

**Ohio House Bill 151**  
**Higher Education Enhancement Act**

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It is a privilege to provide testimony to the Ohio House of Representatives Committee on Higher Education. Thank you, Chairman Young, Vice Chair Manning, Ranking Member Miller, and members of the committee.

The America First Policy Institute (AFPI) is a 501(c)(3) nonprofit, nonpartisan research institute. Our guiding principles are liberty, free enterprise, foreign-policy engagement in the American interest, freedom of conscience, and the primacy of American workers, families, and communities. To this end, AFPI affirms and celebrates the American experiment and works to promulgate American values in our educational institutions, public policy, and culture.

Prior to joining AFPI as director of the Higher Education Reform Initiative, I was vice president of Academic Affairs at the American Council of Trustees and Alumni, where we worked to protect academic freedom and improve viewpoint diversity on U.S. college campuses. Before that, I taught American Politics at Morehead State University in Kentucky for 10 years. From 2017-19, I served as the elected faculty regent.

I'm here today because campus DEI programs are anathema to the core purposes of public colleges and universities, which include fostering deliberation in pursuit of truth and preparing young people for citizenship ([Pidluzny, 2023a](#)). Policymakers have struggled to restrain or dismantle DEI apparatuses on public campuses in part because “diversity,” “equity,” and “inclusion” all sound like admirable goals. And they are.

Unfortunately, DEI offices and programs are really doing the opposite: They sow division and hate in society (including antisemitism), they promote race-exclusion and race-essentialist perspectives, and they indoctrinate students into a radical ideology. I will begin by sketching DEI's profoundly pernicious effect on campus life. And I will close by explaining that there are much better ways to help underprepared students succeed and ensure compliance with civil rights statutes.

The legislation under consideration today is responsibly calibrated to turn back DEI's worst excesses on Ohio's public campuses. Prohibiting mandatory DEI training, compelled political speech, and the use of diversity screens in hiring and admissions decisions—alongside common-sense protections for intellectual diversity—should not be controversial.

DEI is a direct offshoot of critical race theory (CRT), a legal philosophy that blames implicit bias and structural racism for inequitable outcomes across identity groups. We know this because the National Association of Diversity Officers in Higher Education (NADOHE), the self-proclaimed “preeminent voice for chief diversity officers,” trumpets the close relationship between DEI and CRT ([NADOHE, n.d.](#)). The organization expresses its mission in terms drawn from CRT—that is, to “dismantle systemic oppression” and combat “White Supremacy” at universities worldwide ([Pidluzny, 2023, p. 6-8](#)). The organization's mission and vision documents frequently cite CRT's most important thinkers, including Kimberlé Crenshaw and Ibram X. Kendi ([NADOHE, 2021](#)).

And its flagship academic publication, *The Journal of Diversity in Higher Education*, routinely publishes research that claims to build upon CRT's founding thinkers, including Derrick Bell and Richard Delgado (for recent examples, see [Haynes, 2023](#) and [Unkefer et al., 2023](#)). In other words, campus DEI officers tell each other that they are using public universities to reshape American society—away from traditional American norms of equal treatment and due process and in service of a radical ideology—all while telling taxpayers and public leaders they are doing no such thing.

DEI leaders around the country have spent more than 20 years building an industrial complex of programs, people, and policies that create powerful incentives and career-threatening penalties that reach into every corner of the institution. This includes faculty hiring and student admissions, new curriculum, extracurricular programming, student housing and residential life, financial incentives for research and course development, assessment of personnel and programs at every level, codes of conduct and disciplinary procedures, and the messaging priorities of communications departments. The list could go on.

We know from survey research that, far from improving the campus climate for inclusion and belonging, large university investments in DEI correlate with falling levels of belonging. The University of Michigan, for example, invested \$85 million in DEI between 2016 and 2021. Over those five years, satisfaction with the campus climate for inclusion fell sharply—down 23.1 percent among faculty, 12.9 percent among staff, and 10.7 percent among students ([University of Michigan, 2023, p.22](#)). Other studies have shown the same, leading one set of researchers to conclude that “in general, student reports on campus climate are no better—and often worse, especially for minority students—at universities with larger DEI staff levels” ([Greene and Paul, 2021a](#)). This is probably because DEI offices run race-segregated spaces, groups, and training, all of which teach students to make race the central feature of interpersonal interactions and use it as a primary lens through which to engage with society.

