

Testimony of Amber L. Ferris, Ph.D.
Before the House Higher Education Committee
Rep. Tom Young, Chair
May 15, 2023

Chair Young, Ranking Member Miller, and Members of the Higher Education Committee:

My name is Dr. Amber L. Ferris, and I am a professor of Communication at the University of Akron, where I have taught for 10 years. I do not represent the University of Akron, but rather am submitting testimony as a private citizen in opposition to Substitute House Bill 151. I teach courses in media, research methods, and social media at both the undergraduate and graduate levels.

I am asking you to discontinue pursuit of this bill. This bill will cause irreparable harm to Ohio's institutions of higher education, ultimately resulting in a weaker state overall. I'd like to highlight my opposition to this bill in the following points:

- “Intellectual diversity” is not clearly defined, and therefore can be attributed to any form of speech. This overbroad term can be detrimental to the classroom by allowing hate speech, conspiracy theories, and unfounded opinions to supersede facts, logic, and reasoning. Under this law, will it be acceptable as an “intellectually diverse” statement for a student to repeat Proud Boys philosophy (that includes racial epithets) in a lecture on the Black Lives Matter movement? Do I have to present the Nazi's side of the story in relation to the Holocaust? What if a Muslim student uses slurs in class to refer to Christianity? Or worse yet, we don't talk about any of these important issues at all for fear of punishment from the State.
- There has been no evidence provided that demonstrates that faculty systemically repress minority viewpoints or that students do not feel comfortable speaking their minds in class. Using teaching evaluations as an assessment of bias by faculty members is in no way a valid measurement.
- Teaching evaluations are notoriously flawed. Research has shown that teaching evaluations have significant gender and racial biases. Faculty from underrepresented groups are far more likely to be rated more harshly than their majority-member counterparts. Additionally, unless every student takes the evaluations (which rarely, if ever happens), the sample is flawed. Students who either loved or hated the professor are the most likely to respond. This means that the numerical average that is calculated will not represent the class as a whole. This is important – if faculty decisions are being made based upon this data, it has to be accurate data.

- This law will be extremely expensive and time consuming for the State to regulate. Ultimately, the main burden of this law will be passed directly to the students. Institutions will be forced to raise tuition, further limiting students from low socioeconomic backgrounds' access to higher education. Limiting access to higher education will lower upward mobility, create a deficit of skilled workers, and severely restrict the State's ability to grow in industry and innovation.
- Passing this law will lead to brain drain. It will be incredibly difficult to retain and attract high-quality faculty to Ohio. This will result in less research dollars coming into the state, less innovation, and a lower quality of education for our students.
- This law will put more power in the hands of institution's Boards of Trustees (BOT), who are largely unqualified to make decisions related to curriculum, faculty, and student issues. Many (if not all) BOT members have no formal training in higher education. It would not make sense to appoint a coffee shop owner with no experience in the oil industry in charge of a drilling company. It doesn't make sense to restrict university presidents and provosts in their ability to manage their institutions.
- In today's global economy, limiting DEI training will put Ohio students at a severe disadvantage within the workforce. Workplaces are diverse. Our State is diverse. According to the Ohio Census Bureau, nearly 20% of our state identifies as non-white. Just over 4% of Ohioans identify as part of the LGBTQ+ community. Approximately a quarter of Ohioans identify with a religion other than Christianity. It is nearly impossible to avoid someone who is different from yourself in a fundamental way. I don't know why equity and inclusion are terrible concepts. Every person deserves to be understood for who they are. DEI training is not the enemy to the majority.

In conclusion, this legislation will irreparably damage one of Ohio's best resources: it's system of higher education. We should be drawing students to our state and then focus on retaining them to work and grow in Ohio. We should be focusing on bringing talent to our state, not pushing it away.

I have lived in Ohio since attending Kent State University as a PhD student, almost 20 years ago. I've lived almost half of my life here. I consider it my home. I am a liberal, lesbian, communication professor who comes from a conservative rural upbringing. My wife's father is a retired police officer. My mother-in-law was a respected businesswoman. My mother raised four children while attending community college to become an x-ray technician. My father was a farmer, my grandparents on both sides of my family still farm. Through persistence and grit, I was able to succeed in a system that was not designed for me. I want to leave this system in a better place than it was when I began. That will not be possible if this law is passed.

Do not destroy higher education by passing HB 151.