

Testimony of B. Audrey Nguyen-Rudy, Ph.D.
Before the House Higher Education Committee
Rep. Tom Young, Chair
November 24, 2023

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

My name is B. Audrey Nguyen-Rudy, and I am an Assistant Professor of Instruction in Biomedical Engineering at the University of Akron, where I have taught for 4 years. I received my education and all my degrees from The Ohio State University, and am a proud matriculant of Higher Education in Ohio. I do not represent the University of Akron, but rather am submitting testimony as a private citizen in opposition to Senate Bill 83.

There are many concerns I have with SB83, but primarily it is the overreach and micromanagement of the government in mandating educational content and placing undue burdens on faculty that will reduce their effectiveness in their roles. Under the guise of making more efforts to increase "teaching effectiveness", many of the proposals contained in SB83 seek to eliminate academic freedom and to protect or foster harmful rhetoric (rather, protect a narrow specific viewpoint) in classrooms. Higher education should be just that - a place where students and faculty come together for higher purposes and to expand on what is known, to reach together towards a brighter future, to challenge ourselves and our biases, to make meaningful contributions to our fields and our communities.

By removing mandatory DEI training for students, faculty, and staff, we eliminate the opportunity for everyone to have access to resources and training to confront our own implicit biases and misconceptions of each other. Though I am an American citizen, was born in the United States, and speak English as my native language, I have had to face misconceptions from colleagues and students of my abilities to teach based on poor assumptions and my very Vietnamese name. It is also extremely important to have DEI training so that our understanding of diversity, equity, and inclusion can expand beyond the obvious. It is through DEI training that I received the resources and advice to modify my classroom to be more equitable for students with extremely long commutes, or non-traditional students that have young children or are caretakers for elderly relatives, or to be mindful of cultural differences with International students from all around the world, or to adapt my course to be more flexible and to consider that I have students that are working full-time to support themselves and their families in addition to being students. DEI is not just visible diversity, it tackles the diversity of the human experience, including neurodivergence, sexuality, socioeconomic backgrounds, and more. It makes us consider that even in a classroom where I have a majority of white, male, engineering students from Ohio (and I have certainly had classes that looked like this), that I do not consider them all a monolith and that I make efforts to learn how to support each of them in the way they need so that they can be successful engineers. By doing away with DEI, the slippery slope of taking away Title IX and Sexual Harrassment training becomes even more apparent. Why do we not seek to confront our biases that were instilled in us by our upbringing, culture, and media?

Why do we not seek to have resources that allow us to confront bigotry and our own biases that we do not fully understand are wrong? If a student is chronically late to my class, do I assume they are lazy when the reality is that they commute from over an hour away each day? If a student does not participate in discussion during class, do I assume they do not care about the material when in reality they are neurodivergent and more nonverbal in their communication? We MUST continue to confront our own implicit biases and DEI is a major component of this! This extends to prohibiting Diversity Statements as part of hiring and promotion - an institution of Higher Learning is inherently a diverse community and anyone that seeks to be a part of it should be prepared to discuss and engage with this diversity. And by "prohibiting discrimination based on "membership"" -- you mean to end any affirmative action all at once? To not consider context? To prevent any means of ensuring a diverse faculty and student body? To foster more same-mindedness? My alma mater of Ohio State's Biomedical Engineering Department is one of the most diverse I have ever seen - so many brilliant and talented women and men from all over the country and the world working together to change it. I can't imagine how radically different it would be if SB83 were to pass, and how unfortunate for our students to never be able to see themselves represented by their faculty. Further, removing language to protect individuals from discrimination based on their sexual orientation, gender identity, or gender expression will harm ALL of us.

By forcing instructors to disclose biographical information and descriptions of each lecture or discussion, it opens the floodgates to losing academic freedom. Information is constantly changing, we are learning more and as academics we should continue to provide our students with accurate information. For example, I was still a student when it was published that there was a "new" ligament found in the knee - which is ridiculous because it has always been present and was found in over 80% of studied bodies. Another example: a colleague performing research at Akron General published research in a top peer-reviewed journal showing that there was an acute healing response in articular cartilage - this is absolutely incredible and was difficult for me to accept at first because decades of conventional wisdom had said otherwise. But as an academic, we have to be open to new ideas and we encourage our students who are pursuing higher education to have the same lust for knowledge. To know more of the world is to know ourselves even better! Additionally, what does it matter to include the names of professors and their biographical information? Does this not encourage students to select courses based on a particular instructor? To encourage students to seek out the "easy" professors? To foster isolationist and anti-international and anti-global rhetoric against our colleagues? A PhD is the same around the world - it means that this person has made a substantial and meaningful contribution to their field and is an expert in their research - that degree should garner the same respect from students and peers regardless of where the degree was granted.

By publishing teacher evaluation scores it is going to contribute to the problems seen at all levels of academia where grade inflation is rampant and scores become meaningless - I myself graduated with a higher than 4.0 GPA from my high school, but did not even graduate in the top 10% of my graduating class. What purpose can these numbers possible serve in describing my academic potential?? All this will do is encourage faculty to chase a number instead of their actual purpose - to teach and to challenge and to contribute to the

field. And while teaching evaluations should absolutely be a factor in the evaluation of a faculty's contribution to the department and the higher education institution, to put artificial benchmarks that only lead to inflation and conflation of what "good" scores mean is going to destroy an instructor's ability to do their job effectively without being in constant anxiety over whether their students perceive them as an effective teacher. They are 2 separate ideas, and should remain disconnected and up to the discretion of each academic unit.

I can't begin to describe how insidious it is to require American Government or History for colleges - this is already done at the K-12 level more than enough times. It is redundant at best and can be interpreted as indoctrination at worst.

Removing the ability to strike for employees of public institutions is horrifying. No one ever wants to strike, but we must be responsible to all of our stakeholders including ourselves. The conditions must be in place for all of us to thrive together. This union-busting tactic is blatant and misguided beyond belief.

Please - I dearly love being a teacher and being in higher education. No where else do I get to see so many experts coming together with students to change the world. No where else do I get to experience nurturing the next generation of biomedical engineers, doctors, researchers, lawyers, optometrists, and prosthetists. Please do the right thing and please protect higher education.