

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 414

**FISCAL
NOTE**

By Senator Rucker

[Introduced January 15, 2026; referred

to the Committee on Education; and then to the
Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §18B-23-1, §18B-23-2, §18B-23-3, and §18B-23-4, relating to the creation of
3 the Keep Accreditation About Academics Act; providing for legislative findings; creating
4 definitions; creating prohibitions; and providing for enforcement.

Be it enacted by the Legislature of West Virginia:

ARTICLE 23. KEEP ACCREDITATION ABOUT ACADEMICS ACT.

§18B-23-1. Legislative findings.

1 The Legislature finds that accrediting agencies are increasingly calling for colleges and
2 universities to incorporate diversity, equity, and inclusion ("DEI") initiatives into their programs. In
3 their effort to become or remain accredited, colleges and universities have deployed various DEI
4 initiatives, such as "racial bias" trainings, that often push school employees and students to treat
5 people differently, or assign blame to people, based on the color of their skin or other
6 characteristics. Accrediting agencies should be focused on academics, not enforcing their views
7 on DEI.

§18B-23-2.

Definitions.

1 (a) "Accreditation" means the status of public recognition that an accrediting agency grants
2 to an educational institution, program, or both that meets the agency's standards and
3 requirements.

4 (b) "Accrediting agency" means a person or governmental entity that conducts accrediting
5 activities and makes decisions concerning the accreditation or pre-accreditation status of
6 institutions, programs, or both. It includes any national, regional, or programmatic accrediting
7 agency.

8 (c) "Diversity, equity, and inclusion" means any differential treatment of, or assignment of
9 any fault or blame to, an individual or group at an institution of higher education based on race,
10 color, ethnicity, national origin (other than as it relates to immigration status under United States
11 law), sex (other than related to sex-segregated facilities, such as dormitories and bathrooms, or

12 athletic programs), sexual orientation, or gender identity.

13 (d) "Diversity, equity, and inclusion practice or procedure" means any initiative, policy,
14 program, mandate, requirement, standard, metric, statistic, or other practice or procedure related
15 to diversity, equity, and inclusion.

16 (e) "Institution of higher education" means a public postsecondary educational institution in
17 this state, including all of the institution's programs, departments, divisions, offices, centers,
18 colleges, and schools and any person acting on behalf of any of the foregoing.

§18B-23-3. Prohibition.

1 (a) When taking any action on the accreditation or renewal of accreditation of an institution
2 of higher education, an accrediting agency shall not:

3 (1) Base its accrediting decision in any way on a review or consideration of any diversity,
4 equity, and inclusion practice or procedure;

5 (2) Collect information related to any diversity, equity, and inclusion practice or procedure;
6 or

7 (3) Include any requirement related to any diversity, equity, and inclusion practice or
8 procedure.

9 (b) Pursuant to subsection (a), an accrediting agency considering the accreditation or
10 renewal of accreditation of an institution of higher education must implement policies to ensure
11 that any person with any decision-making or recommendation authority related to that
12 accreditation or renewal of accreditation does not collect and is not presented with any information
13 regarding any diversity, equity, and inclusion practice or procedure.

§18B-23-4. Enforcement.

1 (a) Section three of this article may be enforced through a civil action brought against an
2 accrediting agency by any person who was or is a student of an institution of higher education, or
3 was or is employed by an institution of higher education.

4 (b) Section three of this article also may be enforced against an accrediting agency by the

5 attorney general. Any violation of §18B-23-3 of this code shall constitute a violation of West
6 Virginia civil rights law, and the Attorney General may investigate and seek remedies as provided
7 in that law. Any violation of §18B-23-3 of this code also shall constitute an unfair act in violation of
8 West Virginia law, and the Attorney General may investigate and seek remedies as provided in
9 that law.

10 (c) In addition to any other remedies available at law or equity, an accrediting agency that
11 violates §18B-23-3 of this code shall be obligated to pay the reasonable attorneys' fees and costs
12 of the party bringing the lawsuit and to pay damages to the party bringing the lawsuit in an amount
13 equal to three times all monies paid to the accrediting agency by the institution of higher education
14 for the accrediting agency's services, whether dues, fees, or otherwise.

15 (d) In addition to any other remedies available at law or equity, an accrediting agency that
16 violates §18B-23-3 of this code shall be liable to pay civil penalties to the party bringing the lawsuit
17 in an amount up to \$1,000 per student that attended the institution of higher education at the time
18 the accrediting agency violated §18B-23-3 of this code.

1

NOTE: The purpose of this bill is to create the Keep Accreditation About Academics Act.

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.