Testimony of Danielle Fosler-Lussier
Before the Senate Workforce and Higher Education Committee
Senator Jerry Cirino, Chair
submitted by email May 13, 2023 for the hearing scheduled for May 17, 2023

Chair Cirino, Vice Chair Rulli, Ranking Member Ingram, and Members of the Workforce and Higher Education Committee:

My name is Danielle Fosler-Lussier, and I am a professor of Music at The Ohio State University where I have taught for more than 20 years. I do not represent The Ohio State University, but rather am submitting testimony as a private citizen **in opposition to Senate Bill 83.**

This bill seeks to "correct" problems that do not exist. There is no limitation on free speech in the current practices of Ohio's public universities. We do not use political or ideological litmus tests in hiring. Faculty workloads are not determined by the faculty's political or other commitments. Faculty performance is already reviewed annually. Teaching is already evaluated by students and through peer review. No one is forcing anyone to believe anything. **The bill's provisions on these topics are just for show, to make it seem as though the bill is addressing real issues. It is not.**

The bill claims to support "rigorous intellectual inquiry" (line 164) but the bill's provisions regarding "controversial belief or policy" institutes a chilling effect on free speech. The topics described as controversial are included in courses at The Ohio State University. Our motto is "Education for Citizenship," and we must educate students to be thoughtful in their approach to relevant social concerns. We do not indoctrinate students; we do offer them factual information and depictions of social concerns through fiction and the arts so that each student can understand these issues and empathize with other people's perspectives about them.

The "intellectual diversity rubrics" mandated in the bill (line 220) are a violation of faculty's right to teach the material of their disciplines, about which they must use their own judgment. It would be nightmarish if such "rubrics" included teaching "both sides" of an issue where one "side" is false or distorted. **The unspecified "sanctions" against faculty (line 293) are a direct threat to faculty freedom of speech and intellectual inquiry.**

The American government course provision is inappropriate, unnecessary, and expensive. Students who graduate from high school in Ohio have already completed at least 1/2 unit in American history and 1/2 unit in American government, so these concepts have already been covered. Further, the faculty at Ohio State have already recently overhauled the General Education program. Changing it again will be expensive, particularly as we would have to hire many faculty to teach these extra required courses.

The provision about persons being made to feel "discomfort, guilt, or anguish" (line 674) will lead to a great deal of turmoil and it may be used aggressively to retaliate against teachers or administrators. Institutions have no practical way to address how people feel about facts. Permitting complaints about "being made to feel" a particular way gives complainants wide latitude for aggression, and it is impossible to defend oneself against accusations that are about feelings. This is a bad provision, and again, it addresses a supposed "problem" that does not exist. The frivolous complaints that will be submitted for this cause will take administrators' time, and therefore cost money.

State employees must retain the right to strike and bargain collectively. This right has enabled people in a variety of the named professions, including nurses, police, firefighters, and teachers, to improve their working conditions in ways that protect not only those people, but also the people they serve. Nurses' working conditions are the conditions in which patients are treated. Teachers' working conditions are the conditions in which students learn. We need to maintain a way to address workplace concerns.

I ask that you oppose Senate Bill 83.

Sincerely yours,

Danielle Fosler-Lussier