

SB 322 & 327

Ohio proposed “divisive concepts” bills

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AAUP-UC Chapter Meeting
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Summaries of HB 322 & 327 [from OH LSC – Analysis of [322](#) and [327](#)]

HB 322 (full text [here](#)), directed primarily at K12, PROHIBITS:

- With respect to history and civics courses, public schools and state agencies from:
 - Requiring discussion of current events,
 - Requiring or awarding credit for lobbying or related social/public policy advocacy, and
 - Accepting private funding to develop curriculum, purchase course materials, or provide training
- Public schools or state agencies from teaching admin, staff, member, or employee to adopt or believe in specified concepts
- State BoE from adopting any model curriculum regarding specific concepts [e.g., 1619 Project]
- Public school teacher, admin, employee, or state agency from approving, using, or carrying standards, curricula, lesson plans, textbooks, instructional materials, or instructional practices that serve to inculcate specified concepts.

HB 327 (full text [here](#)), as originally introduced:

- Prohibits school districts, community and STEM schools, state agencies, and state HEIs from teaching “divisive concepts” or accepting private funding to promote “divisive concepts”
- Requires state DoE to withhold funding from districts or schools that violate the bill’s provisions until they are in compliance
- Requires state agency heads to review grant and training programs and ensure and encourage employee compliance with bill’s provisions
- Requires Dept of Admin Services to adopt a policy that complies with bill and establish rules for implementation and enforcement of that policy
- **Substitute bill** further targets HEIs - e.g., would require HEIs to update faculty tenure policies to reflect bill’s principles and consider as a “negative fact” in tenure and employment decision and “confirmed reports” that a faculty “knowingly or recklessly” violates bill’s provisions

Status of OH bills and similar bills across the country

- HB 322 & 327 are In House State and Local Government Committee
 - Why in Local Government rather than one of the two education committees?
 - Proponent testimony heard
 - Hearing for opponent testimony pending
 - OH Conference AAUP (Steve Mockabee and Sara Kilpatrick) meeting with HB 327 primary sponsors
- National update
 - 27 states
 - Passed and signed by governor - Iowa, Idaho, Arizona
 - Stay up to date - AAPF [#TruthBeTold bill tracker](#) (scroll down to see interactive map)
 - Attorney General Opinions
 - [Montana](#) - issued on May 27, 2021, read full opinion [here](#)
 - Texas - [request for opinion](#) submitted Aug 3, briefs due Sept 3; [AAUP submitted brief](#)

What can I do? What can we do?

- Submit testimony to oppose bills - see [Honesty for Ohio Education](#) how-to and action resources at all levels - OH Statehouse, State Board of Ed, and Local School Boards & Districts
- Sign the “Save Ohio Higher Ed” ([SOHE](#)) [Solidarity Pledge](#) [to sign, scroll to bottom of page]
- Talk to faculty friends and colleagues who might not be obviously or immediately interested
- Check/request action from your various disciplinary professional associations
- Support our K-12 educator colleagues! → See [BLM At School](#) for ideas
 - National #TeachTruth Day of Action - kicks of 2021-22 Year of Purpose
- AAPF [#TruthBeTold](#) Higher Ed Working Group - email houhe@ucmail.uc.edu
 - Model faculty senate resolution - forthcoming
 - Teach-in - Oct 14 “[National #TeachTruth Day of Action](#),” commemorating George Floyd’s birthday
 - Endorse AAPF #TBT Higher Ed Working Group's work

Additional resources

- AAUP Statements
 - [Statement on Legislation Restricting Teaching about Race](#) (Aug 4, 2021)
 - [Joint Statement on Efforts to Restrict Education about Racism and American History](#) (June 16, 2021)
 - [Statement on Efforts to Restrict the Teaching of History](#) (Jan 29, 2021)
 - [1776 Report Distorts the Past and Disregards the Truth](#) (Jan 29, 2021)
- AAUP [Teaching about Race](#) resources
- African American Policy Forum [#TruthBeTold Report](#) (2020)
- League of Women Voters of Ohio - [Protect Honesty in Education](#)