



West Virginia University

# Board of Governors

## 2025 - 2026

### Meeting Agenda Booklet

#### December 19, 2025

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#### Board Members

**Charles Capito**  
**Bray Cary**  
**Elmer Coppoolse**  
**Kevin Craig**  
**Scott Crichlow**  
**Michael D'Annunzio**  
**Dr. Lesley Cottrell**  
**Dr. Patrice Harris**  
**Terry Hauser**  
**Robert "Rusty" Hutson, Chair**

**Susan Lavenski**  
**Oliver Luck**  
**James Martin**  
**Paul Mattox, Secretary**  
**Robert Reynolds, Vice-Chair**  
**Steven Ruby**  
**Dianne Stewart**  
**Colin Street**  
**Charles Wilfong**

**WEST VIRGINIA UNIVERSITY  
BOARD OF GOVERNORS  
MEETING**

**LOCATION:** Zoom Link Listed Below

**DATE:** December 19, 2025

**TIME:** 9:00 a.m.

**MEETING AGENDA**

Please click the link below to join the webinar:

<https://wvu.zoom.us/j/95870576234>

	<b>AGENDA ITEM</b>	<b>PRESENTER</b>
I.	CALL TO ORDER	<i>Hutson</i>
II.	<b>APPROVAL OF NOVEMBER 7, 2025 MEETING MINUTES</b>	<i>Hutson</i>
III.	REPORT FROM PRESIDENT MICHAEL T. BENSON	<i>Benson</i>
IV.	REPORT FROM THE INTERIM CHIEF FINANCIAL OFFICER	<i>Weiss</i>
V.	<b>REPORT FROM THE VP OF ENROLLMENT MANAGEMENT</b>	<i>D'Aloisio</i>
VI.	<b>REPORT FROM THE INTERIM PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS</b>	<i>Kreider</i>
VII.	<ul style="list-style-type: none"> <li>• <b>WVU FOUNDATION INVESTMENT UPDATE</b></li> <li>• <b>WVU FOUNDATION UPDATE</b></li> </ul>	<i>Bethea Roth</i>
VIII.	<p><b>POTENTIAL EXECUTIVE SESSION UNDER AUTHORITY IN WEST VIRGINIA CODE SECTIONS 6-9A-4(b)(9), (b)(10), and (b)(12)</b></p> <p>to discuss potential strategic initiatives relating to university and athletic priorities; potential corporate and research collaborations; a potential real estate transaction; a potential naming opportunity; honorary degree awards; strategic and</p>	<i>Hutson</i>

	legislative priorities for the University; and a legal update from the General Counsel.	
IX.	DISCUSSION EMANATING FROM EXECUTIVE SESSION, IF ANY	<i>Hutson</i>
X.	CONSENT AGENDA (FOR BOARD REVIEW AND ACTION), INCLUDING:	<i>Hutson</i>
a.	Approval and execution of three Statements of Work (“SOW”), under a Master Service Agreement (“MSA”) dated November 29, 2022, for audit, assurance, and other services provided by CliftonLarsonAllen LLP (“CLA”), WVU’s external auditor, to West Virginia University (“WVU”) and West Virginia University Research Corporation (WVURC”)	<i>Weiss</i>
b.	Appointment to County Extension Committees	<i>Kreider</i>
c.	Deactivation of Existing Program: Energy Law and Sustainable Development LL.M	<i>Benson &amp; Kreider</i>
d.	Deactivation of Existing Program: Therapeutic Art Certificate	<i>Benson &amp; Kreider</i>
e.	Approval of New Program: Bachelor of Music (BM) in Commercial Music & Technology in the College of Creative Arts and Media	<i>Benson &amp; Kreider</i>
f.	Naming Opportunity	<i>Baker</i>
g.	Approval of Real Estate Purchase	<i>Baker</i>
h.	PRT Agency Safety Plan	<i>Evans</i>
i.	Endorsement of Mission Critical Materials, LLC Formation	<i>Taylor &amp; Gavin</i>
XI.	INFORMATION ONLY ITEM: Notification of Technical Updates/Contact Information in BOG Governance Rule 1.6, Discrimination, Harassment, Sexual Harassment, Sexual Misconduct, Domestic Misconduct, Stalking, Retaliation, and Relationships, and Rule 1.7, Child Protection	<i>Hutson</i>
XII.	ADJOURNMENT	<i>Hutson</i>

**WEST VIRGINIA UNIVERSITY**  
**BOARD OF GOVERNORS**

November 7, 2025

The two hundred thirty fifth meeting of the West Virginia University Board of Governors was held on November 7, 2025 in Morgantown, WV, in person and via zoom webinar. Board members in attendance/participating via zoom included Chair Rusty Hutson and members Charles Capito, Bray Cary, Dr. Lesley Cottrell, Elmer Coppoolse, Scott Crichlow, Kevin Craig, Michael D'Annunzio, Dr. Patrice Harris, Terry Hauser, Susan Lavenski, Oliver Luck, James Martin, Paul Mattox, Robert Rekynolds, Steve Ruby, Colin Street, Dianne Stewart and Charles Wilfong.

Other participants included:

President Michael Benson;

General Counsel, Stephanie Taylor;

Interim Provost and Vice President for Academic Affairs, Paul Kreider;

Vice President for Strategic Communications and Marketing, Heather Richardson;

Vice President and Executive Dean of Health Sciences, Clay Marsh;

Vice President and Director of Athletics, Wren Baker;

Senior Deputy Athletics Director, Rob Alsop;

Interim Chief Financial Officer, Barbara Weiss;

Senior Deputy General Counsel, Kevin Cimino;

Associate Vice President for Strategic Initiatives, Erin Newmeyer;

Vice President of Enrollment Management, Fabrizio D'Aloisio;

Associate Vice President and Chief Strategy Officer, WVU

Health Sciences, Leslie Miele;

President, Potomac State College of WVU, Jerry Wallace;

Associate Vice President, Government Relations and Collaboration, Travis Mollohan;

Vice Provost, Mark Gavin;

Director of Internal Audit, Bryan Shaver;

Associate Provost for Undergraduate Education, Evan Widders;

Executive Director of Strategic Communications, Shauna Johnson;

Executive Officer and Assistant Board Secretary, Jennifer Fisher;

and Special Assistant to the Board of Governors, Valerie Lopez.

Members of the Press also attended.

### **CALL TO ORDER**

The meeting was called to order by Chair Rusty Hutson at 9:45 a.m. A roll call was taken to determine who was in attendance and a quorum established.

### **APPROVAL OF MINUTES**

Robert Reynolds moved that the board approve the minutes for September 12, 2025 board meeting. This motion was seconded by Bray Cary and passed.

### **REPORT FROM INTERIM CHIEF FINANCIAL OFFICER**

Interim Chief Financial Officer, Barbara Weiss, provided a report primarily focused on a high-level overview of the Statement of Revenues, Expenses, and Changes in Net Assets for the quarter ended September 30, 2025 compared to budget and prior year. This presentation is attached hereto and made a part hereof, by reference.

### **RECEIPT AND ACCEPTANCE OF THE FY 2025 FINANCIAL STATEMENTS AND AUDIT REPORT FOR WEST VIRGINIA UNIVERSITY AND RECEIPT AND ACCEPTANCE OF THE FY 2025 FINANCIAL STATEMENTS AND SINGLE AUDIT COMPLIANCE REPORT FOR WEST VIRGINIA UNIVERSITY RESEARCH CORPORATION**

Interim Chief Financial Officer, Barbara Weiss, provided a brief overview on these two sets of financial statements, reporting that both these sets of audited financial statements were discussed and recommended for approval by the Audit Committee.

Below is a summary related to each set of financial statements, all of which documents were attached to the meeting materials for this regular board meeting.

**Receipt and Acceptance of the FY 2025 Financial Statements and Audit Report for West Virginia University**

**OVERALL:** The financial statements earned an unqualified (clean) audit opinion. WVU had an increase in net position of \$66.8 million (net of Cancer Center activity) for the fiscal year ended June 30, 2025. The University's balance sheet remains stable with adequate current assets to meet current obligations. Financial statements continue to be influenced by one-time transactions and significant GASB-related accrual basis of accounting adjustments.

**ASSETS:** Total assets of the University (including deferred outflows of resources) increased by \$45.7 million from FY 2024, or 1.8%, for a total of approximately \$2.6 billion. The increase in assets is primarily due to an increase in Cash, Investments, Net Accounts Receivable, and Net Capital Assets.

**LIABILITIES:** Total liabilities (including deferred inflows of resources) decreased by approximately \$18.7 million, or 1.4%, from last year for a total of \$1.3 billion. Bonds payable (current and noncurrent) decreased by \$31.5 million primarily due to principal payments due during the year.

There was a decrease in Deferred Inflows of Resources of \$9.3 million, or 16.3%, from FY 2024. At June 30, 2025 and June 30, 2024 the University recorded deferred inflows related to OPEB and pensions of \$7.6 million and \$16.5 million, respectively. These deferred inflows represent the University's proportionate share of the net difference between projected and actual investment earnings on plan investments, the difference between employer contributions and the University's proportionate share of contributions, changes in assumptions, and the difference between expected and actual experience.

**REVENUES:** Total revenues increased by approximately \$88.4 million, or 6.9%, from the previous year, to \$1.4 billion.

Net tuition and fees (net of scholarship expense) decreased by \$3 million from FY 2024, or .9%, mainly due to a decline in enrollment of 581 students or 2.3%. This was offset by an increase in tuition and a change in the mix of students.

Total appropriations decreased by \$5.7 million, or 2.6% from FY 2024, primarily due to the special one-time appropriation of \$15.6 million that was received in 2024 offset by increase in the 2025 base appropriations and one-time appropriations of \$7 million.

Deferred maintenance funds used were \$15.6 million. This was \$6.6 million over FY2024.

Non-capital grants and contracts revenue increased by \$21.8 million, or 6%, from FY 2024 primarily due to an increase in pass through grants from the Health Science Center and an increase in Pell grants.

Auxiliary revenues increased \$8.1 million, or 6.3%, due to an increase in Big 12 and other athletic revenues and a coach buy-out payment.

Other revenues were increased \$3.6 million from FY 2024 to FY2025, or 2.4%, due primarily to the gain on the sale of the UPD building and parking lots to WVUH offset by lower gift revenue.

EXPENSES Total expenses of \$1.3 million were \$40.3 million, or 3.2%, above FY2024.

Salaries and wages decreased in total by \$9.8 million, or 1.6%, from the previous year. Total salaries decreased due to the decrease in FTEs offset by funded salary increases on non-capital grants, retention increases, and new football staff.

Benefits increased by \$33.5 million, or 24.1%, from FY 2024 to FY 2025 primarily due to an increase in the University's proportionate share of the net OPEB liability (\$33 million) and higher PEIA costs in addition to salary increases on funded non-capital grants. These increases were offset by decreases in benefits related to lower FTEs and decreases in employee waivers.

Supplies and other services increased by \$13.6 million, or 5.1%, from FY 2024 to FY 2025 due to an increase in sub-contracts, travel, contract and professional services and supplies on non-capital grants.

Depreciation and amortization expense decreased by \$3.4 million from FY 2024 primarily due to the timing of the amortization of donated software, capital expenditures, as well as assets becoming fully depreciated.

Utility expenses were comparable to FY 2024.

Other expenses increased \$12.1 million due to football transition severance payments.

The increase in net position for FY2024 was \$66.8 million. After adjusting both FY2025 and FY2024 for donated software and related amortization and the pension/OPEB adjustment, which are both non-cash and extraordinary adjustments related to GASB accounting requirements, the increase in net position for FY2025 was \$27.1 million which was very comparable to FY2024 of \$27.6 million

**Receipt and Acceptance of the FY 2025 Financial Statements and Single Audit Compliance Report for West Virginia University Research Corporation**

OVERALL The financial statements earned an unqualified (clean) audit opinion. The Corporation's total net position increased by approximately \$5.3 million to \$58.8 million or .9%. The Corporation's balance sheet remains stable with adequate working capital (current assets less current liabilities) to meet current obligations.

ASSETS Total assets of the Corporation increased by \$ \$16.4 million, or .9% above prior year for a total of approximately \$179.7 million.

Cash of \$38.8 million increased \$11.3 million from cash at June 30, 2024 due to cyclical net changes in accounts payable in addition to a positive net position.

LIABILITIES Total liabilities (including deferred inflows of resources) increased by approximately \$11 million from last year for a total of \$120.8 million, or .9%.

Accounts payable of \$31.2 was up \$7.8 million from June 30, 2024, increasing the cash position.

REVENUES Total revenues decreased by approximately \$10.7 million, or 5.8% from the previous year, to \$184.2 million.

Grants and contracts revenue decreased \$4.4 million due to decreased activity on new and existing awards. However, F&A (which is included in this grant total was consistent at \$33 million). Some of the decrease could be related to the Executive Orders regarding a reduction in federal funding, stop work orders, etc.

Net operating revenue from the University decreased \$2.6 million from June 30, 2024. These amounts represent amounts received from the University on sub-awards.

Gift revenue declined \$3.6 million from June 30, 2024 related to a decrease in Foundation back bill related to the Research Trust Fund.

EXPENSES Total expenses decreased by \$3.9 million to \$178.9 million, or 2.2%

Supplies were down \$2.8 million from June 30, 2024, related to a decrease in grant revenue.

Transfer of assets to the University was down \$2.8 million, which is related to a decrease in capital equipment transferred to the University.

The increase in net position was \$5.3 million from June 30, 2024. In addition, the Balance Sheet remains healthy with adequate working capital (current assets minus current liabilities).

**There being no questions related to these financial statements, Chair Hutson requested a motion to approve the FY2025 Audited Financial Statements for West Virginia University and West Virginia University Research Corporation, as presented. Terry Hauser so moved, which motion was seconded by Paul Mattox and approved.**

**ATHLETICS MASTER PLAN, INCLUDING APPROVALS RELATING TO PREMIUM SEATING AT THE HOPE COLISEUM AND THE MILAN PUSKAR STADIUM WEST TOWER PROJECT**

Vice President and Director of Athletics, Wren Baker, presented this

agenda item, wherein WVU Athletics requested that the WVU Board of Governors approves University management to proceed to complete the addition of the Premium Seating Project at Hope Coliseum, as presented, and to proceed with the Initial Phase of the Milan Puskar Stadium West Tower Project, as presented. Following this presentation, Robert Reynolds moved that the board approve both projects, as presented. This motion was seconded by Steve Ruby, and passed.

### **PRESENTATION AND APPROVAL OF POTOMAC STATE COLLEGE SCIENCE BUILDING RENOVATION PROJECT**

Potomac State College Campus President Wallace Jerry Wallace presented this agenda item,

Potomac State College (PSC) is planning a comprehensive renovation of the Chemistry and Biology laboratories to address longstanding infrastructure deficiencies and enhance the learning environment. The existing labs suffer from poor ventilation and outdated equipment, and the upgrades will provide a safer, more functional space for students and faculty. The scope of work includes asbestos abatement, installation of new casework and fume hoods, a new rooftop air handling unit, electrical and plumbing upgrades, new lighting, and refreshed finishes throughout the labs. The original project was funded through the State-HEPC deferred maintenance grant and budgeted at \$2.3M.

Design work is complete, and the estimate came in over budget by \$2.6M. The cost increase is primarily due to required asbestos abatement, significant HVAC upgrades, and electrical enhancements to support new lab equipment. WVU has identified approximately \$1M surplus from other HEPC deferred maintenance projects at PSC and secured an additional \$1M contribution from WVU Medicine in support of Nursing students. The remaining \$600K is planned to be funded by WVU FY27 Capital Pool. The total proposed project budget is \$4.9M. The target completion is Summer of 2026.

Following this presentation Terry Hauser moved that the board approve the Potomac State College Science Hall Lab Renovation, as presented. This motion was seconded by Paul Mattox, and passed.

**NOTICE OF PROPOSED RULEMAKING FOR AMENDMENTS TO THE FOLLOWING RULE: WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS TALENT & CULTURE RULE 3.4 – DRUG AND ALCOHOL TESTING FOR FTA AND FMSCA COVERED POSITIONS**

Senior Deputy General Counsel Kevin Cimino presented this agenda item.

The proposed changes amend the Rule to better reflect the University's current practices regarding drug and alcohol testing and clarify the categories of employees that are outside the scope of the Rule. Substantively, the proposed changes to the Rule will result in amendments as set forth in detail in the table located in the Notice of Proposed Rulemaking included within today's regular board meeting materials.

Following the issuance of the Notice of Proposed Rulemaking, the proposed changes to the Rule will be posted for the required public comment period from November 10, 2025, through December 11, 2025.

Board member Steve Ruby moved that the Board of Governors approves the issuance of the Notice of Proposed Rulemaking, as presented. This motion was seconded by Paul Mattox, and passed.

**DIVISIONAL CAMPUS COMMITTEE  
REPORT**

Committee Chair Paul Mattox presented the following report:

The Divisional Campus Committee met via Zoom on November 5, 2025.

We met in Executive Session to discuss potential strategic initiatives relating to academic, strategic, and enrollment priorities for the divisional campuses and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University.

No actions or votes were taken during Executive Session.

The Divisional Campus Committee meeting was held virtually on Wednesday, November 5th and took place primarily in executive session. Enrollment strategies, goal setting, and long-term recruitment planning were discussed with our campus presidents and the Provost Office. A discussion also took place with regard to improving retention rates with a focus on student success.

Again, no actions were taken during the Executive Session. After the session, the meeting was adjourned.

### **ACADEMIC AFFAIRS COMMITTEE REPORT**

Committee Chair Charles Capito presented the following report:

The Academic Affairs and Accreditation Committee met yesterday, November 6, at the Erickson Alumni Center.

We met in Executive Session to discuss potential strategic initiatives relating to academic and strategic priorities for the University and personnel matters.

No actions or votes were taken during Executive Session.

The committee received several updates on ongoing academic senior leadership searches, the honorary degree process, and key academic priorities and initiatives. These included progress on the General Education Foundation course revisions, the annual academic program review process, leadership development initiatives, and potential areas for expansion within the WVU Online portfolio.

Again, no actions were taken during the Executive Session. After the session, the meeting was adjourned.

### **STRATEGIC PLANS AND INITIATIVES COMMITTEE REPORT**

Committee Chair Elmer Coppoolse presented the following report:

Thank you, Mr. Chairman. Yesterday, the Strategic Plans and Initiatives Committee met at the Erickson Alumni Center.

First, in public session, the Committee received a presentation from Vice President for Strategic Communications and Marketing Heather Richardson on the WVU brand update.

We then met in Executive Session to discuss potential strategic initiatives relating to financial, administrative, and strategic priorities for the University; personnel matters; potential corporate collaborations; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University.

During Executive Session, the Committee received an update from Vice President for Enrollment Management Fabrizio D'Aloisio regarding current enrollment strategies and tactics. The Committee also received briefings on the WVU trademark program, progress on the University's strategic plan, and emerging growth opportunities within the WVU Online portfolio.

No actions or votes were taken during Executive Session.

That concludes my report, Mr. Chairman. Thank you.

**FINANCE, FACILITIES AND  
REVITALIZATION COMMITTEE  
REPORT**

Committee Chair Steve Ruby presented the following report:

Thank you, Mr. Chairman. Yesterday, the Finance, Facilities, and Revitalization Committee met at the Erickson Alumni Center.

We met in Executive Session to discuss potential strategic initiatives relating to financial, administrative, and strategic priorities for the University; potential corporate collaborations; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University.

During Executive Session, the Committee received an update on the University's financial status and preliminary budget planning for FY27, including information on tuition and fee modeling, deferred maintenance needs, and the University's initial financial priorities for the upcoming fiscal years. The Committee also received a detailed update on WVU Athletics, following the Board's Resolution on Athletics funding adopted at the last meeting. Finally, a brief update was provided on the ongoing search for the Chief Financial Officer.

No actions or votes were taken during Executive Session.

That concludes my report, Mr. Chairman. Thank you.

### **AUDIT COMMITTEE REPORT**

Committee Chair Robert Reynolds presented the following report:

Thank you, Mr. Chairman. Earlier this morning, there was a meeting of the Audit Committee.

First, we heard from the WVU Interim VP and Chief Financial Officer, Barbara Weiss. Barbara reported that the WVU and WVURC audited financial statements at June 30, 2025, received unmodified opinions – which is the highest level of assurance that can be given.

Barb reported that the WVU increase in net position was \$66.8 million. If you exclude the non-cash effect of donated software and adjustments for OPEB and Pension, the increase in net position is \$27.1 million which is exactly what the budget was for 2025.

Total assets of the University were \$2.6 billion and total liabilities were \$1.2 billion. The balance sheet remains stable with adequate operating cash and working capital to meet current obligations.

Barb then provided an overview of the WVU Research Corporation financial statements for the year ended June 30, 2025. The Corporation's total net position increased by approximately \$5.3 million. The Corporation's balance sheet remains

stable with adequate working capital (current assets less current liabilities) to meet current obligations. Total assets are \$180 million and total liabilities were \$121 million.

Next, we heard from CliftonLarsonAllen, our external independent auditors. They reported on the FY 2025 audits of the financial statements and audit reports for both West Virginia University and WVU Research Corporation. They reviewed their auditor responsibilities for both engagements, discussed their risk base approach to auditing, and reviewed current events in higher education. They reported that WVU and WVU Research Corporation audited financial statements at June 30, 2025, both received an unmodified opinion. In addition, there were no material audit adjustments that needed to be made.

In addition, CLA reported that their review of internal controls for both the University and the Research Corporation identified two significant deficiencies which were not material enough to affect the opinions. Process changes are being made to eliminate these deficiencies.

As Barb indicated earlier during this Full Board Meeting, the Audit Committee publicly voted to recommend that the Full Board approve and accept the Fiscal Year 2025 Financial Statements and Audit Report for West Virginia University and for WVU Research Corporation. I appreciate that the Board accepted that recommendation and so approved these audited financial statements.

We also met in Executive Session. During Executive Session, we received a confidential and privileged report regarding legal matters from the University's General Counsel. Next, we received a report from the Director of Internal Audit discussing confidential and ongoing audit investigations and reports. No votes or actions were taken during Executive Session.

Mr. Chairman, this concludes my report.

## **CONSENT AGENDA**

Chair Hutson called for any discussion of today's Consent Agenda items and asked whether any items needed to be pulled for a separate discussion/vote. There were questions related to an item included in today's

Consent Agenda, namely, “Authorization of the West Virginia University Police Department (“WVUPD”) to Participate in a Program Designed to Conditionally Transfer Excess Personal Property from the Department of Defense to State Law Enforcement Agencies (“1033 Program”) – so it was decided that this agenda item would be pulled and voted on separately.

Whereupon, Kevin Craig moved that the balance of today’s Consent Agenda be approved. This motion was seconded by Dr. Patrice Harris and passed.

Thereupon, the following Consent Agenda items were approved:

**1. Jackson’s Mill Lodge Renovation (Budget Increase)**

Resolved: That the West Virginia University Board of Governors approves the additional project budget for the Jackson’s Mill Lodge Renovation project, as presented.

**2. Reedsville Farm Horse Barn Replacement**

Resolved: That the West Virginia University Board of Governors approves the project budget of \$1,295,200 to construct a new Horse Barn and supporting structures, as presented.

