

Chair Roegner, Vice Chair Cirino, Ranking Member Ingram, and members of the Senate Higher Education Committee,

I write as a Professor of Chemistry and Biochemistry at The Ohio State University to urge you to reject Senate Bill 1. Over my 30-year career, I have educated and trained thousands of students in the chemical sciences, many of whom have gone on to earn advanced degrees in medicine, science, and engineering fields. I am active in national organizations in my discipline that promote research and training opportunities for all. My opinions are those of a citizen with particular insights into the higher education landscape in Ohio and around the country and do not represent those of my employer.

Although the sponsors describe this as an ‘urgent need’, they have been unable to pass this legislation for two years even though their political party controls all branches of state government! This is a clear red flag, and I commend legislators in the state for listening to their constituents to date. Although the former Senate Bill 83 has been renamed Senate Bill 1, it contains the same injurious and unnecessary regulations that will make Ohio less attractive to the nation’s top scholars that our state urgently needs to recruit. As stewards of the state’s higher education system, you should be especially reluctant to enact measures that will damage the reputation and performance of the higher education system that changes the lives of our citizens for the better and that is one of the main drivers of our state’s economy.

Lawmakers should not pass a bill that would take the ability to determine what is taught away from accrediting boards and expert groups and concentrate it in the hands of government officials. Much of the legislation is built on a false premise that universities are hotbeds for radical indoctrination. This is a fervently held belief among some, but it does not square with the reality on our university campuses. In any activity that involves as many independent actors as higher education, there will be occasional examples of malfeasance, but the bill’s proponents have not presented evidence that the occasional problems are not being handled effectively by procedures and policies already in place at our universities.

The dystopian vision of Ohio universities that the sponsors share is driven by disinformation. I would like to highlight the attempts in the legislation to demonize “diversity, equity, and inclusion”. According to Wikipedia, DEI is a framework that seeks to “promote the fair treatment and full participation of all people.” The bill’s sponsors have referred to DEI as unconstitutional, but since when is it unconstitutional to treat others fairly? Curiously, the sponsors themselves seem to find something positive in ‘diversity’ as the legislation promotes ‘intellectual diversity’ in multiple places, while seeking to eliminate the ‘diversity’ found in ‘diversity, equity, and inclusion’. In science and engineering, words matter and must be precisely defined, but Senate Bill 1 never defines what DEI actually is anywhere in the text. How are courts to decide what activities are prohibited? Worse still, with Orwellian language, the legislation asserts that not just DEI trainings, offices, or positions are to be eliminated, but also anything that would serve the same or similar purposes. This is a strategy that authoritarian governments have pursued throughout time, and it must be rejected. *Citizens know better than to trust the government to do what is right when it won’t define what is wrong.*

Although lawmakers do not want to define DEI, these activities are by no means new even though they have only recently emerged as the cause of all that is evil, according to some media outlets and politicians. Over my career, I have observed steady and sustained efforts to broaden participation in science by those who are underrepresented. These activities have been supported consistently by strong bipartisan majorities. Change has been slow, but the department that I joined 30 years ago and that had zero female full professors has eight today, and the quality of scientific research and education has never been higher!

I am quite certain that families throughout the state are grateful for the opportunities that have been opened to their loved ones through efforts to make science, medicine, and engineering accessible to all.

Academic freedom is something that Ohio's universities take very seriously, and this legislation will break with our long traditions of keeping government out of what people can teach and think. Let the trustees govern our universities. They are appointed by a governor who must answer to all voters. SB1 lacks broad support from Ohio citizens within and outside higher education. Testifying in favor of the bill's forerunner, Senate Bill 83, in March and April 2023 were 10 individuals, most of whom graduated from college in the 1970s or earlier. In contrast, *hundreds* of people of all ages, backgrounds, races, and professions submitted opposing testimony. Listen to the people and reject this unnecessary and self-contradictory legislation that will weaken STEM and non-STEM scholarly activities alike at a time when our state and the companies it seeks to attract urgently need a skilled STEM workforce.

Sincerely,

Bern Kohler, Ph.D.
Columbus, Ohio