

Written-Only Testimony: from Gina Osterloh
In Opposition to SB83
8:50am, Tuesday, November 28, 2023

Dear Chairman Tom Young, Vice Chair Gayle Manning, Ranking Member Joseph A. Miller, III, and members of the Higher Education Committee,

Thank you for allowing me to submit written testimony. My name is Gina Osterloh, and I am a Professor of Art at The Ohio State University, where I have taught for 6 years. I do not represent The Ohio State University, but rather I am submitting written testimony as a private citizen in opposition to S.B.83, The Enact Ohio Higher Education Enhancement Act.

I have taken several Diversity Equity and Inclusion trainings and find that the language in S.B.83 continues to misrepresent what DEI trainings are. The Diversity Equity and Inclusion trainings for faculty have helped me understand how I can better support students including those from neurodivergent backgrounds, students who may be of different genders, races and ethnicities than I am, how to recognize a student in crisis, and how to be better prepared to work with students from trauma-based backgrounds. To be a better educator, I know that I must continually grow and learn as well. The DEI trainings I have taken are taught by non-biased workshop coordinators that are not related to a specific department nor college.

S.B. 83 would make our students less informed citizens and less competitive in the job market. To be competitive in local, state, national, and international business and the arts – students need to be able speak to a diverse range of populations, and to understand basic histories of people of different races, genders, sexualities, and religions. The vague language around “intellectual diversity” interferes with the ability to freely ask questions and speak openly about these topics, to learn and be competitive in the business and arts workforce.

As a faculty member who has also just recently gone through the tenure and promotion process, I must share with you that it is an arduous and extensive review process. Faculty are reviewed each semester, annually, and at several major junctures pre-tenure. These reviews include but are not limited to: Student Evaluation of Instruction forms for every course they teach which are evaluated by department chairs each semester; pre-tenure (and post-tenure) courses are evaluated by another faculty member; the faculty review and vote upon the applicant’s tenure case, as well as the Dean, Provost and Board of Trustees; the faculty's tenure case is also reviewed by at least 5 external letter writers who are full professors from other universities - letter writers who remain anonymous to the applicant through the tenure process. Every year all faculty - both prior *and post tenure* approval - receive annual reviews by the Department Chair based on teaching, research, and service performance as well as ongoing reviews of their courses and teaching performance by SEI's and administration. When granted tenure, the review and evaluation process continue at many administrative levels. The administrative and thorough evaluation of every faculty member is extensive to say the least - something which is not communicated by the media nor the S.B.83. Promotion and tenure is never an easy pass. I don't know of another job with such extensive and ongoing review processes.

The bill still would ban retrenchment, tenure, and evaluations as subjects for collective bargaining. These are some of the most fundamental aspects of the terms and conditions of faculty employment. Americans have the right to voice inequality in the workplace. While the bill allows institutions to adopt their own retrenchment policies, the bill bans retrenchment as a topic for collective bargaining. It ignores processes that already have been adopted through collective bargaining agreements and/or shared governance procedures. This would lend itself not only to short-sighted decision-making and instability for students and faculty, but also to undue political influence in program and faculty termination decisions (as would the post-tenure review).

In summary, S.B.83 is bad for students, bad for higher education, and bad for Ohio. S.B.83 introduces a series of contradictions on freedom of speech, claiming to promote intellectual diversity while simultaneously dictating the content and methods in which certain topics can be discussed freely. S.B.83 will make Ohio’s public universities less competitive. It will hurt Ohio's ability to attract excellent students and faculty. This will hurt Ohio's economy.

Respectfully from a proud Buckeye,
Gina Osterloh