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Proponent Testimony on Ohio Senate Bill 1 Ohio House Workforce and Higher Education Committee Michael B. Poliakoff, Ph.D., March 19, 2025

Chair Young, Vice Chair Ritter, Ranking Member Piccolantonio and members of the House Workforce and Higher Education Committee. I am Michael Poliakoff, president of the American Council of Trustees and Alumni (ACTA for short). For 30 years, ACTA has worked to uphold high standards, fiscal prudence, and freedom of expression in higher education. It is for this reason that I write in support of Ohio Senate Bill 1 (S.B. 1). ACTA is honored to come before this committee. We enthusiastically commend this legislation's visionary boldness at a time when American higher education is in urgent need of a course correction as we watch great institutions like Columbia University suffer from self-inflicted wounds, we admire all the more the proactivity of S.B. 1. The chairman of ACTA's Board of Directors, Mark Ridenour, who hails from Northwest Ohio, sends his highest regards to the Committee. Indeed, ACTA is fortunate to have on its Board of Directors, in addition to Mr. Ridenour, John Altman: Both are proud alumni of Miami University of Ohio who later served on its board of trustees.

I will take a moment to explain my personal reasons for this testimony, beyond my role at ACTA. My roots are in academic life, and it is my passion to ensure that students have the best possible college education at the most reasonable cost to themselves and to taxpayers that inspires me. I founded and chaired the Department of Classics at Hillsdale College and have taught Latin, Greek, and Classical Civilization at Wellesley College, Georgetown University, and George Washington University, and still try to slip away from my job at ACTA to teach an evening course at George Mason University whenever possible. I have served as Pennsylvania deputy secretary of education, director of education programs at the National Endowment for the Humanities, and vice president for academic affairs and research at the University of Colorado.

Even in written testimony, I cannot do justice to all the forward-looking initiatives within this omnibus bill.

Let me start with an issue that has been of gravest concern to ACTA for its entire existence. That matter is the historic and civic illiteracy of young Americans that universities have been unwilling to acknowledge, much less remedy.

In ACTA's history, we have sponsored nine surveys to determine the historical and civic literacy of college students or recent college graduates.

PROMOTING ACADEMIC FREEDOM & EXCELLENCE

The results are apocalyptically alarming to anyone who cares about the future of our nation. Here is a sample from our most recent multiple-choice survey of over 3,000 college students:

- Almost one-third of students think United States senators serve four-year terms. Only 40% of students correctly answered that Senate terms last for six years and House of Representatives terms for two years.
- Less than one in three can identify James Madison as the Father of the Constitution.
- Just over one-quarter (27%) of students could correctly identify former vice president Kamala Harris as then-president of the Senate.
- More than half of the students surveyed think the Constitution was written in 1776. Only 32% chose the correct answer, 1787.

And then we come to the most terrifying of all the findings: **57% of these young people, when asked if they would stay and fight if Russia invaded the United States, answered that they would prefer to flee the country.**

Allow me the irony of quoting Russian poet Yevgeny Yevtushenko: "Who never knew the price of happiness will not be happy." Historical and civic ignorance is a monster that can eat our nation from within, sapping our confidence and will. That is writ large in our findings, survey after survey.

Would that we had heeded what President John F. Kennedy wrote in 1962:

There is little that is more important for an American citizen to know than the history and traditions of his country. Without such knowledge, he stands uncertain and defenseless before the world, knowing neither where he has come from nor where he is going. With such knowledge, he is no longer alone, but draws a strength far greater than our own from the cumulative experience of the past and a cumulative vision of the future.

Who is accountable for the cancer that is metastasizing through our colleges and on into society at large? ACTA's annual analysis of core curriculum requirements at over 1,100 liberal arts colleges and universities shows that only 19% of these institutions require a single foundational course in United States history or government. The causal line seems self-evident. Faculty and administrators may resent it when legislators specify core requirements, but the prevailing concept of "shared governance," which delegates academic affairs to the faculty, has clearly failed the public. In many instances, the failure seems deliberate. ACTA finds it utterly reprehensible that anyone would object to an initiative to ensure that all college students study such core documents as the Declaration of Independence, the Constitution, selected Federalist papers, the Gettysburg Address, the Emancipation Proclamation, "Letter from Birmingham Jail," and *The Wealth of Nations*.