**3. Sale of Partial Interest in Real Property (Land and Buildings)**

Resolved: That pursuant to BOG Governance Rule 5.1, the West Virginia University Board of Governors authorizes the sale of the University’s partial interest in three adjacent parcels of land containing approximately 4.29 acres, more or less, and the buildings located thereupon, in the Seventh Ward of Morgantown, West Virginia, to West Virginia University Hospitals, Inc. (“WVUH”) and University Health Associates (“UHA”). Accordingly, the Board grants standing authority to the President to initiate, negotiate and finalize the sale on terms deemed favorable to the University. The Board further authorizes this transfer to be carried out directly or through an affiliate of the University, such as the West Virginia University Research Corporation.

**4. Appointment to County Extension Committees**

Resolved: That the West Virginia University Board of Governors approves the nominees and alternates for positions on the County Extension Service Committees in West Virginia, as presented.

**5. Naming Opportunity**

Resolved: That pursuant to BOG Governance Rule 1.2, the West Virginia University Board of Governors hereby approves the naming opportunity discussed during yesterday's Executive Session of the Finance, Facilities, and Revitalization Committee.

**6. Discontinuance of the BS: Health Services Administration in the School of Public Health, WVU Main Campus**

Resolved: That the West Virginia University Board of Governors approves the discontinuance of the BS in Health Services Administration in the School of Public Health.

**7. Approval of New Undergraduate Certificate in River Conservation Management, WVU Main Campus**

Resolved: That the West Virginia University Board of Governors approves a new certificate program in River Conservation Management in the College of Agriculture and Natural Resources.

**8. Approval of New Undergraduate Certificate in Wetland Management, WVU Main Campus**

Resolved: That the West Virginia University Board of Governors approves a new certificate program in Wetland Management in the College of Agriculture and Natural Resources.

**9. Discontinuation of Existing Programs: MS in Applied and Environmental Microbiology; Entomology; Environmental, Soil and Water Sciences; Plant Pathology; and Horticulture**

Resolved: The West Virginia University Board of Governors approves the deactivation of the MS in Applied and Environmental Microbiology; Entomology; Environmental, Soil and Water Sciences; Plant Pathology; and Horticulture majors within the WVU Davis College of Agriculture and Natural Resources.

**10. Approval of New Program: MS in Plant and Soil Sciences**

Resolved: That the West Virginia University Board of Governors approves the new program in the MS in Plant and Soil Sciences.

**11. Approval of New Program: MA in Strategic Organizational Communications**

Resolved: That the West Virginia University Board of Governors approves the creation of a new program in Strategic Organizational Communication within the WVU Eberly College of Arts and Sciences.

The board then considered the following agenda item separately:

**Authorization of the West Virginia University Police Department (“WVUPD”) to Participate in a Program Designed to Conditionally Transfer Excess Personal Property from the Department of Defense to State Law Enforcement Agencies (“1033 Program”)**

It was decided that this agenda item will be approved as to only granting authorization at this time in order to acquire rifles that had previously been provided to the City of Morgantown’s Police Department. Importantly, this transfer will be at no cost to WVU. Specifically, WVUPD is seeking these rifles to issue one to each certified police officer that has successfully completed annual rifle qualifications. Currently, rifles are only located inside patrol cars or in the armory. This opportunity will enhance the ability for each officer to be properly equipped to respond to an active shooter event and protect members of the WVU community.

Accordingly, Steve Ruby moved that this modified agenda item be approved, which motion was seconded by Robert Reynolds, and passed.

**INFORMATION ITEMS**

There were no questions or concerns expressed by any board member pertaining to the Information Item contained within today’s agenda.

## **REPORT FROM PRESIDENT MICHAEL T. BENSON**

President Michael Benson first provided updates on First Time Freshmen Enrollment, Total Enrollment, Retention, Legislative Interims, Athletics, WVU County Visits, including High School Visits.

On the Morgantown Campus, the Fall 2025 retention rate from freshman to sophomore years set a new record at more than 85%. At the same time, first-time freshman enrollment across the WVU System increased by more than 7%.

President Benson stated that we have many reasons to feel good about where we are and where we're going as a University - adding that at a tumultuous time in higher education, overall enrollment is holding steady while already strong, state-leading retention numbers continue to improve.

To build on that momentum, President Benson unveiled his Strategic Compass, which provides a pathway forward for the University at a pivotal time, and reflects months of work to gather input and craft a plan that will set the course for the long-term success of WVU.

The Strategic Compass includes five priorities — education, discovery, health, service and experiences — with foundational areas to accelerate institutional success in people and culture, finance, core infrastructure and institutional reputation.

All are united by five guiding principles centered on “Let’s Go!” — the University’s rallying cry - broken down as follows:

- L — Lead with pride.
- E — Empower through education.
- T — Transform lives.
- S — Stake our claim.
- G — Grow our reach.
- O — Outperform our competition.

President Benson added that the principles are reflected in the University’s updated mission statement: “At WVU, pride in our land-grant mission runs deep, success is earned, and life-changing experiences prepare Mountaineers to serve others and lead in West Virginia and the world. Your bold future starts here. Let’s Go!”

## **EXECUTIVE SESSION**

Chair Hutson requested a motion to move into Executive Session, under authority in West Virginia Code, Section 6-9A-4(b)(8), b(9) and b (12) to discuss potential strategic initiatives relating to academic and administrative priorities for the University; a confidential security update; strategic and legislative priorities for the University; and a legal update from the General Counsel. Elmer Coppoolse so moved, which motion was seconded by Oliver Luck and passed. Following the discussions in Executive Session, Paul Mattox moved that the board rise from Executive Session. The motion was seconded by Scott Crichlow and passed.

Chair Hutson stated that several items were discussed in Executive Session, but that no actions originated from these discussions.

## **GENERAL DISCUSSION AND ADJOURNMENT**

. There being no further business to come before the board Kevin Craig moved to adjourn the meeting. The motion was seconded by Elmer Coppoolse and passed. The meeting was adjourned at 1:40 p.m.

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Paul Mattox, Secretary



# **FINANCIAL UPDATE**

## **WVU BOARD OF GOVERNORS**

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November 7, 2025



## **FINANCIAL UPDATE OVERVIEW**

### **✓ Includes:**

- ✓ Statement of Revenues, Expenses, and Changes in Net Assets for the quarter ended September 30, 2025 compared to budget and prior year**
- ✓ Acceptance of the WVU and WVURC Audited Financials for the Fiscal Year Ended June 30, 2025**

# WVU STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION

FOR THE QUARTER ENDED SEPTEMBER 30, 2025 / COMPARED TO BUDGET / CANCER CENTER ACTIVITY EXCLUDED

	QE 9/30/25 ACTUAL	QE 9/30/25 BUDGET	VARIANCE	% VARIANCE	COMMENTS ON VARIANCES
<b>REVENUES</b>					
Total Net Tuition and Fees	\$115,040,000	\$115,208,000	(\$168,000)	-0.15%	Variance net of scholarships is only \$42K. Higher volumes offset by mix of students (residency and major).
Total Appropriations	52,355,000	51,292,000	1,063,000	2.07%	Increase due to timing.
Deferred Maintenance	2,541,000	4,600,000	(2,059,000)	-44.76%	Timing of expenditures on deferred maintenance projects.
Capital Grants and Contract Revenues	24,024,000	-	24,024,000	-	Donated software from Schlumberger.
Total Non-Capital Grant and Contract Revenues	92,143,000	83,018,000	9,125,000	10.99%	Increased activity on new and existing awards.
Auxiliaries	38,699,000	38,662,000	37,000	0.10%	
Other Revenues	34,677,000	32,929,000	1,748,000	5.31%	Investment Income higher than planned, plus \$2.6M proceeds on sale of Research Park property to Mon County BOE offset by lower gift revenue.
<b>Total Revenues</b>	<b>\$359,479,000</b>	<b>\$325,709,000</b>	<b>\$33,770,000</b>	<b>10.37%</b>	
<b>EXPENSES</b>					
Total Salaries and Wages	\$145,040,000	\$150,881,000	(\$5,841,000)	-3.9%	Lower FTEs and timing related to raise pool.
Total Benefits	43,705,000	46,743,000	(3,038,000)	-6.5%	Lower FTEs and timing related to raise pool.
Total Supplies and Other Services	61,413,000	47,992,000	13,421,000	28.0%	Unfunded portion over \$10.2M. ERP/Huron expenses of \$4.4M (timing). Athletic's over \$4.9M (timing). Legal of \$1M and timing of ITS software.
Total Depreciation and Amortization	31,128,000	23,109,000	8,019,000	34.7%	Large donation of software at the end of FY25 and amortized over short period.
Utilities	11,198,000	7,386,000	3,812,000	51.6%	Increased electricity rates and City of Morgantown Fire Service fees (15%) plus new accrual process.
Scholarships and Fellowships	15,887,000	16,097,000	(210,000)	-1.3%	
Interest Payments	11,193,000	11,406,000	(213,000)	-1.9%	
Other	198,000	463,000	(265,000)	-57.2%	
<b>Total Expenses</b>	<b>\$319,762,000</b>	<b>\$304,077,000</b>	<b>\$15,685,000</b>	<b>5.2%</b>	
<b>NET POSITION</b>					
Increase (Decrease) In Net Position	\$39,717,000	\$21,632,000	\$18,085,000	83.6%	
Increase (Decrease) In Net Position Without Donated Software and Related Amortization and OPEB/Pension	\$25,110,000	\$23,357,000	\$1,753,000	7.5%	
Total Enrollment	24,773	24,527	246	1%	
Days Cash On Hand	107	69	38	55.1%	First quarter cash is always high as is third quarter related to collection of net tuition.

# WVU STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION

FOR THE QUARTER ENDED SEPTEMBER 30, 2025 / COMPARED TO PRIOR YEAR / CANCER CENTER ACTIVITY EXCLUDED

	QE 9/30/25 ACTUAL	QE 9/30/24 ACTUAL	VARIANCE	% VARIANCE	COMMENTS ON VARIANCES
<b>REVENUES</b>					
Total Net Tuition and Fees	\$115,040,000	\$107,490,000	\$7,550,000	7.0%	Variance net of scholarships is \$8.2M. Slight decrease in volume offset by tuition increase.
Total Appropriations	52,355,000	51,292,000	1,063,000	2.1%	Increase due to an increase in WVU base appropriation and new funds for the Washington Center.
Deferred Maintenance	2,541,000	3,536,000	(995,000)	-28.1%	
Capital Grants and Contract Revenues	24,024,000	1,314,000	22,710,000	1728.3%	Donated software from Schlumberger.
Total Non-Capital Grant and Contract Revenues	92,143,000	86,449,000	5,694,000	6.6%	Increased activity on new and existing awards.
Auxiliaries	38,699,000	38,729,000	(30,000)	-0.1%	
Other Revenues	34,677,000	22,797,000	11,880,000	52.1%	Gift income higher than planned, plus \$2.6M proceeds on sale of Research Park property to Mon County BOE.
<b>Total Revenues</b>	<b>\$359,479,000</b>	<b>\$311,607,000</b>	<b>\$47,872,000</b>	<b>15.4%</b>	
<b>EXPENSES</b>					
Total Salaries and Wages	\$145,040,000	\$143,125,000	\$1,915,000	1.3%	Off-cycle increases plus increased pass-through from HSC.
Total Benefits	43,705,000	41,935,000	1,770,000	4.2%	Higher PEIA.
Total Supplies and Other Services	61,413,000	50,293,000	11,120,000	22.1%	Unfunded portion over \$9.4M. ERP/Huron expenses of \$5.4M (timing), Athletic's over \$3.5M (timing), Legal of \$900K and timing of ITS software.
Total Depreciation and Amortization	31,128,000	27,470,000	3,658,000	13.3%	Large donation of software at the end of FY25 and amortized over short period plus larger capital acquisitions and increase in subscription agreements.
Utilities	11,198,000	7,123,000	4,075,000	57.2%	Increased electricity rates and City of Morgantown Fire Service fees (15%) plus new accrual process.
Scholarships and Fellowships	15,887,000	16,624,000	(737,000)	-4.4%	
Interest Payments	11,193,000	10,893,000	300,000	2.8%	
Other	198,000	462,000	(264,000)	-57.1%	
<b>Total Expenses</b>	<b>\$319,762,000</b>	<b>\$297,925,000</b>	<b>\$ 21,837,000</b>	<b>7.3%</b>	
<b>NET POSITION</b>					
Increase (Decrease) In Net Position	\$39,717,000	\$13,682,000	\$26,035,000	190.3%	
Increase (Decrease) In Net Position Without Donated Software and Related Amortization and OPEB/Pension	\$25,110,000	\$19,269,000	\$5,841,000	30.3%	
Total Enrollment	24,773	24,792	(19)	-0.1%	
Days Cash On Hand	107	100	7	7%	Approximately 5 days cash in FY2025 can be attributed to one-time funds that will be spent in FY2026, and 3 days for remaining football buy-outs.

**QUESTIONS?**



# ENROLLMENT UPDATE

## WVU BOARD OF GOVERNORS

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December 19, 2025



## **FALL 2025 MORGANTOWN IN-MARKET RECRUITMENT**

- / 15 Undergraduate Recruiters:**
  - / 4 – West Virginia**
  - / 8 – Non-resident markets**
  - / 2 – Transfer and special populations**
  - / 1 – International**
- / Fall Travel Markets: WV, DE, KY, MD, NJ, NY, OH, PA, TN, VA**
- / Domestic College Fairs, Events, and Appointments: 575**
- / International Recruitment Trip: Middle East**

## **ADMISSIONS AND THE STUDENT EXPERIENCE PROJECT**

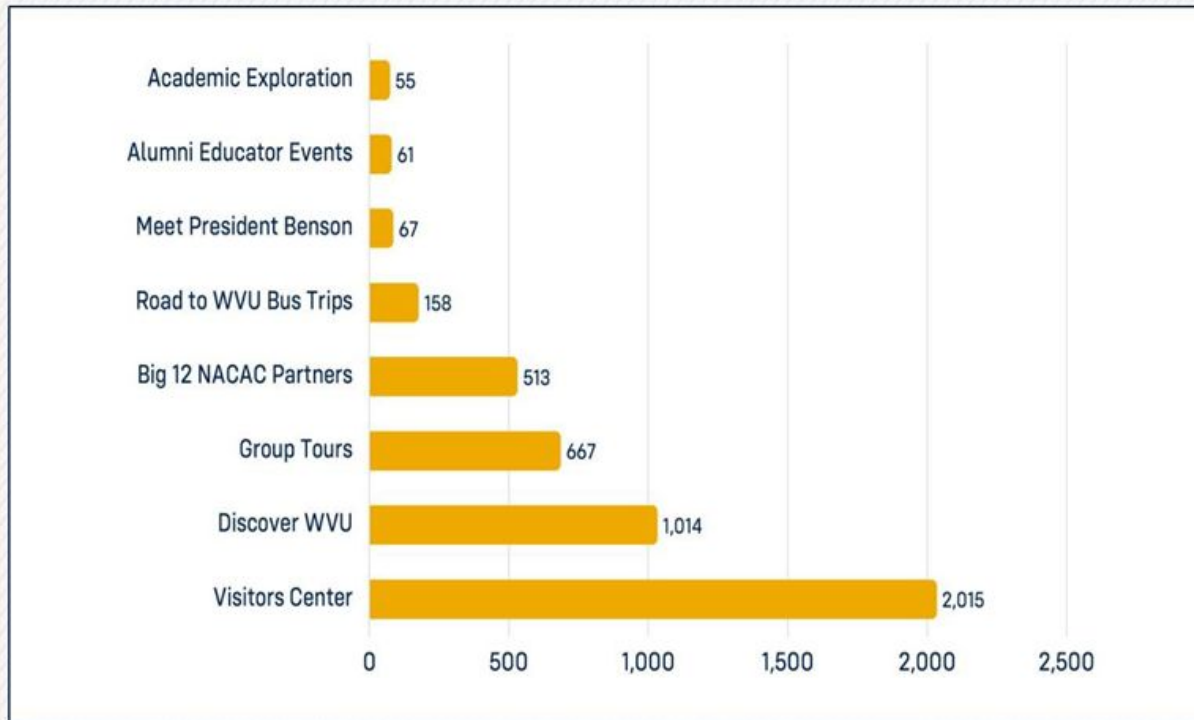
### **/ System Applications:**

- / 21,000 applications received**
- / 11,700 decisions processed**
- / 10,700 first-time freshmen admitted to Morgantown**

### **/ The Student Experience Project:**

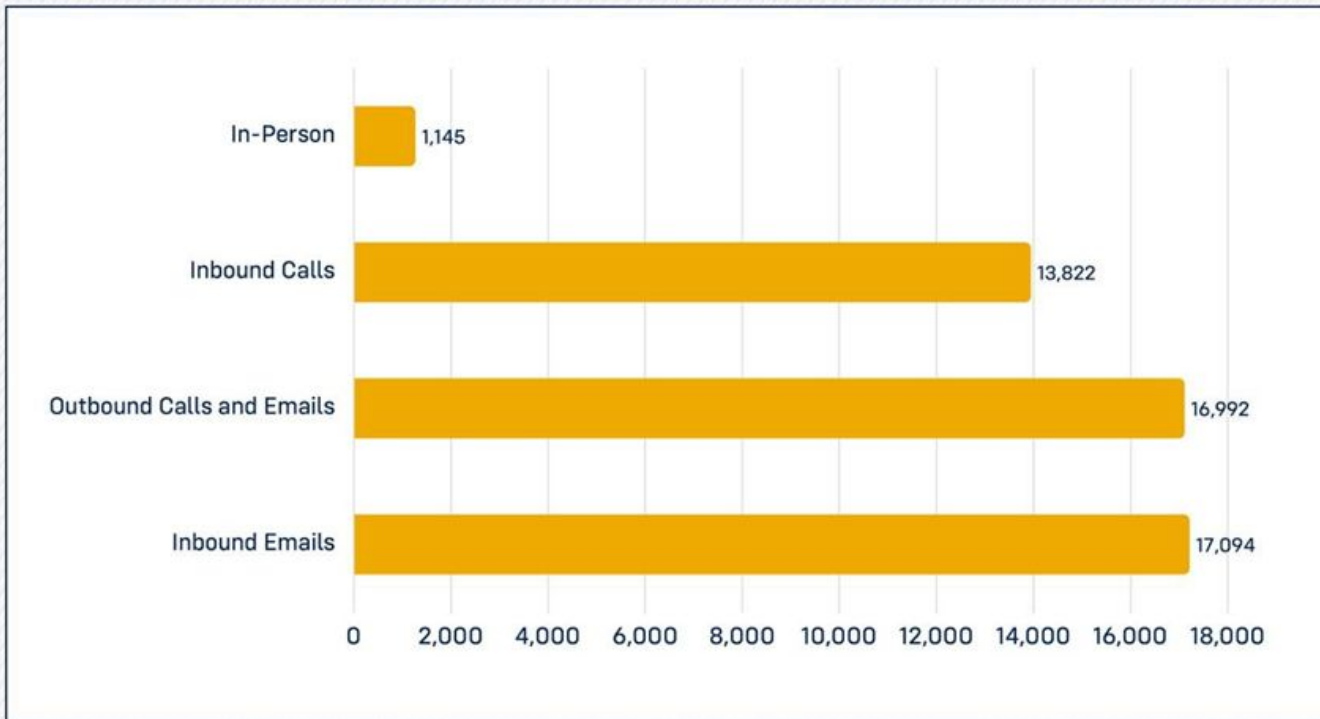
- / 200 tickets resolved during Phase 1.5**
- / Blackthorn events utilized by the system and colleges**
- / Huron-to-WVU staff transition is underway**
- / Phase 2.0 underway in 2026**

## SPECIAL EVENTS AND VISITORS CENTER



*\*Counts include students and/or counselors*

## HUB AND STUDENT ENGAGEMENT TEAMS



## **FINANCIAL AID FOR NEW STUDENTS IN 2026 SYSTEM-WIDE**

- / As of December 8:**
  - / 4,350 scholarship-only offers sent**
  - / 5,656 FAFSA filers sent a full financial aid and scholarship offer**
  - / 48 WV residents eligible for WVU Guarantee to date**
- / 2025 comparison data will be available in February.**

## SCM RECRUITMENT MARKETING

### / Digital Investment for Priority Programs:

- / Energy Land Management
- / Music Business Industry
- / Spots Management
- / Robotics Engineering
- / Exercise Physiology
- / Neuroscience
- / Applied AI and Data Analytics

### / Targeted Print, Email, and Social

- / Academic and Experience Lookbooks
- / Enhanced admit booklet and newly designed housing brochure
- / Segmented emails introducing deans, chairs, and faculty
- / Print, email, and social that highlight our numerous campus visit opportunities
- / Social campaigns
  - / Higher engagement than industry average; Google is top-performing platform
  - / Newly targeted parent audience ranks as top performer (121% above industry average!)
  - / Social focus: build brand and reputation, drive applications, and encourage visitation

## **COMING UP: JANUARY AND FEBRUARY**

### **/ Enrollment Management initiatives:**

- / Pricing study**
- / Partner meetings with EM and the colleges**
- / WVU and VCCS partnership**

### **/ Special events:**

- / Mountaineer Basketball with VCCS**
- / WV FAFSA Day**
- / WVU Day at the Legislature**
- / Distinguished Scholars**
- / Counselor Series**
- / WV Academic Showdown**
- / Bucklew Selection**

**QUESTIONS?**



## BOG Provost's Report – Dec. 19, 2025

Good morning. It's good to see all of you – even if only virtually. I trust everyone is enjoying the early wintry weather we've been having around the state and looking forward to the holiday season with family and friends.

The end of the fall semester is always a reflective time of year, with the celebration of Thanksgiving followed by the hectic dash through the last few weeks – into the quiet hush of winter break. It's an opportunity for us to pause and reflect with gratitude on the successes of the past few months and a chance to recharge for a new year.

West Virginia University faculty, students and staff have a lot to be proud of this year.

- **College of Law student Kaden Stenger** is using his passion for teaching and servant leadership to make a difference in the lives of West Virginia's youth through mentoring opportunities with Scouting America's honor society, the Order of the Arrow, and Mountaineer Boys State. He is a senior editor for the West Virginia Law Review, serves as the College of Law Representative for the Young Lawyer Section of the West Virginia State Bar, and was recently selected to fill the College of Law senator vacancy on the Student Government Association.
- **Skylar Braithwaite**, the newly named director of the West Virginia University Office of Campus and Community Life, first came to WVU as a first-generation college student in 2012. Now, Skylar and her staff connect students with essential resources ranging from off-campus housing to emergency support to keep students safe, stable, and focused on earning their degrees.
- **Robotics and major Camndon Reed** has designed a mobile robot that can navigate hiking trails autonomously on behalf of land managers, conservationists, and emergency responders. Camndon presented his work at the International Conference on Intelligent Robots and Systems in China in October, where his paper on the trail navigation research had been named a Best Paper Application Finalist.
- **School of Medicine professor Dr. Nicholas Baker** returned last year to the Mountain State and joined the WVU Heart and Vascular Institute, specializing in minimally invasive lung and esophageal cancer surgery. Dr. Baker is a WVU alum, McDowell County native, and former HSTA (hiss-ta) program participant. The HSTA or Health Sciences & Technology Academy is a one-of-a-kind mentoring program in the state of West Virginia that helps participating high school students enter and succeed in STEM+M-based undergraduate and graduate degree programs. The program had such an impact on Dr. Baker that he has reconnected with it, looking to inspire students from small towns and rural communities to dream big and consider WVU.
- **On the research front.... Alfgeir Kristjansson**, co-director of the West Virginia Prevention Research Center and professor in the School of Public Health, is utilizing a five-year, 6.7 million-dollar grant from the National Institute on Drug Abuse, Kristjansson to expand an existing pilot project for preventing drug use in

kids to encompass approximately 140 schools in 36 of the state's most rural counties. The effort involves collecting data through student surveys and collaborating with community leaders to design programs tailored for local decision making rather than a one-size-fits-all approach.

