



Testimony before the Senate Workforce & Higher Education Committee

Senate Bill 83

Wednesday, May 17th, 2023

Chairman Cirino, Ranking Member Smith, and members of the Senate Workforce and Higher Education Committee, thank you for the opportunity to provide testimony on Senate Bill 83 (SB 83). I am Jack Hershey, President of the Ohio Association of Community Colleges (OACC), which represents the trustees and presidents of all twenty-three of the state's public community colleges.

As open access institutions, we are first and foremost designed to be inclusive and welcoming to all. Our mission is what makes us unique within the American higher education system, and what makes us such valuable partners to local businesses looking for a modern workforce. That mission keeps us committed to creating welcoming opportunities for all students, regardless of their background, educational preparation, political persuasion, race, or age.

This commitment to our open access mission means that not only do we accept all who apply to our colleges, but that we must strive to create a campus culture that all who would seek to apply should feel openly welcomed at a community college. Unlike many universities that go through a months-long selective admissions process to choose their student body to ensure they are a good fit for the culture and academic profile they are trying to establish on campus, community colleges are designed to serve all students and the communities where they are located. Over 90% of students at one of our colleges come from the region and remain in their community after completing the credential or degree – not surprising when you consider that the average community college student is 28 years old, working at least one job while raising family or caring for a family member. Additionally, most of the faculty and staff at a community college also primarily come from the area.

It is not easy to serve a body as diverse in background and goals, and yet we proudly embrace this mission. Faculty and staff are fully committed to providing a robust education that prepares students not just for their careers, but also to be engaged citizens in their communities. It is critical that our institutions of higher education foster discourse and dialogue through the free expression of ideas, thought and perspective, regardless of political or philosophical viewpoints. That is why we agree with the goals of Senator Cirino and others on all sides of this debate who want to ensure Ohio's colleges and universities protect the freedom of speech and expression, encourage the diversity of thought, and foster a culture of respect and intellectual diversity.

While we don't select the students we serve, Ohio's community colleges are proud that our student enrollments reflect the communities in which they are located. That is why students at community colleges are the most diverse sector in the state. We believe that the differences in

our mission, job-focused academic pathways designed for in-demand jobs in the region, and commitment to remain affordable and accessible are a major reason why many of the issues identified in SB 83 have not been reported as widespread concerns across community colleges.

As part of that stated mission to ensure that we remain open and welcoming to all, you will also see community colleges hesitate to weigh in publicly on issues that have become controversial or divisive throughout the community. There are certainly provisions within this legislation that fall into that category, and therefore our association will refrain from weighing in on those topics in this testimony. As publicly funded institutions, we must remain a trusted education partner to all in our community. OACC will note that the committee has certainly heard from numerous community college faculty and students throughout the state, and we encourage you to listen to and carefully consider their views and how this bill could impact their profession and experiences as you continue to deliberate on this bill.

Community college leaders do agree with the stated goal of the sponsors of SB 83 when they say that it is critical for institutions of higher education to foster civil and fair discourse and dialogue through the free expression of ideas, thought and perspective – regardless of political or philosophical views. We believe that Ohio community colleges are places where that regularly happens.

Since SB 83 was first introduced, OACC appreciates the numerous meetings and conversations that Senator Cirino has had with us to better understand how this bill would impact our colleges. We greatly appreciate his willingness to listen and work with us to better balance his goals of this bill with our mission and business model.

Thanks to these discussions, this committee accepted several positive changes that were included in the substitute version of SB 83 that were aimed at recognizing the uniqueness of our public two-year institutions and the critical role they play in serving our students, communities, and local employers, including:

- Removing College Credit Plus courses from the requirements regarding posting of course syllabi.
- Clarifying that the American History course requirement applies to bachelor's degrees.
- Clarifying that colleges currently operating without tenure policies would not be required to establish one because of this legislation.
- Providing flexibility to help colleges and universities be compliant with the bill's requirement to post the required course syllabi and other information on to the institution's website.
- Amending the definition of "intellectual diversity" to better ensure that the ability to have robust discussion in the classroom is not impacted by this legislation.

- Clarifying that specialized scholarships, student organizations, and student success and completion efforts are allowed to continue to operate if they had a specialized focus that wasn't applicable to the entire student body, such as veteran's support groups and Women in STEM initiatives.
- Providing a path to ensure public colleges and universities can remain compliant with federal, state, accreditation, and licensure board requirements with certain mandatory DEI training requirements, while removing potentially problematic language that may have created legal and personal liability with requirements in the bill.

OACC appreciates Senator Cirino and members of this committee for listening to a wide range of questions raised by numerous stakeholders and for your willingness to address these concerns.

With the idea that no legislation is ever perfect, there are a handful of other changes that OACC would request the committee to consider. We believe these changes will further help ensure our colleges are able to be compliant with the requirements in SB 83 without adding significant additional costs or administrative burdens to our colleges:

- Posting of Course Syllabi: Remove or consider providing alternative requirements for community colleges from the section 3345.029, which requires each institution to post all their course syllabi on our websites by the first day of class. While universities often know their course schedule and offerings well in advance of the start of classes, this provision raises numerous operational concerns for the community college model as we often allow for enrollment up to the first day of classes. This often means we are adding course sections and bringing in new faculty during this time as we respond to student need. Community colleges also often have different courses starting at different points throughout a semester. This flexibility is critical to help attract new students, especially adult students who may have stopped out, or simply those who may decide at the last minute to enroll. We do not want to jeopardize that flexibility, which is one of the things students appreciate most about community colleges.
- Annual Performance Evaluations: Clarify that the provisions of 3345.452 that require annual evaluations of faculty apply only to the full-time, permanent faculty of the institution.
- Declarations in Mission Statements: Require that the statements outlined in section 3345.0216 be adopted as board policy instead of included in the mission statement. Mission statements are meant to be one sentence statements that our colleges use to communicate what the college does to numerous partners and organizations throughout the community. As we embrace the goals outlined in this section, our colleges are not raising concerns with the statements themselves, rather we would suggest that these statements do not fit within a traditional mission statement.

As open access institutions, Ohio's community colleges take seriously our responsibility for being welcoming to everyone from all backgrounds and beliefs while supporting their pursuit of higher education. A better future depends on our ability to develop the ideas and strategies that rise to the ever-changing challenges of an ever-changing world. The promise that America has to offer can only be met through honest, respectful discourse that encourages an open exchange of thoughts and ideas. We appreciate you listening to ours.

Chairman Cirino, and members of the Senate Workforce and Higher Education Committee, thank you for the opportunity to testify and for your commitment to continue to work to refine the provisions of Senate Bill 83.