

Testimony of Shelly Malberti, DNP, RN

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 **Shelly Malberti**, and I am an **Associate Professor of Nursing at Cuyahoga Community College**. I am testifying today as a **private citizen in strong opposition to Senate Bill 1 (SB 1)** because it represents a **direct attack on academic freedom, faculty job security, and the quality of higher education in Ohio**.

If passed, this bill will **push faculty out of the state, weaken our ability to attract top talent, and jeopardize the training of future professionals, including nurses who are critical to Ohio's healthcare system**.

SB 1 Will Drive Faculty Out of Ohio

Ohio already faces **challenges in recruiting and retaining qualified faculty**, especially in high-demand fields like **nursing, engineering, and STEM disciplines**. **This bill makes it even harder to retain experienced educators by stripping away basic workplace protections, inserting political interference into higher education, and reducing job security**.

Here's how SB 1 will push faculty out of Ohio:

1. Eliminating Due Process for Faculty

- **Under SB 1, faculty evaluations will be tied to student surveys**, meaning a single poor evaluation could jeopardize employment.
- Faculty **will have no meaningful way to appeal** dismissals based on **student complaints, ideological disagreements, or politically motivated accusations** (Frontiers in Education, 2021).
- This creates **an unstable work environment** where instructors fear retaliation for upholding academic standards, particularly when grading students fairly.

→ If I give a student a failing grade for poor performance, will I lose my job because they give me a bad review?

2. Weakening Collective Bargaining Rights

- **SB 1 prohibits faculty from collectively bargaining over key employment policies, including tenure, evaluations, and post-tenure reviews**.

- This **removes faculty’s ability to negotiate fair working conditions** and creates an environment where university administrations can make sweeping, unchecked policy changes without faculty input (Inside Higher Ed, 2024).

→ **How can Ohio hope to retain educators when other states offer stronger job protections, better pay, and academic freedom?**

3. **Politicizing Higher Education**

- **This bill forces colleges to adopt an “intellectual diversity” policy** that will subject faculty hiring, curriculum, and course content to political scrutiny.
- **It bars universities from offering training on diversity, equity, and inclusion (DEI)**, eliminating initiatives that help recruit and retain a diverse faculty and student body (Ohio Legislative Service Commission, 2025).
- Faculty who **discuss controversial topics or hold views contrary to the prevailing political ideology could be reported, investigated, and penalized** (Inside Higher Ed, 2024).

→ **Why would top researchers and educators come to Ohio if they risk losing their jobs over ideological disagreements?**

The reality is simple: If you make working conditions hostile, unstable, and politically charged, faculty will leave. And once they leave, they are unlikely to return.

SB 1 Will Make It Harder to Recruit Faculty and Students

Ohio’s public universities **compete nationally** to recruit **top faculty and students**. SB 1 makes Ohio **less attractive** by:

1. **Eliminating DEI Initiatives**

- DEI programs **help universities attract underrepresented faculty and students**, ensuring diverse perspectives and backgrounds in academia.
- **Many funding sources—including federal grants—require a demonstrated commitment to DEI**. Eliminating these programs could make Ohio universities ineligible for critical research funding (American Association of Colleges of Nursing, 2005).

→ **Without DEI programs, Ohio will lose out on talented faculty and students to states that continue to foster inclusive academic environments.**

2. **Damaging Institutional Reputation**

- Universities that operate under heavy **political interference** struggle to **attract research grants, partnerships, and top-tier students** (Frontiers in Education, 2021).

- Prospective students and faculty will **look at Ohio’s policies and choose universities in other states** that offer **greater academic freedom, stronger faculty protections, and a commitment to research excellence** (Inside Higher Ed, 2024).

→ **Why would a leading scholar or a top-tier student come to an Ohio university when they have options in states that value academic integrity?**

3. **Restricting Faculty Speech and Academic Freedom**

- SB 1 prohibits universities from endorsing “controversial beliefs,” which **can be interpreted to mean anything from climate change to racial disparities in healthcare** (Ohio Legislative Service Commission, 2025).
- **Faculty could be penalized simply for discussing factual, research-based issues** that lawmakers deem politically sensitive.

→ **How can Ohio remain competitive when its educators are censored from engaging in open inquiry and research?**

SB 1 Will Worsen Ohio’s Nursing Shortage and Jeopardize Public Health

As a **nursing professor**, I can tell you firsthand that **Ohio is already facing a severe nursing shortage**. The root cause? **A lack of qualified nursing educators**.

SB 1 will **exacerbate this crisis** by:

- **Driving nursing faculty out of the state.**
 - Without fair bargaining rights and job security, **Ohio will lose even more nursing educators** (AACN, 2005).
 - Fewer educators **mean fewer trained nurses**, further straining hospitals and worsening patient outcomes (PubMed, 2024).
- **Creating an unstable learning environment for nursing students.**
 - If faculty **cannot uphold high academic standards without fear of retaliation**, how can we ensure nursing students are fully prepared for the demands of the profession?
- **Reducing Ohio’s ability to meet future healthcare needs.**
 - **By making faculty jobs less desirable, this bill directly impacts the pipeline of future nurses** (AACN, 2005).
 - Hospitals across Ohio **will feel the impact when they cannot hire enough qualified nurses** to meet patient demand.

→ **This is not just an education issue—it is a public health crisis waiting to happen.**

Legislators Should Focus on Real Problems, Not Political Agendas

While Ohio lawmakers push SB 1, **more pressing issues are being ignored:**

- **Workplace violence against healthcare workers** is increasing, yet there is no meaningful legislative effort to address it.
- **Rising student debt and college affordability** remain major challenges.
- **Public universities need investment, not bureaucratic overreach, to stay competitive.**

Why is the Ohio legislature spending time attacking faculty instead of fixing real problems?

Conclusion: SB 1 Is a Direct Attack on My Profession and Must Be Stopped

SB 1 is not about improving higher education—it is about political control.

It silences educators, weakens faculty protections, drives talent out of the state, and puts Ohio's public universities at a competitive disadvantage.

If this bill passes, faculty will leave, students will look elsewhere, and Ohio's higher education system will suffer long-term damage.

I urge this committee to **reject SB 1** and instead focus on legislation that strengthens Ohio's universities, protects faculty, and supports students.

Thank you for your time. I am happy to answer any questions.

Sincerely,

Dr. Shelly Malberti

Associate Professor of Nursing

Cuyahoga Community College

References

- American Association of Colleges of Nursing. (2005). *Faculty shortages in baccalaureate and graduate nursing programs: Scope of the problem and strategies for expanding the supply.*
- Inside Higher Ed. (2024). *Campus leaders must respond to bills impeding minority faculty retention.*
- Ohio Legislative Service Commission. (2025). *S.B. 1: Bill analysis and impact on higher education.*
- PubMed. (2024). *Nurse faculty shortage: Voices of nursing program administrators.*

- Frontiers in Education. (2021). *A study of faculty retention factors in educational institutes in context with ABET.*