We have so much to be proud of when it comes to the people of WVU and the work they do to improve the lives of others.

And as an institution, we can also be proud of the work we are doing to build that foundation.

As President Benson announced in our last Board meeting, we have achieved record retention numbers this fall.

On the Morgantown Campus, the Fall 2025 retention rate from freshman to sophomore years set a new record at **more than 85%**. I'm also happy to report that we are seeing a continued uptick in retention of our first-generation students as well – a 2% increase over the last year and almost 9% increase over the last five years. WVU Tech and Potomac State College enjoyed increased freshmen retention numbers as well.

At the same time, first-time freshman enrollment across the WVU System increased by **more than 7%** this fall.

These numbers tell us that WVU is a destination for many students – and we are all doing the hard work not just to **attract** students to our campuses, but to ensure that they are successful while they are here.

With the seasoned leadership of Fabrizio D'Aloisio guiding our recruitment efforts and academic advisers and faculty mentors who show up for our students each and every day – we are poised to continue along this trajectory.

Over the next three summers, some of West Virginia's best and brightest high school students will have an opportunity to experience WVU Tech's campus first-hand as that campus will be hosting the prestigious Governor's Computer Science Institute.

At Potomac State College, there will be much-needed comprehensive renovations to the biology and chemistry laboratories. The project will involve the renovation and reconfiguration of approximately 4,810 square feet of space – originally constructed in 1950. Thanks to a combination of public and private support and cooperation across multiple entities, this modernization effort will signal to the community and prospective students that we are committed to their future.

WVU has also recently committed to expanding educational opportunities to students from Virginia through a partnership with the Virginia Community College System. The new partnership creates pipelines to more than 40 WVU System majors through the

VCCS common curriculum and opens doors to a high percentage of first-generation community college students who are seeking a four-year degree.

The future for all of WVU is bright – and we continue to find ways to improve upon and support our campuses and academic units.

Establishing strong leadership to guide these units into the days ahead remains a top priority. We have had three important searches underway this semester.

Our searches for a new Dean of the Eberly College of Arts and Sciences and a new Dean of the WVU Libraries and Press are progressing as planned. This fall, the committees for both searches hosted listening sessions and conducted surveys to gather ideas and feedback to help inform the recruitment processes. Both position profiles are currently available on the Greenwood Asher & Associates website, the national search firm with whom we are collaborating.

Libraries dean candidates are anticipated to visit campus in early February, and Eberly dean candidates likely visiting in March.

I am happy to report that our search for the next College of Law dean has been very successful. Earlier this month, we hosted four candidates on campus, and gathered feedback from the Law faculty, staff, and students. I anticipate that this search will conclude soon.

It's an exciting time to be at West Virginia University – with so much potential on the horizon. I hope each of you has a restful holiday with your loved ones. I look forward to seeing you in the New Year.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**

Meeting of December 19, 2025

**ITEM:** Report of WVU Foundation Vice President of Investments and Chief Investment Officer

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board

**RECOMMENDATION:** Information Only/Board Presentation

**STAFF MEMBER:** Jim Bethea

**BACKGROUND:** Mr. Bethea will provide a report on the status of investments managed by the WVU Foundation.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
Meeting of December 19, 2025

**ITEM:** Report of WVU Foundation President and CEO

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board

**RECOMMENDATION:** Information Only/Board Presentation

**STAFF MEMBER:** Cynthia "Cindi" L. Roth

**BACKGROUND:** Ms. Roth will provide a report on initiatives, progress, and future goals of the WVU Foundation.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 19, 2025**

**ITEM:** Approval and execution of three Statements of Work (“SOW”), under a Master Service Agreement (“MSA”) dated November 29, 2022, for audit, assurance, and other services provided by CliftonLarsonAllen LLP (“CLA”), WVU’s external auditor, to West Virginia University (“WVU”) and West Virginia University Research Corporation (WVURC”)

**INSTITUTION:** West Virginia University and West Virginia University Research Corporation

**COMMITTEE:** Full Board – Consent Agenda

**STAFF MEMBER:** Barbara Weiss  
Senior Associate Vice President for Finance

**BACKGROUND:** Senior Associate Vice President for Finance, Barbara Weiss, will present the SOWs for audit, assurance, and other services to be provided by CLA.

The following SOWs will be executed under the MSA by the Audit Committee Chair, Robert Reynolds. Each SOW describes the scope of the specific professional services to be provided by CLA, and fees for such services:

1. SOW – Audit Services for WVU as of June 30, 2026
2. SOW – Audit Services for the WVU Research Corporation as of June 30, 2026
3. SOW – Agreed Upon Procedures (“AUP”) for WVU as of December 31, 2025



December 4, 2025

### ***Statement of Work - Audit Services***

This agreement constitutes a statement of work ("SOW") under the master service agreement ("MSA") dated February 29, 2024, or superseding MSA, made by and between CliftonLarsonAllen LLP ("CLA," "we," "us," and "our") and the West Virginia Higher Education Policy Commission which refers to the audit of West Virginia University & Divisions ("you," "your," or "the entity"). We are pleased to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the services CLA will provide for the entity as of and for the year ended June 30, 2026.

Michael F. Johns is responsible for the performance of the audit engagement.

#### **Scope of audit services**

We will audit the financial statements of the business-type activities, which collectively comprise the basic financial statements of West Virginia University & Divisions, and the related notes to the financial statements as of and for the year ended June 30, 2026.

The Governmental Accounting Standards Board (GASB) provides for certain required supplementary information (RSI) to accompany the entity's basic financial statements.

The RSI will be subjected to certain limited procedures, but will not be audited.

#### **Audit objectives**

The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP). Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Our audit will be conducted in accordance with U.S. GAAS and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require us to be independent of the entity and to meet our other ethical responsibilities, in

accordance with the relevant ethical requirements relating to our audit. Our audit will include tests of your accounting records and other procedures we consider necessary to enable us to express such an opinion.

We will apply certain limited procedures to the RSI in accordance with U.S. GAAS. However, we will not express an opinion or provide any assurance on the RSI because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance

We will issue a written report upon completion of our audit of your financial statements.

Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph to our auditors' report, or if necessary, withdraw from the engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming opinions on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express opinions or issue a report, or withdrawing from the engagement.

We will also provide a report (which does not include an opinion) on internal control over financial reporting and on compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements, as required by *Government Auditing Standards*. The report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the entity is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit conducted in accordance with U.S. GAAS and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

#### **Auditor responsibilities, procedures, and limitations**

We will conduct our audit in accordance with U.S. GAAS and the standards for financial audits contained in *Government Auditing Standards*.

Those standards require that we exercise professional judgment and maintain professional skepticism throughout the planning and performance of the audit. As part of our audit, we will:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and evaluate whether audit evidence

obtained is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of the entity and its environment, including the system of internal control, relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the amounts and disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on our evaluation of audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time.

Although our audit planning has not been concluded and modifications may be made, we have identified the following significant risk(s) of material misstatement as part of our audit planning:

- management override of controls
- nonexchange revenue recognition

There is an unavoidable risk, because of the inherent limitations of an audit, together with the inherent limitations of internal control, that some material misstatements may not be detected, even though the audit is properly planned and performed in accordance with U.S. GAAS and *Government Auditing Standards*. Because we will not perform a detailed examination of all transactions, material misstatements, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity, may not be detected. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not require auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management and those charged with governance of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management and those charged with governance of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential.

Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to

preventing and detecting fraud or errors that are material to the financial statements and to preventing and detecting misstatements resulting from noncompliance with provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. An audit is not designed to provide assurance on internal control or to identify deficiencies, significant deficiencies, or material weaknesses in internal control. However, we will communicate to you in writing significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we identify during the audit that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the entity's compliance with the provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

We will include in our report on internal control over financial reporting and on compliance relevant information about any identified or suspected instances of fraud and any identified or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements that may have occurred that are required to be communicated under *Government Auditing Standards*.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

### **Management responsibilities**

Our audit will be conducted on the basis that you (management and, when appropriate, those charged with governance) acknowledge and understand that you have certain responsibilities that are fundamental to the conduct of an audit.

You are responsible for the preparation and fair presentation of the financial statements and RSI in accordance with U.S. GAAP.

Management's responsibilities include the selection and application of accounting principles; recording and reflecting all transactions in the financial statements; determining the reasonableness of significant accounting estimates included in the financial statements; adjusting the financial statements to correct material misstatements; and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for 12 months beyond the financial statement date.

You are responsible for the design, implementation, and maintenance of effective internal control relevant

to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including evaluating and monitoring ongoing activities and safeguarding assets to help ensure that appropriate goals and objectives are met. You are responsible for the design, implementation, and maintenance of internal controls to prevent and detect fraud; assessing the risk that the financial statements may be materially misstated as a result of fraud; and for informing us about all known or suspected fraud affecting the entity involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for implementing systems designed to achieve compliance with applicable laws and regulations and the provisions of contracts and grant agreements; identifying and ensuring that the entity complies with applicable laws, regulations, contracts, and grant agreements; and informing us of all instances of identified or suspected noncompliance whose effects on the financial statements should be considered. You are responsible for taking timely and appropriate steps to remedy any fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we may report.

You are responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including amounts and disclosures, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters, and for the accuracy and completeness of that information (including information from within and outside of the general and subsidiary ledgers); (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

You agree to inform us of events occurring or facts discovered subsequent to the date of the financial statements that may affect the financial statements.

Management is responsible for providing us with a written confirmation concerning representations made by you and your staff to us in connection with the audit and the presentation of the basic financial statements and RSI. During our engagement, we will request information and explanations from you regarding, among other matters, the entity's activities, internal control, future plans, specific transactions, and accounting systems and procedures. The procedures we will perform during our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the representations that we receive in the representation letter and otherwise from you. Accordingly, inaccurate, incomplete, or false representations could cause us to expend unnecessary effort or could cause a material fraud or error to go undetected by our procedures. In view of the foregoing, you agree that we shall not be responsible for any misstatements in the entity's financial statements that we may fail to detect as a result of misrepresentations made to us by you.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies to us of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the "Audit objectives" section of this letter. This responsibility includes relaying

to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

**Responsibilities and limitations related to nonaudit services**

For all nonaudit services we may provide to you, management agrees to assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or experience to understand and oversee the services; evaluate the adequacy and results of the services; and accept responsibility for the results of the services. Management is also responsible for ensuring that your data and records are complete and that you have received sufficient information to oversee the services.

**Use of financial statements**

Should you decide to include or incorporate by reference these financial statements and our auditors' report(s) thereon in a future private placement or other offering of equity or debt securities, you agree that we are under no obligation to re-issue our report or provide consent for the use of our report in such a registration or offering document. We will determine, at our sole discretion, whether we will re-issue our report or provide consent for the use of our report only after we have performed the procedures we consider necessary in the circumstances. If we decide to re-issue our report or consent to the use of our report, we will be required to perform certain procedures including, but not limited to, (a) reading other information incorporated by reference in the registration statement or other offering document and (b) subsequent event procedures. These procedures will be considered an engagement separate and distinct from our audit engagement, and we will bill you separately. If we decide to re-issue our report or consent to the use of our report, you agree that we will be included on each distribution of draft offering materials and we will receive a complete set of final documents. If we decide not to re-issue our report or decide to withhold our consent to the use of our report, you may be required to engage another firm to audit periods covered by our audit reports, and that firm will likely bill you for its services. While the successor auditor may request access to our workpapers for those periods, we are under no obligation to permit such access.

If the parties (i.e., you and CLA) agree that CLA will not be involved with your official statements related to municipal securities filings or other offering documents, we will require that any official statements or other offering documents issued by you with which we are not involved clearly indicate that CLA is not involved with the contents of such documents. Such disclosure should read as follows:

CliftonLarsonAllen LLP, our independent auditor, has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. CliftonLarsonAllen LLP also has not performed any procedures relating to this offering document.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website or submitted on a regulator website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information in the electronic

site with the original document.

We may issue preliminary draft financial statements to you for your review. Any preliminary draft financial statements should not be relied on or distributed.

### **Engagement administration and other matters**

We understand that your employees will prepare all confirmations, account analyses, and audit schedules we request and will locate any documents or invoices selected by us for testing. A list of information we expect to need for our audit and the dates required will be provided in a separate communication.

We will provide copies of our reports to the entity; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing confidential or sensitive information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of CLA and constitutes confidential information. However, we may be requested to make certain audit documentation available to regulatory bodies pursuant to authority given to it by law or regulation. If requested, access to such audit documentation will be provided under the supervision of CLA's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to those regulators. The regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date or for any additional period requested by a regulator. If we are aware that a federal or state awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Professional standards require us to be independent with respect to you in the performance of these services. Any discussion that you have with our personnel regarding potential employment with you could impair our independence with respect to this engagement. Therefore, we request that you inform us prior to any such discussions so that we can implement appropriate safeguards to maintain our independence and objectivity. Further, any employment offers to any staff members working on this engagement without our prior knowledge may require substantial additional procedures to ensure our independence. You will be responsible for any additional costs incurred to perform these procedures.

Our audit engagement ends on delivery of our signed report. Any additional services that might be requested will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific SOW for that service.

*Government Auditing Standards* require that we make our most recent external peer review report publicly available. The report is posted on our website at [www.CLAconnect.com/Aboutus/](http://www.CLAconnect.com/Aboutus/).

### **Fees**

Our professional fee is \$208,800.00. This estimate is based on anticipated cooperation from your

personnel and their assistance with locating requested documents and preparing requested schedules. If the requested items are not available on the dates required or are not accurate, the fees and expenses will likely be higher. Our invoices, including applicable state and local taxes, will be rendered in accordance with the terms specified in the Statement of Work executed by the West Virginia Higher Education Policy Commission and are payable on presentation. We will also bill for travel expenses and time should it be mutually agreed that CLA will perform fieldwork on-site.

**Unexpected circumstances**

We will advise you if unexpected circumstances require significant additional procedures resulting in a substantial increase in the fee estimate.

**Changes in accounting and audit standards**

Standard setters and regulators continue to evaluate and modify standards. Such changes may result in new or revised financial reporting and disclosure requirements or expand the nature, timing, and scope of the activities we are required to perform. To the extent that the amount of time required to provide the services described in the SOW increases due to such changes, our fee may need to be adjusted. We will discuss such circumstances with you prior to performing the additional work.

**Agreement**

We appreciate the opportunity to provide the services described in this SOW related to the MSA. All terms and provisions of the MSA shall apply to these services. If you agree with the terms of this SOW, please sign below to indicate your acknowledgement and understanding of, and agreement with, this SOW.

Sincerely,

**CliftonLarsonAllen LLP**

**Response:**

This letter correctly sets forth the understanding of West Virginia University & Divisions.

**CLA**

ORG: \_\_\_\_\_

NAME: Robert Reynolds  
\_\_\_\_\_

TITLE: WVU Board of Governors - Vice Chair  
\_\_\_\_\_

SIGN:   
Bob Reynolds (Dec 9, 2025 16:09:03 EST)  
\_\_\_\_\_

DATE: Dec 9, 2025  
\_\_\_\_\_

**Client**

ORG: \_\_\_\_\_

NAME: Barbara Weiss  
\_\_\_\_\_

TITLE: WVU Interim CFO  
\_\_\_\_\_

SIGN: see below  
\_\_\_\_\_

DATE: Dec 10, 2025  
\_\_\_\_\_

**Signature:** *Barbara A. Weiss*

**Email:** barbara.weiss@mail.wvu.edu



December 4, 2025

***Statement of Work - Audit Services***

This agreement constitutes a statement of work ("SOW") under the master service agreement ("MSA") dated February 29, 2024, or superseding MSA, made by and between CliftonLarsonAllen LLP ("CLA," "we," "us," and "our") and the West Virginia Higher Education Policy Commission which refers to the West Virginia University Research Corporation ("you," "your," or "the entity"). We are pleased to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the services CLA will provide for the entity as of and for the year ended June 30, 2026.

Michael F. Johns is responsible for the performance of the audit engagement.

**Scope of audit services**

We will audit the financial statements of the business-type activities, which collectively comprise the basic financial statements of West Virginia University Research Corporation, and the related notes to the financial statements as of and for the year ended June 30, 2026.

The Governmental Accounting Standards Board (GASB) provides for certain required supplementary information (RSI) to accompany the entity's basic financial statements.

The RSI will be subjected to certain limited procedures, but will not be audited.

We will also evaluate and report on the presentation of the supplementary information other than RSI accompanying the financial statements in relation to the financial statements as a whole.

**Audit objectives**

The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP). Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Our audit will be conducted in accordance with U.S. GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards require us to be independent of the entity and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. Our audit will include tests of your accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express opinions and render the required reports.

We will apply certain limited procedures to the RSI in accordance with U.S. GAAS. However, we will not express an opinion or provide any assurance on the RSI because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. We will also perform procedures to enable us to express an opinion on whether the supplementary information (as identified above) other than RSI accompanying the financial statements is fairly stated, in all material respects, in relation to the financial statements as a whole.

The objectives of our audit also include:

- Reporting on internal control over financial reporting and on compliance with the provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Reporting on internal control over compliance related to major programs and expressing an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Uniform Guidance.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

We will issue written reports upon completion of our audit of your financial statements and compliance with requirements applicable to major programs.

Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph to our auditors' report, or if necessary, withdraw from the engagement. If our opinions on the financial statements or compliance are other than

unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements or material noncompliance caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements or an opinion on compliance, we retain the right to take any course of action permitted by professional standards, including declining to express opinions or issue reports, or withdrawing from the engagement.

### **Auditor responsibilities, procedures, and limitations**

We will conduct our audit in accordance with U.S. GAAS, the standards for financial audits contained in *Government Auditing Standards*, and the Uniform Guidance.

Those standards require that we exercise professional judgment and maintain professional skepticism throughout the planning and performance of the audit. As part of our audit, we will:

- Identify and assess the risks of material misstatement of the financial statements and material noncompliance, whether due to fraud or error, design and perform audit procedures responsive to those risks, and evaluate whether audit evidence obtained is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement or a material noncompliance resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of the entity and its environment, including the system of internal control, relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the amounts and disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on our evaluation of audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time.

Although our audit planning has not been concluded and modifications may be made, we have identified the following significant risk(s) of material misstatement as part of our audit planning:

- management override of controls
- revenue recognition

There is an unavoidable risk, because of the inherent limitations of an audit, together with the inherent

limitations of internal control, that some material misstatements or noncompliance may not be detected, even though the audit is properly planned and performed in accordance with U.S. GAAS, *Government Auditing Standards*, and the Uniform Guidance. Because we will not perform a detailed examination of all transactions, material misstatements, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity, may not be detected. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not require auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management and those charged with governance of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management and those charged with governance of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a single audit.

Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting fraud or errors that are material to the financial statements and to preventing and detecting misstatements resulting from noncompliance with provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify deficiencies, significant deficiencies, or material weaknesses in internal control. However, we will communicate to you in writing significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we identify during the audit that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the entity's compliance with the provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

We will include in our report on internal control over financial reporting and on compliance relevant information about any identified or suspected instances of fraud and any identified or suspected

noncompliance with provisions of laws, regulations, contracts, or grant agreements that may have occurred that are required to be communicated under *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards that may have a direct and material effect on each of the entity's major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the "OMB Compliance Supplement" for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs. The purpose of these procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

We will evaluate the presentation of the schedule of expenditures of federal awards accompanying the financial statements in relation to the financial statements as a whole. We will make certain inquiries of management and evaluate the form, content, and methods of preparing the schedule to determine whether the information complies with U.S. GAAP and the Uniform Guidance, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We will compare and reconcile the schedule to the underlying accounting records and other records used to prepare the financial statements or to the financial statements themselves.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

### **Management responsibilities**

Our audit will be conducted on the basis that you (management and, when appropriate, those charged with governance) acknowledge and understand that you have certain responsibilities that are fundamental to the conduct of an audit.

You are responsible for the preparation and fair presentation of the financial statements, RSI, and the schedule of expenditures of federal awards in accordance with U.S. GAAP. Management is also responsible for identifying all federal awards received, understanding and complying with the compliance requirements, and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the requirements of the Uniform Guidance.

Management's responsibilities include the selection and application of accounting principles; recording and reflecting all transactions in the financial statements; determining the reasonableness of significant accounting estimates included in the financial statements; adjusting the financial statements to correct material misstatements; and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for 12 months beyond the financial statement date.

Management is responsible for compliance with applicable laws and regulations and the provisions of contracts and grant agreements, including compliance with federal statutes, regulations, and the terms and conditions of federal awards applicable to the entity's federal programs. Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are responsible for the design, implementation, and maintenance of effective internal control, including internal control over compliance, relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including evaluating and monitoring ongoing activities and safeguarding assets to help ensure that appropriate goals and objectives are met; and that there is reasonable assurance that government programs are administered in compliance with compliance requirements.

You are responsible for the design, implementation, and maintenance of internal controls to prevent and detect fraud; assessing the risk that the financial statements may be materially misstated as a result of fraud; and for informing us about all known or suspected fraud affecting the entity involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for implementing systems designed to achieve compliance with applicable laws and regulations and the provisions of contracts and grant agreements, including compliance with federal statutes, regulations, and the terms and conditions of federal awards applicable to the entity's federal programs; identifying and ensuring that the entity complies with applicable laws, regulations, contracts, and grant agreements, including compliance with federal statutes, regulations, and the terms and conditions of federal awards applicable to the entity's federal programs; and informing us of all instances of identified or suspected noncompliance whose effects on the financial statements should be considered.

You are responsible for taking timely and appropriate steps to remedy any fraud; noncompliance with provisions of laws, regulations, contracts, or grant agreements; or abuse that we may report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings; and to follow up and take prompt corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review.

You are responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including amounts and disclosures, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters, and for the accuracy and completeness of that information (including information from within and outside of the general and subsidiary ledgers), and for ensuring management information and financial information is reliable and properly reported; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to

perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

You agree to inform us of events occurring or facts discovered subsequent to the date of the financial statements that may affect the financial statements.

You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

Management is responsible for providing us with a written confirmation concerning representations made by you and your staff to us in connection with the audit and the presentation of the basic financial statements and RSI. During our engagement, we will request information and explanations from you regarding, among other matters, the entity's activities, internal control, future plans, specific transactions, and accounting systems and procedures. The procedures we will perform during our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the representations that we receive in the representation letter and otherwise from you. Accordingly, inaccurate, incomplete, or false representations could cause us to expend unnecessary effort or could cause a material fraud or error to go undetected by our procedures. In view of the foregoing, you agree that we shall not be responsible for any misstatements in the entity's financial statements that we may fail to detect as a result of misrepresentations made to us by you.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies to us of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the "Audit objectives" section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

**Responsibilities and limitations related to nonaudit services**

For all nonaudit services we may provide to you, management agrees to assume all management

responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or experience to understand and oversee the services; evaluate the adequacy and results of the services; and accept responsibility for the results of the services.

Management is also responsible for ensuring that your data and records are complete and that you have received sufficient information to oversee the services.

