

Testimony of Marianne Martens, Ph.D.
Before the Senate Workforce and Higher Education Committee
Senator Jerry Cirino, Chair
May 15, 2023

Chair Cirino, Vice Chair Rulli, Ranking Member Ingram, and Members of the Workforce and Higher Education Committee: My name is Marianne Martens, and I am a professor of Information Science at Kent State University, where I have taught since 2012. I do not represent Kent State University, but rather am submitting testimony as a private citizen in opposition to Senate Bill 83.

The revised Senate Bill 83 harms faculty, students, and higher education.

The revised bill is an **existential threat to the collective bargaining rights of faculty:**

- It would rob faculty unions of the right to strike.
- It would eliminate the right to collectively bargain important terms and conditions of faculty employment including: annual performance review of full-time faculty (which would now be mandatory for all full-time faculty), tenure, post tenure review (which would now be required in certain circumstances), and retrenchment.
- It would render completely moot the Retrenchment Article of the TT CBA.
- It would render completely moot much if not all of the language regarding performance reviews in Article X of the FTNTT CBA.
- The inclusion of the new **Sec. 3345.455** (lines 1163-1173) into the ORC creates the framework for excluding more and more aspects of the terms of conditions of employment of faculty from collective bargaining over time.
- In these regards, it resembles 2011's infamous SB 5 that was ultimately repealed in a citizens' veto referendum.

The Sub-section (D.1.b of Sec. 3345.45) on workload policies (lines 1016-1024) has been revised in such a way that it would **increase the workload of Kent State's full-time tenured and tenure-track faculty on 9 month appointments by 25%!**

- This mandate, unilaterally imposed by the State, would be the single most radical change in the terms and conditions of employment of Kent State's tenured and tenure-track faculty in over fifty years.

As a faculty member, I care deeply about students. The bill as written will prevent faculty from supporting students at Kent State:

Although the bill styles itself as a bill promoting free speech and intellectual diversity, it contains provisions (even in the substitute version) that would **explicitly censor the University's speech**. (lines 744-748, 752, 754, and 795-797).

- The bill would explicitly prohibit a university from opposing systematic racism, sexism, and/or discrimination based on LGBTQ+ status;
- It would explicitly prohibit a university from endorsing the notion of allyship, social justice, diversity, equity, or inclusion;
- It would explicitly prohibit a university from endorsing any climate policies, or even the idea of a sustainable future;

Universities and institutions of higher education are the places where young people are confronted with and learn about challenging content, complicated concepts, and ideologies that are different from their own – and about how to critically evaluate such content. Limiting academic freedom means that faculty cannot teach students to be critical and independent thinkers who are capable of forming their own opinions, and of making decisions for themselves – skills they will need in their adult lives.

Although substitute SB 83 contains a provision (lines 892-895) that makes clear that it would not violate the law for a faculty expert to present content that involved a controversial belief or policy, specified concepts, or specified ideologies, the bill would still have a **chilling effect on the academic freedom of faculty**.

- Of particular concern are provisions requiring that the detailed syllabi created by faculty for each of their classes be posted in a searchable format on the University's website in a way that is accessible to the public without any sort of sign-in or registration (see lines 656-699).