



November 29, 2023 | Testimony in opposition to SB83 | House Higher Education Committee

Chair Young, Vice Chair Manning, Ranking Member Miller and members of the House Higher Education Committee, thank you for the opportunity to testify in opposition to SB 83, a bill that would harm higher education institutions and make them less welcoming and tolerant places for marginalized communities.

Equality Ohio is a statewide education and advocacy organization dedicated to pursuing lived and legal equality for LGBTQ+ Ohioans. As advocates for LGBTQ+ people and their families, we work to ensure that our community's freedoms are protected, and that includes the freedom to get an education in a safe and tolerant learning environment, the freedom to organize, and the freedom to openly discuss our own lives and identities without being subjected to government censorship or even professional discipline.

It's shocking, though not surprising, to find that new iterations of this bill go even further in attempting to undermine the protections guaranteed to LGBTQ+ students under current higher education policies and federal law. In fact, in a provision that arguably ensures equal treatment of students and staff, provisions related to sexual orientation and gender identity were explicitly removed from the list of protected classes, opening the door to making discriminating against LGBTQ+ people not just a risk but a promise. This bill was already inviting litigation, but the newest version creates new legal claims under which this bill *directly* conflicts with federal law.

With similar curriculum censorship to last session's Don't Say Gay Don't Mention Race bills, this proposed bill is expansive in the worst way. It proposes vague bans that would upend educators' ability to talk about race and gender in classrooms, and by extension greatly increase the risk that professors could be targeted or even reprimanded for teaching honest history.

Even if unintentional, this bill is so expansive that it would dramatically chill speech and extracurricular activities on campus, and substantially harm the college experience for students and administrators alike. It's very hard to overstate the broad prohibitions and the potential harm to state institutions of higher education if this were to become law. This bill would not protect families, students, or staff, and instead would be bad for the economy, bad for freedom of speech and expression and even freedom of association.

In a pluralistic society – one in which not everyone agrees on what is fair or right or just – protecting *freedom* must be our government's North Star. And colleges and universities must continue to be what they have always been: bastions for the right to express oneself. Colleges and universities have long been on the forefront of keeping society progressing forward, with a rich history of student organizing, political discussions, and boundary pushing in classrooms. Students often find their own voices and have the opportunity to draw their own conclusions in college, maybe even for the first time.



November 29, 2023 | Testimony in opposition to SB83 | House Higher Education Committee

Perhaps to the chagrin of some university staff, and definitely to the chagrin of some of the proponents of this bill, students have always been on the forefront of change.

Yet we are seeing frightening efforts by members of this legislature to literally ban speech on campuses. We've already seen sitting State Representatives advocate for punishment of not just faculty but students who engage in peaceful demonstrations on campus. And despite the many, many, many complaints about "cancel culture", it's this and similar legislation that actually aim to punish students and staff purely for their political opinions. We are seeing, counterintuitively, many of the same politicians that endorse SB 83 engage in extreme levels of McCarthyism towards students and staff who don't acquiesce to the political intimidation of politicians and administrators demanding they be punished for their speech. How about we work to preserve freedom of speech and expression rather than squash and punish it.

SB 83 is bad for students, staff, and Ohio at large. Please vote no on SB83.

Thank you,

Maria Bruno
Public Policy Director
Equality Ohio