

Testimony on SB 83 on behalf of the Ohio Faculty Council from Dr. Ben Givens - 4/19/2023

Chairman Cirino, Vice Chair Rulli, Ranking Member Ingram, and members of the Senate Workforce and Higher Education Committee. Thank you for the opportunity speak with the committee today about Senate Bill 83.

I am a faculty member in the Department of Psychology at the Ohio State University. Today, I speak as the vice-chair of the Ohio Faculty Council, an organization that represents the faculty at the 14 state-supported universities in the great state of Ohio. Faculty uphold the core academic mission of any institution of higher education. We are committed to working with the legislature in the best interests of our universities. However, we feel like the goals of Senate bill 83 are not written in the spirit of collaboration and are aimed at diminishing the faculty which leaves us no choice but to oppose the bill in its entirety.

Administrative Costs and Reporting Requirements

The faculty at Ohio's universities are concerned with the significant growth in administrative processes required by this bill. Increasing the proportion of the budget that goes to administrative costs reduces the budget available for the providing students and outstanding academic experience. Not only are the administrative costs of this bill enormous, they also are unnecessary and show a fundamental misunderstanding of our universities. For example, universities already post syllabi and have student evaluations of teaching. To mandate that all institutions re-develop their process is unnecessarily costly. Moreover, some faculty are 100% research. Re-calibrating the workload of these research faculty as well as of distinguished faculty whose work centers around caring for patients in a clinical setting in terms of undergraduate teaching equivalents is non-sensical and doesn't respect the nature of their substantial contributions. The added administrative costs will likely increase the cost of education to students or lead to larger class sizes.

Contradictions in language around DEI and Group Identity

In Senate Bill 83 our institutions must guarantee "the fullest degree of intellectual diversity" in fulfilling our core mission, yet when hiring faculty or admitting students to our institutions, the bill forbids asking perspective employees or students if they value intellectual diversity or how they would contribute to it. Such a glaring illogical contradiction undermines the rationale and credibility of this bill.

In its treatment of group identity, the bill is disingenuous. It reads like it's designed to eliminate the negative effects of group identity, with language about preventing the linkage of race or sex to "moral worth" or "psychological stress" of individuals. However, in the next section the bill explicitly asks each institution to report and post statistics in a prominent location on the academic qualifications of accepted and matriculating students, including correlating students' academic qualifications and retention rates disaggregated by race and sex. This data requirement would highlight potential group differences that could have the very effect the bill purports to want to eliminate. Is this the intention?

A Welcoming Environment

Universities thrive when faculty have the academic freedom to explore new avenues of inquiry. Faculty research, innovation, and scholarship can generate economic opportunities. The national reputation and ranking of universities depend on the excellence of faculty. When deciding where to locate, the best faculty (and students) are drawn to the highest ranked institutions and to environments that are welcoming and supportive. Senate Bill 83 creates an environment of mistrust of faculty that threatens our aspirations to increase the national prominence of our universities and attract the most innovative new scholars.

Faculty want nothing more than to have open and robust discussions in their classrooms. We work hard to create classrooms that encourage all viewpoints and that break down barriers that inhibit students from speaking. These principles of openness are central to what we do and are already stated in our mission statements in ways that reflect our individual institutions. These principles are how universities have operated for decades, and indeed centuries. Legislation that implies that this is not the case, and that dictates that each institution must adopt identical statements is patronizing.

Civics Course

The curriculum of any university is in the hands of the faculty. University faculty are highly trained, knowledgeable, and thoughtful about selecting courses for every program of study or general education curriculum. It is unprecedented in higher education and a dangerous breach of precedent for the legislature to dictate a specific course with specific readings to be taught to all students. By requiring specific readings, this legislation violates academic freedom and the freedom of expression for faculty who would teach such a course. These basic freedoms that the bill purports to support, violates them by dictating what and how curriculum is to be taught.

Controversial topics

Universities are in the best position to discuss and seek solutions for issues facing society. It's critical that universities are free to do research, to have broad discussions, and to explore the limits of all the topics facing society. Nearly every issue of importance to society generates some political controversy. More information is always better than less. Do we really want a policy of not hiring or training around topics of great consequence to society? By placing climate change in the category of controversial topics, this bill reveals profound ignorance of 50 years of science. It is an indisputable fact that the persistent increase in the global average temperature is having devastating effects on the Earth's climate. How backwards is this bill that universities must affirm that they will not act on climate change? Restricting topics that are suitable for higher education is at best short-sighted.

Other Concerns

The faculty at Ohio's universities have additional concerns with this bill, including provisions to break financial ties with China. While we have political challenges with China, these are largely between our

governments. Interactions between US and Chinese universities continues to benefit the world. The worldwide pandemic has only highlighted the need for more global collaboration, not less.

A second topic of deep concern for many of the faculty in the Ohio Faculty Council pertains to the employee strikes. While not all our faculty are represented by collective bargaining, we believe the attempt to curtail employees' right to strike effectively disarms the entire purpose of collective bargaining and ends any ability to negotiate in good faith.

Summary

The Ohio Faculty Council and the Ohio Faculty Senate, our sister organization for community colleges, have approved a joint resolution that has been submitted as testimony for this hearing. We ask that you please consider it. We will also be holding a joint in-person meeting in the statehouse on June 9, and we invite you to join us. We will be focusing on mental health in higher education, which we feel is an area we can work together on productive and positive legislation that can enhance the wellness of our students and employees.

The Ohio Faculty Council testified to this committee as an interested party for Senate Bill 135 in the previous General Assembly. We supported the overarching goals of that bill. We stand ready to engage with the committee again. However, this current bill does not leave any room for common ground. Let me assure the committee that the faculty at Ohio's universities are working hard every day and are producing outstanding and non-controversial results. There appears to be some fundamental misconceptions about what we do and how we do it. I invite committee members to come to our campuses, sit in on our classes, visit our labs and studios, and meet with our faculty, students and staff. We welcome good legislation that can build up our universities.

Chairman Cirino, thank you for the opportunity to testify today. I welcome questions.