

Testimony of Annabelle Fisher
Before the Senate Higher Education Committee
Senator Kristina Roegner, Chair
February 11, 2025

Chair Roegner, Vice Chair Cirino, Ranking Member Ingram, and members of the Senate Higher Education Committee, my name is Annabelle Fisher and I'm a 2L at the University of Cincinnati College of Law. I'm here today on my own behalf—and as a Constitutional Law enthusiast—to present testimony in opposition to Senate Bill 1.

Senate Bill 1 would lower the quality of education students receive at Ohio's public universities by discouraging qualified professors from applying to teaching positions and by discouraging qualified students from applying for degree programs. It would also have a chilling effect on speech through provisions restricting the discussion of "controversial topics." These provisions stand in stark contrast to our robust First Amendment protections.

In *Meriwether v. Hartop*, a 2021 case that affirmed an Ohio professor's right to use incorrect pronouns for a university student, the Sixth Circuit Court of Appeals firmly held that "the First Amendment protects the academic speech of university professors."¹

The Court in *Meriwether* traced the history of First Amendment protections in the classroom, affirming that a professor's contributions to the marketplace of ideas are crucial to student success; the Court wrote that "[w]hen the state stifles a professor's viewpoint on a matter of public import, much more than the professor's rights are at stake. Our nation's future 'depends upon leaders trained through wide exposure to [the] robust exchange of ideas.'"² The *Meriwether* court echoed *Tinker v. Des Moines*, warning that forcing professors "to avoid controversial viewpoints altogether in deference to a state-mandated orthodoxy" risks "transforming the next generation of leaders into 'closed-circuit recipients of only that which the state chooses to communicate.'"³

Prohibiting the free and full discussion of "controversial topics" risks the very state-mandated stifling of professors' viewpoints that the *Meriwether* court warned against, and it would have a chilling effect on academic speech. A professor who fears being disciplined for "indoctrination" would have little incentive to moderate robust academic debates among students. A professor might also be hesitant to present the full scope of a topic for fear that the facts might make one side look better than the other.

¹ *Meriwether v. Hartop*, 992 F.3d 492, 503 (6th Cir. 2021).

² *Id.* at 505.

³ *Id.* at 507.

Despite the assertion that this bill promotes “more speech, not less,” it would have a restrictive effect on academic freedom that contrasts the robust protections afforded by the court in *Meriwether*. As a student, I have been privileged to learn from professors across the political spectrum who take full advantage of their academic freedom. I fear that my education will be hindered if all professors are unable to speak freely in the classroom on topics the state deems controversial. My professors have always fostered an environment of open conversation, regardless of political alignment. Even without the restrictions on speech embodied by Senate Bill 1, I have heard contributions from students with a variety of backgrounds, outlooks, and viewpoints. As a law student, learning to advocate for your position is critical; I fear that stifling debate by dulling “controversial topics” will make us less prepared to excel professionally.

For the foregoing reasons, I urge you to reject this bill so that Ohio students can receive a quality education unencumbered by state interference with academic speech. Thank you.