

Testimony of Stephen Mockabee, Ph.D.
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 Higher Education Committee:

My name is Steve Mockabee, and I am a professor at the University of Cincinnati, where I have taught political science for 23 years. I do not represent the university, but rather I am submitting written testimony as a private citizen in opposition to Senate Bill 1. I am currently the President of the UC Chapter of the AAUP (American Association of University Professors), which represents over 1800 full-time faculty through collective bargaining.

I write to express strong opposition to SB 1. Several sections of the bill would weaken job security for faculty and make it far more difficult, if not impossible, for Ohio's public universities to recruit and retain excellent faculty and students. The top concerns are as follows.

1. In prohibiting retrenchment and faculty evaluations as subjects for collective bargaining, SB 1 strips faculty of their fundamental right to negotiate over key aspects of working conditions and terms of employment. This is the worst attack on unions since the infamous SB 5 back in 2011. Moreover, the definition of retrenchment is far too broad, requiring only "a reduction" in enrollment or the mere presence of undefined "fiscal pressures." This wording would give administrators *carte blanche* to shut down academic programs and fire faculty without warning or due process. This would create uncertainty and chaos for both faculty and students. In addition, the bill's stated educational goals do not provide any justification for limiting collective bargaining. In fact, faculty's working conditions are students' learning conditions, so undermining the faculty's voice does nothing to advance the quality of education students receive, or to promote free speech. This provision limiting collective bargaining is nothing but a political attack against unions, pure and simple.
2. In banning faculty from striking, SB 1 prevents faculty from exercising their fundamental right to withhold their labor if mistreated. Faculty strikes are extremely rare; at UC, we have only had two in fifty years, and none in the past thirty years. Strikes will always be few and far between, because faculty hate to miss time with their students or delay their learning. But the possibility of a strike provides unions with leverage that helps to get intransigent administrations back to the bargaining table to negotiate in good faith.
3. The language granting administrators the authority to call for a "post-tenure review" (a termination proceeding) for reasons outside of the annual review process "at any time" would effectively end tenure in Ohio. Being terminated at any time without due process or the right to appeal is *not* tenure in any meaningful sense of the word. With other states still offering tenure, Ohio institutions would struggle to recruit and retain quality faculty if this becomes law. The result would be not only an exit of faculty, but also a loss of student recruitment as Ohio's

programs would become less and less attractive to prospective students. This “brain drain” would be devastating to Ohio’s economic future.

4. SB 1 imposes a statewide, one-size-fits-all employee evaluation process that ignores the different needs of institutions with widely varying missions and histories. This is a classic example of legislative oversight morphing into big-government overreach. The idea that all faculty should have annual performance reviews is reasonable. Indeed, at UC we have had annual performance reviews mandated in our collective bargaining agreement for decades. But when state legislators write the minute details of the process and impose it on everyone statewide, regardless of how well their current systems are working, that crosses over into micromanagement by the government.
5. The bill’s requirement to post detailed course syllabi online violates faculty members’ intellectual property rights. It also makes the intellectual property of Americans readily available to adversarial countries such as China and Russia. In addition, although we appreciate the clarification in the substitute bill that there is no requirement to disclose the time and location of in-person class meetings, the bill still requires posting details about faculty course schedule, contact information, and dates when specific topics will be covered. This mandate will expose faculty to harassment by off-campus trolls and invite disruption of classes (since class time and location can already be looked up via the university’s publicly accessible course scheduling website). Simply requiring a course description or general syllabus should be more than enough to satisfy the public’s interest in curricular content.
6. The bill still contains broad language banning all DEI, but, remarkably, fails to provide a definition of DEI! Perhaps the bill’s sponsors only think of race when they think of DEI, but the reality on our campuses is that diversity is a much broader concept. Thus, banning diversity and inclusion will lead to wide ranging effects that go well beyond the training sessions that were banned in the old SB 83. Now, students would lose scholarships, and accessibility offices that often include assistance for people with disabilities and for veterans would be shut down. These new obstacles will make it even more difficult for Ohio’s colleges and universities to attract and retain students, and will further exacerbate “brain drain.”

At UC, we have a collective bargaining agreement that has shielded academic freedom and guaranteed faculty rights with robust due-process protections for fifty years. Both sides respect the rules, because they were mutually agreed to, and refined, over years of collective bargaining. Over time, this has created a stable campus environment where conflict between faculty and administration has been minimized. This stability has contributed to a period of unprecedented growth and prosperity for the University of Cincinnati. We have set records for enrollment and research output, and our rankings and reputation have risen. There is no reason why the General Assembly should disrupt this momentum with a series of unfunded mandates that change policies for the sake of change. This would harm the University of Cincinnati, and our faculty, staff, students, and alumni deserve better.

I hope that you will reject SB 1 entirely and restart the process of engaging with stakeholders to develop a better bill that strengthens, not weakens, higher education in Ohio. The AAUP-UC Chapter stands ready to engage in this process of constructive discussion. But, if you choose to advance SB 1, I urge you to amend it to remove the harmful provisions noted above. Please reject the attacks on union rights and the legislative overreach, and instead allow healthy institutions such as the University of Cincinnati to continue our positive impact.