



Written Opponent Testimony on HB 322
House State and Local Government Committee
September 22, 2021
Submitted by Deborah Aubert Thomas, President & CEO
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Chairman Wiggam, Vice Chair John, Ranking Member Kelly, and members of the House State and Local Government Committee, thank you for the opportunity to submit written opponent testimony on House Bill 322.

My name is Deborah Aubert Thomas, and I am the president & CEO at Philanthropy Ohio, the statewide association whose mission is to lead and equip Ohio philanthropy to be effective partners for change in their communities.

Philanthropy Ohio and its members have engaged deeply in state education policy reform for the last 15 years, always with an eye toward ensuring that all students – regardless of zip code, race, gender or other factors – have equal opportunities to access high quality education in an aligned P-20 system that prepares them for a 21st century work force and democracy. Ohio's private funders are strong supporters of education in Ohio, seeking to improve educational opportunities and outcomes for all, from our earliest learners to those seeking post-secondary training and education whether at career-tech, two-year or four-year colleges and universities. Our reform work is done through our Education Initiative, a member-driven coalition that has as its primary focus areas:

- Strong measures of and accountability for student outcomes and school performance;
- Evidence-based school improvement and turnaround efforts to help low-performing schools;
- Increased access to high quality early childhood experiences in the Step up to Quality system; and
- Strengthened teacher-leader effectiveness.

In addition to our deep interest in a sound education system across the state's 600+ districts, we also weigh in on this legislation due to our long-standing, strong commitment to diversity, equity and inclusion. Philanthropy Ohio has a long history of engaging our members around diversity, equity and inclusion and adopted a core value, declaring:

We believe that greater diversity, equity and inclusion is a matter of fairness and effectiveness in our profession. To have real impact in a diverse and complex world, organized philanthropy must effectively engage issues of diversity, equity and inclusion in an authentic way. We encourage all foundation leaders to sustain leadership commitment, authorization, learning and outreach and strategically and intentionally advance diversity, equity and inclusion in our organizations and grantmaking.

Our commitment to equity in education – across race, ethnicity, geographic location, gender and economic status – drives us to view this legislation through an equity lens that judges this



legislation to fall short of an equity commitment to all Ohio students. We are deeply concerned that HB 322, as proposed and if passed, will impede on the progress Ohio has made in preparing *all* its students, as described below.

Limiting a robust education

Philanthropy Ohio's P-20 vision aspires to a time when each and every Ohio student is actively engaged in their learning, has access to high quality education opportunities in early-childhood, K-12 and post-secondary education and is prepared to enter the workforce and succeed in life. We believe a high-quality education has a whole-child approach at its base and strong, evidence-based curriculum and teach practices at its core.

House Bill 322's potential negative impact on teachers and curriculum is alarming in its potential far-reaching impacts that include:

- Limiting culturally responsive curriculum, social emotional learning and students' ability to feel seen, understood and valued in ways that could lead to improved student achievement;
- Undercutting racial justice and equity efforts in schools and beyond by positioning any discussion of race or racism as the "real" racism that is inherently "divisive;" and
- Limiting efforts to close opportunity gaps student among groups by centering color-blindness when specificity is needed to move toward equity.

Every child deserves and needs to build the knowledge and skills needed to thrive in a diverse workplace and society, which this bill would dramatically hamper.

The law of unintended consequences

We strongly oppose this legislation on a number of issues related to education policy and would ask if the sponsors intend – by its language – to restrict the teaching of both historical and current American History topics? A definition of “divisive concepts” that are prohibited under the bill include many that are part of state standards as well as advanced placement and other college tests -- such as women’s suffrage, slavery and the Civil War, Native American displacement, civil and voting rights and labor movements. The legislation could create a chilling effect on teachers and their delivery of instruction as they struggle to identify what constitutes “divisive concepts” and limit what their students learn. We seriously hope that the bill’s sponsors do not intend to put Ohio’s graduating seniors at a disadvantage in their post-secondary plans and aspirations by limiting the comprehensive teaching of American history and current events.

Additionally, there are numerous other potential consequences that we find troubling as the bill could:

- Create ripple effects from limiting what courses can be included in educator preparation programs to what research can be conducted at public institutions and limiting university public



policy programs as well as limiting the ability to support students' critical thinking skills and discernment of misinformation, both of which are key skills for today's workforce;

- Create more state oversight of curriculum and reverse gains in state standards;
- Apply to state agencies and interfere with any department's efforts focused on equity such as the Ohio Departments of Health's Eliminating Racial Disparities in Infant Mortality Task Force or the Ohio Department of Education's Task Force on Best Academic Practice Models for Black Students;
- Will affect partnerships that philanthropy has to support local districts with prohibiting "accepting private funding to develop curriculum, purchase course materials or provide training;" and
- Could create work force challenges in the ability to attract businesses and talent by not educating Ohio students to 21st century standards and creating an environment that doesn't value inclusivity.

Reversing commitment to local control

Finally, we are very concerned that this bill reverses a long history in Ohio of leaving curriculum decisions to local school boards, as contained in the Ohio Revised Code Section 3313.60, pursuant to ORC Section 3311.521. This massive reversal would impose new limitations on the school boards that know their communities best and are best positioned to make decisions about what is taught in the schools under their control.

In conclusion, we would posit that -- if we truly care about our student's growth and future prosperity -- then we should want them to be the best they can be. Rather than run from issues or history of racism and discrimination in our country, we should confront it head on. Our children and our state will be better for it and we should be preparing history teachers to teach the full scope of American history rather than handcuffing them by strict limits and uncertainty.

Thank you again for this opportunity to submit written testimony and please do not vote this bill out of committee as it stands. Feel free to contact me if we can provide any further information and insights about our position opposing this bill.