

**Opponent Testimony for SB 1
Higher Education Committee**

February 6, 2025

David Paulik

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

My name is David Paulik, and I am a lifelong resident of the state of Ohio, proudly educated in both the public K12 system in Niles and obtained several degrees from Ohio's public universities, including Kent State University and the University of Cincinnati. I have spent my career working in teaching and administrative roles in Ohio's public university system. In these capacities, I have found Ohio's students, faculty, staff, and administrators to be among the most exceptional across the nation. I present this testimony on behalf of myself and not any institution for which I am affiliated.

I am writing to express opposition and concern regarding Senate Bill 1, the so-called Enact Advance Ohio Higher Education Act. The proposed legislation contains several points that will significantly and adversely affect Ohio faculty, staff, students, and the broader Ohio economy. I oppose this legislation for the following reasons:

Claims to Promote Intellectual Diversity while Stifling Areas of Debate and Disagreement

Despite purporting to increase intellectual diversity, SB 1 removes basic academic freedom protections of faculty free from political and legislative pressures. The American higher education system is the envy of institutions from around the world because of its commitment to pursue truth free from political pressure. Supplanting political ideologies in place of disciplinary expertise places academic quality in Ohio at risk and places Ohio students at a significant disadvantage. Furthermore, the intellectual diversity requirements contain ambiguous and subjective remediations for student, staff, and administrator complaints. In addition to undermining intellectual diversity, SB 1 proposes flawed evaluation practices that place faculty at a significant risk for balancing academic quality, rigor, and professional security.

Unfair Evaluation Practices that Risk Academic Rigor and Freedom

Research has consistently shown that student feedback is not the best medium for evaluating faculty¹. In fact, recent research by Esarey & Valdes (2020)² has shown that there is an inverse relationship between student evaluations and academic rigor and faculty expectations. To be clear, student feedback has a clear and definitive role in the overall evaluation of faculty. However, asking students to evaluate faculty on complex or controversial topics requiring deep disciplinary knowledge undermines the evaluation process. The SB 1 ban on controversial topics risks oversimplifying rigorous academic debates.

False Assumptions of Tenure and Threatening Academic Rigor

SB 1 also contains several threats to academic tenure as recognized by the American Association of University Professors (AAUP). As introduced, this bill makes the often, but incorrect assumption that faculty are not evaluated after receiving tenure and are free to disengage from the duties of the position without consequence. This is patently false. The AAUP defines tenure as an “indefinite appointment that can be terminated only for cause under extraordinary circumstances such as financial exigency and program discontinuation.”³ Further, the ban on faculty strikes creates an unbalanced negotiating table for faculty to advocate for fair working conditions and advocate for the integrity of the profession. Despite the right to strike being consistently upheld by the United States Supreme Court and in labor law⁴, removing the right to strike as a collective bargaining unit serves to harm the learning environment for students.

Increased Partisan Influence over University Management

Despite making some positive requirements for members of college and university boards of trustees, SB 1 increases the potential for undue and significant partisan influence in the management of institutions. Reducing the term of trustee members from nine to six years opens the door partisan appointments to serve on these boards. Shortening trustee terms from nine to six years could lead to increased trustee turnover and increased political influence, disrupting the long-term stability of university governance.

As a citizen, and as an educator, I urge the committee to vote NO on SB 1. Instead, I urge you to work collaboratively with educators, administrators, and students to address the real challenges

¹ Inside Higher Ed article <https://www.insidehighered.com/news/2020/02/27/study-student-evaluations-teaching-are-deeply-flawed#:~:text=%E2%80%9CUnbiased%2C%20Reliable%20and%20Valid%20Student.student%20evaluations%20of%20female%20professors.>

² Esarey, J., & Valdes, N. (2020). Unbiased, reliable, and valid student evaluations can still be unfair. *Assessment & Evaluation in Higher Education*, 45(8), 1106–1120. <https://doi.org/10.1080/02602938.2020.1724875>

³ AAUP definition of tenure <https://www.aaup.org/issues/tenure>

⁴ National Labor Relations Board on employee right to strike <https://www.nlr.gov/strikes#:~:text=Section%207%20of%20the%20National.employer%20could%20not%20fire%20them.>

facing Ohio's higher education system, such as affordability and access. This legislation, as written and introduced, risks exacerbating these existing issues rather than resolving them.

Thank you for the opportunity to deliver this testimony in opposition to SB 1.