

Testimony of Jennifer Visker, MA, CCC-SLP
Before the Senate Workforce and Higher Education Committee
Senator Jerry Cirino, Chair
April 18, 2023

Chair Cirino, Vice Chair Rulli, Ranking Member Ingram, and Members of the Workforce and Higher Education Committee:

My name is Jennifer Visker and I am a clinical instructor of speech-language pathology at Kent State University, where I have taught for just over seven years. Prior to this, I was a clinical instructor at the University of Akron for three years and a practicing speech-language pathologist in the community for 11 years. I do not represent Kent State University, but rather am submitting testimony as a private citizen in opposition to Senate Bill 83 (SB 83).

I agree that all voices need to be heard in university classrooms, forums, and activities so that students can form their own opinions and develop their own critical thinking about matters. I can say from experience, this is already happening in classrooms across campuses. Intrinsically, vague language such as “controversial belief or policy,” (SB 83 lines 183-187) may cause fear of repercussions if a topic is brought up. This may unwittingly quash lively and varied discussion. Senator Cirino stated during an interview on 610 AM’s [Saving Liberty](#) podcast (23:34), “...and you don’t see CRT anywhere – but it’s in there because if you look carefully at the kinds of things that they’re not allowed to do, it basically covers the waterfront inclusive of CRT...And so, I tried to avoid having these hot button terms used that gives the other side ammunition against us, but we were able to cover the same ground using different terms.” This is a direct example of a topic that clearly would cause consequences if not discussed in an appropriate manner (Who decides this?). How are professors to know if they have discussed a “controversial belief or policy” until they receive consequences? The ambiguous and vague language does not allow for lively discussion but a suppression of opening the floor in a classroom for sharing ideas due to fear of repercussion. On the matter of repercussions for discussing topics, I would encourage the committee to review this [article](#) in which professor Jeffrey Adam Sachs notes that more professors are fired for liberal thoughts than conservative ones.

Since two of the five proponent speakers used information from the Foundation for Individual Rights in Education as part of their argument, I wanted to see some of the information myself. There are free speech rankings that include liberal to conservative ratios, how open the campus is to differing ideas, how supportive the administration is, and how open the campus is to various speakers. The ratings for 2023 can be found here, <https://speech.collegepulse.com/>. I have included a table of the six Ohio public universities that had data available.

It should be noted that there are three of the six universities in the top 100 (out of 203 total schools) while the lowest ranking is Bowling Green State University at 126th overall. All of the universities have a higher ranking for tolerance for conservative speakers than tolerance for liberal speakers. Of the six public universities, four out of the six are average or slightly above

average in their speech climate rating. One of the arguments expressed in the testimony of the proponents has been the lack of conservative voices on campus. If you look at the liberal to conservative ratios, four of the universities have slightly more liberals than conservatives while the other universities still maintain a small ratio. The highest-ranking school in the nation according to this survey, University of Chicago, has a ratio of 4:1, higher than any of the Ohio schools reported in the survey. When student voices are reported to accompany the results, there are students from all walks of life including liberal and conservative that had reported difficulties on campus. Senator Cirino himself was quoted in a [story](#) by Madeline Otilie, that Senate Bill 83 "...is about not taking particular sides politically, or socially or even culturally, it's about exposing our students to varieties of thoughts on issues." However, he states in another [story](#) by Maia Belay, "This bill is a course correction. I see a lot of our state universities and our community colleges are going down a path, some might call it a woke path. I think the right mission that should be pursued by our institutions of higher learning is that they need to train students how to think, not what to think." This highlights that Senator Cirino indeed feels liberal vs. conservative thoughts are imbalanced. I urge the committee to consider the results of this survey put forth by an agency the proponents are in support of, as a measure of more equality between liberal and conservative thought than is being presented by those in support of this bill. As this is the case, the bill is unnecessary.

Table summarizing information from <https://speech.collegepulse.com/>. More information on each category is available on the website.

	Ohio State University	Ohio University	University of Cincinnati	University of Miami	Kent State University	Bowling Green State University
Liberal: Conservative Student Ratio	1.7:1	1.9:1	2.3:1	1.2:1	2.4:1	1.1:1
Best Overall	38 th	66 th	87 th	101 st	118 th	126 th
Comfort Expressing Ideas	53 rd	84 th	12 th	136 th	93 rd	119 th
Disruptive Conduct	87 th	38 th	117 th	69 th	136 th	82 nd
Openness	130 th	131 st	89 th	192 nd	102 nd	175 th
Administrative Support	78 th	139 th	17 th	98 th	51 st	20 th
Tolerance of Liberal Speakers	139 th	170 th	158 th	126 th	190 th	185 th
Tolerance of Conservative Speakers	14 th	78 th	121 st	23 rd	183 rd	60 th
Speech Climate	slightly above average	average	average	average	slightly below average	slightly below average

Another concern is the use of numerical ratings completed through student evaluations of faculty as 50% of a faculty member's review (SB 83 lines 466-468). Student evaluations are an important component that I use to determine if what I am doing works or if a change needs to be made. One year, I attempted to implement a new form of self-assessment the students used after they conducted a speech/language therapy session and was concerned it was too burdensome and thus not as effective as I hoped but upon review of my student evaluations it was clear that they felt it was beneficial and so I continued a practice I may have otherwise stopped. That form of self-assessment continues to be one of the tools the students say they benefit from most. My concern is with the weight placed on the student evaluations due to many research articles that demonstrate they are not an accurate measure of teaching.¹ In addition, as a clinical instructor, I work intensely with eight to ten students. This does not allow for a response rate that leads to statistically accurate numerical ratings and thus information reported about me will be grossly inaccurate just because I work with a small number of students. [An Evaluation of Course Evaluation](#) by Philip B. Stark, reports that small class results are more extreme than large class results even if response rate is 100%. Anonymity is more tenuous in small classes. The impact of a single positive or negative rating is more impactful than in a large class. If response rates are low, regardless of class size, it is impossible to generalize to the experience of the entire class. Of further concern, student evaluations will be posted for the public to see without any context (SB 83 424-428). While reviews are common in other jobs and I agree that reviews should occur, the public posting of such reviews is not common practice. This is a violation of privacy.

In summary, I oppose Senate Bill 83 due to infringement on academic freedom even though Ohio universities demonstrate diversity of thought, vague language that does not allow for faculty members to determine if they are even following the law, and the use of methods of faculty evaluation proven to be problematic through research, that are then posted publicly.

Thank you for your time.

Sincerely,



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¹ Kreitzer, Rebecca J. & Sweet-Cushman, Jennie (2021). Evaluating Student Evaluations of Teaching: a Review of Measurement and Equity Bias in SETs and Recommendations for Ethical Reform. *Journal of Academic Ethics* 20 (1):73-84.

<https://doi.org/10.1007/s10805-021-09400-w>

-reviewed 100 studies

-impact on ratings based on instructor's gender, race, ethnicity, accent, sexual orientation, disability status

-ratings vary across disciplines

-lighter workloads or higher grading distributions are scored better

-nonelective and quantitative courses are scored lower

"It is clear that teaching evaluations are poor metrics of student learning and are, at best, imperfect measures of instructor performance...SETs disproportionately penalize faculty who are already marginalized by their status as minority members of the discipline. Across the existing literature, using different data, measures, and methods, scholars in many disciplines have documented problems with student evaluations of teaching in ways that are abundantly relevant to faculty in all disciplines."