

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

Thank you for allowing me the opportunity to testify today. My name is Richard Finlay Fletcher, I am a British-born US citizen, Ohio voter, and associate professor at Ohio State University in the Department of Arts Administration, Education, and Policy. I am here today to offer my testimony in strong opposition to Senate Bill 1.

“The role of faculty, students, staff, administration and Board of Trustees in the shared governance of universities is the hallmark of American higher education. Our faculty bring expertise to the advancement and dissemination of knowledge. State mandates regarding course requirements and content, as well as statutory faculty review processes and legislatively suggested changes to tenure eligibility, usurp the important role of faculty in the partnership, which has created the world’s finest system of higher education.”¹

These words are a direct quotation from a public statement made by the Board of Trustees of Ohio State University against then Senate Bill 83 in May 2023. I quote them here today, not only because they encapsulate the opposition of my university to Senate Bill 1 and its legislative overreach across so many spheres of university life, but also because they directly address the fact that State mandates regarding course requirements and content are at odds with shared governance of the curriculum – the specific focus of my testimony.

While I am testifying here as a private citizen, my decision to focus on the curricular provisions of this Bill is informed by my ten plus years of work on the Curriculum Committee in the College of Arts and Sciences at The Ohio State University. This body and its panels of faculty members and staff (which also include members from across the university), enacts an impressively meticulous and rigorous process of approving new and revised courses and degree programs, general curricular evaluation and assessment. Furthermore, as a standing committee of the Arts and Sciences Faculty Senate, we are responsible for the approval and oversight of General Education requirements in our college and in an advisory role for the whole university. Our curriculum is abundantly diverse, and our curricular processes are committed to enriching the learning of all students at OSU.

It is through my role in maintaining curricular rigor and abundance that I oppose the imposition of a compulsory 3-credit hour course in American Civic Literacy, which has replaced the course in American Government or History from Senate Bill 83. For good reason, there is no one single course that is required for all students at Ohio State, but an expansive array of General Education requirements. Furthermore, for any course taught at OSU, it would require so much more than a list of readings to get approved. We look for assessable learning goals, scaffolded assignments and a detailed schedule of class content and focus across our curriculum. Any new course takes careful work, respectful dialogue and multiple rounds of proposals and revisions to pass through our curriculum committee. Not only does the proposed course fail to meet the most basic of curricular requirements, but there are also no entities either within or beyond OSU who can

¹ <https://news.osu.edu/a-statement-from-the-ohio-state-university-board-of-trustees/>

bypass this important level of curricular oversight which ensures a quality education for citizenship for all students.

If our legislators know this, why does this legislation mandate a course in this way?

There is, in my opinion, one key reason, which not only helps explain the shift in both course title, scope and required texts from the course included in Senate Bill 83, but also a broader context of SB1 within a coordinated, politically motivated effort to undermine shared governance at Ohio's public universities.

To understand this reason, we first need to ask: where did this legislation originate? While students, faculty, staff or administrators at our public universities have not called for SB1, otherwise there would be respectful dialogue with universities and not misguided attacks on the integrity of higher education in Ohio. At the same time, neither SB1 nor its predecessor SB83, emerged Athena-like from the head of Senator Cirino. Instead, this legislation emerged from so-called model legislation generated by something called the Civics Alliance by a shadowy rightwing think tank known by the lofty title of the National Association of Scholars. Before any member of this committee or the Ohio Legislature as a whole, votes on this Bill, I would encourage you to look them up. You'll be familiar with several of the names of the people involved because many of them have lined up to give proponent testimony on SB 83, SB 117 (more on which later) and now SB1. And why wouldn't they? This is their legislation. They call it the American History Act and it not only lists many of the same texts required in this course in SB1, but also offers some advice to Republican colleagues about how to ensure the passage of their legislation; advice directly aimed to bypass the thorny question of shared governance outlined in the statement by the OSU Board of Trustees and in my account of curricular oversight. The NAS state:

