

May 16, 2023  
Emily S. Patterson  
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RE: Opposition to HB 151 "Enact Ohio Higher Education Enhancement Act"

Dear Members of the Workforce and Higher Education Committee,

This letter documents my strong opposition of HB 151.

I am a Professor (with tenure) in the College of Medicine, School of Health and Rehabilitation Sciences, Division of Health Information Management and Systems at The Ohio State University. I am also an alumni of Ohio State University's Industrial and Systems Engineering program, where I received a Master of Science and PhD.

Based on reviewing the original bill and proposed changes, I felt the need to share some insight as to what I consider to be a misunderstanding of 1) how accountability is done in practice for tenured faculty, and 2) how decisions about promotion and tenure may be influenced by changes in applications for admission over time.

For the first, there seems to be a belief that there is no accountability after tenure, and that new checks and balances need to be added to match what is done in other sectors of the economy. I can understand how this misunderstanding could be held, but I wish to share that that is not my experience. For example, in my offer letter, only 50% of my salary is guaranteed after tenure. I was started on tenure track in 2010, and my understanding is this is a growing practice across the country to protect the university from having to pay a high salary which has an expectation of obtaining research and contracting funding to pay a portion of the salary. Similarly, most engineering faculty only receive a salary for nine months, with the optional addition of up to three additional months funded by research and contract funding. I have never seen a faculty member on a nine month appointment take the summer off. An appointment in academia, particularly on tenure track, is a continuous and lifelong invitation to work constantly for somewhat less than could be earned in industry, with one of the perks being tenure to allow some protection from the winds of change regarding national priorities for funding, programmatic preferences of undergraduate and graduate students, and administrative philosophies. Finally, an annual review is conducted every year before and after tenure. The completeness of documentation in the dossier of every activity that has been conducted in the last year, including after tenure, has no parallel in other industries. Based on that information, there are more and less desired offices, teaching assignments, committee assignments, support for professional development, relative increase in salary compared to colleagues (merit pay increase), and other decisions that are made on an annual basis that seem to me to have a significant impact on willingness to stay with the university.

For the second, there are ebbs and flows in funding levels of a university for a number of reasons. One of the easiest to understand is the number of applications for undergraduate and graduate programs where students pay to attend. When there are predicted drops, such as children born in 2008 when they arrive at the university when there were fewer born, often professors will worry that promotion and tenure decisions are influenced more by available funds than performance. We will absolutely lose massive talent around the times that these decisions are made for average to excellent faculty in Ohio if

this legislation is passed. Any involvement whatsoever in promotion and tenure decisions by elected officials will be viewed with absolute horror, whether or not the actual decisions made by officials are reasonable. It is a new player that is not welcome in this space.

Sincerely,  
Emily Patterson

Sincerely,

David E. Cohn, MD  
Professor  
Interim CEO and CMO at The James Cancer Hospital