

Testimony in Opposition to H.B. 322 and H.B. 327
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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. 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 issues of racial injustice. To be more concrete about the matter, let's establish a clear difference between Critical Race Theory, or CRT, Culturally Responsive Pedagogy, or CRP, and a simple honest teaching of history and current events. CRT 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 race¹. It is not taught in K-12 schools, as it requires a significant wealth of background knowledge and experience. CRP, in contrast, incorporates racially and ethnically diverse perspectives and experiences in education in order to teach a diverse student population more effectively². It is practiced in K-12 schools, and it delivers a culturally relevant curriculum that portrays historical and contemporary events through a variety of diverse perspectives rather than from a single, dominant narrative. 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. These are all factual instances of racial injustice 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 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 encourage 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?

¹ [OWL Purdue on Critical Race Theory](#)

² [Geneva Gay on Culturally Responsive Pedagogy](#)

I would like to quickly touch on some issues related to H.B. 322³ before moving to H.B. 327. 322 prohibits requiring teachers “to discuss current events or widely debated and currently controversial issues of public policy or social affairs.” Without thoughtful discussion of current events, many students I personally know would not encounter an informed, impartial and thoughtful introduction to important societal issues. House Bill 322 also reads “No teacher shall be required... to affirm a belief in the systemic nature of racism... or in the multiplicity or fluidity of gender identities...” 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. 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.

Turning to House Bill 327⁴, this bill aims to completely silence any instruction of so-called “divisive concepts” in K-12 schools and higher education. The restrictions on honest and free education included in this bill prohibit examining fundamental racism and sexism within the US; 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 inequities that such discrimination has created along racial and ethnic lines; and they prohibit many other concepts I will spare for the sake of brevity. 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. The consequences of teaching the supposed “divisive concepts” include withholding state funding from already underfunded public schools, which will only serve to further disadvantage students from marginalized communities who are merely endeavoring 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 predominantly white middle-class school district. It was not uncommon to hear various racist, homophobic, and transphobic slurs throughout the halls and classrooms of my school, sometimes in the presence of faculty without consequence. White students condescended 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

³ [House Bill 322](#)

⁴ [House Bill 327](#)

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 America; 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 society for everyone, we need to engage in these topics, even if they do not blindly promote patriotism. Take it from the Ohio Education Association⁵, the Ohio Council for the Social Studies⁶, the Ohio Academy of History⁷, 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.

⁵ [Ohio Education Association](#)

⁶ [Ohio Council for the Social Studies](#)

⁷ [Ohio Academy of History](#)