

JOINT STANDING COMMITTEE ON EDUCATION  
WEST VIRGINIA LEGISLATURE  
STATE CAPITOL BUILDING  
CHARLESTON, WV 25305

FILED  
1991 OCT 21 PM 1:53  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Senate Education Committee  
Phone (304) 357-7955  
Room M-427

House Education Committee  
Phone (304) 340-3265  
Room M-434

NOTICE OF ACTION TAKEN BY LEGISLATIVE OVERSIGHT  
COMMISSION ON EDUCATION ACCOUNTABILITY

October 17, 1991

TO: The Hon. Ken Hechler, Secretary of State, State Register

TO: Dr. Charles W. Manning  
University of West Virginia Board of Trustees  
1018 Kanawha Boulevard, East, Suite 700  
Charleston, West Virginia 25301

FROM: Legislative Oversight Commission on Education  
Accountability

PROPOSED RULE: 128-45. Equal Opportunity & Affirmative  
Action.

1. The Legislative Oversight Commission on Education  
Accountability recommends that the West Virginia  
Legislature:
  - A. Authorize the agency to promulgate the  
legislative rule
    - (a) as originally filed
    - (b) as modified by the agency
  - B. Authorize the agency to promulgate part of the  
legislative rule; a statement of reasons for  
such recommendation is attached.
2. The Legislative Oversight Commission on Education  
Accountability recommends that
  - A. the rule be withdrawn; a statement of reasons  
for such recommendation is attached.
  - B. the emergency rule be withdrawn; a statement  
of reasons for such recommendation is attached.

Pursuant to Code §29A-3A-12, this notice has been filed in  
the State Register and with the agency proposing the rule.

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FROM: Legislative Oversight Commission on Education  
Accountability

PROPOSED RULE: 128-45. Equal Opportunity & Affirmative Action.

At its regularly scheduled meeting on October 7, 1991, the Legislative Oversight Commission on Education Accountability, took up proposed rule 128-45, **Equal Opportunity and Affirmative Action**, promulgated by the University of West Virginia Board of Trustees.

In the opinion of the Commission, the Board of Trustees did not demonstrate facts and circumstances sufficient to meet the criteria defined in §29A-3A-16(g) constituting an emergency. Therefore, the Commission, acting under authority granted by §29A-3A-16(f), recommended that the Board of Trustees withdraw its emergency filing of proposed rule 128-45.