#### **Use of financial statements**

Should you decide to include or incorporate by reference these financial statements and our auditors' report(s) thereon in a future private placement or other offering of equity or debt securities, you agree that we are under no obligation to re-issue our report or provide consent for the use of our report in such a registration or offering document. We will determine, at our sole discretion, whether we will re-issue our report or provide consent for the use of our report only after we have performed the procedures we consider necessary in the circumstances. If we decide to re-issue our report or consent to the use of our report, we will be required to perform certain procedures including, but not limited to, (a) reading other information incorporated by reference in the registration statement or other offering document and (b) subsequent event procedures. These procedures will be considered an engagement separate and distinct from our audit engagement, and we will bill you separately. If we decide to re-issue our report or consent to the use of our report, you agree that we will be included on each distribution of draft offering materials and we will receive a complete set of final documents. If we decide not to re-issue our report or decide to withhold our consent to the use of our report, you may be required to engage another firm to audit periods covered by our audit reports, and that firm will likely bill you for its services. While the successor auditor may request access to our workpapers for those periods, we are under no obligation to permit such access.

If the parties (i.e., you and CLA) agree that CLA will not be involved with your official statements related to municipal securities filings or other offering documents, we will require that any official statements or other offering documents issued by you with which we are not involved clearly indicate that CLA is not involved with the contents of such documents. Such disclosure should read as follows:

CliftonLarsonAllen LLP, our independent auditor, has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. CliftonLarsonAllen LLP also has not performed any procedures relating to this offering document.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website or submitted on a regulator website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information in the electronic site with the original document.

We may issue preliminary draft financial statements to you for your review. Any preliminary draft financial statements should not be relied on or distributed.

#### **Engagement administration and other matters**

We understand that your employees will prepare all confirmations, account analyses, and audit schedules

we request and will locate any documents or invoices selected by us for testing. A list of information we expect to need for our audit and the dates required will be provided in a separate communication.

At the conclusion of the engagement, we will complete the auditor sections of the electronic Data Collection Form SF-SAC and perform the steps to certify the Form SF-SAC and single audit reporting package. It is management's responsibility to complete the auditee sections of the Data Collection Form. We will create the single audit reporting package PDF file for submission; however, it is management's responsibility to review for completeness and accuracy and electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be electronically submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the entity; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing confidential or sensitive information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of CLA and constitutes confidential information. However, we may be requested to make certain audit documentation available to regulatory bodies pursuant to authority given to it by law or regulation. If requested, access to such audit documentation will be provided under the supervision of CLA's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to those regulators. The regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date or for any additional period requested by a regulator. If we are aware that a federal or state awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Professional standards require us to be independent with respect to you in the performance of these services. Any discussion that you have with our personnel regarding potential employment with you could impair our independence with respect to this engagement. Therefore, we request that you inform us prior to any such discussions so that we can implement appropriate safeguards to maintain our independence and objectivity. Further, any employment offers to any staff members working on this engagement without our prior knowledge may require substantial additional procedures to ensure our independence. You will be responsible for any additional costs incurred to perform these procedures.

Our audit engagement ends on delivery of our signed report. Any additional services that might be requested will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific SOW for that service.

*Government Auditing Standards* require that we make our most recent external peer review report publicly available. The report is posted on our website at [www.CLAconnect.com/Aboutus/](http://www.CLAconnect.com/Aboutus/).

**Fees**

Our professional fee is \$38,700.00. This estimate is based on anticipated cooperation from your personnel and their assistance with locating requested documents and preparing requested schedules. If the requested items are not available on the dates required or are not accurate, the fees and expenses will likely be higher. Our invoices, including applicable state and local taxes, will be rendered as work progresses and are payable on presentation. The professional fee does not include travel costs. Should the entity and CLA mutually agree to on-site fieldwork or travel for any reason, we will also bill for time and expenses related to travel. The single audit fee includes the audit of the research and development cluster. Should additional major programs require an audit, we will bill based on hours incurred at the rates specified in P.O. 24235 with the West Virginia Higher Education Policy Commission.

Audit of financial statements	\$28,100.00
Federal single audit	\$10,600.00

**Unexpected circumstances**

We will advise you if unexpected circumstances require significant additional procedures resulting in a substantial increase in the fee estimate.

**Changes in accounting and audit standards**

Standard setters and regulators continue to evaluate and modify standards. Such changes may result in new or revised financial reporting and disclosure requirements or expand the nature, timing, and scope of the activities we are required to perform. To the extent that the amount of time required to provide the services described in the SOW increases due to such changes, our fee may need to be adjusted. We will discuss such circumstances with you prior to performing the additional work.

**Agreement**

We appreciate the opportunity to provide the services described in this SOW related to the MSA. All terms and provisions of the MSA shall apply to these services. If you agree with the terms of this SOW, please sign below to indicate your acknowledgement and understanding of, and agreement with, this SOW.

Sincerely,

**CliftonLarsonAllen LLP**

**Response:**

This letter correctly sets forth the understanding of West Virginia University Research Corporation.

**CLA**

ORG: \_\_\_\_\_

NAME: Robert Reynolds  
\_\_\_\_\_

TITLE: WVU-Board of Governors Vice Chair  
\_\_\_\_\_

SIGN:   
Bob Reynolds (Dec 9, 2025 16:05:52 EST)  
\_\_\_\_\_

DATE: Dec 9, 2025  
\_\_\_\_\_

**Client**

ORG: \_\_\_\_\_

NAME: Clay Marsh  
\_\_\_\_\_

TITLE: Executive Director, Chancellor and Executive Dean, WVU Health Sciences  
\_\_\_\_\_

SIGN:   
Clay Marsh (Dec 10, 2025 05:58:06 EST)  
\_\_\_\_\_

DATE: Dec 10, 2025  
\_\_\_\_\_









# Statement of Work - Audit Services - Single Audit \_ HUD

Final Audit Report

2025-12-10

Created:	2025-12-09
By:	Karen Brock (karen.brock@mail.wvu.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAAI9x2NacDM2uAovKFf03nOefbaJbkeUFV

## "Statement of Work - Audit Services - Single Audit \_ HUD" History

-  Document created by Karen Brock (karen.brock@mail.wvu.edu)  
2025-12-09 - 9:01:34 PM GMT - IP address: 157.182.65.90
-  Document emailed to Bob Reynolds (rlr563@aol.com) for signature  
2025-12-09 - 9:02:23 PM GMT
-  Email viewed by Bob Reynolds (rlr563@aol.com)  
2025-12-09 - 9:05:11 PM GMT - IP address: 65.34.243.243
-  Document e-signed by Bob Reynolds (rlr563@aol.com)  
Signature Date: 2025-12-09 - 9:05:52 PM GMT - Time Source: server- IP address: 65.34.243.243
-  Document emailed to Clay Marsh (cbmarsh@hsc.wvu.edu) for signature  
2025-12-09 - 9:05:53 PM GMT
-  Email viewed by Clay Marsh (cbmarsh@hsc.wvu.edu)  
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-  Document e-signed by Clay Marsh (cbmarsh@hsc.wvu.edu)  
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-  Agreement completed.  
2025-12-10 - 10:58:06 AM GMT



December 8, 2025

***Statement of Work - Agreed-upon Procedures***

This agreement constitutes a statement of work ("SOW") under the master service agreement ("MSA") dated February 29, 2024, or superseding MSA, made by and between CliftonLarsonAllen LLP ("CLA," "we," "us," and "our") and the West Virginia Higher Education Policy Commission (WVHEPC), which includes services for West Virginia University & Divisions ("you," "your," or "the entity"). We are pleased to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the services CLA will provide for the entity as of and for the period ended December 31, 2025.

Michael Johns is responsible for the performance of the agreed-upon procedures engagement.

**Scope, objective, and responsibilities**

We will apply the agreed-upon procedures which West Virginia University & Divisions has specified and agreed to, listed in the attached schedule, to interim financial statements of West Virginia University as of or for the period ended December 31, 2025. West Virginia University is responsible for interim financial statements.

Our engagement to apply agreed-upon procedures will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require us to be independent of the entity or responsible party, as applicable, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our engagement. West Virginia University & Divisions agrees to and acknowledges the procedures performed or to be performed are appropriate for the intended purpose of evaluate your compliance with the interim reporting requirement as defined by the Audit Committee. The intended users of the agreed-upon procedures report are West Virginia University. Intended users in addition to West Virginia University & Divisions may be requested to agree to the procedures and acknowledge that the procedures performed are appropriate for the intended purpose. Consequently, we make no representation regarding the appropriateness of the procedures enumerated in the attached schedule either for the purpose for which this report has been requested or for any other purpose. The intended users assume the risk that such procedures might be inappropriate for the intended purpose and the risk that they might misunderstand or otherwise inappropriately use findings properly reported by CLA.

Our responsibility is to perform the specified procedures and report the findings in accordance with the attestation standards. For purposes of reporting findings, you specified a threshold of \$0.00 for reporting exceptions. Because the agreed-upon procedures listed in the attached schedule do not constitute an

examination, audit, or review, we will not express an opinion or conclusion on the interim financial statements or the West Virginia University's financial statements or any elements, accounts, or items thereof. Also, we will not express an opinion or conclusion on the effectiveness of West Virginia University's internal control over financial reporting or any part thereof. In addition, we have no obligation to perform any procedures beyond those listed in the attached schedule.

At the conclusion of the engagement, you agree to provide a written representation letter that includes your agreement and acknowledgement that the procedures performed are appropriate for the intended purpose of the engagement and, if applicable, that you have obtained from necessary other parties their agreement to the procedures and acknowledgement that the procedures performed are appropriate for their purposes.

We will issue a written report upon completion of our engagement that lists the procedures performed and our findings. This report is intended solely for the information and use of West Virginia University, and should not be used by anyone other than the specified parties. If, for any reason, we are unable to complete the procedures, we will describe any restrictions on the performance of the procedures in our report, or will not issue a report and withdraw from this engagement. Our report will include a statement indicating that had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

An agreed-upon procedures engagement is not designed to detect instances of fraud or noncompliance with laws or regulations; however, we will communicate to you any known and suspected fraud and noncompliance with laws or regulations affecting the interim financial statements that come to our attention, unless they are clearly inconsequential. In addition, if, in connection with this engagement, matters come to our attention that contradict the interim financial statements, we will disclose those matters in our report. Such disclosures, if any, may not necessarily include all matters that might have come to our attention had we performed additional procedures or an examination or review.

Management is responsible for providing us with (1) access to all information of which you are aware that is relevant to the interim financial statements and the agreed-upon procedures, such as records, documentation, and other matters, and for the accuracy and completeness of that information; (2) additional information that we may request for the purpose of performing the agreed-upon procedures; and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain evidence relating to performing the procedures. You agree to inform us of events occurring or facts discovered subsequent to the date of the interim financial statements that may affect the interim financial statements.

**Engagement administration and other matters**

A list of information we expect to need for the engagement and the dates required will be provided in a separate communication.

CLA will not disclose any of your confidential, proprietary, or privileged information to any persons without the authorization of your management or unless required by law. This confidentiality provision does not prohibit us from disclosing your information to one or more of our affiliated companies in order to provide services that you have requested from us or from any such affiliated company. Any such affiliated company shall be subject to the same restrictions on the use and disclosure of your information as apply to us.

Our engagement ends on delivery of our signed report. Any additional services that might be requested will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific SOW for that service.

**Fees**

Our professional fees are included in the Statement of Work for audit services dated November 20, 2024. Our invoices, including applicable state and local taxes, will be rendered as work progresses and are payable on presentation.

**Bill to be mailed on**

Per the schedule contained within the WVHEPC  
PO for audit services

**Amount to be billed**

N/A

**Agreement**

We appreciate the opportunity to provide the services described in this SOW related to the MSA. All terms and provisions of the MSA shall apply to these services. If you agree with the terms of this SOW, please sign below to indicate your acknowledgement and understanding of, and agreement with, this SOW.

Sincerely,

**CliftonLarsonAllen LLP**

**CLA**

ORG: \_\_\_\_\_

NAME: Robert Reynolds

TITLE: WVU Board of Governors

SIGN:   
Bob Reynolds (Dec 9, 2025 16:07:28 EST)

DATE: Dec 9, 2025

**Client**

ORG: \_\_\_\_\_

NAME: Barbara Weiss

TITLE: WVU Interim CFO

SIGN: Barb Weiss

DATE: Dec 9, 2025

**Agreed-Upon Procedures (West Virginia University excluding its blended component unit Gold and Blue Enterprises)**

1. Obtain the bank reconciliations and statements for all bank accounts as of December 31, 2025 and January 31, 2026, for the University (excluding WVU Research, WVU Athletic Department Clearing Account, WVU Athletic Department Game Advance Account, WVU Mountainair Advance Account, and OASIS bank accounts) and perform the following procedures:

- Using the December 31, 2025 bank reconciliation, compare the reconciled bank balance to the general ledger as of December 31, 2025, for the above noted bank and deposit accounts.
- Identify and select checks over \$1,000,000 that cleared the bank on each of the January 2026 bank statements. If the check was dated prior to January 1, 2026, sight that the check was on the outstanding check list and determined if the check was properly included in the December 31, 2025 bank reconciliation as an outstanding check. If the check was dated subsequent to the December 31, 2025 bank reconciliation, scan the list to determine if the check was properly not included in the December 31, 2025 bank reconciliation outstanding check list.
- Identify and select deposits over \$1,000,000 that cleared the bank on the January 2026 bank statements. If the deposit was dated prior to January 1, 2026, sight that the deposit was on the deposit in transit list to determine if the deposit was included in the December 31, 2025 bank reconciliation as a deposit in transit. If the deposit was dated subsequent to December 31, 2025, scan the list to determine if the deposit was properly not included in the December 31, 2025 bank reconciliation as a deposit in transit.
- Review the December 31, 2025 bank reconciliations to identify and select checks over \$1,000,000 that were included on the outstanding check list but did not clear the January 2026 bank statement. With the identified checks, obtain the supporting documentation to determine if it was dated prior to January 1, 2026.
- Select capital asset additions greater than or equal to \$2,000,000 from the schedule of additions provided by the University, excluding library and software additions, as they are capitalized at year-end. Exclude assets related to GASB Statement No. 87 - Leases and GASB Statement No. 96 - Subscription Based Information Technology Arrangements. For each addition over \$2,000,000, select the largest invoices

associated with the selected projects to achieve a minimum of 65% of the dollar value of each project and determine, based on the University's capitalization policy, if the amount should be included as a capital asset addition for the six month period ended December 31, 2025.

2. Recalculate compensated absences accrual amount in accordance with the "University's Methodology for Certain Adjustments to the Quarterly Financial Statements FY 2026" (the Methodology) for the six-month period ended December 31, 2025, as supported by the applicable workpapers prepared by management, and agreed such amounts to the balances recorded in the unaudited financial statements.

3. Obtain management's calculation of the unearned revenue for tuition and fees as of December 31, 2025. Recalculate the unearned revenue for tuition and fees as of December 31, 2025 as defined in the "University's Methodology for Certain Adjustments to the Quarterly Financial Statements FY 2026" (the Methodology), as prepared by the University's management, which details specific University policy for calculating these amounts.

4. Recalculate the difference between actual revenues and expenses reported on the unaudited financial statements for the six-month period ended December 31, 2025 and 2024. For any differences in revenues and expenses which were greater than or equal to \$1,000,000 and 10% of the six-month period ended December 31, 2025 amounts, inquire of the department management regarding reason for the variances.

**Signature:** *Barbara A. Weiss*

**Email:** barbara.weiss@mail.wvu.edu

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 19, 2025**

- ITEM:** Appointment to County Extension Committees
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the nominees and alternates for positions on the County Extension Service Committees in West Virginia, as presented.
- STAFF MEMBER:** Paul Kreider, ED  
Interim Provost and Vice President for Academic Affairs
- BACKGROUND:** The Board of Governors of West Virginia University is responsible for approving the appointments of individuals to the County Extension Service Committees which function in each county of West Virginia.
- Please review the nominees and alternates. You are asked to approve both, as a first choice may have to refuse the position, and the alternate is then approached

Regular Board Meeting Materials - Consent Agenda Items

**Cabell County**  
11/14/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** N/A

**Date term expires:** N/A

**NOMINATED MEMBER:**

**Name:** Carol DeBord

**Education:** Unknown

**Occupation:** Unknown

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Various

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Various

**Previous experience with WVU Extension Activities:**

Long history with WVU Extension and 4-H. Daughter was active 4-H member and volunteer.

**Previous service on CESC: (include approximate dates of service)**

N/A

**Cabell County**  
11/14/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** N/A

**Date term expires:** N/A

**NOMINATED MEMBER:**

**Name:** Julie Tritz

**Education:** Doctorate

**Occupation:** Educator

**Leadership positions in community:**

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Various

**Involvement in other community activities:**

(e.g. member, county library board; volunteer, community council; member, FRN)

Various

**Previous experience with WVU Extension Activities:**

Past Extension Agent and Assistant Director of 4-H Program

**Previous service on CESC: (include approximate dates of service)**

N/A

**Cabell County**  
11/14/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** N/A

**Date term expires:** N/A

**NOMINATED MEMBER:**

**Name:** Debbie Martin

**Education:** Unknown

**Occupation:** Unknown

**Leadership positions in community:**

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Various

**Involvement in other community activities:**

(e.g. member, county library board; volunteer, community council; member, FRN)

Various

**Previous experience with WVU Extension Activities:**

Master Gardners

[REDACTED]

**Previous service on CESC: (include approximate dates of service)**

None

**Cabell County**  
11/14/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** N/A

**Date term expires:** N/A

**NOMINATED MEMBER:**

**Name:** Michelle Hale

**Education:** Unknown

**Occupation:** Educator

**Leadership positions in community:**

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)

Various

**Involvement in other community activities:**

(e.g. member, county library board; volunteer, community council; member, FRN)

Various

**Previous experience with WVU Extension Activities:**

Long time 4-H member and volunteer

**Previous service on CESC: (include approximate dates of service)**

Unknown

Regular Board Meeting Materials - Consent Agenda Items

Gilmer County  
11/12/2025 Date

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** Angie Brake

**Date term expires:**

**NOMINATED MEMBER:**

**Name:** Vada Woodford

**Education:** Masters in Elementary Education and Reading

**Occupation:** Director of Fundraising at Glenville State University Foundation

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Secretary for Gilmer County Christian Academy Board Youth Group Teacher at Rock Grove Baptist Church

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Volunteer, Gilmer County 4-H Camp (cabin counselor) Farm Bureau Member Glenville State University Women's Leadership Circle Member Glenville Lion's Club Member Athletic Boosters at GCHS (volunteer at concessions)

**Previous experience with WVU Extension Activities:**

4-H Extension Agent (Gilmer County) approximately 2 years 4-H Member myself until aged out CEOS Member (previously) Gilmer County Farm Show participant/volunteer Two Children enrolled in 4-H (currently) Energy Express (volunteer to read and agent for at least 1 summer) Dance Weekend (attended as agent and camper) Charting Weekend (attended as camper) State Livestock Round-Up (attended as participant and agent)

**Previous service on CESC: (include approximate dates of service)**

Has never serviced.

Regular Board Meeting Materials - Consent Agenda Items

Gilmer County  
11/12/2025 Date

**Employees and/or community leaders involved in selection of those recommended:**

**RECOMMENDED ALTERNATE:**

**Name:** Nick Coxs

**Education:** BS in Agriculture Education, MS in School Administration

**Occupation:** Vocational Agriculture Instructor

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Vo-Ag Instructor Gilmer County Farm Show Advisor

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Glenville Lions Club

**Previous experience with WVU Extension Activities:**

4-H Volunteer at 4-H Camp Works closely with Ag Agent to assist with youth livestock and agriculture events.

**Previous service on CESC: (include approximate dates of service)**

no previous service

Gilmer County  
11/12/2025 Date

Employees and/or community leaders involved in selection of those recommended:

**RECOMMENDED ALTERNATE:**

**Name:** Thelma Jean Butcher  
**Education:** High School Diploma  
**Occupation:** Retired- Gilmer County Clerk

**Leadership positions in community:**

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)  
County Clerk CEOS County Council Vice President Connings CEOS - Treasure Water Board Advisor Gilmer County Recreation Center Board of Directors

**Involvement in other community activities:**

(e.g. member, county library board; volunteer, community council; member, FRN)  
Water Board Advisor EMT/Ambulance Board

**Previous experience with WVU Extension Activities:**

Farmer/Client Participant in WVU Extension Events Past 4-H Volunteer during Farm Show and Livestock Events

**Previous service on CESC: (include approximate dates of service)**

No Previous Service

Regular Board Meeting Materials - Consent Agenda Items

**Greenbrier County**  
12/3/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** Bryon Tuckwiller  
**Date term expires:** 2025

**NOMINATED MEMBER:**

**Name:** Gary Truex  
**Education:**  
**Occupation:** Farmer, Greenbrier Valley Conservation District Supervisor

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Member of Greenbrier County Farm Bureau Board of Directors, Greenbrier Valley Conservation District Supervisor

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Member of Greenbrier County Farm Bureau

**Previous experience with WVU Extension Activities:**

[REDACTED]

**Previous service on CESC: (include approximate dates of service)**

no

Hampshire County  
12/02/2025 Date

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** Victoria Ford

**Date term expires:** 6/30/2025

**NOMINATED MEMBER:**

**Name:** Victoria Ford

**Education:** Masters Degree

**Occupation:** Retired teacher and technology specialist with Hampshire County Schools

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Vice-president of our 4-H Volunteer Leader's Association; 4-H project book volunteer resource leader; full time 4-H camp counselor; 4-H camp co-treasurer; assistant volunteer leader with a community 4H club; active 4-H All Star

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Vicki volunteers with her local church. She continues to go into our school system to help/volunteer.

**Previous experience with WVU Extension Activities:**

Vice-president of our 4-H Volunteer Leader's Association; 4-H project book volunteer resource leader; full time 4-H camp counselor; 4-H camp co-treasurer; assistant volunteer leader with a community 4H club; active 4-H All Star; state camp counselor

**Previous service on CESC: (include approximate dates of service)**

2023-2025

Regular Board Meeting Materials - Consent Agenda Items

**Wirt County**  
12/08/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** Kristi Wilson

**Date term expires:** 06/2025

**NOMINATED MEMBER:**

**Name:** Kristi Wilson

**Education:** 2 years of college in forestry/natural resources and business but no degree.

**Occupation:** Office Assistant III at the Wirt County Department of Forestry

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Kristi Wilson is the Office Assistant III at the local Forestry Office, working to build relationships between the Forestry Department and the Extension Office to grow community engagement and shared learning opportunities.

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Kristi Wilson is involved in her community as a 4-H Club Leader for the Elizabeth Earnest Workers, a board member of the Wirt County 4-H and FFA Youth Livestock Association, and a board member of the Wirt County Fair. She is dedicated to supporting youth, agriculture, and local community activities.

**Previous experience with WVU Extension Activities:**

Kristi Wilson has extensive experience with WVU Extension activities through years of dedicated service. She has served as a long-time 4-H Club Leader for the Elizabeth Earnest Workers, volunteered at 4-H Camp, taught educational classes at camp, helped develop and implement a Livestock Skill-A-Thon for Wirt County 4-H youth, and assisted with planning and delivering forestry education classes at 4-H Camp. Her experience reflects a strong commitment to youth development, agricultural education, and community-based Extension programming.

**Previous service on CESC: (include approximate dates of service)**

Kristi served her first term as a board of governor from 07/2022-06/2025 and would like to serve her second 3 year term.

