

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

EXECUTIVE ORDER NO. 3-25

By the Governor

WHEREAS, the theories of diversity, equity, and inclusion (commonly referenced as “DEI”) have led to the adoption of policies or practices that grant preferential treatment to or discriminate against a person based on that individual’s race, color, sex, ethnicity, or national origin; and

WHEREAS, DEI is generally understood to include any effort to promote differential treatment of or provide special benefits to individuals on the basis of race, color, sex, ethnicity, or national origin; any effort to promote or promulgate policies and procedures designed or implemented with reference to race, color, sex, ethnicity, or national origin; any effort to promote or promulgate trainings, programming, recruitment, retention, or activities designed or implemented with preferential treatment of any race, color, sex, ethnicity, or national origin over another; and

WHEREAS, the Constitutions of West Virginia and the United States safeguard the equal protection of laws to all persons; and

WHEREAS, theories of DEI are contrary to equal protection guarantees of the West Virginia and United States Constitution; and

WHEREAS, it is in the interest of the citizens of West Virginia that the State government treat them as equals under the law instead of preferentially or discriminatorily based on race, color, sex, ethnicity, or national origin.

NOW, THEREFORE, I, PATRICK MORRISEY, by virtue of the authority vested in me as the Governor of the State of West Virginia, do hereby **DIRECT** and **ORDER** that:

1. No department, division, agency, or board under the authority of the Governor, or any entity receiving state funds, shall utilize state funds, property, or resources to do the following:
 - a. Grant or support DEI staff positions, activities, procedures, or programs to the extent they grant preferential treatment based on one person’s particular race, color, sex, ethnicity, or national origin over that of another;

- b. Mandate any person to participate in, listen to, or receive any education, training, activities, procedures, or programming to the extent such education, training, activity, or procedure promotes or encourages the granting of preferences based on one person's particular race, color, sex, ethnicity, or national origin over that of another;
 - c. Mandate any person swear, certify, or agree to any loyalty oath that favors or prefers one particular race, color, sex, ethnicity, or national origin over that of another;
 - d. Mandate any person to certify or declare agreement with, recognition of, or adherence to, any particular political, philosophical, religious, or other ideological viewpoint;
 - e. Mandate any applicant for employment to provide a DEI statement or give any applicant for employment preferential consideration based on the provision of such diversity, equity, and inclusion statement; or
 - f. Mandate any person to disclose preferred pronouns;
2. All cabinet secretaries and department heads under the authority of the Governor shall
- a. Initiate a review of all DEI positions, activities, procedures, and programs in effect for every division, agency, and board within their department;
 - b. Submit a report to the Office of the Governor within thirty (30) days of the issuance of this Order identifying
 - i. Any position, activity, procedure, and program within the divisions, agencies, and boards under their department that advocate or encourages preferential treatment of persons based on theories of DEI;
 - ii. Any state funds, property, or resources received or utilized by their department that advocate or encourages preferential treatment of persons based on theories of DEI;
 - c. Propose a plan to the Office of the Governor within ninety (90) days of the issuance of this Order to address and eliminate any of the items identified in Section 2.b. of this Order including any necessary proposals for legislation; and

3. All officials, departments, divisions, agencies, boards, and employees under the authority of the Governor to cooperate with the cabinet secretaries and department heads in the performance and fulfillment of this Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Fourteenth Day of January, in the Year of our Lord, Two Thousand Twenty-Five in the One Hundred Sixty-Second Year of the State.



GOVERNOR



SECRETARY OF STATE

