

**Testimony of John Plecnik, J.D., LL.M.**  
**Before the House Higher Education Committee**  
**Rep. Tom Young, Chair**  
**May 17, 2023**

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

My name is John Plecnik, and I am an associate professor of law at Cleveland State University, where I have taught for 12 years. I do not represent Cleveland State, but rather am submitting testimony as a private citizen in opposition to Substitute House Bill 151.

I am better known as the most conservative professor in Ohio, a title for which there is far too little competition. We all know the only way to address the very real problem of wokeism and liberal bias on campus is to increase the number of conservative and Republican faculty to achieve intellectual diversity and balance. Conservative students need mentors. Conservative groups need faculty advisors. Faculty hiring committees need balance so that future professors are evaluated fairly. Senate Bill 83 and House Bill 151 admittedly do nothing to address these issues. Instead, they limit free speech, promote grade inflation and threaten to silence or even eliminate the endangered species on campus known as the conservative professor.

First, the authors of the substitute version HB 151 and SB 83 seem to privately recognize the deleterious effects of their legislation, because they now exempt private colleges and universities from compliance. What's good for the goose is good for the gander. If HB 151 were such a positive beacon of free speech, why limit its application to only public universities? The answer is simple. HB 151 is not positive and limits free speech. Imagine if the Ohio Senate proposed a list of controversial beliefs or policies the Statehouse may no longer endorse, oppose, comment or take action upon? There would be a mix of outrage and laughter at the absurdity of such a speech code. How much more absurd is it for a bill that purports to enhance free speech on campus to limit speech in such an oddly specific way.

Second, HB 151 requires student evaluations to make up no less than half of a professor's teaching evaluation. This will immediately result in grade inflation as fearful professors seek to cater to their students rather than educate them. Although my students are too kind, and I was twice voted Professor of the Year, I must acknowledge that student evaluations are seldom representative of the entire class and often reflect the subjective experience of the students rather than the true quality of their educational experience. It is not uncommon for 5 out of 50 students to respond, and those who do respond tend to have very strong positive or negative feelings toward their professor. It is also the case that students who are doing well in the class or who have been graded highly by the professor in past courses or assignments overwhelmingly write positive evaluations. You don't need to be a professor of statistics to see that faculty who are heavily evaluated based on student evaluations will tell the snowflakes whatever they want to hear and grade liberally in order to garner high evaluations and protect their jobs. Grade inflation is inevitable under the current version of HB 151 and that will dramatically devalue the worth of degrees from Ohio's public colleges and universities.

Third, the institution of tenure and fair evaluations protect minority viewpoints, and we all know conservatives are in the tiny minority on campus. Senate Bill 83 would allow a liberal dean or administrator to use two years of below average reviews in any category as a pretext to discipline or fire a conservative professor. This will immediately silence our few remaining conservative faculty. Even worse, the new version of HB 151 prohibits any faculty bargaining over post-tenure review. This means your dean or supervisor unilaterally creates your review system, reviews you under their system and then decides whether to fire you under the same. Congratulations, you will have made the liberal deans and presidents both the judge, jury and executioner of the few remaining conservatives on campus.

I sincerely believe the goals of HB 151 are to return intellectual diversity to campus and bring back balance to Ohio's public colleges and universities. As someone who has dedicated his life to higher education, I have been fighting for these goals since I was a College Republican. With highest respect, I sincerely ask you to be deliberative and repair HB 151 before bringing it to a vote. Otherwise, it must be voted down.