

Testimony in Opposition to H.B. 322 and H.B. 327
Nolan McHugh, Bowling Green State University Student/Pre-Service Teacher
Bowling Green State University
Ohio House State and Local Government Committee

Chair Wiggam, Vice Chair John, Ranking Member Kelly, and members of the Ohio House State and Local Government Committee, my name is Nolan McHugh, and I am a fourth year student at Bowling Green State University studying to become a Social Studies teacher at the middle and secondary levels. The Vision Statement of the College of Education and Human Development at BGSU is to remain “committed to developing a dynamic community of lifelong learners and leaders who celebrate the interconnections among individuals and disciplines in pursuit of improving society and the human condition.”¹ Thank you for allowing me to provide testimony in opposition to House Bills 322 and 327, which would unequivocally criminalize teachings of diversity, equity, and inclusion initiatives as well as an honest look at history and current events.

In recent months, much fear has been stoked around the supposed indoctrination of students through the application of Critical Race Theory, which many misinterpret to mean anything that acknowledges real historical and contemporary issues of racial injustice. Individuals intentionally mischaracterize teachings of the history of marginalized peoples and current events either because they fear that this education will make the next generation disavow the United States as a whole or because they feel uneasy or defensive at the notion of acknowledging their privilege and engaging in uncomfortable reflection. These notions are flawed and counterproductive. First, we must not propagate a willful ignorance to the real injustices and inequities in our society in a desire to uphold a blind sense of patriotism and love of country: a real patriot critically examines the flaws in the beautiful country we share so that we may correct them and guarantee liberty and justice for all. Second, we must not allow a bit of discomfort at the notion of acknowledging privilege and complicity in injustice blind our entire education system to reality.

To be more concrete about the matter, let’s establish a clear difference between Critical Race Theory, Culturally Responsive Pedagogy, and a simple honest teaching of history and current events. Critical Race Theory is a postgraduate level framework for analyzing how sociocultural forces, like literature, law, and other cultural works, reflect American culture’s collective beliefs and values regarding race². It is not taught in K-12 schools, as it requires a significant wealth of background knowledge and experience applying higher-order thinking skills to a wide variety of subtle and complex moving pieces. Culturally Responsive Pedagogy, in contrast, incorporates racially and ethnically diverse perspectives and experiences in education in order to teach a diverse student population more effectively³. It is practiced in K-12 schools,

¹ [BGSU College of Education and Human Development Vision and Mission Statements](#)

² [OWL Purdue on Critical Race Theory](#)

³ [Geneva Gay on Culturally Responsive Pedagogy](#)

and it delivers a culturally relevant curriculum that portrays historical and contemporary events through a variety of diverse perspectives, such as those of marginalized peoples, rather than from a single, dominant narrative; it places an emphasis on creating a community of cultural caring and communication rather than patronization of marginalized groups. A simple, honest teaching of history and current events is just that: telling it how it is. An honest telling of history refuses to ignore the lingering social, political, economic, and cultural injustices endured by people of color due to Jim Crow and segregation, discrimination in policing, hiring, lending, and housing, racial gerrymandering, voter suppression and intimidation, inequities in the criminal justice system and in sentencing for crimes, and the perpetuation of various harmful and racist stereotypes that are destructive to people's of color self-actualization, social acceptance, and belonging. These are all objectively factual instances of racial injustice in history and current events that might be inaccurately characterized as CRT and whose accurate teaching would be criminalized by this legislation. This legislation aims to criminalize Culturally Responsive Teaching and an honest education in a misguided effort to ban the phantom Critical Race Theory, which is not present in K-12 schools. This legislation urges us to blatantly ignore real, longstanding injustices and blindly praise rather than thoughtfully analyze and critique. It is shockingly reminiscent of laws in authoritarian regimes that restrict education that might induce students to become informed, civically-engaged, justice-oriented citizens within a democracy rather than blissfully ignorant, blindly nationalistic defenders of the status quo. After all, is it not the stated purpose of a social studies education to promote the former rather than the latter?

So, let's critique the veracity of my claims. Let's analyze the language of these bills and see if what I'm saying really is true. House Bill 322⁴ expressly prohibits requiring teachers "to discuss current events or widely debated and currently controversial issues of public policy or social affairs." In a media landscape where ideological biases are prevalent, the proper course of action is to encourage rather than prohibit requiring discussions of current events in social studies classrooms. We have to ask ourselves whether the goal of social studies education should be for students to regurgitate names, dates, and places or to engage in relevant critical analysis of historical events in context with current events: are we settling for the bottom rung of Bloom's Taxonomy or striving towards the top? Without thoughtful discussion of current events, many students I personally know would not encounter an informed, impartial and thoughtful introduction to issues that will personally affect them, like renewable energies, civil rights issues, student debt, and many others. Instead, they would retreat into echo chambers curated for them by social media algorithms that reinforce beliefs rather than challenge students to view issues from various perspectives. I have encountered students who believe climate change is a myth, that it is ok to use bigoted slurs for the purpose of "comedy", and that fall victim to hateful conspiracy theories, all because a thoughtful discussion of current events did not occur within their classrooms. House Bill 322 would also prohibit any school district from making part of a social studies course "Any practicum, action project, or similar activity that involves social or public policy advocacy." Again, this would restrict students from utilizing their education in

