



May 17, 2023

**Senate Workforce and Higher Education Committee
SB 83 Opponent Testimony**

Submitted by Melissa Cropper, President Ohio Federation of Teachers

Chair Cirino, Vice Chair Rulli, and Ranking Member Ingram, I am Melissa Cropper, President of the Ohio Federation of Teachers (OFT). Thank you for this opportunity to submit testimony in opposition to the sub bill for SB 83.

Last month, OFT Legislative and Political Director Darold Johnson testified on behalf of our union about our deep disagreements with SB 83. Despite the changes that have been made to the bill, SB 83 still represents a drastic overreach by this legislature into the policies, composition, and curriculum of Ohio's public institutions of higher education. This bill will do real harm to faculty, students, and administration, and will lower the standing of Ohio's colleges and universities in relation to our neighboring states. Please reject this amended bill.

Makes campuses safe for hate speech and prejudice

The amended bill still prevents colleges and universities from having the ability to “disfavor or prohibit speech or actions to support any political, social, or religious belief,” which will make our campuses powerless to respond to overt acts of racism, anti-semitism, and other forms of hate speech. Likewise, provisions of the amended bill that restrict when colleges and universities can train staff on issues related to diversity, equity, and inclusion, leaves schools unable to address issues of prejudice or bias on campus. While the bill is written to restrict only “mandatory” DEI training for students or staff, the reality is that voluntary training programs would not be useful. For workplace training to be effective, and for the standards and policies in those trainings to be uniformly adopted, everyone must take part.

Imposes onerous unfunded mandates on faculty and staff

Throughout many sections of this bill new administrative, reporting, and evaluation requirements are foisted on colleges and universities, including a labor-intensive requirement for public posting of searchable, highly detailed syllabi for every single undergraduate course. These administrative requirements, without corresponding funding for compliance, create an unfunded mandate that will be a heavy burden for state institutions of higher education. Additionally, the requirements for syllabi to include every class reading, every assignment, and a summary of every lecture or discussion, will create an excessive amount of uncompensated extra work for faculty.

Threatens academic freedom and could jeopardize accreditation

The amended SB 83 still threatens academic freedom in a number of ways. Most prominently, it creates a culture of micromanagement and overlapping restrictions that may force faculty to avoid covering sensitive topics or presenting views that might challenge students to think about a controversial topic differently. Additionally, faculty may feel like they need to shy away from

presenting challenging content to students, due to a rigid “post tenure review” process that is heavily influenced by student evaluations that are subjective and unreliable.

Puts Ohio colleges and universities at a competitive disadvantage

Given all these restrictions on speech, actions, and advocacy, and onerous reporting requirements, Ohio’s colleges and universities will struggle to recruit and retain highly skilled faculty and staff. The context of these restrictions – the fact that this bill is a statement against promoting diversity, equity, and inclusion on campuses – will be off-putting to many potential students.

Rollback of labor rights

Finally, we are also appalled by the attack on collective bargaining rights that is hidden in this bill. By and large, Ohioans support public sector workers’ rights to join unions and collectively bargain for a fair contract. This was proven resoundingly in 2011 when Ohio voters overwhelmingly rejected SB 5. SB 83’s ban on strikes for many public employees is just as insidious as the restrictions in SB 5. Without the ability to threaten a strike, it will be harder for college faculty and other affected workers to win fair contracts that improve working conditions for staff and learning conditions for students.

We are very disappointed that the amended bill addresses very few of the concerns that higher education students, faculty, and administrators have raised. SB 83 is still unneeded, unproductive, and unwelcome. I urge you to reject this legislation.