

Testimony of John Plecnik, J.D., LL.M.
Before the House Higher Education Committee
Rep. Tom Young, Chair
November 15, 2023

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

My name is John Plecnik, and I am an associate professor of law at Cleveland State University, where I have taught for 12 years. I do not represent Cleveland State, but rather am submitting testimony as a private citizen in opposition to Substitute Senate Bill 83.

You might recall from May, when I last visited you at the Statehouse, I am known as the most conservative professor in Ohio. I am also known as Commissioner “NO” in Lake County, where my “NO” vote this year killed the biggest tax increase in our community’s history. I am proud to be the recipient of the Lake County Republican Party’s James A. Garfield Leadership Award, and I want to personally thank you for unanimously voting to recognize the greatest Republican in history to call Lake County his home, by designating his Birthday, November 19th, as Garfield Day. In the past, I have proudly served as Republican State Central Committeeman for Ohio Senate District 18 and I currently serve as Lake County Commissioner.

We all know the only way to address the very real problem of liberal bias on campus is to hire more conservative and Republican faculty, but Senate Bill 83 admittedly does nothing to fund or hire more conservatives. Instead, it limits free speech, promotes grade inflation and threatens to silence or even eliminate the endangered species known as the conservative professor.

First, Senate Bill 83 is a dumpster fire that threatens to incinerate free speech on campus. No less than FIRE—the Foundation for Individual Rights in Education—has warned that Senate Bill 83 and the speech code it would impose on public universities is “unconstitutional” and “threatens academic freedoms”. When the premier conservative organization in support of free speech in higher education says “NO,” real conservatives vote “NO”!

Second, the substitute version of Senate Bill 83 requires student evaluations to make up no less than 25% of a professor’s teaching evaluation. This number was arbitrarily reduced from 50% to 25% after my testimony in May explained how the heavy weighting of student evaluations promotes grade inflation. I am here to tell you, Senate Bill 83 still promotes grade inflation. Student evaluations are appropriately used as a qualitative measure of proficiency in teaching, not a quantitative one. You cannot arbitrarily assign a numerical value to teaching evaluations without incentivizing professors to cater to their students rather than educate them. If you treat student evaluations like ballots, professors will become politicians who campaign for their students’ approval. Grade inflation is the inevitable result.

Third, the institutions of tenure, unions and fair evaluations protect minority viewpoints, and we all know conservatives are in the tiniest minority on campus. Senate Bill 83 would allow a liberal dean or administrator to use two years of below average reviews in any category as a pretext to discipline or fire a conservative professor. Adding an appeal right in the substitute version is irrelevant. This will immediately silence our few remaining conservative faculty. Even worse,

Senate Bill 83 prohibits any faculty bargaining over post-tenure review. This means your dean or supervisor unilaterally creates your review system, reviews you under the system of their choosing and then decides whether to fire you under the same arbitrary system.

I sincerely believe the goals of Senate Bill 83 are to return intellectual diversity to Ohio's public colleges and universities. As a conservative who has dedicated his life to higher education, I have been fighting for this goal since I was a College Republican. With highest respect, I sincerely ask you to be deliberative and repair Senate Bill 83 before bringing it to a vote. Otherwise, true conservatives must remember the single, most beautiful word in the English language and vote "NO"!