

A Resolution in Opposition to Ohio Senate Bill 83

Approved by Faculty Council Vote on April 10, 2023

Ohio administrative code supports Academic Freedom ([Ohio Administrative Code 3335-5- 01](#)), a bedrock principle ensuring the rights of faculty members to teach, conduct research, and support learning without undue external pressure or interference. Academic Freedom has been foundational since the inception of higher education institutions in the Middle Ages. It ensures the ongoing generation of new knowledge, innovation, and a participatory democracy. As outlined in OAC 3335-5:

Academic freedom [is] essential to attain the goal of the free search for truth and its free exposition. Academic freedom and academic responsibility are twin guardians of the integrity of institutions of higher learning. This integrity is essential to the preservation of a free society and explains the willingness of society historically to accept the concept of academic freedom and, in addition, to protect it through the institution of academic tenure.

Ohio code goes on to state that:

The principal elements of academic freedom include the freedom of faculty to:

- (1) Teach, conduct research, and publish research findings;*
- (2) Discuss in classrooms, in their own manner, any material that is relevant to the subject matter as defined in the course syllabus;*
- (3) Exercise their constitutional rights as citizens without institutional censorship or discipline;*
- (4) Seek changes in academic and institutional policies through lawful and peaceful means.*

Nearly every one of these principal elements of Academic Freedom is under attack or is diluted by Ohio Senate Bill 83. **Hence, we, the Faculty Council of the Ohio State University Senate, vehemently and decisively oppose Ohio Senate Bill 83 and put forth the following resolution.**

WHEREAS there is a national effort to restrict the Academic Freedom of faculty of higher education such that they will no longer have the freedom to teach, or discuss in classrooms in their own manner topics deemed “controversial” by certain segments of society, or freely develop syllabi that address topics deemed “controversial” by certain segments of society without censorship or discipline; and

WHEREAS in SB 83 “Controversial belief or policy” means “any belief or policy that is the subject of political controversy, including issues such as climate change, electoral politics, foreign policy, diversity, equity, and inclusion programs, immigration policy, marriage, or abortion”; and

WHEREAS scholars across a myriad of disciplines are committed to researching and communicating the scientific consensus regarding climate change and all of these “controversial” topic; and

WHEREAS so called “controversial beliefs” reflect, in truth, the embodied experiences, both historical and current, and the individual dignity of women, neurodiverse people, religious and spiritually diverse people, members of the LGBTQIA+ community, Black, Indigenous, People of Color, immigrants, and other members of the global majority; and

WHEREAS the teaching of a particular version of history is now being prescribed by externally imposed mandates; and

WHEREAS the censoring of particular histories and topics is an unacceptable infringement on academic freedom and the important role of faculty to search for truth and its free exposition; and

WHEREAS SB 83 would instantiate these restrictions into state law; and

WHEREAS this bill would effectively eradicate tenure at all state institutions of higher education in Ohio, limiting our ability to recruit the best academic talent to the State and thereby degrading the quality of our institutions; and

WHEREAS this bill also seeks to dismantle the protection of Academic Freedom by withholding state funding and/or tenure for any violations of this law; and

WHEREAS this bill would ban all partnerships with the People’s Republic of China, further undermining the ongoing generation of new knowledge, innovation, and international collaboration; and

WHEREAS this bill also seeks to restrict the ability of faculty in higher education and other public professions to engage in collective bargaining, thus selectively injuring labor rights of a specific population; and

WHEREAS this bill would ban any mandatory trainings required of administrators, faculty, staff, or students related to diversity, equity, and inclusion; and

WHEREAS the absence of such trainings bodes to increase incidences of hate speech and other acts of discrimination just as such acts, including anti-Black racism and antisemitism, are increasing locally and nationally; and

WHEREAS this bill would imperil the accreditation of The Ohio State University by the Higher Learning Commission and other Special Professional Associations, which accredit a myriad of professional programs across the university; and

WHEREAS this bill is antithetical to the national ethical standards and professional requirements for all mental health counseling, school counseling, and counseling specialties in the state, which include facilitating,

the development of competencies in understanding and applying knowledge of diversity, power, privilege, and oppression as these relate to race, age, gender, ethnicity, sexual orientation, gender identity, socioeconomic status, disability, health status, religious, spiritual and/or beliefs, nation of origin or other relevant social identities throughout the curriculum [and include] practice with diverse, international, multicultural, marginalized, and/or underserved communities, including developing competencies in working with sexual and gender minorities and their families, as well as anti-racist practices ([American Counseling Association](#)); and

WHEREAS this bill would therefore directly undermine the Budget of the State of Ohio (FY 2024-2025) aimed at expanding and supporting “critical mental health initiatives,” making Ohio a “national leader in mental health research and innovation,” and expanding access to “wellness and recovery services” and other mental health services ([Budget of the State of Ohio FY 2024-2025](#)) by foreclosing possibilities for mental health professionals to be trained and licensed in the state and for accredited mental health research to thrive; and

WHEREAS, as an institution of higher education with a land-grant mission, The Ohio State University is committed to, “Creating and discovering knowledge to improve the well-being of our state, regional, national and global communities; Educating students through a comprehensive array of distinguished academic programs; Preparing a diverse student body to be leaders and engaged citizens; Fostering a culture of engagement and service;” and

WHEREAS such legislation would seriously impede and infringe upon fulfilling the mission of this land grant institution, which was established and has continued, in alignment with these commitments since 1870, BE IT THEREFORE RESOLVED that the Faculty Council of the University Senate registers its full- throated opposition to such legislation. Ohio Senate Bill 83 is antithetical to the values of The Ohio State University and unacceptable to its faculty in its entirety.

Respectfully submitted,

Faculty Council Executive Committee:

Caroline Clark, Professor of Teaching and Learning, Chair of Faculty Council
Scott Schricker, Associate Professor of Dentistry, Chair-Elect of Faculty Council
Enrico Bonello, Professor of Plant Pathology, Chair of Senate Steering
Susan Cole, Professor of Molecular Genetics, Senate Steering Committee
Jill Galvan, Associate Professor of English, Senate Steering Committee
Jared Gardner, Professor of English, Senate Steering Committee
Ben Givens, Associate Professor of Psychology, Secretary of the Senate
Vidya Raman, Clinical Professor of Anesthesiology, Senate Steering Committee
Valarie Williams, Professor of Dance, Senate Steering Committee