

I am writing to express my opposition to Ohio Senate Bill 83 (“The Ohio Higher Education Enhancement Act”), which will harm, and not enhance, public higher education in Ohio. I am commenting as a Professor and Ohio Eminent Scholar in the Department of Chemistry and Biochemistry at The Ohio State University, the state’s flagship research university, where I first joined the faculty in 1995. I am fully committed to the success of OSU also as the proud father of a 2022 OSU graduate in computer science. I am writing as a private citizen and not as a representative of the university.

Senate Bill 83 infringes dangerously on the very academic freedom that it claims to support. This broad and overreaching legislation invokes ‘controversial beliefs or policies’ to create a fog of regulations. It would enshrine xenophobia in the state’s laws, and in the name of supposedly increasing meritocracy, it will enact measures that harm minorities and women and make the state’s universities less diverse. Hypocritically, it would require reporting academic qualifications of accepted and matriculating students that are disaggregated by race and sex. Such a move is counter to the intent of the legislation to prevent favoring one sex or race over another, and such disclosures will only reveal that those from underfunded urban school districts are disadvantaged compared to other students in the state.

My department has experienced a steady decline in applications to our PhD program from students from China over the past 30 years. This is a nationwide trend due to the rise of high-quality research universities in China, but discriminatory laws like these by the State of Ohio will send the dwindling supply of Chinese graduate students to other institutions in the United States. Many international students, including ones that have earned PhDs in my laboratory, stay in the US to create companies and eventually become US citizens. It is not in the State’s interests to cede Chinese scholars to more welcoming institutions like those in the University of California system. Furthermore, measures that target students from one nation reduce the attractiveness of our universities for students of all nations. How does a company like Intel that depends on Ohio State University PhD recipients benefit? The anti-China provisions, if passed, will damage my ability to collaborate with my colleagues in China, including with a former PhD student of mine, who is now a Professor in Shanghai. I know of no scholarly societies in chemistry that advocate for severing scholarly ties between China and the USA. History teaches that scholarly exchanges maintained despite international tensions (think of Russia during the Cold War) serve US interests and hasten reforms. I urge legislators to not codify xenophobia, particularly because events of recent years have shown tragically how anti-China rhetoric translates into increased hate crimes against Asian Americans.

Ohio’s public higher education system brings great value to all Ohioans. Legislators must take seriously their role as stewards and oppose this legislation. This bill fails the test of enjoying broad support from Ohio citizens within and outside of higher education. Testifying in favor of the bill in March and April were 10 individuals, who are overwhelmingly white males who graduated from college in the 1970s or earlier. In contrast, a diverse group of hundreds of individuals of all ages, genders, backgrounds,

races, and professions submitted opposing testimony in April. Minor amendments to Senate Bill 83 have not made it more palatable. Unfortunately, the effort to hold hearings and vote on this bill when the state's universities are not in session make it difficult for enrolled students to testify like the dozens of student opponents who did so in April. This move to exclude input from those who will be most affected by this legislation is as suspect as the effort to hold a vote to make it more difficult to amend the Ohio Constitution during an August election cycle. Members of the legislature are urged to recognize this bill for what it is: A partisan overreach that will damage the ability of the state's universities to recruit talented students and professors from across the nation and the world, leading to diminished educational opportunities for Ohioans and compromising the system's ability to deliver the trained workforce sought by Ohio companies. Please vote no on Senate Bill 83.

Sincerely,

Bern Kohler, Ph.D.
Columbus, OH