

Testimony of Linda Piccirillo-Smith
Before the Senate Workforce and Higher Education Committee
Senator Jerry Cirino, Chair
May 17, 2023

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

I would first like to state for the record that I am representing myself and not my institution.

My name is Linda Piccirillo-Smith and I am a senior lecturer in the Department of Africana Studies at Kent State University. I have written to your committee for previous opponent testimony, but I wanted to write again now that the bill has been revised. I have several concerns that I would like to specifically address here.

- In the City Club of Cleveland forum held last Friday, I heard higher education referred to as a “woke fiefdom”. I would like to take a moment to address this view. First, I would like to discuss the term that has become ubiquitous among members of the conservative community; that is the term ‘woke’. The term ‘woke’ has been culturally appropriated from the Black community where it originated. The term meant “becoming aware of social injustice”. The appropriation of the term by the conservative (and predominantly white) community is relatively new (within the last two years) and the appropriation also added a negative connotation – that anyone who is “woke” is dangerous. Let’s consider that the term has historically meant the act of becoming aware of the issues of race and racial inequities in our history and in the present. I would like to ask, respectfully, why anyone would object to someone being ‘woke’ – that is, aware that the history of this country has had, embedded in it, racial inequities.

In fact, in the proposed course that would be required of all students attending a state institution of higher education, students were going to be required to read, among other documents, the Emancipation Proclamation (line 943). Would students who then learned what the Emancipation Proclamation actually says and what it does not say be considered “woke” – the very danger of higher ed you are hoping to eliminate? And while we are discussing this mandatory course, why is their a requirement to read “a minimum of five essays in their entirety from The Federalist Papers”? And what discussion would be acceptable to have based on the content of those specific essays? Would we look at the coincidence of Hamilton (one of the authors) facilitating his father-in-law’s management of enslaved people as an influence on his views or would we consider Madison’s (another author) views distorted considering he enslaved people on his land? As you can see, if you want to avoid ‘wokeness’ entirely, and if you want to avoid discussions of “controversial beliefs” like ‘equity’, you will need to eliminate most of what has been included in this list of course requirements. Within this list, the irony is the requirement for all students to read King’s “Letter from Birmingham Jail”. I am trying to imagine a

way of discussing this letter that does NOT involve issues of “equity” (another controversial topic). If a counter argument is that the proposed bill was not meant to legislate academic freedom in the classroom, the language of the bill contradicts that intent. Here is one hypothetical situation: The bill as written today passes and is signed into law. The course I teach will discuss the “Letter to Birmingham Jail”. I discuss how King raises issues related to equity in this letter. A student in my class finds objectionable my use of this term or my discussion of ‘equity’. That student lodges a complaint which then moves up to the higher administration of the university. The university is held to the standards mandated by the bill and thus is required to sanction me for this ‘behavior’ that would be defined as ‘woke’ and ‘indoctrinating’. Is THIS the way you envision higher education in Ohio? I am hoping the answer to that question is NO.

- The idea of higher education as a ‘fiefdom’ of ‘wokeness’: It is impossible to believe that persons who have the power to pass important and significant legislation would consider EITHER that every course in a higher education curriculum is dealing with social justice OR that dealing with social justice issues is a bad thing in higher education. Of the first, I can assure you that this is not the case. Of the second, I can assure you that learning about social justice is not ‘wrong’ or ‘bad’. I ask you to consider the following: Your kindergarten child comes home from school and says that they have been bullied. Why were they bullied? Because they were the only child of Color in the school. You now have a social justice issue. That child did not have to be ‘taught’ to be ‘woke’ in a ‘fiefdom’ of higher education. It is their lived experience.
- This is the essential problem of this bill. It attempts to fix a problem that does not exist and, in the meantime, create more problems for students who have already experienced challenges because of their race, or their gender, or their gender identity or their religion or their disability. Is this really the direction you want education to go?
- While the newer version of the bill purports to allow for ‘academic freedom in the classroom’, it, in fact, will do no such thing. I call your attention to lines 782-785 of the bill which states:

“Affirm and declare that faculty and staff shall allow

and encourage students to reach their own conclusions about all

controversial beliefs or policies and shall not seek to

inculcate any social, political, or religious point of view;”

So, based on this quote, and based on the list of ‘controversial beliefs’ listed earlier in the bill, I would not be able to teach students what led to the 1919 Tulsa Massacre since that would be a ‘controversial belief’. I would also not be able to discuss the case of Loving v. Virginia since it is connected to another ‘controversial belief’ – marriage. And while the revised bill says that there is still academic freedom for faculty and that it is only the

university as an institution that has to abide by these laws, I would like to know how one teaches for a university that is required to avoid any controversial beliefs or policies. And what if a student in my class chooses to express his or her views that support a white supremacist ideology? Do I no longer have a right to protect the Students of Color in my classroom from hate speech because that means I ‘disfavor’ a particular view – a view of hate? Would I be subject to discipline for ‘rejecting intellectual diversity’ if I were to challenge this student’s expression of racial hatred?

- The difference between theory and practice is significant: What your bill does is take an idea that has grown from isolated incidents (no one I have seen or heard who supports the bill has produced ANY hard data to support the position that the ‘problem’ the bill attempts to address is an actual problem in higher ed). It is usually expressed as a ‘belief’ based on ‘that one person I spoke to last week’ . It is interesting that THIS anecdotal evidence is not only believed without much investigation, but it is also now being used as a basis for policy affecting hundreds of thousands of people – students, administrators, faculty, staff - in multiple institutions, YET, the experiences of MANY students who have testified that their experiences do not suggest a problem exists are dismissed entirely. So, the question becomes, are you serving the needs and interests of ALL Ohioans or are you using your power and platform to address the concerns of the random few whose experiences are not supported by any hard data.
- The fear moving forward: Here is what this bill will do when it is enacted:
 - It will reduce the number of students choosing to come to school in Ohio. It will particularly exclude Students of Color and students from the LGBTQ communities because they will no longer have a safe space nor will their experiences be validated.
 - It will reduce the quality of faculty who will choose to come to an Ohio public university to work. Why would they come here to live under these oppressive rules? By the way, this bill will send a chilling message to faculty from underrepresented groups so they will also no longer want to work in this state
 - It will encourage some current faculty, especially those who are in the beginning years of their careers, to seek positions elsewhere – outside of Ohio – where they can work with the feeling of security that they can be protected, respected, and can experience academic freedom in its truest sense
- I cannot adequately express my lack of comprehension of why ANYONE would oppose ideas like ‘diversity’ or ‘equity’ or ‘inclusion’. Aren’t these the hallmarks of what America is meant to be? Have we not always advocated for a society that is inclusive? Do we not teach our children to ‘accept everyone’ and ‘we are all equal’? Do we not celebrate our diversity – the diversity of ideas, of backgrounds, or religions, of ways of life? What have we become as a country and as a state when these words ‘diversity’ ‘equity’ ‘inclusion’ are not celebrated as positives but are seen as a reflection of something to oppose and to target and to hate. That is what this bill represents, and,

frankly, opposing diversity, equity, and inclusion programs is a tacit admission that Ohio supports NONE of these: the acceptance of people of all backgrounds, the desire to include people of all backgrounds, the desire to make the experiences of students in our institutions of higher education be as equitable as possible.

I thank you for your time and I STRONGLY URGE you to vote NO on this bill.