

Testimony of Caroline T. Clark, Ph.D.  
Before the Senate Workforce and Higher Education Committee  
Senator Jerry Cirino, Chair  
April 19, 2023

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

My name is Caroline Clark, and I am a professor in the College of Education and Human Ecology at the Ohio State University where I have taught for over 26 years. I am also the proud mom of a University of Cincinnati graduate from the College of Nursing. Today, I do not represent Ohio State University, but rather am submitting testimony as a private citizen in opposition to Senate Bill 83.

This bill will in no way “enhance” higher education. Rather, it will undermine Ohio’s efforts to attract and retain a talented workforce; it will waste state money by duplicating pre-existing laws, policies, and practices; and it will degrade, rather than promote, free expression.

This bill will have an especially deleterious effect on the preparation and retention of workers in the state of Ohio. The prohibitions against requiring “diversity, equity, and inclusion courses or training for students” risks accreditation of several key programs, especially in the fields of nursing and mental health care. For example, the Commission on Collegiate Nursing Education (CCNE), a division of the American Association of Colleges of Nursing, requires diversity, equity, and inclusion education in all levels of nursing preparation as a key credentialing component and to support nurse trainees in understanding health disparities and social determinants of health (1-3). Similarly, the American Counseling Association requires the development of diversity, equity, and inclusion competencies in the preparation of mental health counselors, school counselors, marriage and family therapists, and other counseling specialties to support multicultural, marginalized, and underserved communities (4). Loss of accreditation would have a cascading impact on Ohio’s critical need for nursing and mental health care professionals. Non-accredited programs will lose access to federal funding, which requires adherence to these standards, and puts the licensure of students in jeopardy, as students in these fields are required to pass national examinations and may well seek programs outside of Ohio, further depleting the preparation and supply of local health care professionals. An expressed goal of Governor DeWine is to make Ohio a “national leader in mental health research and innovation,” and expand access to “wellness and recovery services” and other mental health services. Senate Bill 83 forecloses possibilities for mental health professionals to be trained and licensed in the state and for accredited mental health research to thrive.

Senate Bill 83 is also an unnecessary, fiscally irresponsible piece of legislation. Many of its mandates are presently in place. For example, students in Ohio and across the country are already required to complete coursework in U.S. History and Government, making this

repetition costly to families paying for these credits and to Ohio universities required to design and administer such a course. Similarly, Ohio university already collect and make available course syllabi, regularly review faculty, and offer students the opportunity evaluate instruction, including opportunities for open-ended response. Requiring the reorganization and administration of these requirements is a clear example of unnecessary government overreach and fiscal irresponsibility.

Most pointedly, this bill is duplicative of Senate Bill 135. Introduced by Senator Cirino in Spring 2022, SB 135 mandates that all Ohio public universities have a specific free speech policy, including reporting and sanctioning mechanisms for instructors who violate this policy. Despite this legislation, which is currently in effect, the Senator's editorial in the April 4th *Columbus Dispatch* declares, "Our First Amendment is under assault in academia. Senate Bill 83 will fix that." To which I ask, what about Senate Bill 135? Should we at least allow that Bill to take effect before declaring its ineffectiveness? Is yet another bill, targeting non-problems, creating wasteful spending, and enlarging government programs and oversight really necessary?

In short, Senate Bill 83 aims to "fix" what is not broken. It targets the wrong issues and offers the wrong solutions. As recent research shows, lack of free speech and ideological indoctrination are not due to the lack of intellectual diversity among faculty but instead, are more reflective of students self-censoring in response to peers (5). As one study out of North Carolina found, "students were more concerned about their fellow students' opinions than about those of their instructors," and faculty members were not perceived by students to be "pushing political agendas." Indeed, rather than being the problem targeted by Senate Bill 83, university faculty were the primary *solution*, particularly when class sizes were smaller and there were more faculty to facilitate small group discussion and intergroup dialogues.

Senate Bill 83 will fix nothing. Instead, it will harm existing and much needed programs, waste Ohio resources, and curb the academic freedom of faculty. Rather than fostering intellectual diversity, this bill will only hinder dialogue, by squelching discussion of necessary topics and hampering academic freedom. As Ohio legislators, if you truly seek to enhance higher education and protect free expression, then you should reject this bill in its entirety, and instead, invest in things that *will* make a difference: world class faculty; smaller class sizes; and accredited academic programs.

#### References:

- (1) <https://health.usf.edu/nursing/college-overview/accreditation>
- (2) <https://www.aacnnursing.org/CCNE-Accreditation/Accreditation-Resources/Standards-Procedures-Guidelines>
- (3) <https://www.aacnnursing.org/Portals/42/CCNE/PDF/Standards-Final-2018.pdf>
- (4) <https://www.counseling.org/knowledge-center/ethics>
- (5) <https://www.chronicle.com/article/the-real-source-of-self-censorship>

