

Resolution to authorize the Franklin County Public Health (FCPH) to engage with the Ohio Legislature regarding legislation such as Ohio Senate Bill #83, introduced in the 135th General Assembly, and other bills with language related to Diversity, Equity and Inclusion and Social Determinants of Health

WHEREAS, as of June 30, 2023, language and provisions of Senate Bill (SB) 83 and House Bill (HB) 33 related to diversity, equity, and inclusion have not been passed; however, FCPH continues to monitor the status of these legislative proposals and related legislation.

WHEREAS, the purpose of this Resolution is to authorize the FCPH Health Commissioner to educate and engage with the Ohio Legislature regarding SB 83, HB 33, and related bills, and not to advocate any positions.

WHEREAS, the FCPH Health Commissioner will educate and engage in the following ways: provide testimony to Members of the Ohio General Assembly when applicable to priorities and goals of FCPH; meet with elected officials and their staff to discuss impact of legislation being considered; research and share information and data regarding public health matters, including social determinants of health and diversity, equity and inclusion subjects; and collaborate with FCPH partners to assist in the education and engagement.

WHEREAS, the following sections set forth factual information to address potential issues that may arise under legislation such as SB 83.

WHEREAS, state institutions of higher education are subject to the provisions of SB 83, and according to the Dean (Dean) of The Ohio State University College of Public Health, SB 83, if passed, could jeopardize the ability of the college to maintain its accreditation with the Council on Education for Public Health (CEPH). Loss of accreditation would threaten the very existence of the college, with ripple effects that would negatively impact the communities we serve. As a dean and public health educator, the Dean is "deeply concerned about labeling core subjects in public health "controversial" and setting boundaries on how we teach our core topics. Either directly or indirectly, each of the examples listed in the legislation is either a major public health issue or is key to public health research, teaching, and service that is core to our mission. To be an accredited school or program of public health, we must teach what SB 83 labels "controversial" subjects."¹

WHEREAS, according to Honesty for Ohio Education, SB 83 bans groups, clubs, organizations based on race, sex, sexuality, gender identity, possibly athletic teams and

¹ file:///C:/Users/lldent/Downloads/SB83FairchildOpponent.pdf

dorms; bans programs, policies, practices based on race, sex, sexuality, gender identity; restricts discussions about race, sex, sexuality, gender identity, "controversial" topics, including climate change; bans public statements and positions about "controversial" topics; bans employee strikes (faculty, staff, students). The legislation further dismisses race, culture, identity, lived experiences as "controversial beliefs and policies." A total of 549 opponent testimonies were submitted in opposition to SB 83.²

WHEREAS, ""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" as defined by SB 83.³

WHEREAS, SB 83, also known as the Ohio Higher Education Enhancement Act, proposes wide-ranging changes, including rules aimed at ending mandated diversity trainings, among other things according to The Columbus Dispatch.⁴

WHEREAS, SB 83 provides that "the board of trustees of each state institution of higher education shall adopt a policy that requires the institution to prohibit any mandatory programs or training courses regarding diversity, equity, or inclusion; affirm and guarantee that the institution will not use a diversity statement or any other assessment of an applicant's commitment to specified concepts in any hiring, promotions, or admissions process or decision."⁵

WHEREAS, " State institution of higher education" means any state university or college as defined in division (A)(1) of section [3345.12](#) of the Revised Code, community college, state community college, university branch established under Chapter 3355. of the Revised Code, or technical college."⁶

WHEREAS, according to SB 83, the chancellor of higher education shall not distribute any state funds appropriated for institutional purposes to a private institution of higher education unless the institution submits a statement affirming many actions, including, the institution does not require diversity, equity, and inclusion courses or training for students, staff, or faculty.⁷

WHEREAS, with support from the Board of Health (BOH), FCPH adopted in its agency-wide Strategic Plan, one goal of "Equity" as the foundation for conducting the agency's daily work and as its north star; in 2019 convened an internal Health Equity Committee; and in May of 2020, declared Racism a Public Health Crisis, while enacting a Health and Equity in All Policies policy and established an external Equity Advisory Council (EAC) representing over 45 cross-sector organizations to support the important and necessary work of diversity, equity and inclusion.

² <https://us5.campaign-archive.com/?u=7050b1d6f8f301713152b6d22&id=ddf94ccc05>

³ https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/sb83/IN/00/sb83_00_IN?format=pdf

⁴ <https://www.dispatch.com/story/news/education/2023/04/13/by-the-numbers-how-would-senate-bill-83-affect-ohio-higher-education/70099141007/>

⁵ https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/sb83/IN/00/sb83_00_IN?format=pdf

⁶ <https://codes.ohio.gov/ohio-revised-code/section-3345.011>

⁷ https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/sb83/IN/00/sb83_00_IN?format=pdf

Now, therefore, upon motion of Board Member __, second by Board Member __;

BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF HEALTH, BOARD MEMBERS;

1. That the Health Commissioner is authorized to engage with members of the Ohio House and Ohio Senate from Franklin County regarding SB 83.
2. That this resolution shall be in full force and effect immediately upon its adoption.

Voting Aye Thereon:

Board Members
Franklin County Board of Health

Voting Nay Thereon:

Board Members
Franklin County Board of Health