

Testimony Before the Ohio Senate Committee on Higher Education

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Chair Roegner, Vice Chair Cirino, Ranking Member Ingram, and members of the Senate Higher Education Committee, thank you for allowing me to testify today. My name is Rick Nutt, Professor Emeritus of Religion at Muskingum University (alma mater of William Oxley Thompson and John and Annie Glenn), where I taught for 30 years prior to my retirement in 2018. I am here to express my opposition to Senate Bill 1 and its companion bill, House Bill 6.

The most essential characteristic of higher education is teaching students how to think and expanding their understanding of the world through exposure to new or alternate ideas. The bill before you approximates that affirmation in Section 3345.0216: “The institution declares that it will educate students by means of free, open, and rigorous intellectual inquiry to seek the truth.” Similar positive statements follow in subsequent sections. The primary requirement for achieving the goal of intellectual inquiry in the classroom is academic freedom. However, the bill itself has the effect of thwarting that endeavor by limiting the learning and teaching process.

I note lines 672-675 of the bill as it appears on the legislature’s website: “. . . faculty and staff shall allow and encourage students to reach their own conclusions about all controversial beliefs or policies and shall not seek to indoctrinate any social, political, or religious point of view.” Let’s say that a student in class were to assert that the Civil War was fought over states’ rights and not to maintain slavery. The student, in my judgment, may hold that view, but it is factually wrong, and in class I would expect the professor to demonstrate why it is wrong—and I would expect the states’ rights answer to be marked wrong on an exam. That is not indoctrinating about any controversial point of view, that is responsible teaching of the facts. However, knowing that the evaluation of the course done by students at the end of the term included the question from lines 907-908 of the bill, “Does the faculty member create a classroom atmosphere free of political, racial, gender, and religious bias?” will the faculty member

hesitate to do their job properly, in fear that some students will take the teaching role as creating a restrictive classroom atmosphere?

You see how this bill, although it uses the language of academic freedom and intellectual inquiry, in fact has the dangerous effect of restricting them. For the sake of time, I have chosen just one example from the bill to illustrate how an actual classroom setting could be affected if this bill becomes law. The prohibitions in other sections of the bill should cause us further alarm.

I will also note the sections of the bill dealing with tenure. The primary reason that professorial tenure arose in the country was the protection of academic freedom. If a professor could be fired for teaching some idea that others, even the majority, did not like, or because the professor angered someone in the administration, academic freedom would be in great peril. Tenured professors can be released, for just cause; the content of their teaching, unless it rose to the level of moral turpitude—perhaps blatant misogyny or racism—should never be the reason.

Our country, with its democratic republican form of government, depends on a populace of thinking, discerning, and informed voters. The free inquiry of our educational institutions, especially our colleges and universities, is vital to good government and the survival of our freedoms. The danger of this bill is not only what it means for education and a lower quality of instruction for students, but what it means for the health of our nation.

Allow me two further, more general, observations about assumptions on which this proposed legislation is founded. First is the assumption that professors are trying to lead or force students to a single point of view—presumably, some sort of progressivism or “wokeism.” In my thirty-year experience, that is simply not true. It is struggle enough just to present the necessary material to our students and develop exercises that will challenge them to think and explore new ideas. I think it’s rare that a professor could have much time to spend grinding an ideological axe. Even those who present “controversial” ideas in their writing have little opportunity to advocate for them in class, unless it is a relatively small upper-level class.

Second, I think this bill assumes that professors have much more influence over students than they do. Students are only in a particular class for 150 minutes a week, generally speaking. They come to us with a lifetime of assumptions and attitudes and parental and social influences. They spend much more time out of class on social media or with their friends than they do with us. I only wish my students had listened to me more.

For the restrictions that it will mean, in practice, on intellectual freedom and retention of quality professors and staff for Ohio's public institutions of higher education, I urge you to vote "no" on this harmful, even dangerous, legislation.

Thank you for your time and attention. If you have any questions, I will be glad to take them.