

Chair Young, Vice chair Manning, Ranking Member Miller, and members of the House Higher Education Committee:

Thank you for your work for higher education in Ohio. I appreciate your commitment to educating Ohio students. I am here to express my opposition to Senate Bill 83, Version 11. I am a professor of English at Miami University with over twenty years of experience in the classroom. I have five points to make.

First, regarding the “intellectual diversity” mandate in combination with the strictures on “controversial” topics: Because it is unclear what range of “perspectives” will sufficiently count as intellectually diverse, the effect will be to encourage instructors to avoid addressing so-called controversial topics at all for fear of breaking the rules. Students will emerge with a blinkered understanding of the world that higher education should instead be opening up for them. These provisions may intend to open up discussion, but in fact will shut it down. Please strike them from the bill.

Second, the requirement for public posting of course syllabi is unnecessarily burdensome; reflecting a lack of understanding of the work we do in higher education. As a professor of creative writing, I must keep abreast of new developments in poetry, fiction, screenwriting, creative nonfiction, and more. I change the texts on my syllabus every semester and in a given semester there may be multiple pdfs, links, and hard-copy texts I am asking my students to read. This bill expects me now to label and tag all these readings — sometimes hundreds of them — each time I start a new semester, or else for my institution to pay for someone to do it, and certainly to pay someone to chase down all our over 1000 faculty to make sure they are doing it. Keeping up with the literature, adapting my syllabus and preparing the texts for the new semester is a great deal of work, and I am not alone in doing this work: in almost every field, instructors must adapt their syllabuses regularly to keep abreast of new developments. Please also bear in mind that we do not have just one “most recent” syllabus per course. Many courses are taught by dozens of instructors, each of whom is responsible for meeting the same learning outcomes, but is developing a different syllabus that leverages their particular talents and knowledge. In no way will posting and labeling our syllabi help us educate our students. It uses up student tuition dollars and state funding to pay for time that would be better devoted to our students. This wasteful busywork should be struck from the bill.

Third, the provisions regarding retrenchment, post-tenure review, and collective bargaining will not only enable decision-makers to make decisions that would impact the disciplines taught in Ohio without sufficient input from those knowledgeable about those disciplines, but will create a sense of precarity that annihilates academic freedom. The double damage to the integrity of higher education in Ohio will not just have immediate impacts on what students learn, but will make it less attractive to future students, reducing the capacity of institutions to attract students, including those from out of state who pay higher tuitions that help keep our colleges afloat financially. Worse, the provisions will lead to the “brain drain” we are seeing in other states that have passed similar legislation. These sections will have negative outcomes for business investment in Ohio and should be removed from the bill.

Fourth, I call on you to be sure that before passing a bill containing the sentence “Members of one race cannot nor should not attempt to treat others without respect to race” that you are able to say what it means in your own words and understand it. I have read it dozens of times, and as an English professor who reads and interprets difficult texts every day, I cannot make head or tail of it. The double negative (“cannot nor should not”/“without”) makes the sentence say something that is I believe the opposite of what the drafters would want the rule to mean. It literally says that people should *only* act toward others in ways that take their race into account. This would be a strange rule to try to follow, and would also be illegal under federal law.

Fifth, regarding the DEI provisions in the bill: Many of you have been involved in business in your lives, and I assume you would not want businesses in Ohio to be constrained in hiring and training employees to do the particular work they do. DEI in higher education is not an ideology, it is a competency, a skill set, that employees need to have in order to do our jobs well. In higher education, especially in public higher education, faculty and administrators are responsible for educating a diverse population. Without it, we are likely to create environments that are exclusionary, in which many students will find it more difficult to learn. This is demonstrably clear from climate surveys of students and is connected to dropout rates. When students drop out, the resources the state has put into higher education for that student are wasted. If higher education in Ohio is to function efficiently and perform its mission effectively, its institutions must be as free as any business in Ohio to identify the competencies and skills its employees need and to provide training to ensure they do their jobs properly. Please strike the DEI provisions.

This bill deserves to be shelved permanently. My colleagues and students and I would welcome genuine enhancements to higher education in Ohio, and to that end, I invite the honorable representatives on the House higher education committee, along with Senator Cirino, to visit Miami University to visit classes, shadow faculty, and talk with students so that you can see the work that we do. I guarantee that you would pass an entirely different “higher ed enhancement” bill.

Sincerely,

Cathy Wagner
Miami University