**Barbour County**  
12/09/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** Jedd Schola

**Date term expires:** 01/2024

**NOMINATED MEMBER:**

**Name:** Jedd Schola

**Education:** Bachelors Degree

**Occupation:** Retail Manager at Philippi Builders Center

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Member of the Barbour County Commission.

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Chair of the Blue and Gray Car Show, volunteer for other community activities.

**Previous experience with WVU Extension Activities:**

Donor of the 4-H program in Barbour.

**Previous service on CESC: (include approximate dates of service)**

Appointed January 2023.

Barbour County  
12/09/2025 Date

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** Traci Malcolm-Rexrode  
**Date term expires:** 06/25

**NOMINATED MEMBER:**

**Name:** Traci Malcolm-Rexrode  
**Education:** Bachelors Degree  
**Occupation:** Barbour County Development Authority

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Traci is a committee member of Main Street Philippi. She is a committee member of Heart and Hand, Inc, a local nonprofit.

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Traci is a member of Main Street Philippi where she helps plan city events, she is a volunteer at various county events.

**Previous experience with WVU Extension Activities:**

Traci's children were members of the 4-H program, Traci has served as a volunteer for many activities including Energy Express, camps, pop-up markets and the county fair.

[REDACTED]

**Previous service on CESC: (include approximate dates of service)**

Traci served from 07/2022 to 06/2025.

Regular Board Meeting Materials - Consent Agenda Items

Barbour County  
12/09/2025 Date

Employees and/or community leaders involved in selection of those recommended:

**RECOMMENDED ALTERNATE:**

**Name:** Ashley Workman

**Education:** Masters in Administration

**Occupation:** Dean of Education at Davis & Elkins College

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Ashley is a committee member of the Belington Little League, she also plans kids activities at the Barbour County Fair.

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Ashley has served as a volunteer for the school system as well as the Belington Little League.

**Previous experience with WVU Extension Activities:**

Vetted volunteer with the 4-H program.

[REDACTED]

**Previous service on CESC: (include approximate dates of service)**

None

Harrison County  
12/9/25 Date

Employees and/or community leaders involved in selection of those recommended:

**Incumbent:**

**Name:**

**Date term expires:**

**NOMINATED MEMBER:**

**Name:** Martin Howe

**Education:** Bachelor of Science in Marketing and Management (Fairmont State)

**Occupation:** Executive Director of Harrison and Doddridge County United Way

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

City Council – Elected Member Harrison County Economic Alliance Corporation - Board

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Your Community Foundation – Board Member Harrison County Chamber of Commerce – Member

**Previous experience with WVU Extension Activities:**

Various WVU Extension programs with 4-H: Clubs and Camp.

**Previous service on CESC: (include approximate dates of service)**

none

Regular Board Meeting Materials - Consent Agenda Items

Harrison County  
12/9/2025 Date

Employees and/or community leaders involved in selection of those recommended:

**RECOMMENDED ALTERNATE:**

**Name:** Rebecca Eneix-Chong

**Education:** Degree in Psychology, Biology, and Philosophy-Salem University

**Occupation:** Mental Health Therapist (retired)

**Leadership positions in community:**

(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)  
none

**Involvement in other community activities:**

(e.g. member, county library board; volunteer, community council; member, FRN)

MORE (Monticello Ongoing Revitalization Effort) Heart Funds

**Previous experience with WVU Extension Activities:**

Extension Master Gardener (served in several offices on county and state level)

**Previous service on CESC: (include approximate dates of service)**

Yes - 1999-2000

Regular Board Meeting Materials - Consent Agenda Items

**Wirt County**  
12/08/2025 **Date**

**Employees and/or community leaders involved in selection of those recommended:**

**Incumbent:**

**Name:** Kristi Wilson

**Date term expires:** 06/2025

**NOMINATED MEMBER:**

**Name:** Kristi Wilson

**Education:** 2 years of college in forestry/natural resources and business but no degree.

**Occupation:** Office Assistant III at the Wirt County Department of Forestry

**Leadership positions in community:**

**(e.g. vice-president, chamber of commerce; chair, solid waste authority; board of directors, economic development authority)**

Kristi Wilson is the Office Assistant III at the local Forestry Office, working to build relationships between the Forestry Department and the Extension Office to grow community engagement and shared learning opportunities.

**Involvement in other community activities:**

**(e.g. member, county library board; volunteer, community council; member, FRN)**

Kristi Wilson is involved in her community as a 4-H Club Leader for the Elizabeth Earnest Workers, a board member of the Wirt County 4-H and FFA Youth Livestock Association, and a board member of the Wirt County Fair. She is dedicated to supporting youth, agriculture, and local community activities.

**Previous experience with WVU Extension Activities:**

Kristi Wilson has extensive experience with WVU Extension activities through years of dedicated service. She has served as a long-time 4-H Club Leader for the Elizabeth Earnest Workers, volunteered at 4-H Camp, taught educational classes at camp, helped develop and implement a Livestock Skill-A-Thon for Wirt County 4-H youth, and assisted with planning and delivering forestry education classes at 4-H Camp. Her experience reflects a strong commitment to youth development, agricultural education, and community-based Extension programming.

**Previous service on CESC: (include approximate dates of service)**

Kristi served her first term as a board of governor from 07/2022-06/2025 and would like to serve her second 3 year term.

## WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of December 19, 2025

- ITEM:** Deactivation of Existing Program: Energy Law and Sustainable Development LL.M
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: West Virginia University Board of Governors approves the deactivation of the Energy Law and Sustainable Development LL.M program within the College of Law, WVU
- STAFF MEMBERS:** Dr. Michael Benson  
President
- Dr. Paul Kreider  
Interim Provost and Vice President for Academic Affairs
- BACKGROUND:** Deactivation of the Energy Law and Sustainable Development LL.M is recommended for the following reasons:
- The program is not currently viable. The last student enrolled in the program graduated in Spring 2018. The College of Law no longer accepts applications to the program.
- All faculty who taught in this program either no longer work at WVU or currently have a full workload teaching in the J.D. program.
- The College of Law is targeting Spring 2026 to deactivate the program.
- The deactivation of this program has been endorsed by the faculty, Vice Dean, and Associate Provost for Curriculum and Assessment.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**

**Meeting of December 19, 2025**

- ITEM:** Deactivation of Existing Program: Therapeutic Art Certificate
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: West Virginia University Board of Governors approves the deactivation of the Therapeutic Art Certificate program within the College of Creative Arts and Media (CCAM), WVU
- STAFF MEMBERS:** Dr. Michael Benson  
President
- Dr. Paul Kreider  
Interim Provost and Vice President for Academic Affairs
- BACKGROUND:** Deactivation of the Therapeutic Art Certificate is recommended for the following reasons:
- Decreased Enrollment: Enrollment in the Therapeutic Art Certificate has declined over time. With consistently low enrollment numbers, this certificate has put a significant financial and workload strain on current faculty. An average of one graduate student per year has enrolled and completed the program since 2019.
- Necessary Updates Needed for Undergraduate Art Therapy Program that Can Be Achieved by Discontinuing the Therapeutic Art Certificate & Reallocating Resources:
- CCAM is targeting Fall 2026 to deactivate the program.
- The deactivation of this program has been endorsed by the department, faculty, Chair, College Curriculum Committee, Associate Dean, and Associate Provost for Curriculum and Assessment.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 19, 2025**

**ITEM:** Approval of New Program: Bachelor of Music (BM) in Commercial Music & Technology in the College of Creative Arts and Media

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board – Consent Agenda

**RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the creation of a new program in Commercial Music & Technology

**STAFF MEMBERS:** Michael T. Benson  
President

Paul Kreider, DMA  
Interim Provost and Vice President for Academic Affairs

**BACKGROUND:** This new major replaces the BM in Jazz and Commercial Music which was discontinued during Academic Transformation with the charge to the School of Music to resubmit a more contemporary offering that would appeal to a younger audience.

This major offers many collaborative opportunities to the newly merged College of Creative Arts & Media. This major will attract a population of music students who are diverse from traditionally trained high school musicians. By collaborating with the Reed School of Media and Communications, the faculty will engage in high-impact research, including how AI can enhance the commercial music industry.

This proposed degree program has been endorsed by the department, faculty, Chair, College Curriculum Committee, Dean, Provost, Senate Curriculum Committee, and was approved by the Faculty Senate at its November 07, 2025, meeting.

The curriculum is designed to be 120 credit hours.

The new degree will be available to students beginning in Fall 2026.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of November 7, 2025**

- ITEM:** Naming Opportunity
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That pursuant to BOG Governance Rule 1.2, the West Virginia University Board of Governors hereby approves the naming opportunity discussed during yesterday’s Executive Session of the Finance, Facilities, and Revitalization Committee.
- STAFF MEMBERS:** Wren Baker  
Vice President and Director of Athletics
- BACKGROUND:** In consultation with the WVU Foundation, the administration has presented a naming opportunity for an Athletics facility. Details of the naming opportunity will be withheld until a later date at which time a formal announcement will be made.



**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 19, 2025**

**ITEM:** Property Acquisition

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board – Consent Agenda

**RECOMMENDATION:** Resolved: That pursuant to BOG Governance Rule 5.1, the West Virginia University Board of Governors authorizes the purchase of parcels of land as discussed during the Executive Session held earlier on the same day as the proposed approval of this consent agenda item.

**STAFF MEMBER:** Stephanie Taylor,  
Vice President and General Counsel

Rossi E. Wiles,  
Senior Deputy General Counsel for Innovation and Research

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 19, 2025**

- ITEM:** PRT Agency Safety Plan
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the Personal Rapid Transit Agency Safety Plan (PRTASP).
- STAFF MEMBER:** Jeremy Evans  
Director – Facilities Operations
- BACKGROUND:** The WVU Personal Rapid Transit Agency Safety Plan (PRTASP) is a comprehensive agency safety plan as required by 49 United States Code 5329 and 49 Code of Federal Regulations, Part 673. It is organized according to Safety Management Systems (SMS) principles in accordance with the requirements of Part 673. As noted in the definitions section, SMS is a formal, top down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency’s safety risk mitigation. The four elements of SMS framework are a unified, agency-wide system for management and control of safety hazards.
- SMS includes systematic procedures, practices, and policies for managing risks and hazards, and consists of the following four primary elements:
- **Safety Management Policy:** A transit agency’s documented commitment to safety, which defines the transit agency’s safety objectives and the accountabilities, and responsibilities of its employees regarding safety.
  - **Safety Risk Management:** A process within the PRTASP for identifying hazards and analyzing, assessing, and mitigating safety risk.
  - **Safety Assurance:** A process within a transit agency’s SMS that functions to ensure the implementation and effectiveness of safety risk mitigation and ensure that the transit agency meets or exceeds its safety objectives

through the collection, analysis, and assessment of information.

- **Safety Promotion:** A combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

**Schedule:** N/A  
**Budget:** None  
**Funding:** None

# WEST VIRGINIA UNIVERSITY PERSONAL RAPID TRANSIT AGENCY SAFETY PLAN



Version 6  
October 2025

## Transit Agency Information

<b>Transit Agency Name:</b>	West Virginia University Personal Rapid Transit System
<b>Transit Agency Address:</b>	99 8 <sup>th</sup> Street, Morgantown, WV 26506
<b>Name and Title of Accountable Executive:</b>	Jeremy Evans, Director of Transportation
<b>Name of Chief Safety Officer/SMS Executive:</b>	Joshua Murray, Chief Safety Officer
<b>Mode of Service Covered by This Plan:</b>	Rail Transit
<b>Mode of Service Provided by the Transit Agency:</b>	Fixed Rail (Elevated Guideway)

### Plan Approvals

\_\_\_\_\_  
Jeremy Evans  
Accountable Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name  
Board of Governors (Chair or Designee)

\_\_\_\_\_  
Date

Revision History

<b>Revision #</b>	<b>Description of Change</b>	<b>Date</b>	<b>Author</b>
1	2021 annual review	11/5/2021	A. Kim
2	2022 annual review	10/19/2022	A. Kim
3	2023 annual review	11/2/2023	J. Evans
4	2024 annual review	9/3/2024	J. Murray
5	2025 annual review	7/29/25	J. Murray

## Distribution List

<b>Name</b>	<b>Agency</b>	<b>Department</b>
Jeremy Evans	West Virginia University	WVU Department of Transportation
Steve Vozniak	West Virginia University	WVU PRT
Jonathan Morehouse	West Virginia University	WVU PRT
Joshua Murray	West Virginia University	WVU PRT
James Bittner	West Virginia University	University Police Department
Eric Jeppesen	West Virginia University	Environmental Health & Safety
John Hando	West Virginia University	Environmental Health & Safety
Amanda Biddle	West Virginia University	WVU Risk Management
Sarah Seime	West Virginia University	Talent and Culture – Employee Relations
Samantha Burwell	West Virginia University	Talent and Culture - Operations
Joe Patten	West Virginia University	Auxiliary and Business Services
Rob Alsop	West Virginia University	Strategic Affairs
Stephanie Taylor	West Virginia University	General Counsel
Bryan Shaver	West Virginia University	Internal Audit
Tim Walker	West Virginia Department of Transportation	Division of Multimodal Transportation Facilities – Public Transit
Bill Robinson	West Virginia Department of Transportation	Division of Multimodal Transportation Facilities – Public Transit

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- Appendix A:** WVU PRT Organizational Chart
- Appendix B:** WVU PRT Safety Event Reporting Protocol

**i. Acronyms**

AD -	Assistant Director-WVU PRT
AE -	Accountable Executive
APTA -	American Public Transportation Association
BOG -	Board of Governors
CAP -	Corrective Action Plan
CCO -	Central Control Operator
CSO -	Chief Safety Officer
EH&S -	Environmental Health & Safety
EOP -	Emergency Operating Plan
ERP -	Emergency Response Plan
ESMR -	Equipment Service Maintenance Record
FTA -	Federal Transportation Administration
KPI -	Key Performance Indicator
MOE -	Manager of Operations & Engineering-WVU PRT
MOM -	Maintenance Operations Manager-WVU PRT
NEO -	New Employee Orientation
NFPA -	National Fire Protection Association
NTD -	National Transit Database
NTSB -	National Transportation Safety Board
OSHA -	Occupational Safety and Health Administration
PPE -	Personal Protective Equipment
PRT -	Personal Rapid Transit
PRTASP -	Personal Rapid Transit Agency Safety Plan
PTASP -	Public Transportation Agency Safety Plan
SC -	Safety Committee
SMS -	Safety Management System
SOP -	Standard Operating Procedure
SSM -	System Scheduled Maintenance
SSOA -	State Safety Oversight Agency
SSC -	Safety and Security Committee
SSP -	System Security Plan
TAM -	Transit Asset Management
TL -	Test Loop
UPD -	University Police Department
WVDOL -	West Virginia Division of Labor
WVDOT-DMTF-PT -	West Virginia Department of Transportation – Division of Multimodal Transportation Facilities – Public Transit
WVU -	West Virginia University
WVU PRT -	West Virginia University Personal Rapid Transit

## **ii. Definitions**

**Accountable Executive:** a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan (PTASP) of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management (TAM) Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's PTASP, in accordance with 49 U.S.C. 5329(d), and the agency's TAM Plan in accordance with 49 U.S.C. 5326. The Director of Transportation is the Accountable Executive.

**Chief Safety Officer:** an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer.

**Consequence:** the potential outcome(s) of a hazard.

**Equivalent Authority:** an entity that carries out duties like that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's PTASP.

**FTA:** Federal Transit Administration, an operating administration within the United States Department of Transportation.

**FTA Funding:** WVU PRT receives FTA Section 5337 State of Good Repairs funding from the FTA

**Hazard:** any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

**Investigation:** the process of determining the causal and contributing factors of a safety event or hazard for the purpose of preventing recurrence and mitigating risk.

**National Public Transportation Safety Plan:** the FTA plan to improve the safety of all public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53.

**Operator of a public transportation system:** a provider of public transportation as defined under 49 U.S.C. 5302(14).

**Performance measure:** an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

**Performance target:** a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.

**Probability:** the likelihood that hazard consequences might occur, considering the worst foreseeable condition.

**Public Transportation Agency Safety Plan (PTASP):** the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and this part.

**Note:** The PTASP for West Virginia University Personal Rapid Transit (WVU PRT) shall be referred to as the Personal Rapid Transit Agency Safety Plan (PRTASP).

**Rail Transit Agency:** any entity that provides services on a rail fixed guideway public transportation system.

**Risk:** the composite of predicted severity and likelihood of the potential effect of a hazard.

**Risk mitigation:** a method or methods to eliminate or minimize the effects of hazards.

**Safety Assurance:** the processes within a transit agency's Safety Management System (SMS) that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

**Safety Event:** an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

**Safety Management Policy:** a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees regarding safety.

**Safety Management System (SMS):** the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

**Safety Management System Executive:** Chief Safety Officer or equivalent.

**Safety performance target:** a performance target related to safety management activities.

**Safety Promotion:** a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

**Safety risk:** the assessed likelihood and severity of the potential consequence(s) of a hazard, using as reference the worst foreseeable, but credible, outcome.

**Safety risk evaluation:** the formal activity whereby a transit agency determines safety risk management priorities by establishing the significance or value of its safety risks.

**Safety Risk Management:** a process within a transit agency's PTASP for identifying hazards and analyzing, assessing, and mitigating safety risk.

**Serious injury:** any injury which:

1. Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
2. Results in a fracture of any bone (except simple fractures of fingers, toes, or noses);
3. Causes severe hemorrhages, nerve, muscle, or tendon damage;
4. Involves any internal organ; or
5. Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

**Severity:** the anticipated effects of a consequence, should it materialize, considering the worst credible condition.

**State of Good Repair:** the condition in which a capital asset can operate at a full level of performance.

**State Safety Oversight Agency (SSOA):** an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(d) and the regulations set forth in 49 CFR part 674.

**Note:** The West Virginia Department of Transportation – Division of Multimodal Transportation Facilities – Public Transit (WVDOT-DMTF-PT) is the SSOA for WVU PRT. WVU PRT will comply with the WVDOT-DMTF-PT SSOA (henceforth referred to as the SSOA) Program Standard (henceforth referred to as the SSOA Program Standard). The SSOA is responsible for reviewing and approving the WVU PRTASP.

**System Security Plan:** document that provides an up-to-date description of the security program at a transit agency and used as a baseline to compare/audit and test security-related activities.

**Transit agency:** an operator of a public transportation system that receives Federal financial assistance under 49 U.S.C. Chapter 53.

**Transit Asset Management Plan:** the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR part 625.

### iii. Safety Management Systems (SMS) and the PRTASP

The WVU PRTASP is a comprehensive agency safety plan, scaled to the size, scope, and complexity of the agency, as required by 49 United States Code 5329 and 49 Code of Federal Regulations, Part 673. It is organized according to SMS principles in accordance with the requirements of Part 673. As noted in the definitions section, SMS is a formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. As seen in figure 1, the four elements of SMS framework are a unified, agencywide system for management and control of safety hazards.

SMS includes systematic procedures, practices, and policies for managing risks and hazards, and consists of the following four primary elements:

- **Safety Management Policy:** A transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities, and responsibilities of its employees regarding safety.
- **Safety Risk Management:** A process within the PRTASP for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Safety Assurance:** A process within a transit agency's SMS that functions to ensure the implementation and effectiveness of safety risk mitigation and ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- **Safety Promotion:** A combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.



Figure 1: SMS Framework

#### **iv. Introduction**

Originally funded by the Urban Mass Transportation Administration and completed in three phases (IA, IB, and II) between 1971 to 1979. The WVU PRT system is an automated people mover system, a vital mode of transportation for the campus and local community. It is owned and operated by WVU located in Morgantown, West Virginia. The WVU PRT system has five passenger stations- Medical Center, Towers, Engineering, Beechurst, and Walnut that connect three WVU campuses and the Morgantown central business district. The WVU PRT is a safe, comfortable, low-polluting, and reliable means of transportation.

The WVU PRT system has 67 passenger vehicles that travel along the 8.7 miles of single lane guideway connecting the five passenger stations and two maintenance facilities. Each vehicle is 8,750 pounds in weight, 15.5 feet long, 6.67 feet wide, and 8.75 feet tall. These driverless vehicles operate at a maximum speed of 30 mph delivered by a 70 horsepower, 575-volt DC motor. Approximately one half of the guideway is on-grade and the other half elevated. It runs along major roadways crossing over roads on multiple bridges. The guideway is limited to a maximum slope of +/- 10 percent and its curves have a minimum radius of 30 feet. The concrete guideway running surface contains a heating system for all weather operation. A heated water and propylene-glycol solution is circulated through pipes embedded in the running surface.

The structures and power distribution system (SPDS) provides a guideway network to guide and support operation of the vehicles system. The SPDS provides stations for handling the passenger traffic demands; a maintenance facility consisting of a maintenance building with office and working space for maintaining the SPDS, vehicle system, and control equipment; and a central control facility for the control and operation for the transit system. The power distribution system receives, converts, and distributes power to all facilities and the guideway network.

Two types of passenger stations are utilized, end-of-line and off-line. As the name indicates, end-of-line stations are located at the extremities of the system (Walnut and Health Sciences Center). The off-line stations (Beechurst, Engineering, and Towers) allow vehicles to either bypass or stop providing non-stop passenger service. All stations have two levels, the entry/concourse level and the loading platform level. This eliminates interference with vehicle and passenger movement. Each platform channel has one loading position and two or three unloading positions, depending upon its length.

The WVU PRT system is operated in either schedule or demand mode. A staff of operators from a central control center monitor the entire system during passenger service. During periods when passenger demand is highly predictable, the system is operated in schedule mode. Vehicles are dispatched between origin and destination pairs on a preset schedule. When passenger demand is less predictable, the system is operated in demand mode where vehicles are dispatched only in response to a passenger request. Passenger actions upon entering the system are always the same regardless of the mode in which the system is operating.

The WVU PRT system is a small urbanized area provider and has a staff of 47 employees of varying roles. The central maintenance facility houses the central control room, the maintenance shop, and connects to the test loop (TL). The maintenance facility provides for operation, maintenance, test, cleaning, and storage of vehicles in the WVU PRT system. The facility consists of a maintenance building and associated

guideway. The building houses maintenance shops, a central control room and the control equipment, and personnel necessary to operate and maintain the system. The associated maintenance guideway contains a test loop for post maintenance checks. A similar maintenance facility located near the engineering station called "mini maintenance" is also used for similar purposes.

## Section 1: Safety Management Policy

### 1.1 Safety Management Policy Statement

The management of safety is a top priority of West Virginia University's Personal Rapid Transit (herein referred to as WVU PRT) system. WVU PRT in cooperation with all its employees down to the front-line staff, is committed to implementing and maintaining as well as continuously improving processes that ensures all operational and maintenance activities are aligned and supported by the appropriate allocation of organizational resources and aimed at achieving the highest level of safety performance. All levels of management starting with the Accountable Executive down to the front-line employees are accountable for the delivery of a high level of safety performance including other WVU departments who are involved with the WVU PRT.

