WEST VIRGINIA CODE: §18B-14-6

§18B-14-6. Nondiscrimination.

(a) It is the policy of the state that the administrations of state institutions of higher education, and their administrative units, be officially neutral with regard to widely contested opinions in the state regarding unconscious or implicit bias, cultural appropriation, identity group allyship, micro aggressions, group marginalization, systemic oppression, social justice, intersectionality, neo-pronouns, racial privilege, critical race theory, and any related formulation of these concepts.

(b) "Diversity, Equity, and Inclusion Training" means:

(1) Training toward any diversity, equity, and inclusion activity which seeks to:

(A) Manipulate or otherwise influence the composition of the faculty or student body with reference to race, color, sex, ethnicity, or national origin, apart from ensuring colorblind and sex-neutral admissions and hiring in accordance with state and federal anti-discrimination laws;

(B) Engage in, or promote or promulgate for, differential attention to, treatment of, or provision of special benefits to, individuals or groups on the basis of race, color, ethnicity, or national origin except where permitted by law; or

(C) Promote as the official position of the institution or component thereof, or of the administration, or develop or engage in training, programming, or activities promoting, a widely contested opinion in contravention of the neutral educational policy of this state as described in subsection (a) of this section; or

(2) Training from an administrative official or administrative unit of an institution that involves one or more of the following interrelated concepts:

(A) The nation, the state, American or state culture, society in general is based on or significantly influence by present-day institutional structures or relations of power, privilege, subordination, or oppression that operate on the basis of race, sex, color, ethnicity, national origin, or any intersection of these classes;

(B) Special benefits should be conferred on the basis of race, color, ethnicity, or national origin; or

(C) Unconscious or implicit bias, cultural appropriation, identity group allyship, microaggressions, micro-invalidation, group marginalization, systemic oppression, structural racism, structural inequity, racial privilege, social justice, intersectionality, neo-pronouns, inclusive language, or related formulation of these concepts.

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(c) No diversity statement shall ever be required or solicited as part of an admissions process, employment application process, hiring process, contract renewal process, or promotion process; or as a condition of participation in any administrative or decision-making function of any public institution of higher education.

(d) No public institution of higher education shall give preferential consideration to an applicant, student, staff member, or faculty member due to any opinion expressed or action taken in support of another individual or a group of individuals on the basis of race, color, ethnicity, or national origin.

WV Legislature