Campus DEI efforts also undermine the truth-seeking character of the university by establishing a far-Left viewpoint orthodoxy from which students and faculty are afraid to dissent. They do this by operating bias incident response teams, encouraging shout-downs, running biased and imbalanced extracurricular programming, screening faculty applicants with political litmus tests, and engaging students in highly politicized training programs (some of which are mandatory). All of this is anathema to intellectual diversity and free inquiry ([Pidluzny, 2023a, p. 11-12](#)).

Researchers have documented the inevitable result: alarming rates of student and faculty self-censorship, including at Ohio's largest public university ([FIRE, 2022](#)). According to a 2023 survey of more than 55,000 students on 248 campuses conducted by the Foundation for Individual Rights and Expression (FIRE), 69 percent of Ohio State University (OSU) students said they are “somewhat” or “very” uncomfortable publicly disagreeing with a professor about a controversial topic. Only 11 percent of OSU students said that they “never” self-censor during classroom discussion ([FIRE, 2023, Question 1, 22, 24](#)). The numbers at other Ohio universities tell the same story.

DEI is also spreading the worldview that fuels the grotesque campus antisemitism that has been on display since Hamas's October 7 massacre in Israel ([Greene and Paul, 2021b](#)). In the weeks since, we have seen boisterous rallies celebrating barbarism and evil—including disruptive protests on Ohio campuses ([Schemmel, 2023](#); [Langbein, 2023](#)). DEI is driving this by teaching students crudely to sort individuals into groups based on whether they can be viewed as oppressors or the oppressed. Jews are labeled oppressors by virtue of their political and economic success since 1948—even

though their suffering, as a people, is unparalleled in modern history. This lazy way of understanding the world teaches students to make simple, uncompromising judgments, sacrificing nuanced moral judgment and critical analysis to a primitive tribalism ([Pidluzny, 2023b](#)). Graduates of our universities take this perspective with them when they leave campus—into K-12 schools, newsrooms, and the broader labor force.

Claims that DEI is necessary to help underprepared students succeed are false. Instead of investing in divisive ideological programming, universities can (and should) redouble their efforts to help support those at risk of failing to complete their programs. They can build and enhance support programs, including mentorship initiatives and one-stop shops, that consolidate wrap-around services. Universities can also embrace predictive analytics to understand where in their academic programs students with weaker preparations are likely to have problems. This empowers academic advisors to reach out *in advance* to make students aware of support programs. Universities should also use their institutional research departments to investigate what leads some of their students to drop out while others, with similar profiles, succeed, then draw on those lessons to provide better academic support. Most promising, perhaps, they could deploy their tremendous intellectual capital to build pipeline and pathways programs—and summer bootcamps—to ensure students at underperforming high schools are prepared to succeed on campus.

My final point is that legislation to roll back campus DEI is entirely consistent with the vigorous enforcement of existing anti-discrimination protections. In fact, the Supreme Court’s 2023 holding in *Students for Fair Admissions v. Harvard* is likely to reshape how federal civil rights laws, including Title VI of the Civil Rights Act, are enforced in the coming years. *Students for Fair Admissions* has two North stars: first, race stereotyping is discriminatory and illegal; second, giving one individual in a zero-sum situation preferential treatment based on skin color inevitably makes race a negative for someone else. DEI programs routinely do both ([Pidluzny, 2023c](#)). It is perfectly appropriate for state legislatures to ask public universities to stop—in admissions, faculty hiring, and all their programming.

It would be easier for schools to comply with civil rights laws forbidding discrimination if DEI administrators could not demand that hiring committees assess individuals differently based on candidates’ “lived experience” with race and gender identity. This legislation will see to that without preventing Ohio universities from ensuring that adverse employment actions are never made for discriminatory reasons. Universities can and should train faculty and staff on state and federal anti-discrimination protections in employment. Similarly, restricting campus DEI programs would in no way interfere with federally mandated activities of Title IX offices, universities’ ability to comply with Title VI of the Civil Rights Act, or the pursuit and maintenance of institutional accreditation and research funding ([Pidluzny, 2023d](#)).

Public universities receive lavish taxpayer support to advance the public interest. Unfortunately, sprawling DEI programs have turned many of them into engines of division and indoctrination. The legislation under consideration today is responsibly tailored to reverse a trend that imperils the academy as a truth-seeking, civic-capacity building, institution. And it does so without overstepping norms of academic freedom or shared governance. Not only is Ohio’s legislation well within the proper purview of a state legislature; it is long overdue and a model for the nation.

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