing viewpoints are encouraged, and not silenced. As the legislature has passed multiple bills in recent years aimed at protecting free speech on higher education campuses, OEA believes these provisions are unnecessary. Additionally, the proposed legislation claims to promote intellectual diversity while dictating the content and manner in which certain topics can be discussed.

## Fiscal Concerns

According to the fiscal note from the Legislative Service Commission (LSC), when the provisions of the as introduced version of Senate Bill 83, House Bill 151's companion legislation, are taken as a package, "administrative costs may increase significantly, potentially resulting in the need to hire additional staff to handle the increased workload." OEA believes that the provisions of Substitute House Bill 151 will only increase the cost for the Ohio Department of Higher Education and Ohio's colleges and universities.

Simply put, the bill will take money away from academic programs to meet the administrative burdens of the bill. Students and families will also have to bear the expense of the proposed three credit hour course in American government or history as a condition for graduation.

College students deserve to be respected as adults and be offered a wealth of learning opportunities and not be sheltered from challenging or differing ideas. These overreaching mandates could have a chilling effect on attracting students to Ohio. The provisions will also exacerbate the enrollment decline of diverse and qualified students enrolling in Ohio's teacher preparation programs.

Those who have dedicated their lives to serving Ohio's higher education students likewise deserve respect and support. The bill would undermine academic freedom, silence the voices of university employees, drive wedges of distrust between students and faculty, and impose burdensome government mandates on Ohio's colleges and universities. To grow our economy and keep our system of higher education strong, Ohio must do all it can to attract and retain qualified and committed faculty in all academic disciplines. House Bill 151 would instead send an unmistakable message to talented individuals looking to advance their careers: go somewhere else.

OEA opposes Substitute House Bill 151 as it is unnecessary and will cause irreparable harm to higher education students, colleges and universities, and Ohio's workforce and economy. Thank you for the opportunity to testify. Please contact me with any questions.