

Testimony of John M. Herbert, Ph.D.
Before the Senate Higher Education Committee
Senator Kristina Roegner, Chair
Feb. 9, 2025

Chair Roegner, Vice Chair Cirino, Ranking Member Ingram, and Members of the Higher Education Committee:

My name is John Herbert, and I am a Professor of Chemistry at The Ohio State University, where I have taught for 18+ years. I do not represent Ohio State, but rather am submitting testimony as a private citizen in opposition to Senate Bill 1.

In my view, the proposed legislation fails to appreciate the purpose of academic freedom and misconstrues the way that diversity initiatives are handled at colleges and universities. If passed, *this legislation will severely and negatively impact our ability to recruit and retain top talent*, meaning the faculty who have made Ohio State into a world-class institution. This will have direct and significant economic consequences, and I believe it will accelerate the exodus of young people out of the state. Let me address each of these issues.

The language around "controversial beliefs" reads like a deliberate scare tactic and an effort to undermine academic freedom, the cornerstone of the academic tenure system that is intended precisely to protect scholarly research on controversial topics. Honest debate requires evidence and scholarly critique. No one that I know at Ohio State is indoctrinating students; we all encourage students to reach their own conclusions, and the only purpose of writing such a provision into law is to scare faculty into avoiding certain topics all together, lest they be subject to an unfounded student complaint that could have repercussions in a post-tenure review process. The academic community's ability to encourage students to think for themselves does not function if classroom discussion is micromanaged and subject to the political whims of the day; the result will be a critical lack of information. I do not want the scholarly activities at Ohio State or elsewhere to be subject to the political winds that blow through a given state capital, be those winds Republican or Democratic in nature.

Scholarly engagement on leading-edge issues (which are often by their nature controversial) is a primary function of universities, and protection from political interference is crucial to that work. Scholars need to be able to engage deeply with a subject, without altering course depending on itinerant political pressure. This drive toward relentless pursuit of truth is the reason that I became an academic, and I can state unequivocally that I would not remain at an institution that would not or could not protect my academic freedom. Many others likely feel the same, therefore the effect of this legislation will be a "brain drain" on a scale that Ohio has not seen before. It will destroy higher education in this state, by eliminating the ability of Ohio's colleges and universities to recruit and retain the best faculty. In turn, this will hasten the exodus of young people out of state, in order to obtain the high-quality education that they might once have been able to obtain in-state. The best educators will not stay here, and future

faculty will not be recruitable, if their scholarly activities are to be micromanaged by state government.

At the moment, Ohio State is a world-class academic institution that should be a point of pride for residents of our state. Our students are taught by scholars who are leaders in their respective disciplines, but that is likely to change quickly if this legislation is passed. Top talent will go elsewhere, and we will be left to recruit faculty from amongst whomever could not find jobs at institutions supportive of academic freedom. The consequences of this go far beyond loss of prestige and human talent, and will directly impact Ohio's economy. For example, I am currently the principal investigator on about \$1.5M (million) in grant funding, from agencies that include the National Science Foundation and the Department of Energy, with other grants that are pending and another \$2M grant proposal to be submitted this spring. Nearly all of this money goes to support the salaries of researchers under my supervision, who are Ohio taxpayers. It is money that I will take to another university if I leave. I will feel compelled to leave if Ohio State is no longer able to protect my academic freedom.

Finally, let me address diversity activities in higher education. In political conversations, I have heard it asserted that "DEI bureaucracies" have taken over academia, and that academics spend a significant amount of their time on diversity, equity, and inclusion (DEI) training. Both of these assertions misrepresent reality. Instead, diversity initiatives at Ohio State and elsewhere often amount to mentoring efforts and procedures to avoid implicit bias in hiring. These are good-faith efforts to understand and counter the ways in which certain groups are structurally disadvantaged within our current system. There can be no denying that certain groups *are* disadvantaged; it is surely no accident that only 6% of college and university faculty nationwide are Black (as compared to 13% of undergraduates) and only 5% of faculty are Hispanic (as compared to 22% of undergrads). This underrepresentation is even more pronounced in the disciplines of science, technology, engineering, and mathematics (STEM), and it deprives underrepresented students of role models in those fields. It may be difficult for someone from a majority group to fully appreciate, but it sends a message when a young student in STEM looks around and fails to see anyone who looks like them. This is true in primary education as well, and insofar as university faculty are training future teachers, diversity efforts at the university level propagate to lower grade levels. This lifts everyone up, as there is a wealth of research indicating that diverse teams are more creative and more productive in the workplace.

There is nothing nefarious about efforts to help lift young people upward, and the importance of diversity is increasingly recognized by industry. Backing away from efforts to broaden workforce participation, in STEM and other disciplines, is not going to cause industry jobs to pour into Ohio. It could have the opposite effect.