“A legislature cannot provide an entire curriculum, but it can provide enough details to suggest legislative intent. Our model language, therefore, provides a skeleton of curricular details to embody that legislative intent. A legislature cannot prescribe in detail how a class should be taught, but it can suggest legislative intent as to the general spirit. Our model language, therefore, includes the phrases “study of and devotion to American institutions and ideals” and “study of and devotion to America’s exceptional and praiseworthy history.”²

No doubt a disappointment for this model legislation's original authors, is how SB1 fails to offer any comparable legislative intent. SB1 describes how the required civics course would include “a study of the American economic system and capitalism”, which prompts their deviation from the recommended list of required texts by adding the Scottish philosopher Adam Smith, whose work has been flagrantly misinterpreted from the founding fathers onwards to justify an economic system segregated from moral and political responsibilities. But even with this adjusted legislative intent from the source, SB1's skeleton of a required American Civics Literacy course is animated by more shadowy legislative intentions, operating beyond the present Bill.

² <https://civicsalliance.org/higher-education-civics-reform/american-history-act/>

During the attention against SB83 in the spring of 2023, Senate Bill 117, which failed to have any hearings in its equivalent House committee, was surreptitiously smuggled through via the budget. The Bill imposed so-called ‘intellectual diversity’ centers on the campuses of several public Ohio universities. At Ohio State, the Salmon P. Chase Center for Civics, Culture and Society was thankfully voted down by the students, staff, faculty and administrators in a recent vote by the University Senate. Nonetheless, the Chase Center still needs to be established by law, even if it will be tainted by its lack legitimacy from within the university. With this context in mind, it seems as if the true legislative intent of the 3-credit American Civics Literacy course in SB1 is simply an attempt to bolster the legitimacy of the Chase Center. As with the overreach of this skeleton curriculum, the university’s rigorous procedures of shared governance have been bypassed by the imposition of the Chase Center. This means it must generate its legitimacy from where it both originated and is controlled. Putting aside the fact that it too emerged from the same National Association of Scholars’ Civics Alliance model legislation – their School of Intellectual Freedom Act³ – which has now morphed to be modeled on the SB117 Bill, what this means is that the legislative intent on creating this required course in SB1 conceals the obviously deeply partisan political intent of generating a revenue stream of tuition dollars for the shady Chase Center. The idea is to form an interest convergence between the course and the Center, relying on students asking: Where do I need to go at the university for my required course on American Civics Literacy? Ah, the newly founded Civics Center!

But Senator Cirino, the brains behind this not-so-cunning plan, is forgetting something important: the students. Here in Ohio, our students are not only smart, but also deeply engaged and thoughtful members of our university and our society. They see through this plan because, beyond the false and frankly offensive characterization of the imaginary problem of ‘indoctrination’ on our campus and our classrooms, they know that a broad and inclusive approach to civics literacy is already being taught at Ohio State. We not only have the Civil Discourse for Citizenship initiative at the Center for Ethics and Human Values, but our whole General Education requirements for are aligned with a capstone, thematic focus on Citizenship for a Just and Diverse World. The fact that students stand up against this Bill is testament both to their own critical agency, as well as to the impact of this already existing civics literacy education!

What this means is, regardless of its dubious legislative intent, even if this Bill passes, I have no doubt that this imposed civics course will join the Chase Center is a ghostly isolated and redundant – not to mention expensive – presence within the curricular landscape of OSU. Our students cannot learn civics literacy through nefarious legislative intent, but from the abundant course offerings of experts within the university with whom they are in mutual and beneficial dialogue.

As Potawatomi botanist Robin Wall Kimmer writes:

“A perception of abundance, based on the notion that there is enough if we share it, underlies economies of mutual support.”⁴

³ <https://civicsalliance.org/school-of-intellectual-freedom-act/>

⁴ <https://emergencemagazine.org/essay/the-serviceberry/>

This is the way we work together at the university – this is our rich and ongoing practice of civic literacy - and the limiting imposition of a narrowly defined and poorly thought-out skeleton curriculum of scarcity, fear and precarity has no home in our public places of abundant higher learning.

I ask you to consider my testimony and vote NO on Ohio Senate Bill 1. Thank you again for this opportunity to testify. I am happy to answer any questions you may have.