

Testimony of Sara Watson, Ph.D.
Before the Senate Workforce and Higher Education Committee
Senator Jerry Cirino, Chair
May 17th, 2023

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

My name is Sara Watson, and I am an associate professor of political science at The Ohio State University. I do not represent OSU, but rather am submitting testimony as a private citizen in strong opposition to substitute Senate Bill 83.

SB 83 covers vast terrain, including issues as varied as the right to strike, tenure protections, “bias” in the classroom, mandatory DEI trainings, and partnerships with Chinese institutions, among others. In today’s testimony, I’m sure you will hear from opponents on most, if not all, of these areas. However, I wish to focus my comments on two broad problems with the bill: vagueness in its language around inculcation and free expression, and problems of government over-reach.

According to SB 83, faculty and staff “faculty and staff . . . shall not seek to inculcate any social, political, or religious point of view,” it requires faculty members to “remain committed to expressing intellectual diversity” and prohibits Ohio universities from speaking out on what it calls “controversial policies and beliefs.” But how shall we know when inculcation takes place? Or when faculty are not adequately expressing “intellectual diversity” in their courses? SB 83 – with its sloppy, vague language—is unclear on this question. It asks Ohio universities to create a vast bureaucracy aimed at investigating and sanctioning instructors’ alleged efforts to “inculcate” students. The law states that it does “not apply to the exercise of professional judgment about how to accomplish intellectual diversity within an academic discipline” but then qualifies this-- “unless that exercise is misused to constrict intellectual diversity.” But again, who decides that intellectual diversity is being “constricted”, and how? The effect on actual speech on campuses will necessarily be chilled, as instructors will worry that any mildly controversial topic brought up in class could be construed as inculcation.

SB 83 would also prohibit our universities from engaging in basic acts of civic education. Under this law’s requirement that universities affirm that they will permit students to reach their own conclusions about “controversial policies and beliefs” such as climate policies or electoral politics, for example, it seems likely that universities would be unwilling to sponsor Earth Day programming, or get out the vote efforts. SB 83 would directly undercut efforts to fulfill Ohio State’s land grant mission of “Education for Citizenship.”

Let’s be clear. **Far from protecting intellectual diversity and eliminating “bias” in college classrooms, S.B. 83 represents a blatant effort to restrict the free exchange of ideas on Ohio campuses.** It threatens to censor students’ ability to critically engage with competing perspectives by chilling instructor speech. The bill’s sponsor, Senator Jerry Cirino, effectively acknowledged this in a recent *Columbus Dispatch* op-ed, when he referenced “woke ideology” and

“woke fiefdoms” in Ohio universities as justification for this bill. Senator Cirino seems to believe that indoctrination permeates teaching and learning at Ohio public colleges and universities.

This is simply not the case. Rather than embrace this law, Ohio lawmakers should be asking: How can Ohio universities effectively “equip students with the intellectual skills they need to reach their own, informed conclusions on matters of social and political importance” (as SB 83 exhorts)? Instructors in higher education cannot engage in this important act if they fear being persecuted by a faceless bureaucracy. Moreover the removal of academic freedom protections inherent in so-called post-tenure review policies put not just “liberal” voices at risk, they also threaten the conservative voices that Ohio lawmakers seem bent on protecting with this law.

The other major problem with this bill is that it is an example of **massive government over-reach**. SB 83 requires that Ohio universities spend millions of dollars on monitoring “intellectual diversity,” in proving that it cannot obtain accreditation requirements elsewhere before providing DEI training, in relations with China. Some of this monitoring is duplicative of existing federal requirements. SB 83 also goes so far as to codify in law not just specific course requirements (mandatory course in US government or history) but also specific readings. Asking students take certain courses is, in itself, not objectionable—many universities do so as part of their general education requirements. What *is* objectionable is that Ohio lawmakers are taking this decision upon themselves, rather than permitting universities to make their own choices about such requirements. Moreover, SB 83 doesn’t stop at requiring a certain course—it even specifies a mandatory reading list for said courses *and* the format of final exams. Why is this degree of micro-management of Ohio universities by the Statehouse appropriate?

The sad reality is that SB 83 threatens Ohio universities' proud history of promoting engaged citizenship through open debate and deliberation. I urge the members of this Committee to stand up for true intellectual diversity -- and to resoundingly reject Senate Bill 83.