Our commitment is to:

- **Support** the management of safety by providing appropriate resources and supporting an organizational culture that fosters safe operational practices; encourages safety reporting and communication; and manages safety effectively.
- **Comply** with existing legislative and regulatory requirements, and standards.
- **Integrate** the management of safety as an explicit responsibility of all WVU PRT employees.
- **Define** accountabilities and responsibilities for the delivery of safe transit services and the performance of safety management system for all WVU PRT employees.
- **Ensure** that sufficiently trained and skilled personnel are available and assigned to implement the transit agency's safety management processes and activities.
- **Ensure** that all WVU PRT staff are formally provided with adequate and appropriate safety management information, are competent in safety management system activities, and are assigned only safety related tasks that are commensurate with their skills.
- **Establish and operate** a safety reporting program as a fundamental tool in support of WVU PRT's hazard identification and safety risk evaluation activities to eliminate or mitigate the safety risks associated with hazards resulting from passenger service and other operational activities to a point that is as low as reasonably practicable.
- **Ensure** safety concerns reported by employees are reported to senior management.
- **Ensure** that no action is taken against any employee who discloses a safety concern through the safety reporting program, unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence or a deliberate or willful disregard of regulations or procedures.
- **Establish and measure** WVU PRT's safety performance against realistic safety performance indicators and safety performance targets.
- **Ensure** contracted services that support WVU PRT's mission are delivered in accordance with the safety performance standards.
- **Continually improve** WVU PRT's safety performance through management processes that ensure relevant safety action is taken in a timely fashion and is effective when carried out.

---

Jeremy Evans

---

Date

Accountable Executive

### 1.1.1 Safety Performance Objectives

WVU PRT has established safety performance objectives based on the safety performance measures established under the National Public Transportation Safety Plan. These objectives will serve as benchmark(s) for measuring the effectiveness of the WVU PRT’s safety performance monitoring activities and SMS implementation. WVU PRT will routinely monitor performance to ensure targets and safety outcomes are met. WVU PRT will also evaluate safety performance against the established safety objectives annually during the PRTASP annual review to determine if the objectives need to be revised.

**Table 1: Safety Performance Measures and Objectives**

	Safety Performance Targets	Safety Performance Measures
<b>Assaults</b>	0 annually	Total number of assaults on transit workers
	0 per all revenue miles	Rate of assaults on transit workers
<b>Collisions</b>	0 per all revenue miles	Rate of total collisions
	0 per all revenue miles	Rate of collisions with pedestrians
	0 per all revenue miles	Rate of collisions with vehicles
<b>Fatalities</b>	0 annually	Total number of NTD reportable fatalities
	0 per all revenue miles	Rate per all vehicle revenue miles
	0 per all revenue miles	Rate of fatalities annually of transit workers
<b>Injuries</b>	<12 annually	Total number of NTD reportable injuries
	<1 per 100,000 revenue miles	Rate per 100,000 vehicle revenue miles
	<1 per 100,000 revenue miles	Rate per 100,000 revenue miles of employee injuries
<b>Safety Events</b>	< 50 annually	Total number of NTD reportable events
	<1 per 100,000 revenue miles	Rate per 100,000 vehicle revenue miles
<b>System Reliability (failure rate)</b>	>10,000 revenue miles	Mean distance between major mechanical failures (measured as revenue miles operated divided by the number of major mechanical failures); a major mechanical failure is defined as a failure of some mechanical element of the revenue vehicle that prevents the vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip because actual movement is limited or because of safety concerns

**Note:** Safety performance measures and targets will be provided to the Morgantown Metropolitan Planning Organization (MMPO) and other State agencies for review and comment as appropriate on an annual basis. The annual safety report completed in January of each year will be provided to the Executive Director of MMPO during the second Monthly board meeting of each year.

WVU PRT may adjust or establish additional safety performance objectives in response to safety events and activities related to the safety risk management and safety assurance processes that are described in this written plan. The Assistant Director (AD) will be responsible for collecting and analyzing data on performance and providing it to the Chief Safety Officer (CSO) as it pertains to the safety performance measures and objectives.

The CSO will be responsible for tracking progress toward accomplishing the set goals for safety performance. The CSO will communicate safety performance goals accomplished and unattained during the monthly WVU PRT Safety and Security Committee (SSC) meetings. Collaborating with the AD, the CSO will jointly develop a plan to meet targets that have not been met.

Based on the prior years' data and performance, safety targets will be reviewed and updated as necessary and as part of the annual PRTASP review. If updates to the safety targets are deemed unnecessary, this will be recorded during the review. This performance data combined with other indicators will be used to develop budgets, staffing plans, safety programs, and other aspects of WVU PRT operations that drive toward maintaining the overall safety goals and objectives.

#### **1.1.1.1 Compliance with Regulations and Policies**

WVU PRT is governed by the Federal Transit Administration (FTA), US DOT Drug and Alcohol standards found in 49 CFR Part 655, and OSHA standards 42CSR15. WVU has established the BOG Talent and Culture Rule 3.4 – Drug and Alcohol Testing for Federal Transit Administration (FTA) & Federal Motor Carrier Safety Administration (FMCSA) Covered Positions. This rule meets the requirements of the above standards and is administered by WVU's designated employer representative (Department of Talent and Culture – Medical Management). All WVU PRT employees are trained on, and subject to comply with, the requirements of BOG Talent and Culture Rule 3.4.

#### **1.1.2 Safety Event Reporting Thresholds**

The thresholds below are the FTA guidelines for the reporting of safety events. These reporting thresholds in no way supersede the requirements of the Occupational Safety and Health Administration (OSHA) or the State of West Virginia Division of Labor (WVDOL).

### 1.1.2.1 Safety Events

A safety event is defined as an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment. WVU PRT will comply with all notification requirements, coordination, submissions, and timelines as specified in the WVDO-DMTF-PT Program Standard.

WVU PRT must notify the State Safety Oversight Agency (SSOA) and the Federal Transit Administration (FTA)

**within two hours** of any safety event that results in one or more of the following:

**Fatality** – A death or suicide occurring at the scene or within 30 days following the safety event.

**Additional guidance:** this requirement includes all loss of life (fatality) that occur on a transit property or are related to transit operations or maintenance. This requirement excludes deaths resulting from illness or other natural causes and criminal homicides that are not related to collisions with a rail transit vehicle.

**Serious Injury** – Any injury that:

1. Requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received;
2. Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
3. Causes severe hemorrhages, nerve, muscle, or tendon damage;
4. Involves any internal organ; or
5. Involves second- or third-degree burns, or any burns affecting more than five percent of the body surface.

**Additional guidance:** This requirement includes all serious injuries that occur on a transit property or are related to transit operations or maintenance. This requirement excludes serious injuries resulting from illness or other natural causes and criminal assaults that are not related to collisions with a rail transit vehicle.

#### **Collision**

1. All collisions between a rail transit vehicle and another rail transit vehicle.
2. All collisions resulting in substantial property damage, serious injury or fatality.

**Additional guidance:** You are required to provide two-hour notification of all collisions involving two or more rail transit vehicles, and all collisions involving at least one rail transit vehicle at grade crossing, with a person, or with an object that results in substantial property damage, serious injury or fatality.

Substantial damage is any physical damage to transit or non-transit property including vehicles, facilities, equipment, rolling stock, or infrastructure.

Substantial damage **INCLUDES** damage which adversely affects the structural strength, performance, or operating characteristics of the vehicle, facility, equipment, rolling stock, or infrastructure requiring towing, rescue, onsite maintenance, or immediate removal prior to safe operation.

Substantial damage excludes damage such as cracked windows, dented, bent or small punctured holes in the body, broken lights, mirrors, or removal from service for minor repair or maintenance, testing, or video and event recorder download.

**Evacuation/life safety reason** – An evacuation for a life safety reason is a condition that occurs when persons depart from transit vehicles or facilities for life safety reasons, including self-evacuation.

**Additional guidance: A life safety reason may include** a situation such as fire; the presence of smoke or noxious fumes; a fuel leak; a vehicle fuel leak; an electrical hazard; a bomb threat; a suspicious item or other hazard that constitutes a real or potential danger to any person.

Do not provide Two-Hour Safety Event Notifications for evacuations that **are not** for a life safety reason such as an evacuation of a train onto the right-of-way or onto an adjacent track; or customer self-evacuation or transfer of passengers to rescue vehicles or an alternative means of transportation due to obstructions, loss of power, mechanical breakdown and system failures, or damage.

**Derailment** – A non-collision safety event in which one or more wheels of a rail transit vehicle unintentionally leaves the rails. Two-Hour Safety Event notification is required anytime there is the derailment of a rail transit vehicle at any location, at any time, whatever the cause.

### 1.1.3 Agency Contact Information

#### **How to notify the FTA of a safety event:**

- Contact the U.S. Department of Transportation Crisis Management Center (CMC) within two hours of a reportable safety event, by email (recommended method) or phone as listed below.  
**Phone:** 202-366-1863  
**Email:** [TOC-01@dot.gov](mailto:TOC-01@dot.gov)
- When providing two-hour notifications, submit safety event information details as specified in the SSOA Program Standard.

#### **How to notify the WVDOT-DMTF-PT SSOA of a safety event:**

- Contact the SSOA Program Manager by email or phone:  
**Phone (office):** 304-414-8976  
**Email:** [timothy.s.walker@wv.gov](mailto:timothy.s.walker@wv.gov)[Bill.C.Robinson@wv.gov](mailto:Bill.C.Robinson@wv.gov)

## **1.2 Safety Accountabilities and Responsibilities**

### 1.2.1 List of Key Staff and Personnel

**Table 2: List of Key Staff and Personnel**

<b>Title</b>	
Accountable Executive	- Director of Transportation
Chief Safety Officer/SMS Executive	- WVU PRT
Assistant Director	- WVU PRT
Manager of PRT Operations & Engineering	- WVU PRT
Maintenance Operations Manager	- WVU PRT

### 1.2.2 Responsibilities of Key Staff

#### 1.2.2.1 Organizational Chart

The organizational chart breaks down the chain of command for all employees of the WVU PRT department that report to the Director of Transportation who serves as the Accountable Executive (AE). Please see Appendix A for the WVU PRT organizational chart. The PRTASP shall apply to the entire WVU PRT department and employees. WVU PRT personnel are responsible for reporting hazards and safety concerns which could affect WVU PRT patrons, employees, property, or other related assets.

**Participation in safety and related efforts is expected of all WVU PRT employees.**

#### 1.2.2.2 Accountable Executive/Director of Transportation

The Director of Transportation serves as the agency's Accountable Executive (AE) and has the overall authority and ultimate accountability for the execution of the PRTASP along with WVU PRT's safety performance. The AE may delegate specific responsibilities to other WVU PRT personnel. The AE will ensure that the WVU PRT system is fully staffed per the appropriate manpower guidelines given by the designer of the system and/or applicable best practices. The AE is responsible for certifying full compliance with SSOA in the annual report to the FTA.

The AE is responsible for ensuring that the WVU PRT SMS is effectively implemented throughout the system. Clear guidance and appropriate performance-based expectations and feedback will be given to the WVU PRT management team (Assistant Director, Manager of PRT Operations & Engineering, and Maintenance Operations Manager) on their duties and responsibilities to ensure that the safety culture permeates throughout the entire organization. The AE will also The WVU PRT management team will oversee their respective units to ensure that safety is practiced amongst all employees and strive to create an atmosphere where employees are always cognizant of their safety responsibilities and perform their duties safely to prevent safety events and/or injuries.

### 1.2.2.3 Chief Safety Officer (CSO)/SMS Executive

The Chief Safety Officer (CSO)/SMS Executive, as designated by the AE, has the authority and responsibility for day-to-day safety oversight and implementation of the PRTASP. The CSO will also serve as the principal WVU PRT liaison with the State Safety Oversight Agency (SSOA) of the West Virginia Department of Transportation – Division of Multimodal Transportation Facilities – Public Transit Section (WVDOT-DMTF-PT). The CSO reports directly to the AE and is in constant communication with the AE. The CSO strives to foster a safety culture, coordinate safety activities with the department managers, and ensure safety processes are implemented throughout the agency. The CSO is responsible for checking and ensuring that safety is practiced by all WVU PRT employees and coordinates safety efforts among the various departments. The CSO will not serve in any operational or maintenance related roles of the WVU PRT.

Listed below are other functions (but not limited to) of the CSO.

- Lead/participate in internal and external stakeholder’s safety committee(s), as appropriate
- Analyze and interpret statistical data concerning occupational illnesses, injuries, and safety events to identify trends and recommend an appropriate CAP
- Conduct investigations and review of all safety events
- Participate in root cause analysis of safety events conducted by the WVU PRT engineering team, compile their recommendations, and track CAPs to completion
- Lead/participate in inspections and audits, conducted internally and/or by WVDOT-DMTF-PT or its agents
- Collaborate with WVU PRT managers to integrate the safety in equipment, facilities, and processes
- Coordinate with SSOA and AE on annual report to the FTA
- Coordinate and implement safety training programs
- Coordinate with emergency responders and other supporting agencies during major safety events and emergencies
- Serve as liaison with outside emergency response organizations and coordinate activities related to system familiarization training and emergency preparedness drills
- Chair the WVU PRT Safety and Security Committee (SSC) and facilitate monthly meetings
- Monitor WVU PRT compliance with federal, state, and local laws and engineering standards and regulations and take appropriate actions to ensure compliance
- Maintain the PRTASP and any revisions to it in electronic format and make it available to all WVU PRT employees
- Monitor and audit procurement activities to ensure purchases of goods and services are compliant with all safety, hazard materials and change management policies and procedures
- Develop and maintain a change management policy that includes a system to participate, monitor and approve all equipment modifications, material procurement, repairs, and design changes that are different from the original manufacturers design
- Stay current on all training related to safety programs and rail transit safety systems
- Participate in activities of related safety and transit professional organizations to keep informed of safety program developments and benchmark against peer organizations

#### 1.2.2.4 Assistant Director – WVU PRT

The Assistant Director (AD) is responsible for providing oversight of operational safety that includes (but not limited to) the development and implementation of all aspects of WVU PRT engineering, operations, maintenance, passenger service, and related functions. The AD is responsible for the overall operations of WVU PRT and actively supporting the implementation of the PRTASP including promoting and facilitating safety campaigns/programs to prevent safety events and passenger or employee injuries and illnesses. This position designs and implements initiatives to support safety polices, practices and procedures across the entire WVU PRT system.

To accomplish the goals of the PRTASP, the AD will be responsible for establishing, reviewing, and refining policies and procedures that train employees, provide accountability, and ensure the safety and security of WVU PRT passengers, employees, and facilities. The AD collaborates with all WVU PRT internal units and other WVU units/departments to ensure adequate safety control measures are incorporated into daily and special operations.

The AD is also responsible for supporting the CSO by providing data and other information when revising the PRTASP and implementing any revisions and/or updates within the WVU PRT. The AD conducts and directs system safety activities in a constructive and supportive manner. The AD supports the CSO in coordinating the system safety activities of all WVU PRT functional departments to ensure that systemwide efforts are taken to resolve significant safety issues. The AD will play a key role in safety event investigations and root cause analysis of collisions, passenger and employee injuries/illnesses and fatalities, major fires and other serious safety events that may occur in WVU PRT system operations. The AD is also responsible for supporting the CSO in identifying and documenting hazards and appropriate remedial activities.

The following summarizes the general responsibilities of the AD.

- Ensure full compliance with the SSOA Program Standard administered by WVDOT-DMTF-PT
- Actively participate with identification of hazards associated with the system
- Evaluate identified hazards and designs action(s) to eliminate, minimize and/or control hazards
- Incorporate safety into system test, operation, and maintenance procedures
- Develop safety design criteria that incorporates adequate safety measures
- Conduct hazard analyses of plans and specifications for all equipment and construction
- Support CSO with coordination with emergency responders and other supporting agencies during major safety events and emergencies
- Actively participate in investigations of all safety events, passenger or employee injuries or fatalities, fires, major equipment damage, and other major safety events that occur
- Implement and monitor CAPs and other required resolutions
- Monitor compliance with federal, state, and local safety codes and regulations and inspections
- Establish and conduct internal safety reviews at a unit or system-wide level on a periodic basis as part of the continuous improvement process and report observations to the CSO

Additional activities include (but not limited to) promoting employee safety and safety event prevention, recommending safe and adequate tools, assessing personal protective equipment needs, supporting fire prevention and control and emergency preparedness, and providing oversight of the inspection of the guiderails, warning alarms and signs. Through the AD's guidance, WVU units, WVU PRT functional teams

and others will work as a group to ensure all Federal and State safety policies are observed. The AD shall ensure all WVU PRT units (operations, maintenance, and engineering) have a substantial role in implementing PRTASP activities. The AD, all WVU PRT managers and their teams will support the CSO's implementation of the safety program by exhibiting a high degree of consciousness and commitment toward safety.

#### 1.2.2.5 Manager of PRT Operations & Engineering – WVU PRT

The Manager of PRT Operations & Engineering (MOE) is responsible for daily operations of the central control operations, network systems, and other passenger related activities including (but not limited to) all control panels and equipment at central control room, network equipment and servers, automatic passenger information system, automatic fare collection system, public address system, closed circuit camera system, and related assets. The MOE supervises all central control operators and other personnel assigned. The MOE assigns work schedules to cover all shifts, participates in special events and approves their time, ensures all safety policies are followed and routinely updates and provides safety-related information to the CSO. When required, the MOE will give direction and specific work assignments that may fall outside the daily work tasks of their assigned employees to operate the WVU PRT system safely. The MOE also provides overall management, direction, and control of capital improvement projects related to the design and engineering aspects of the WVU PRT. This position serves as the primary representative throughout the planning, design, and completion of capital improvement projects to the WVU PRT. The MOE will collaborate with other WVU PRT managers and supervisors to ensure a cohesive safety culture.

The MOE interprets engineering and operational data to determine trends and perform root-cause analysis; troubleshoots/analyzes failures and develops/implements testing to resolve WVU PRT operational issues and, develops recommended procedural, changes, or drafts new procedures, if none exist. Regarding maintenance support, the MOE prepares, researches, identifies parts or identifies alternate sources for obsolete items and approves their acceptability for use within the system.

The MOE oversees the design process, whether performed by in-house services or contracted service firms and projects with focus on WVU PRT modernization, on-going maintenance, and operational needs. These projects will include (but are not limited to): electrical, electronic, electro-mechanical and mechanical projects; and system requirements considered in design, reconciling design, and budget, and ensuring that design meets WVU or industry standards and expectations.

The MOE is tasked with controlling these global aspects related to safety for every project. The MOE is responsible for reviewing and implementing safety within contractual agreements for design and construction services in coordination with WVU Procurement Services and various WVU business offices. The engineering and project management team approves the contractor's safety program plan and supporting documentation, with the concurrence of the safety department. The MOE will also participate in WVU PRT event investigations as necessary.

Listed below are the general responsibilities (but not limited to) of the MOE.

- Provide CSO with daily and weekly operational data on system performance
- Ensure all employees work within the safety guidelines
- Proactively review passenger safety related issues at the platforms, concourses, and other areas

- Report any safety issues and hazards related to daily operations to the AD and/or appropriate personnel for timely response
- Ensure all employees receive necessary training on system and related operations
- Ensure direct reports have completed required safety trainings
- Ensure direct reports have appropriate PPE, equipment, and tools
- Establish and conduct team-level internal safety reviews on a periodic regular basis as part of the continuous improvement process and report observations to the CSO
- Ensure that access to the guideway, central control center, data center and other parts of the system are routinely monitored, and safety protocols practiced
- Collaborate with other WVU PRT managers and supervisors to ensure a cohesive safety culture
- Participate in WVU PRT event investigations as necessary
- Lead or participate in WVU PRT safety training for outside agencies
- Routinely evaluate WVU PRT operations for safety improvement opportunities

#### 1.2.2.6 Maintenance Operations Manager – WVU PRT

The Maintenance Operations Manager (MOM) is responsible for all maintenance technicians and support staff, the repair of all WVU PRT system physical assets in accordance with best industry standards and compliance with all FTA and other regulatory guidelines. The MOM is charged with ensuring that the system functions in a safe manner and WVU PRT repairs and preventative maintenance procedures support the goals and objectives of this plan. The MOM will routinely update and provide safety-related information to the CSO. When required, the MOM will give direction and specific work assignments that may fall outside the daily work tasks of their assigned employees to operate the WVU PRT system safely.

The following summarizes the general responsibilities of the MOM.

- Provide CSO with daily and weekly maintenance data as appropriate
- Ensure daily and/or weekly inspections are conducted as per the requirements and standards
- Proactively review safety related maintenance issues at the vehicle, guideway, and other WVU PRT assets/infrastructure
- Report safety issues and hazards related to daily operations to the AD and/or appropriate personnel for timely response
- Ensure employees work within all safety guidelines while performing maintenance or vehicle related activities
- Ensure employees receive necessary training on system maintenance and related activities
- Ensure employees have adequate safety clothing, equipment, and tools
- Ensure employees have received training in fire prevention and are emergency preparedness
- Establish and conduct team-level internal safety reviews on a periodic regular basis as part of the continuous improvement process and report observations to the CSO
- Ensure that safety protocols are practiced while accessing to the guideway, test loops and other parts of the system
- Collaborate with other WVU PRT managers and supervisors to ensure a cohesive safety culture
- Participate in WVU PRT event investigations as necessary
- Lead or participate in WVU PRT safety training or outside agencies

- Routinely evaluate WVU PRT maintenance for safety improvement opportunities

### **1.3 Integration with Public Safety and Emergency Management**

WVU PRT partners with local, state, and federal agencies for system safety and emergency management. Agencies include, but are not limited to, WVU Environmental Health and Safety (EH&S), the University Police Department (UPD), Morgantown Police and Fire Departments, Monongalia County Sheriff Departments, WV Department of Transportation, and the Department of Homeland Security – Transportation Security Administration. The responsibility to coordinate and report safety events to agencies is outlined in the safety event reporting protocol as shown in Appendix B.

The WVU UPD serves as the primary law enforcement agency of the WVU PRT. UPD collaborates and coordinates various safety and security aspects of the WVU PRT. The WVU Emergency Response Plan (ERP) defines key roles and responsibilities, lines of authority, organization, communication methods, continuity, mutual-aid agreements, and training. The WVU ERP is managed by UPD.

Please click link the attached link to access a copy of the WVU ERP:

<https://police.wvu.edu/emergencymanagement/emergency-operations-plan>

#### **1.3.1 Emergency Management**

*Responsibilities for Emergency Preparedness* - The AD is ultimately responsible for all functions of the WVU PRT system security and emergency management. The AD or delegate, in partnership with the WVU University Police Department (UPD) and the WVU Emergency Response Coordinator, will participate in annual meetings with agencies such as the Morgantown Police and Fire Departments, Monongalia County Sheriff Departments and other emergency management agencies, as appropriate. The WVU Emergency Response Coordinator's role is to respond to every emergency at WVU and act as the coordinator for both external and internal resources that may be needed during any emergency involving WVU. The CSO will facilitate and coordinate training events toward emergency preparedness at the PRT.

*Management of the ERP* – The WVU ERP defines key roles and responsibilities, lines of authority, organization, communication methods, continuity, mutual-aid agreements, and training. The ERP emergency response will be handled by the WVU UPD.

*Coordination Schedule* – Annually, the CSO will organize a meeting with the WVU PRT AD, PRT managers and other emergency response agencies. The purpose of this meeting will be to review WVU PRT emergency response plan for appropriateness and to familiarize participating agencies with agreed upon protocols. The CSO and AD will also include in their respective safety committee meetings an agenda item to discuss emergency management as appropriate.

*Emergency Drills and Exercise* - Emergency response drills and/or table-top response exercises, will be prescheduled and planned by the CSO involving employees from WVU departments and non-WVU agencies. It will be geared to training those involved with both the specifics of the emergency being simulated and WVU PRT emergency response procedures in general. The drills and exercises will be planned and coordinated with WVU UPD and the WVU Emergency Response Coordinator.

