

March 3, 2025

The Honorable Tom Young, Chair
House Workforce and Higher Education Committee
77 South High Street
Columbus, OH 43215

Thank you for the opportunity to provide written testimony on Senate Bill 1. This bill claims in its title that its aim is to advance higher education in the state of Ohio. However, the proposed amendments display a wonton disregard for what makes higher education worthwhile and in doing so undermines its mission. If this bill is passed, it will have disastrous consequences for student autonomy and self-governance, intellectual freedom and honesty, and the very equality of opportunity it claims to uphold.

I. This Bill Restricts the Right of Students to Influence the Nature of their Education

As you know, the amendment to Sec. 3335.02(b) removes the voting power of student members of the board of trustees of The Ohio State University. While this change is consistent with the powers allotted to the student members of the boards of other state universities, it does not signal an intent by the authors to respect the opinions of students on issues which affect their education. This directly contradicts later amendment in Sec. 3345.0216(a) which requires that the institution “respects the autonomy of each member, ... and tolerates differences in opinion that naturally occur in a public higher education community.” It is all well and good to claim that the public institutions of higher education in Ohio should respect autonomy and differences of opinion, but the text of these amendments merely pays lip service to the idea. What good is it for the opinions and autonomy of students to be respected only in the ways that prevent them from enacting change? The authors of this bill clearly aim to create the image that they are freeing students from the “stranglehold of dogmatism” that is allegedly pervasive among institutions of higher education. But this amendment reveals the true intent of the bill – to create an environment which allows differences of opinion only in principle and in practice disenfranchises those who disagree with the whims of the ruling party by whom the board of trustees is appointed.

II. This Bill Prevents Educational Institutions from Exercising the Intellectual Freedom and Honesty it Claims to Uphold

As defined in Sec. 3345.0217(a) the term “controversial belief or policy” is so broad and open for interpretation that it effectively prevents honest and open inquiry on any topic whatsoever. To begin with, among the issues given as examples of controversial beliefs or policies are climate policies. While intellectual disagreements on exactly what actions or policies would be most effective at combatting climate change is certainly legitimate, the existence of climate change and the necessity for the enactment of policy to mitigate or reverse it is not a matter of honest intellectual debate. All scientists and engineers with any level of intellectual honesty in disciplines even tangentially related to the climate recognize and agree on the existence, cause, and necessity of intervention in climate change, with very few exceptions. It is as much a matter of scientific fact as the existence of the electron or the function of the heart.

Do I believe that individuals, even those in positions of intellectual authority, should be able to hold the opinion that climate change is a hoax without fear of legal or institutional repercussions? Absolutely, the free belief in and dissemination of ideas is one of the core principles of science. Does it therefore follow that because we tolerate this difference of opinion that the institution at large should be

prohibited from maintaining a point of scientific fact? Absolutely not. In fact, the insistence that institutions do not adopt official positions on matters deemed “controversial” is itself an attack on the intellectual freedom and honesty of that institution and the employees and students thereof.

The only reason for this point’s inclusion as controversial is that it is an inconvenient truth for one of the two major political parties, not that there is actually any honest controversy of the facts themselves. What then prevents any other point of scientific fact from being labeled as controversial (and thereby preventing the institution from upholding the truth) when it becomes inconvenient for those in power? It is not difficult to imagine potential scientific discoveries which one party or another would vehemently deny regardless of their veracity. Contrary to combatting dogmatism, this amendment serves only as a weapon of the state to wield against truths which it desires to remain unknown.

III. This Bill Undermines the Ability of Institutions to Create Equality of Opportunity for their Students

In principle, the ideal of equality of opportunity is simple to achieve. So long as there are no biases for or against one group or another within the system, every individual will have the same starting line. However, the fact of the matter is that by the time students reach the doors of an institution of higher education each and every one of them is starting from a different place. Many of these differences will be the result of factors which pertain more to the specific individual rather than any group identity. However, it is undeniable that there are groups of people who experience setbacks and hardships that are simply not experienced by those outside of that group. Given the presence of these group identity-related factors it is certainly the case that two students who display the same level of effort, discipline, intelligence, and individual aptitude may not always yield the same results – in other words, individuals with certain group identities are running with a handicap through no fault of their own, but rather the fault of a society that treats people unfairly. It is the responsibility of the institution to address these “handicaps” and ensure that the success or failure of a student depends on his or her individual actions and aptitude alone and is not unfairly hampered by factors outside their control, factors which include race, sex, gender identity, sexual orientation, and more. The mandates established in Sec 3345.0217(b) directly hinder the ability of the institution to address these handicaps and reduce or eliminate their effect on student performance. Rather than establishing a shared starting line, these measures would ensure that those who start ahead stay ahead, and those who start behind stay behind.

Again, I appreciate the opportunity to provide written testimony on this bill and your consideration of the concerns of your constituents.

Thank you,

Benjamin Brooks