

Testimony of Darryl B. Rice, Ph.D.
Before the Senate Higher Education Committee
Senator Kristina Roegner, Chair
February 9, 2025

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

My name is Darryl B. Rice, and I am an Associate Professor of Management at Miami University, where I have taught for 9 years. I do not represent Miami University, but rather am submitting testimony as a private citizen in opposition to Senate Bill 1. My opposition to Senate Bill 1 is because it is unconstitutional in its current form. It is a copy-cat bill based on the anti-DEI bills passed in states such as Florida and Alabama. Federal lawsuits have been filed in Florida and Alabama on the grounds of viewpoint and content restriction, violations to academic freedom, 1st and 14th Amendments.

The bill is rooted in viewpoint and content-based restriction. The bill makes it clear that the state simply disfavors diversity, equity, and inclusion (DEI) and desires to censor DEI on campus. The censorship contradicts the bill's claim that intellectual diversity is important. There is no desire to discuss the pros vs cons, benefits vs drawbacks of DEI. The bill fails to define DEI, so it is overbroad and too vague to be enforced.

In the bill, the state seeks to dictate curriculum decisions. It is well-recognized that universities have institutional autonomy. This means it is the right of the university to determine for itself, on academic grounds, who may teach, what may be taught, how it shall be taught, and who may be admitted to study. Politicians who are not working currently as educators do not have the expertise, qualifications, or credibility to be making curriculum decisions for college-level courses.

The bill seeks to discontinue to DEI offices or departments. This would mean universities would have to terminate employees in these offices or reassign them in a different division. Both result in these employees not being able to do the job they agreed to do. That would be an adverse employment decision and given composition of who actually work in DEI offices in public universities, this adverse employment action would disproportionately would impact racial minorities, women, people with visible and invisible disabilities, and/or veterans. The effect of this bill would not be racially neutral and it would open universities up to racial and gender discrimination lawsuits.

The bill prohibits public universities from contracting with consultants or third-parties that promote admissions, hiring, or promotion on the basis of race, ethnicity, religion, sex, sexual orientation, gender identity, or gender expression. However, the bill does not prohibit public universities from contracting with consultants or third-parties that promote admissions, hiring, or promotion on the basis of veteran status or age. The bill seeks to favor some protected classes over others.

The bill seeks to end current DEI scholarships and prevent DEI scholarships. If this bill passes, it is unclear if public universities would be able to provide scholarships to first-

generation students or military-affiliated students. It would be dependent of what is considered a DEI scholarship. However, this is not defined or specified in the bill.

Thank you for the opportunity to share my opposition to Ohio Senate Bill 1.