⁴ [House Bill 322](#)

order to conduct research using scholarly sources to personally advocate for positive change in their society: something which we purport should be a core curricular aim of social studies education. House Bill 322 also prohibits any state agency or school district from encouraging its employees to question the concept of a meritocracy or the principles and beliefs held by the slave-owning founding fathers. This would effectively prevent any analysis on the attainability of the American Dream or consideration of generational wealth or poverty as predictors of success. As for the principles of the Founders, House Bill 322 would allow no deviations from the idea that “With respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to the authentic founding principles of the United States, which include liberty and equality. “ Effectively, this would mean silencing any discussion of the cruel slave-owning practices of these men who founded the United States, and fictionally substituting in that they actually did not subscribe to these principles which they actively practiced and protected throughout their lives. The last clause in House Bill 322 I would like to point to reads “No teacher shall be required by a policy of any state agency, school district, or school administration to affirm a belief in the systemic nature of racism, or like ideas, or in the multiplicity or fluidity of gender identities, or like ideas, against the teacher's sincerely held religious or philosophical convictions.” This clause is rooted, unequivocally, in pure bigotry. To deny the systemic nature of racism is to deny or ignore the real, factual manifestations of racism articulated earlier in this testimony. To provide protections for individuals who refuse to affirm the multiplicity or fluidity of gender identities is to provide protections for exercising transphobia and gender-based discrimination towards LGBTQ+ youth. This would provide protection for the teachers in my high school who intentionally misgendered, harassed, and verbally abused transgender students, who already endure incredible struggles that none of us as cisgendered individuals can know. Hate has no place in this House.

Turning to House Bill 327⁵, this bill aims to completely silence any instruction of so-called “divisive concepts” in K-12 schools and higher education, and its language bears much resemblance to House Bill 322. The restrictions on honest and free education included in this bill prohibit examining fundamental racism and sexism within the United States; they prohibit the teaching of anything except colorblind theory, or the idea that we should ignore generations of discrimination and oppression rather than teaching the real social, economic, and political inequities that such discrimination has created along racial and ethnic lines; they prohibit questioning the tenability of the concept of the meritocracy similarly to House Bill 322; and they prohibit many other concepts I will spare for the sake of brevity. In short, they place real restrictions on free, honest, culturally responsive education in favor of a whitewashed, inaccurate depiction of history and social studies. Much of the descriptions of these “divisive concepts” are kept intentionally vague in order to permit discharitable adjudicating bodies to silence anything that might uncover injustice in American history instead of promoting blind nationalism. House Bill 327 also prohibits any school district from requiring “ a student to advocate for or against a specific topic or point of view to receive credit for any coursework.” It bears repeating that these

⁵ [House Bill 327](#)

restrictions severely impair opportunities for students to develop critical thinking skills and to analyze pertinent social issues in an educational setting through various perspectives rather than through a dominant, nationalistic narrative that silences any debate, as these bills would prefer. The consequences of teaching the supposed “divisive concepts” are as follows: “the department of education shall withhold state funding from the district in the amount determined by the department.” Withholding state funding from already underfunded public schools will only serve to further disadvantage students from marginalized communities who endeavor to learn their own history and correct the wrongs which they have been dealt. Why are we so threatened by teaching social studies from diverse perspectives that we threaten to punish students’ very opportunities for success through financial starvation for merely going off the dominant, American exceptionalist script?

In closing, I would like to share a few personal stories to illustrate, in real, human experience, the damage these bills would inflict upon our students. I grew up in a semi-rural, semi-suburban, predominantly white middle-class school district. Many of my classes were 100% white students. It is safe to say that diversity, equity, and inclusion were not always held to the utmost importance. It was not uncommon to hear the usage of various racist, homophobic, and transphobic slurs throughout the halls and classrooms of my school, sometimes in the presence of faculty without consequence. I witnessed white students condescend to students of color, making racist remarks about African American culture supposedly being more violent and inferior, repeating racist stereotypes and demeaning students of color by remarking that they smell or attempting to touch students’ textured hair. Students hatefully decried civil rights organizations like Black Lives Matter as “terrorist groups” and scorned people of color for their supposed laziness for living in an economically disadvantaged part of town which had previously been redlined. These students would not benefit from a reinforcement of the single, dominant narrative that racism has magically been eradicated in the United States; they would not benefit from a prohibition of teaching factual instances of systemic racism; they would not benefit from a prohibition of discussing current events of racial injustice and discrimination. If we want to create an equitable societable for everyone, we need to engage in these topics, even if they do not blindly promote patriotism. Take it from the Ohio Education Association⁶, the Ohio Council for the Social Studies⁷, the Ohio Academy of History⁸, and the Ohio Student Government Association, all of which are nonpartisan organizations that urge these bills be voted down to preserve honest and free education in the state of Ohio. Teaching an honest history of this country requires acknowledgement of and thoughtful analysis of racial and ethnic injustice. This will not suddenly turn our students into America-hating communists, rather it will give them the tools to create a better tomorrow. I ask you to consider my testimony and vote no on these destructive bills for the sake of our students and of marginalized communities across the state of Ohio. Thank you again for the opportunity to testify.

⁶ [Ohio Education Association](#)

⁷ [Ohio Council for the Social Studies](#)

⁸ [Ohio Academy of History](#)