

Testimony of John Davis, 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 John Davis, and I am a professor of environmental and landscape history at Ohio State University. I do not represent Ohio State University but rather am submitting testimony as a private citizen in opposition to Senate Bill 1.

This bill is a reintroduction of Senate Bill 83 from the last general assembly session, and I opposed that bill and testified against it on several occasions. The current bill, Senate Bill 1, retains all of the problems of the original bill, and I feel it is out of touch, deeply mistaken about the issues we face in higher education in Ohio, and, should it be passed, be harmful to Ohio's students and the excellent institutions of higher learning in this state.

The bill outlines several concepts related to "controversial beliefs" (pgs. 21, 24) and "intellectual diversity" (pgs. 24-27) that are almost completely vague. It then includes provisions for a policing mechanism and a layer of institutional bureaucracy that will surveil and discipline students, faculty, and staff who run afoul of the ill-defined concepts that the bill attempts to outline, but in practice will be invoked at the whim of anyone with any grievance whatsoever. For anyone who works in a university, the result of this mandate is clear: chaos, administrative bloat, weaponized petty grievances that will disrupt course instruction, and a diminishing of intellectual rigor as instructors attempt to skirt any subject that could make anyone remotely uncomfortable. This is not a good recipe for education. I would urge you to remove these sections of the bill.

The bill includes broad changes to the annual review practices for faculty (pgs. 32-34). While most of the language used in the bill is familiar, and in place already, I would urge the legislature to consider the burden of putting a "one-size-fits-all" policy in place on a wide range of institutions and faculty contracts. This section of the bill will be cause for time-consuming and costly litigation as it violates thousands of existing contracts. It also prevents institutions from determining, locally, the best methods of evaluating and developing their faculty, based on their institutional goals, research and teaching profiles, service needs, etc. I would urge you to remove these sections of the bill and leave personnel practices to the institutions themselves.

The "post-tenure review" section of the bill (pgs. 34-5) is again a puzzling and unnecessary piece of law. All faculty at my institution are reviewed annually. This section of the bill seems to be formulated solely as an explicit threat to the longstanding academic practice of tenure and the protection of academic freedom it entails. Eroding that, by saying that vague "performance" issues can be used to revoke tenure, seems to be little more than opening a door for abuse.

Finally, the section prohibiting faculty from striking as part of the negotiating process is an open attack on labor rights and should be removed from the bill. Faculty striking does not affect the

health and safety of the public and is a necessary tool to use when negotiating fair contracts. There is no compelling reason to outlaw this very basic labor right. It should be removed from the bill.

In conclusion, there is very little in this bill that has a sound basis in reality or has the makings of good law. It remains an ill-considered hodgepodge of ideas that will do very little to help our students in Ohio, or to make our excellent higher education institutions better. In fact, the way that it is written, riddled with vagueness born from ignorance of what actually happens in university classrooms in Ohio, strikes me as ample reason to reject the bill in its entirety.