*Emergency Plan Review and Update Procedures* – WVU PRT will conduct an annual review of its emergency procedures. Any recommended updates will be a result of this annual review, event review and analysis, security breaches, emergency exercise reviews and hazard evaluation, as appropriate. The CSO is responsible for incorporating updates and plan modifications approved by the AE and issuing the revised update to the AD, AE, the SSOA and other participating agencies. The AD, in partnership with the CSO, is responsible for familiarizing the WVU PRT agency with the implementations and revised procedures.

*Emergency Procedures* - The WVU PRT Emergency Operating Plan (EOP), as noted in the WVU PRT 1-7 and Central Control Operations Appendix E manuals, which contains specific procedures for selected emergencies and guidelines contained in the NFPA Code-130, Chapter 10 will be followed. These procedures provide guidance for WVU PRT staff and first responders to follow during an emergency. All WVU PRT managers will be trained in emergency operations. All WVU PRT employees will receive emergency response training. Training will be documented for WVU PRT employees via sign-in sheet and training records will be maintained by the CSO. On an annual basis, the CSO will coordinate with the AD to provide familiarization training for first responders as identified in the EOP.

### 1.3.2 Infectious Disease Prevention

To minimize the exposure of the public, personnel, and property to hazards and unsafe conditions, WVU PRT will follow guidelines consistent with the Centers for Disease Control and Prevention and the West Virginia Department of Health & Human Resources (or Monongalia County Health Department) to minimize exposure to infectious diseases. As needed, WVU PRT employees shall complete Bloodborne Pathogen Training (provided by the WVU EH&S Department) to become aware of the hazards of bloodborne pathogens and infectious diseases and prevention.

## **1.4 SMS Documentation and Records**

The CSO is responsible for incorporating updates and plan modifications approved by the AE. The review and necessary revisions will be performed as needed in collaboration with the AD that include (but are not limited to) the following:

- New, extended, or updated service or routes
- New or retrofitted rolling stock or non-revenue vehicles and equipment
- New or rehabilitated facilities
- Emergency Operating procedures
- Major organizational changes, including reassignment of functional responsibilities
- Major changes in safety policies, goals, and objectives
- Internal audit findings
- Event investigations
- Changing trends in safety event data
- Upon written notification from the SSOA

WVU PRT will maintain records associated with SMS activities identified in this plan. All documents will be kept for at least three years. Records developed and maintained to document SMS activities and its associated processes are identified throughout this plan. WVU PRT will conduct a review of the WVU PRTASP at least once annually to ensure compliance with Part 673 requirements and its effectiveness. WVU PRT will update the plan accordingly following the review and as necessary and will cooperate with frontline employee representatives through the SSC when developing updates to the PRTASP. The PRTASP shall be distributed to all WVU departments and units, federal, state, local and other agencies as appropriate. A distribution list as presented in this plan shall be maintained by the CSO and updated annually. The PRTASP shall be distributed to the appropriate parties electronically and as revisions are made. The WVU Emergency Response Coordinator will assist as a liaison with external agencies. The PRTASP shall also be made available to all WVU PRT employees.

### **1.4.1 PRTASP Review and Approval by WVDOT-DMTF-PT**

An initial review of the PRTASP will be conducted by the WVU PRT by October 1<sup>st</sup> and a final draft must be submitted for review to SSOA before BOG and AE approvals by November 15<sup>th</sup>. Annual revisions of the PRTASP are finalized by the WVU PRT and submitted to SSOA by December 31<sup>st</sup>. The finalized PRTASP is submitted to WVDOT by January 31<sup>st</sup>. If the PRTASP is modified because of an investigation, audit, or other circumstance, the CSO will submit the revised PRTASP, along with any changes to procedures, to the SSOA for review and approval. Prior to the implementation of any change made to the PRTASP, the SSOA shall approve of any change within 30 business days of PRTASP revision submission. WVU PRT shall notify the SSOA if there are no changes made to the PRTASP during the annual review.

## **Section 2: Safety Risk Management**

### **2.1 Overview**

The management of identified hazards is a vital component of the WVU PRT safety management system. A hazard is any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment. An unacceptable hazard is a condition that may endanger human life or property or result in system downtime. This includes harm to passengers, employees, contractors, equipment, and to the public. These hazardous conditions must be mitigated.

Hazards are identified from several different sources, both internal and external. For example, hazards may be identified in the operating environment, through execution of procedures, during system modifications and capital projects, or from event investigations.

The overall hazard management program incorporates a system-wide process that includes activities for identification, investigation, evaluation and analysis, mitigation or elimination, tracking, and ongoing reporting. This program applies to all WVU PRT employees and obligates everyone to constantly observe hazards in their work areas and report them to the WVU PRT SSC, CSO, their supervisor or manager, or AD. Through the WVU PRT Hazard Risk Management Procedure, WVU PRT has established a process for risk management that involves hazard identification and analysis, risk evaluation and mitigation. WVU PRT is committed to pursuing all feasible methods to eliminate or reduce the hazard risk for all identified hazards.

All hazards identified will be assessed and evaluated in a timely manner. Some hazards by their very nature and/or severity of consequence will be prioritized and accelerated through the hazard risk management process at the AD level by the CSO. This section will cover the primary methods used to identify hazards and threats to the WVU PRT system and the process used to evaluate these hazards to determine if mitigation efforts are necessary to eliminate or reduce the hazard risk or if the hazard risk is at an acceptable level to the organization.

## **2.2 Hazard Identification**

Hazard identification is a process by which conditions in the system are identified that, if not altered, have the potential to cause safety events, injuries, or other losses. Identification of hazards is the responsibility of all WVU PRT employees and contractors. The continuous identification, monitoring, and elimination of hazards is key to an effective system safety program. Hazards identified can be reported to WVU PRT by following the “WVU PRT Hazard Reporting Procedure.”

Listed below are potential sources of data used to identify hazards and consequences:

- Alerts from passengers or the public
- Reports from WVU employees and contractors regarding hazards associated with the vehicles and facilities, schedules, procedures, or policies
- Facility and vehicle safety inspections
- Non-completed SSM reports
- Records of completed work orders can be searched to identify trends in component wear and replacement cycles, which are integrated into the hazard management program
- Unforeseen failure of accessories, equipment, parts, and other commodities
- Internal safety reviews performed by WVU PRT
- Observations of facilities and operations by WVU PRT employees
- Shift tie-in reports
- WVU PRT Safety Committee Meetings
- Management of Change reviews
- Employee reporting (including anonymous reporting tool - SafePRT email)
- Scheduled or unscheduled audits from SSOA or the FTA
- Hazard information provided by SSOA and the FTA
- CDC Guidelines and Strategies
- All identified hazards will be documented through WVU PRT’s hazard Log
- Event investigations
- Other sources as and when identified

All WVU PRT employees are responsible for reporting hazards and safety concerns that have the potential to cause safety events or injuries. As outlined in the policy statement, safety reporting allows all employees to report safety hazards to senior management without fear of retaliation. Except in the instance of willful safety rule violations, such as violations of the WVU Employee Handbook or violations of WVU PRT SOPs, employees reporting safety hazards or concerns shall not be subject to any disciplinary action. In these instances, WVU PRT will follow WVU HR policies.

The employee reporting the unsafe condition can record the condition on an ESMR form (work request) or any other reporting methods available and provide such information to the CSO, AD or any member of management. These conditions may be found in the form of physical hazards, unsafe acts, or policies that create or fail to recognize hazards. There may also be certain employees who, through periodic field observations, incident reviews and complaints and performance records, are identified as needing special counseling, retraining, or discipline.

Employees can also anonymously report hazards and safety concerns, such as assaults on transit workers, near misses, and unsafe acts or conditions by emailing their concern to [SafePRT@mail.wvu.edu](mailto:SafePRT@mail.wvu.edu).

The message is automatically forwarded to the CSO. The CSO shall inform the AE and AD of the content of the concern while maintaining the anonymity of the reporter.

The AD shall also engage PRT managers and supervisors, as appropriate, to assess the unsafe conditions and provide appropriate recommendations. It is management’s responsibility to provide a response to employee’s concern through the WVU PRT SSC, to the employees directly or in an anonymous fashion when requested.

Passengers may also communicate hazards to the WVU PRT organization through social media outlets (e.g., Facebook, Twitter, Instagram, etc.) or can contact WVU PRT Central Control directly by utilizing WVU PRT station phones.

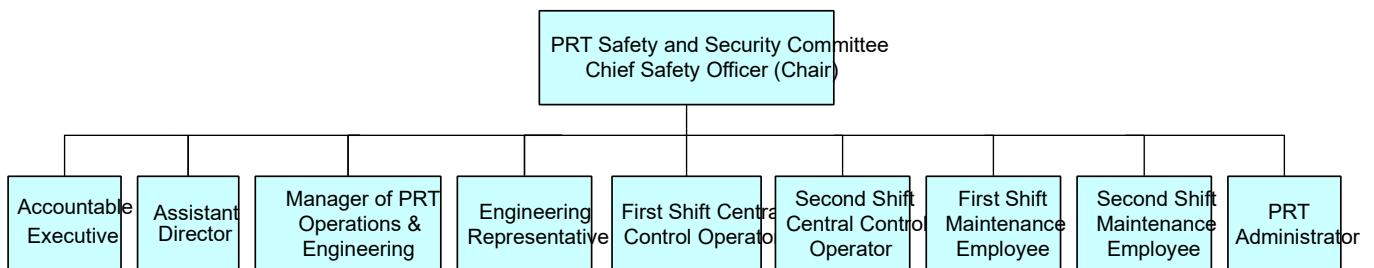
### 2.2.1 WVU PRT Safety and Security Committee

The WVU PRT Safety and Security Committee (SSC) was designed to support all SMS activities through active participation in hazard risk management, security and risk assessment, event investigations and mitigation strategy development. The WVU PRT SSC is chaired by the CSO and meets monthly. Alongside the WVU PRT management team, employee representatives from Central Operations, Engineering, and Maintenance participate in the WVU PRT SSC. Other departments and outside agencies may be included, such as the SSOA, as appropriate.

Functions of the WVU PRT SSC include, but not limited to:

- Review and address employee concerns
- Conduct facility safety inspections
- Assist in hazard analysis, as needed
- Address Security issues and mitigations
- Support in event investigations
- Support in CAP development and implementation
- Review updates to the PRTASP and other procedures, as needed • Address other concerns or items related to the WVU PRT from stakeholders

Presented below are the members of the WVU PRT SSC.



**Figure 2: WVU PRT Safety and Security Committee Membership**

### **2.3 Hazard Analysis and Evaluation**

As outlined in the WVU PRT Hazard Risk Management Procedure, WVU PRT routinely conducts an analysis and evaluation of all reported and identified hazards to ensure that hazards are managed in order of their priority and severity of consequence.

Hazard severity is a subjective measure of the worst credible outcome that could be expected to result from the consequence of the hazard. Using a standard developed by the U. S. Military (MIL-882E) that was subsequently incorporated into APTA's guidelines, hazards can be assigned to one of the four severity categories as presented in Table 3 below.

**Table 3: Hazard Severity Categories and Description**

<b>Severity Category</b>	<b>Description</b>
1. Catastrophic	Could result in one or more of the following: death, permanent total disability, irreversible significant environmental impact, or monetary loss equal to or exceeding \$10M
2. Critical	Could result in one or more of the following: permanent partial disability, injuries or occupational illness that may result in hospitalization of at least three personnel, reversible significant environmental impact, or monetary loss equal to or exceeding \$1M but less than \$10M
3. Marginal	Could result in one or more of the following: injury or occupational illness resulting in one or more lost workday(s), reversible moderate environmental impact, or monetary loss equal to or exceeding \$100K but less than \$1M
4. Negligible	Could result in one or more of the following: injury or occupational illness not resulting in a lost workday, minimal environmental impact, or monetary loss less than \$100K

The likelihood that a hazard will be experienced during the planned life expectancy of the system can be estimated in potential occurrences per unit of time, safety events, populations, items, or activity. The likelihood may be derived from research, analysis, evaluation of historical data, or estimation if no other information is available. Table 4 presents hazard probabilities ranking.

**Table 4: Hazard Likelihood Levels**

Likelihood Levels	Within Specific Individual Items	Within a Fleet or Inventory
A-Frequent	Likely to occur often in the life of an item	Continuously experienced
B-Probably	Will occur several times in life of an item	Will occur frequently
C-Occasional	Likely to occur sometime in life of an item	Will occur several times
D-Remote	Unlikely, but possible to occur in life of item	Unlikely but can reasonably be expected to occur
E-Improbable	So unlikely, it can be assumed occurrence may not be experienced in the life of item	Unlikely to occur, but possible
F-Eliminated	Incapable of occurrence. This level is used when potential hazards are identified and later eliminated	Incapable of occurrence. This level is used when potential hazards are identified and later eliminated

After analysis of the severity and likelihood of a hazard, an evaluation is conducted by the CSO and WVU PRT staff to apply a rating to the hazard. Based upon the hazard rating, a determination is made by the WVU PRT staff of whether the hazard is unacceptable and requires mitigation or if the hazard is acceptable. The risk assessment matrix with the hazard ratings is shown below in Table 5 along with the determination categories. The categories in which the hazard ratings fall under are outlined in the WVU PRT Hazard Risk Management Procedure.

**Table 5: Risk Assessment Matrix**

SAFETY RISK ASSESSMENT MATRIX				
Severity \ Likelihood	(1) Catastrophic	(2) Critical	(3) Marginal	(4) Negligible
(A) Frequent	High	High	High	Medium
(B) Probable	High	High	Medium	Medium
(C) Occasional	High	Medium	Medium	Low
(D) Remote	Medium	Medium	Low	Low
(E) Improbable	Medium	Low	Low	Low

The categories in which the hazard ratings fall under are outlined in the WVU PRT Hazard Risk Management Procedure.

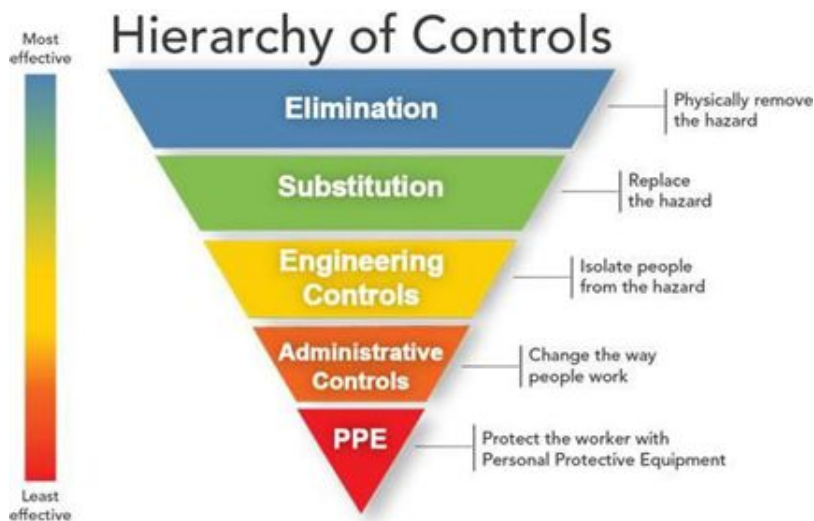
- **Unacceptable Hazardous Conditions**- means a condition that may endanger human life or property. This condition cannot remain as is but must be mitigated.

- **Undesirable** – means that the hazard should be mitigated, if possible, within fiscal constraints. However, it may be mitigated later.
- **Acceptable with review** – means the system safety function must determine the risk associated with not mitigating the hazard.
- **Acceptable without review** – means that the hazard can remain.

Safety risk evaluation activities include a formal process of evaluating safety risk in terms of likelihood and severity, in consideration of any mitigation measures already in place. A determination will be made regarding acceptance of the risk or taking corrective action. Whenever a hazard is identified that potentially falls into the unacceptable category according to the risk analysis and evaluation process, steps must be taken to mitigate the identified hazards and affected employees must be notified.

## 2.4 Safety Risk Mitigation

Safety risk mitigation strategies include the development of corrective and preventative actions to ensure that hazardous conditions are eliminated or to reduce the severity and/or likelihood of the consequence of the hazard. Controlling exposures to hazards is the fundamental method of protecting employees and passengers. A hierarchy of controls as shown in figure 4 will be used as a means of determining how to implement feasible and effective control solutions.



**Figure 4: Hierarchy of Controls**

The control methods at the top of the hierarchy of controls are potentially the most effective and protective while those at the bottom are the least effective. Several mitigation strategies in alignment with the hierarchy of controls are outlined in the following sections.

### 2.4.1 Design for Minimum Risk – Elimination or Substitution

The identification and elimination or substitution of hazards through appropriate design concepts will be incorporated throughout the design, where appropriate. These are at the top level of the hierarchy of controls where the hazard is physically removed or replaced. Provisions are made in all designs for the identification and elimination of hazards through appropriate safety design concepts, such as failsafe designs and redundancy. If the identified hazards cannot be eliminated or substituted, they are controlled through reducing the risk to an acceptable level. These risk areas will be marked and labeled to alert personnel.

### 2.4.2 Use of Safety Devices – Engineering Controls

In situations where hazards cannot be eliminated or substituted in the design stages, engineering controls will be designed and implemented where feasible to isolate the hazard from employees and passengers. Hazards can be reduced to an acceptable level of risk using fixed, automatic, or other safety design features or devices. The design provides for periodic functional check of safety devices.

### **2.4.3 Use of Warning Devices – Administrative Controls**

When neither elimination, substitution or engineering controls can be implemented to control an identified hazard, administrative controls, such as warning devices, are used to provide timely detection of the hazard and to generate adequate warning. Warnings and their application shall be designed to minimize the likelihood of incorrect reaction to the warning by employees or other individuals.

### **2.4.4 Procedures and Training – Administrative Controls**

Where it is impossible to eliminate or adequately control hazards through design safety devices or use of warning devices, procedures and training are used to minimize exposure and control the hazard. Precautionary notation is standardized, and safety critical tasks require certification through successful completion of required training.

### **2.4.5 Personal Protective Equipment (PPE)**

PPE will be provided to employees exposed to hazards to prevent or reduce injuries, illnesses, and fatalities.

## **2.5 Hazard Tracking and Recordkeeping**

In accordance with 49 CFR 673.31 Subpart E, the WVU PRT will maintain its records and provide them to the FTA upon request.

The CSO shall develop and maintain a hazard document that clearly states the hazard identified and pertinent information about the hazard. These hazard documents will be summarized in a report, called the Hazard Log that will include each hazard identified.

The Hazard Log shall include the following as a minimum (as applicable):

- Hazard identified
- Assessment
- Severity
- Likelihood
- Risk assessment
- Hazard resolution
- Associated CAP (as applicable)

The CSO will review open hazards within the hazard log with the AD and PRT staff regularly to ensure assessments and evaluations are performed completely and accurately. CAPs developed in response to the hazard evaluation will be documented through WVU PRT's CAP matrix and in accordance with the SSOA Program Standard, CAPs will be submitted by WVU PRT to the SSOA for review and approval. Open hazards and corrective actions may be reviewed during SSC meetings as a standing agenda item or separately on an as-needed basis, updating the status of corrective or mitigating measures for open hazards and documenting when hazards have been verified as closed.

### **2.5.1 Event Log**

All safety events will be documented through the Event Log and all formal event investigation reports will be managed by the CSO. The Event Log serves as a summary list of all safety events that occur at WVU PRT and includes the following information (as applicable):

- Case ID#
- Event date
- Time of event
- General and specific event location
- Event description
- WVU PRT vehicle(s) involved
- Number of passenger/employee/other injuries/fatalities
- Event type
- Primary reportable criterion
- Reportability to agencies (SSOA, FTA, NTD)
- Investigators

### 2.5.2 Coordinating with the SSOA

All documentation related to safety risk management, including the Hazard Log, CAP Log and Event Log, will be reported to the SSOA at least monthly for review. All CAP proposals will be reviewed with the SSOA prior to implementation. If there is a hazard that poses an immediate threat to any persons or the operation that requires immediate action to be taken, WVU PRT shall implement corrective actions to mitigate the hazard and will report the hazard and action to the SSOA as soon as practicable.

## **2.6 Safety Certification**

For each project that may require safety certification, the goal will be to develop a safety certification plan during the preliminary design phase of the project. The goals of the certification plan are to verify that identified safety and security requirements have been met and to provide evidence that the new operating segments/phases are safe and secure for use in revenue service.

The safety certification will be performed at three different tiers or a combination of them. For every project that is performed the following standards, IEEE 1474 Standards, Cenelec Standards, MIL 882C Standards and the American Society of Civil Engineering (ASCE) Standards for automated systems are adhered to. Following these standards ensures that the certification process for the different levels that follow are valid.

**Tier 1 - Self Certification:** WVU PRT will perform self-certification in accordance with SOP 07 WVU PRT Test Information Sheet Procedure.

**Tier 2 - Certification by a midsize vendor:** Projects that are beyond the scope of the PRT engineering staff to perform in house are bid out to vendors. PRT Engineering will write the scope and the specifications which will include the requirements for an independent validation and verification (IV&V) of the design. The IV&V is done either by the designer employing an independent company that must be approved by PRT Engineering or PRT Engineering will employ the independent company.

In either case, the IV&V company will review the design, the written tests, and ensure that the standards are adhered to. The written test that the company performs become part of the certification documents once all tests have been passed. Tier 2 projects have a several million-dollar value and are for small to midsize engineering firms.

**Tier 3 - Certification by a large vendor:** Projects that are the tens of millions of dollars are performed by large companies that have the resources of having many design engineers, fabricators, craftsman etc. They do also possess an in-house independent safety group within the company. A contract is bid specifying the scope, the requirements, the specifications and the standards which are to be adhered to. For large projects outside consultants with expertise in the area of the subject will be employed to assist PRT engineering in reviewing the progress of the designer's work. Reviews are scheduled on a continual basis throughout the life of the project. The documents that are produced along with the written tests that the company performs becomes part of the certification documents.

The Director assigns the responsibility for overseeing the development and implementation of any SSCIP to the AD. The Director shall have final authority to approve the certification of system major projects. The role of the system safety function in the approval process will include performing the following activities to ensure that:

1. Facilities and equipment have been constructed, manufactured, inspected, installed, and tested, in accordance with safety and security requirements in the design criteria and contract specifications;

2. Operations and maintenance procedures and rules have been developed and implemented to ensure safe and secure operations;
3. Training documents have been developed for the training of operating personnel, and emergency response personnel;
4. Transportation and maintenance personnel have been trained and qualified/certified;
5. Emergency response agency personnel have been prepared to respond to emergency situations in or along the right-of-way;
6. Safety and security-related system integration tests have been conducted; and
7. Security for the segments in operation and facilities are addressed.

As appropriate, critical certifiable system element(s) will receive a written safety and security certificate of conformance. When all required certifiable system elements are certified, a system safety certification statement, signed by the Director or the appropriate WVU personnel, is issued along with a safety certification verification report. These documents verify the readiness for revenue service for each operational phase of the system regarding the safety and security requirements of the system.

Training and certification will be an ongoing activity and documented on file at the PRT central facility. PRT does not use contract employees to operate the system. Any contract work is limited to start up, repair, and/or maintenance functions. To enforce and monitor safety certification, the CSO must complete the SMS Awareness and SMS Assurance on-line courses and attend follow up TSI courses as required.