S.B. 1's clear requirement in Section 3345.382 for a three-semester-hour course that covers the basics of the American story with a testing requirement will put Ohio in the vanguard of states whose legislatures have recognized their solemn responsibility to mandate this remedy for civic and historical illiteracy. It is an idea that has had the support of scholars and thought leaders

across the political spectrum, including Derek Bok, former president of Harvard University; Richard Haass, president emeritus of the Council on Foreign Relations; and Ronald J. Daniels, president of Johns Hopkins University.

Although ACTA prefers boards of trustees themselves to initiate such requirements, when this does not happen, it falls to state legislatures to address the growing, well-documented disease of civic ignorance among college graduates. The clear prescriptions of Section 3345.382 are highly commendable. This requirement plainly represents best educational practice.

The bill's proactivity is timely because it addresses another serious campus disease: the stifling of sociopolitical debate and discussion and the erosion of intellectual diversity. A recent ACTA survey of 2,003 students at Ohio State University (OSU) provided solid data on not only the overall state of freedom of expression at the university, but also the experiences of campus population subgroups. The findings are not reassuring, and they encourage us to embrace the bold thinking that S.B. 1 contains. No one should imagine that what we found at OSU does not apply to many more institutions in Ohio and throughout the nation.

Here is one example from the survey. We asked the student sample, "On your campus, how often have you felt that you could not express your opinion on a subject because of how students, a professor, or the administration would respond?" Our preliminary data found that 21% answered "Fairly often" or "Very often", but that is not the whole story. A frightening 48% of our Republican sample answered either "Fairly often" or "Very often"; that figure fell to just 8% among Democrat students.

To give one more example, we asked students, "How many friends on campus do you have who adhere to a different political ideology?" Among Republicans, 62% said "About half" or more. But among Democrats, only 28% answered "About half" or more. A surprising 35% of Democrats said, "Just one or two" or "None"; only 9% of Republicans selected either of those choices.

We are impressed to see that Section 3345.0216 echoes the magisterial words of the American Association of University Professors' (AAUP) Declaration of Principles on Academic Freedom and Academic Tenure, when it admonishes that faculty and staff shall allow and encourage students to reach their own conclusions. The AAUP laid down the principle that,

The university teacher, in giving instruction upon controversial matters, while he is under no obligation to hide his own opinion under a mountain of equivocal verbiage, should, if he is fit for his position, be a person of a fair and judicial mind; he should, in dealing with such subjects, set forth justly, without suppression or innuendo, the divergent opinions of other investigators ... and he should, above all, remember that his business is not to provide his students with ready-made conclusions, but to train them to think for

themselves, and to provide them access to those materials which they need if they are to think intelligently.¹

Wisely, Section 3345.0216 of S.B. 1 calls for commitment to intellectual diversity. Lack of intellectual diversity is widespread in American higher education. A 2021 survey found that, shamefully, over one-third of faculty say they would discriminate on the basis of political ideology.² That appears to have affected hiring severely. It is not surprising that the 2017 National Communication Association survey of over 7,000 college faculty found that the ratio of registered Democrats to registered Republicans teaching history was 33.5 to 1. Sixty percent of both history and journalism/communication departments report employing no registered Republicans.³ Do we doubt that there has been erosion of intellectual diversity and with it vibrant discussion?

We are pleased to see that Ohio lawmakers are both asking how your state can be a leader in campus freedom of inquiry and expression and recognizing that fostering the free exchange of ideas will require remedial action. An important and innovative aspect of S.B. 1 is its mandate that student evaluations of faculty include a question on the professor's willingness to entertain different viewpoints and perspectives in the class (Section 3345.451). It is also very, very welcome to see that S.B. 1 mandates institutional neutrality (Section 3345.0217). ACTA has a webpage that includes a listing of colleges and universities that have adopted the best practice of desisting from issuing positions on political and social topics. Thereby, in the words of the University of Chicago's Kalven Report:

The university is the home and sponsor of critics; it is not itself the critic. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. The neutrality of the university as an institution arises then not from a lack of courage nor out of indifference and insensitivity. It arises out of respect for free inquiry and the obligation to cherish a diversity of viewpoints.

