

## Testimony of Robert J. Valerian in Opposition to SB1/HB6

Chair Young, Vice Chair Ritter, Ranking Member Piccolantonio, and members of the House Workforce & Higher Education Committee:

My name is Robert J. Valerian. I am a retired attorney who practiced law in Ohio for 34 years. I have also served on the adjunct faculty of Case Western Reserve Law School. I served ten years on active duty as a pilot in the United States Air Force and ten years in the Air Force Reserve as an admissions counselor for the United States Air Force Academy.

I am strongly opposed to SB 1 and its companion bill HB 6.

This legislation is a shocking infringement on the right to free speech guaranteed under the Ohio Bill of Rights, Article I, Sec. 11 of the Ohio Constitution:

§11 Every citizen may freely speak, write, and publish his sentiments on **all** subjects, being responsible for the abuse of the right; and **no** law shall be passed to restrain or abridge the liberty of speech, or of the press.  
(emphasis added)

Despite this broad prohibition against restraint or abridgement of the speech of Ohio citizens, this legislation proposes to establish a system of prohibitions, surveillance and reporting directed against the free speech of Ohio's university professors. It is calculated to prevent them from expressing their views and opinions to Ohio's college students on a variety of topics without fear of retribution. This Bill will suppress the very "intellectual diversity" it purports to support.

The bill requires Ohio Universities to:

"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 **indoctrinate** any social, political, or religious point of view;" (Emphasis added)

What will this mean in practice? How will it affect teachers in their classrooms? If a sociology professor teaches about how American Jim Crow laws were modelled by the Nazis to oppress Jewish citizens, is that to be considered "indoctrination?" Is a law professor explaining the pernicious effects of "separate but equal" sanctioned in *Plessy v. Ferguson* violating the law? Will a history professor stating the truth that there is no factual basis to claim that Donald Trump won the 2020 presidential election be subject to sanctions for "indoctrination." Does an Economics professor "indoctrinate" his students by disclosing that women are paid a fraction of the pay men receive for the same work.

Ironically, this proposed legislation also requires all Ohio Universities to offer a compulsory civics course with required reading of Adam Smith's free market economic theories—a course that is clearly intended to *indoctrinate* students in the most conservative (and largely discredited) of all economic theories. This provision is also at odds with the Bill's requirement that all Ohio universities declare, "commitment to free and open intellectual

inquiry, independence of thought, tolerance of differing viewpoints, and equality of opportunity.”

Why are the faculties of Ohio’s Universities to be deprived of their collective bargaining rights and right to strike? I have heard no persuasive arguments for this action. What have they done to earn this disrespect? Why are they to be deprived of employment rights other Ohio employees enjoy?

The dismantling of all remnants of Diversity, Equity and Inclusion programs at Ohio Universities is a mean-spirited denigration of women, racial minorities, immigrants, LGBTQ people and disabled people that will bear bitter fruit for years to come. Thousands of disadvantaged Ohioans will be kicked to the back of the educational bus thanks this Bill which declares that a diverse student body is BAD; that treating all students fairly is BAD and that providing for the inclusion of all Ohio’s citizens in Ohio’s higher education is BAD.

This bill did not originate from college students, educators or administrators to advance educational improvements.

It originated from politicians to advance partisan political objectives.

Please listen to the voices of educators and vote NO on this bill.