I doubt that anyone in this legislature would disagree with the statement that diverse perspectives-read *intellectual* diversity-foster breakthroughs in our understanding. Scott Page's 2007 book, *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies*, makes that abundantly clear. What S.B. 1 seeks to redress is the power of bureaucratic offices, commonly known as diversity, equity, and inclusion (DEI), which, despite their fair-sounding name, do more to obstruct the intellectual diversity that is the very lifeblood of higher education and American progress rather than improve it. The news in American higher

¹ The American Association of University Professors, "1915 Declaration of Principles on Academic Freedom and Academic Tenure," January 1915, <https://www.aaup.org/NR/rdonlyres/A6520A9D-0A9A-47B3-B550-C006B5B224E7/0/1915Declaration.pdf>.

² Eric Kaufmann, "Academic Freedom Is Withering," *Wall Street Journal*, February 28, 2021, <https://www.wsj.com/articles/academic-freedom-is-withering-11614531962>

³ National Communication Association, "Political Party Affiliation Among Academic Faculty," C-Brief/7, no. 1 (2017), https://www.natcom.org/wp-content/uploads/2017/04/NCA_C-Brief_2017_March.pdf

education is riddled with stories about conflicts between DEI and free expression and intellectual diversity. The story of Stanford Law School's DEI dean's intervention during the shout-down of Fifth Circuit Judge Kyle Duncan is just one of the widely reported and egregious examples.

Mandatory diversity statements in hiring, promotion, and admissions are an especially troubling trend. The title of an article in the February 4, 2023, issue of *The Economist* of London tells us that we are making fools of ourselves in the eyes of the world: "American universities are hiring based on devotion to diversity: Mandatory statements are quickly taking hold of academia."⁴

At this moment, it appears that one in five faculty hires is to some degree dependent on the candidate's diversity statement. At the University of California-Berkeley, the hypothetical answer, "I always invite and welcome students from all backgrounds to participate in my research lab, and in fact have mentored several women," would likely end the applicant's eligibility. Heed the words of Keith Whittington, a political scientist at Princeton University, "There are a lot of similarities between these diversity statements as they're being applied now and how loyalty oaths (which once required faculty to attest that they were not communists) worked."⁵

It is worth noting, regarding Section 3345.0217, that Berkeley's Division of Equity & Inclusion had a budget of \$36 million in 2020. This money goes to salaries and programming in DEI; it does not increase diversity by the logical process of awarding more need-based scholarships to worthy students.

S.B. 1 is following best practices in accountability. It stipulates post-tenure review, a crucial means of ensuring that professors' skills and commitment continue to grow after winning tenure. The field itself is impatient for such reforms. The American Political Science Association, for example, published a study in 2014 called "When Tenure Protects the Incompetent" which noted that 62% of department chairs agreed that tenure "has shielded incompetent faculty from dismissal" at their institutions. Failure to have meaningful post-tenure review hurts students and injures the reputations of dedicated faculty who work hard to keep high professional standards.

We are very pleased to see the emphasis on thorough training of university trustees in Section 3333.045.

S.B. 1 will serve the interests of the students, the dedicated faculty, and the taxpayers of Ohio. It will also serve as a model that other states will look to for guidance. Because of the vision of this legislature, Ohio now has five independent institutes for the study and teaching of American constitutional thought, more such institutes by far than any other state in the nation. When the wise provisions of S.B. 1 become law, Ohio's leadership in higher education will be indisputable.

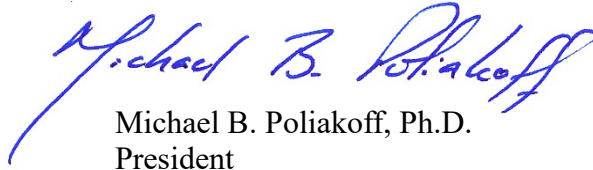
⁴ "American universities are hiring based on devotion to diversity," *The Economist*, February 4, 2023, <https://www.economist.com/united-states/2023/02/04/american-universities-are-hiring-based-on-devotion-to-diversity>

⁵ Ibid.

My Wolverine doctorate notwithstanding (University of Michigan-Ann Arbor, Ph.D., 1981), I stand in admiration of what the Buckeye State now undertakes. I thank this committee for your time and the opportunity to provide this written testimony. I am available to answer any questions you may have via email at MPoliakoff@GoACTA.org or **(202) 467-6787**.

Thank you.

Warm Regards,

A handwritten signature in blue ink that reads "Michael B. Poliakoff". The signature is fluid and cursive, with the first name "Michael" and last name "Poliakoff" being more prominent than the middle initial "B.". The signature is positioned above the printed name and title.

Michael B. Poliakoff, Ph.D.
President