## **Section 3: Safety Assurance**

### **3.1 Safety Performance Monitoring and Measurement**

WVU PRT conducts follow-up activities to measure and monitor the effectiveness of safety risk mitigations and to ensure compliance to WVU PRT's procedures for operations and maintenance. Safety performance monitoring and measurement activities include the collection and review of safety data and its sources, monitoring the effectiveness of safety risk mitigations that were implemented, event investigations, corrective action development and conducting internal audits. Responsible Supervisors and Managers shall ensure compliance to operations and maintenance procedures through routine checks, performance reviews, data collection and review, and employee monitoring.

#### **3.1.1 Safety Data Collection and Analysis**

The CSO will be responsible for the collection and reporting of data for all safety events, safety concerns, and hazardous conditions. Reports shall be developed regarding safety performance trends and other related data such as safety events and investigation status, employee and patron injuries, safety risk management activity updates, CAP status and other pertinent information pertaining to WVU PRT. These reports shall be reviewed by the AD and AE and be provided to the SSOA as a monthly safety report.

The CSO will work with the WVU PRT operations and maintenance managers and supervisors to maintain the Hazard Log which contains information pertaining to safety issues. The SSC will conduct monthly meetings, with agendas that highlight any safety information gathered over the last month. Meeting minutes will be developed and distributed to all necessary WVU PRT departments and the SSC. Information regarding safety events, hazardous conditions, and safety program deficiencies is obtained from several different reporting mechanisms.

These include, but are not limited to:

- Hazard risk identification by all WVU PRT departments
- Employee occupational injury reports
- Hazards or concerns reported by employees (e.g., directly, SSC, hazard reporting program)
- Safety Event reports
- Safety Event investigations/claims reports
- Operations, maintenance, and facilities reports
- University Police reports
- Control center logs and reports
- Hazard report forms or notifications (Nonpunitive hazard reporting)
- Guideway, vehicle, and facilities inspections/audits

To identify any safety risk mitigations that may be ineffective, inappropriate or were not implemented as intended, WVU PRT will perform post-implementation reviews that include, but not limited to, internal audits and employee interviews to evaluate the effectiveness of any safety risk mitigation. All hazards must be reevaluated through the hazard risk management process once an action is taken to mitigate or reduce the severity of a hazard to ensure proper mitigation strategies were identified and implemented correctly. As necessary, WVU PRT will notify and coordinate with external stakeholders about any mitigations that may impact their operations or property.

The safety reports will serve as the basis for the annual report that is submitted to the SSOA by January 31 of the following year. These reports will determine whether the PRTASP objectives are being met and serve as performance measures for the following year. The annual report to the SSOA will also include safety event data, passenger and employee injury data, other injury data affecting the public and/or WVU PRT operations internal audit findings, and CAPs, as applicable. The annual report will also describe the strategies and activities for achieving stated performance objectives of the PRTASP.

### 3.1.2 Event Investigation Procedures

By SSO regulation 49 CFR Part 674.25, West Virginia Code §17-16E-3, and Legislative rule 225, the SSOA is responsible for all reportable safety event investigations at WVU PRT. The FTA Administrator also has the authority to investigate or review findings related to a safety event. However, in nearly every investigation, the SSOA will delegate the investigation duties, requiring WVU PRT to serve as the lead investigator and complete the notification, investigation, and report on behalf of the SSOA. In the event of a safety event, the investigation will be led by the CSO with active participation by the AD and WVU EH&S, as needed.

The purpose of all safety event investigations is to identify causal factors and, as needed, identify mitigations to prevent recurrence. In accordance with 674.35 and 672.11, the CSO is the sole designated personnel who has the authority to conduct investigations. As such, the CSO must be Public Transportation Safety Certification Program (PTSCPT) certified, familiar with the WVU PRT SOPs, NTD reporting requirements, and continue taking the required TSI training courses to satisfy the PTSCPT's recertification requirements. If necessary, WVU PRT will augment its investigative team with appropriate outside experts, including WVU EH&S, UPD, or the WVU Emergency Response Coordinator, all of whom will operate directly under the PTSCPT-certified PRT CSO. If a specific investigation requires the participation from any external stakeholders, the CSO will ensure those stakeholders receive the appropriate WVU PRT-specific training to ensure their safety.

Following the notification to the SSOA of a safety event, including fatalities, a serious injury requiring medical attention, property damage exceeding the threshold value, major collisions, or an evacuation for life safety reasons, the CSO will investigate the safety event following developed procedures, guidance, and reports from the SSOA and develop an investigation report that will be submitted to the SSOA for review. (In the event that the SSOA investigates a safety event itself, the SSOA will submit its investigation report to WVU PRT for factual review and comment. The SSOA will consider the WVU PRT's comments and then issue a final report.) Once the report is approved by the SSOA CAP development will be submitted to the SSOA. All other safety events deemed by SSOA as requiring investigation will be investigated by the CSO, appropriate WVU PRT staff, and WVU EH&S, as necessary.

If a safety event requires reporting to state or federal regulatory agencies, WVU PRT will consult with WVU EH&S to report the event.

If a safety event requires an NTSB investigation, WVU PRT and the SSOA are responsible for briefing NTSB on event details. Additionally, the CSO and/or AD will provide the SSOA with a copy of all written correspondence between the NTSB and WVU PRT.

### 3.1.3 Corrective Action Plans (CAPs)

Deficiencies in the PRT system can be identified in multiple ways. These include audit, investigation, and inspections. The CSO and AD will jointly review all deficiencies event investigation reports for and when warranted, draft corresponding CAPs. WVU PRT will develop a CAP for submission to the SSOA when:

- Results from a safety event investigation in which identified causal factors are determined by WVU PRT or the SSOA as requiring corrective actions, or;
- Hazards or deficiencies identified from internal and external safety and security reviews performed by WVU PRT or the SSOA
- Findings from a Risk Based Inspection performed by SSOA

CAPs include:

- Identification of the hazard, deficiency, or root causes
- The actions being taken by WVU PRT to resolve or mitigate the hazard or deficiency
- An implementation schedule for the CAP
- The individual or department responsible for implementing the CAP
- Any other critical information deemed necessary by WVU PRT or the SSOA

WVU PRT will comply with all notification requirements, coordination, submissions, and timelines as specified in the WVDO-DMTF-PT Program Standard. Each CAP will be submitted to the SSOA for review and approval within 30 days of a safety event. WVU PRT will coordinate with SSOA on discrepancies in a CAP until both parties mutually agree. In the event of an NTSB investigation, the CSO and/or AD and the SSOA will review the NTSB findings to determine whether a CAP should be developed.

The CSO and/or AD will provide verification that any CAP's have been implemented as described and provide monthly reports detailing the status of each corrective action(s) not completed implemented as detailed in the CAP. The CSO will enter the CAP data into a CAP log, maintain and provide the SSOA with monthly CAP implementation updates. Additionally, the CSO will provide the SSOA with written verification when a CAP has been fully implemented.

In the event of emergency corrective actions to ensure immediate safety, WVU PRT shall notify SSOA within 48 hours of implementation of such an emergency CAP.

### 3.1.4 Internal Safety Audit Process

The purpose of the internal safety audits is to analyze and evaluate the effectiveness of the PRTASP and to identify deficiencies within the plan. Audits will be conducted routinely as scheduled to verify program compliance. All system safety elements throughout the agency shall be audited.

Specifically, the internal safety audit objectives are to:

- Verify that safety programs have been developed/implemented in accordance with PRTASP requirements
- Assess the effectiveness of the safety programs
- Identify program deficiencies
- Verify that all WVU PRT employees abide by the requirements set forth by the PRTASP
- Identify potential hazards in the operational system and weaknesses in the system safety programs

- Verify that corrective actions are being developed, implemented, and tracked to closure to address deficiencies and potential hazards
- Recommend improvements to the PRTASP
- Provide management with an assessment of the status and adequacy of the system safety program
- Assure continuing evaluation of the safety-related programs, issues, awareness, and reporting

The CSO is responsible for the collection, analysis and documentation of the audit findings and reporting findings to the AE. All audits will be independent from the first line of supervision responsible for the activity being audited.

The internal audit shall be conducted so that all elements of the PRTASP are reviewed for compliance and adherence to its processes and activities is followed. The SSOA will be notified by December 31 of each year of the triennial audit plan. A notification and audit checklist must be submitted to the SSOA 30 days prior to conducting an internal audit unless otherwise waived by the SSOA. Following each annual audit, the CSO shall be responsible for preparing the audit report. This report will be delivered in draft form to the managers of each department audited for their review and comment, so that any issues and disagreements can be resolved before the final report.

The CSO shall submit the Annual Audit Report to the SSOA no later than January 31 of each year for the previous year's data. The report shall document the internal safety and security review activities, the status of compliance with the internal review schedule, activities performed, and subsequent findings, recommendation and CAPs developed to address audit findings.

A summary of recommended corrective actions, if any, must be included in the audit report. The status of corrective actions approved by the AE must then be monitored by the AD and CSO until implemented. All outstanding audit issues will be assigned to the appropriate WVU PRT manager and reviewed monthly.

### **3.1.5 SSOA Risk-Based Inspections Program**

In accordance with Section 8 of the SSOA Program Standard, WVU PRT shall comply with the policies and procedures regarding the risk-based inspections program as they are developed in collaboration between WVU PRT and the SSOA. The policies and procedures will outline items such as the inspection process, access to facilities, and data collection sources.

#### **3.1.5.1 Infrastructure Investment and Jobs Act and Risk-based Inspections**

On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA), which provided funding additional funding for infrastructure and enhanced the public transportation safety program requirements. The BIL amended 49 U.S.C § 5329 to require State Safety Oversight Agencies (SSOAs) to perform risk-based inspections of the RTAs that the states oversee. The BIL also added a provision directing FTA to issue a Special Directive to each SSOA on the development and implementation of risk-based inspection programs.

### 3.1.5.2 FTA Special Directive 22-52 and the Risk-based Inspection Toolkit

On October 21, 2022, FTA issued Special Directive 22-52, under authority of 49 U.S.C. § 5329 (k) and 49 CFR Part 670, requiring WVDOT-DMTF-PT, as the West Virginia SSOA, to develop and implement a risk-based inspection program by October 2024.

To assist SSOAs in development of risk-based inspection programs, FTA developed a risk-based inspection toolkit in October 2022 and updated the toolkit in January 2024. The toolkit is a guide to help SSOAs address the necessary components of risk-based inspection programs and establishes a risk-based inspection program for WVDOT submission for FTA review and approval in June 2024.

### 3.1.5.3 WVDOT-DMTF-PT SSO and Rail Transit Agency Risk-based Inspection Development

WVDOT-DMTF-PT, in consultation with WVU-PRT, began developing a risk-based inspection program in April 2023. The RBI Program addresses WVDOT's authority to access rail agency property and conduct inspections, including access for inspections that occur with and without advance notice. Additionally, the policies and procedures explain data collection procedures to support risk-based inspection monitoring and prioritization activities, including data that the RTA collects when identifying and evaluating safety risk.

WVDOT-DMTF-PT SSO and WVU-PRT continued to coordinate on RBI program development throughout 2023 and 2024 during onsite visits, conference calls, emails, and document reviews. WVDOT-DMTF-PT will submit the risk-based inspection program to FTA by June 2024. Upon FTA approval, anticipated by October 2024, WVDOT-DMTF-PT and WVU-PRT will implement the RBI Program.

The RBI Program will be reviewed annually as part of the PTASP update process. If required, the RBI Program will be updated.

### **3.2 Management of Change**

The purpose of the management of change process is to provide a formal mechanism of communication for planned process and facility changes at WVU PRT. It provides WVU PRT staff the opportunity to discuss changes to various activities that may possibly have safety impacts not otherwise considered in the planning process. This process integrates compliance to the PRTASP upfront in the planning process to prevent unforeseen hazards and other nonconformances from being generated from the change. A written change request that is submitted by the change requestor shall be reviewed by the requestor's supervisor who shall then submit the request to the MOE for approval. The MOE, in consultation with the AD, shall determine whether the change is minor or major.

- If minor, the change request shall follow the Change Request SOP which includes review by management and CSO prior to implementation/testing.
- If the change requested is major, it shall follow the Project Charter SOP or Project Charter and Change/Impact Form SOP. Major changes are those deemed to have an impact to safety performance or involve considerable expense and shall be evaluated through the safety risk management process as appropriate.

All proposed changes, which may include but are not limited to, installation of new equipment, modification of existing installations or vehicles, facility changes, implementation of new processes, use of new chemicals and system modifications, shall be reviewed by the CSO and AD and submitted to the AE for approval prior to the execution of testing or implementation of change(s). The AE may delegate these responsibilities to the AD as well. Other stakeholders and subject matter experts may be brought in to review the proposed changes as well to ensure all aspects and impacts of the change have been considered. The testing and implementation processes shall follow the Field Change Notice, Operations/Maintenance Instruction, Test Information Sheet, Advanced Drawing Change Notice, Project Charter, and Project Charter Change/Impact Form SOPs depending on the specific nature of the change(s).

If deemed necessary by the AD and CSO, external review of system modifications by outside agencies such as FTA, APTA, and the SSOA will be coordinated by the CSO. Comments from the internal and external review process are implemented or resolved prior to the system modification and kept on file with disposition and supporting rationale. All major modifications to WVU PRT operation systems require the approval and signature of the AE or his designee.

### **3.3 Continuous Improvement**

The purpose of the PRTASP is to assure that safety is an integral and continuous part of all WVU PRT related planning activities, specifications, designs, tests, and operations of the WVU PRT. The implementation and maintenance of this program requires the periodic and recurring development and revision of system safety program activities, system safety program audits and reviews and the development of directives, guidelines, and instructions for the implementation of specific system safety activities.

The CSO is responsible for the preparation, implementation, distribution, and revision of the PRTASP. The AD oversees the development and performance of the system safety effort, periodically reviews and evaluates the effectiveness of the programs through analysis of performance data (KPIs) against goals and comparison with past performance data and proposes system safety policies and objectives for approval by the AE. The safety performance measures and objectives outlined in Table 1 (page 13) of this plan shall be reviewed at least monthly during the SSC meeting and as often as deemed necessary by the AE. The safety performance measures and objectives will be tracked to identify potential deficiencies as a part of WVU PRT's safety performance assessment. Should there be any deficiencies identified, under the direction of the AE, a plan will be developed in order to address the deficiencies.

### **3.4 Infrastructure Investment and Jobs Act and Risk-based Inspections**

On November 15, 2021, President Biden signed the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act (IIJA), which provided funding additional funding for infrastructure and enhanced the public transportation safety program requirements. The BIL amended 49 U.S.C § 5329 to require State Safety Oversight Agencies (SSOAs) to perform risk-based inspections of the RTAs that the states oversee. The BIL also added a provision directing FTA to issue a Special Directive to each SSOA on the development and implementation of risk-based inspection programs.

#### **3.4.1 FTA Special Directive 22-52 and the Risk-based Inspection Toolkit**

On October 21, 2022, FTA issued Special Directive 22-52, under authority of 49 U.S.C. § 5329 (k) and 49 CFR Part 670, requiring WVDOT-DMTF-PT, as the West Virginia SSOA, to develop and implement a risk-based inspection program by October 2024.

To assist SSOAs in development of risk-based inspection programs, FTA developed a risk-based inspection toolkit in October 2022 and updated the toolkit in January 2024. The toolkit is a guide to help SSOAs address the necessary components of risk-based inspection programs and establishes a risk-based inspection program for WVDOT submission for FTA review and approval in June 2024.

#### **3.4.2 WVDOT-DMTF-PT SSO and Rail Transit Agency Risk-based Inspection**

##### **Development**

WVDOT-DMTF-PT, in consultation with WVUPRT, began developing a risk-based inspection program in April 2023. The RBI Program addresses WVDOT's authority to access rail agency property and conduct inspections, including access for inspections that occur with and without advance notice. Additionally, the policies and procedures explain data collection procedures to support risk-based inspection monitoring and prioritization activities, including data that the RTA collects when identifying and evaluating safety risk.

WVDOT-DMTF-PT SSO and WVUPRT continued to coordinate on RBI program development throughout 2023 and 2024 during onsite visits, conference calls, emails, and document reviews. WVDOT-DMTF-PT will submit the risk-based inspection program to FTA by June 2024. Upon FTA approval, anticipated by October 2024, WVDOT-DMTF-PT and WVUPRT will implement the RBI Program.

The RBI Program will be reviewed annually as part of the PTASP update process. If required, the RBI Program will be updated.

## **Section 4: Safety Promotion**

### **4.1 Safety Communication**

WVU PRT uses a variety of means to formally communicate safety policies, processes, activities, and tools to all WVU PRT employees. WVU PRT's Safety Management Policy and other SMS-related processes, activities, and tools relevant to employee job responsibilities are provided to all WVU PRT employees via training and are readily accessible on the agency N: drive. Key agency safety-related plans, including the PRTASP, are retained digitally and in hard copy and are accessible to all management and supervisory employees.

Safety-related information and other messages are posted on bulletin boards throughout the maintenance facility and other areas visible to central operators and maintenance employees, including break rooms. Occasionally, memorandums and toolbox talks are given directly to employees on relevant safety topics and any significant changes.

Through the hazard risk management process, hazards identified will be communicated to all affected employees as posted in their respective work areas. These items will include hazards associated with job tasks and safety controls that are in place to protect the worker from those hazards. Safety controls can include machine guards, PPE, or other operational or procedural controls. If actions are being taken to mitigate a hazard, once implemented, the hazard will be reevaluated and employees will be notified of the new controls through safety briefings, emails, informal meetings or through the SSC.

Additional hazard and safety-related information, including follow-up information on hazards and safety risks identified are communicated during regular SSC meetings. These meetings are the primary forum during which WVU PRT management explains why safety actions have been taken and why safety procedures have been introduced or changed, including in response to reports submitted through employee safety reporting methods. Safety committee meetings are also the primary means by which management communicates significant safety event investigation outcomes and lessons learned to appropriate employee groups. To communicate the results of Safety Committee meetings to members who do not attend, the CSO will create meeting minutes and action items and distribute the items accordingly.

Employees can anonymously report a safety concern using an email account that goes directly, and only to, the CSO. A response to the concern will be given to the employee regardless of whether action was taken on the concern.

Also, WVU PRT uses several media to communicate with the passengers and local community on the WVU PRT status and other related information. Social media such as Twitter and Facebook, university news, campus newspaper, and website is used to communicate safety and other WVU PRT information to WVU employees and students. Local newspapers and television as well as social media are used to inform and notify the Morgantown community.

## **4.2 Competencies and Training**

WVU PRT maintains and implements a training program to ensure that employees and any contracted personnel working on site are trained and qualified to perform their SMS duties. This training consists of several steps, including pre-employment screening of job-related skills for certain positions, new employee orientation (NEO) training, on-the-job training (OJT) and an ongoing process of refresher training for current employees. All employees including operations transit workers, maintenance transit workers and transit workers directly responsible for safety are trained in areas including event reporting, organizational infrastructure, hazardous materials, and other safety-related topics managed by the WVU EH&S Department. The CSO will complete all required SMS training. WVU PRT staff will be directed to take specific training based on their roles and responsibilities as well.

### **4.2.1 Internal Training**

The CSO is responsible for coordinating and providing oversight of all employee training regarding safety and implementing safety requirements into training programs, as needed.

WVU PRT training activities include:

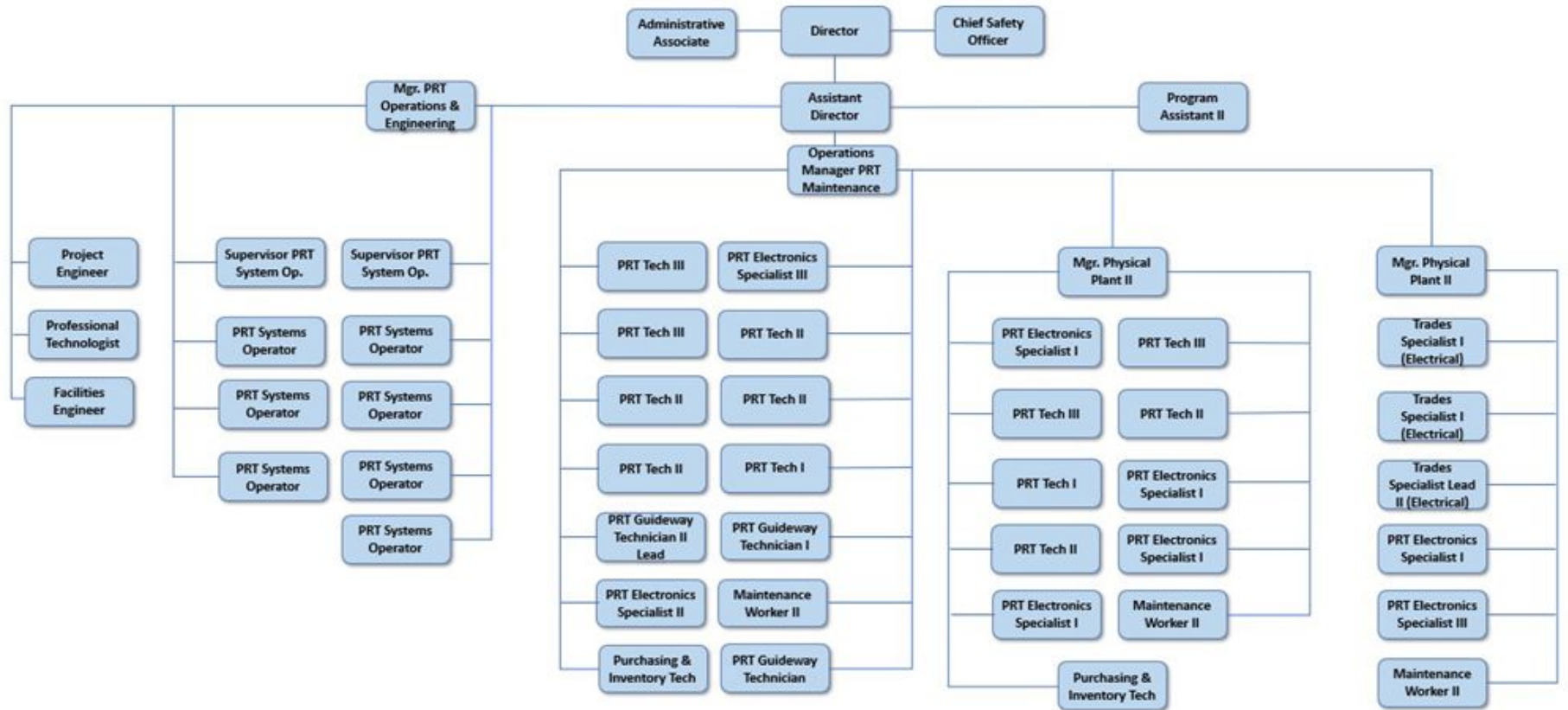
- Provide feedback to various University and WVU PRT departments on procedures, rules, designs, and operation and maintenance conditions
- Identify training objectives and participates in safety drills and simulations
- Review and update training materials at least once every three years to comply with operating policies, procedures, and audits
- Contributes to information in operating and maintenance manuals, standard operating and emergency operations procedures
- Develop and maintain a training plan that identifies what programs will be provided and to how many personnel
- Design and conduct new and continuing staff training to ensure that all maintenance staff are:
  - Familiar with shop safety rules and procedures
  - Trained in SOP 019 Guideway Worker Protection for all on track safety
  - Oriented to the location of safety equipment in their assigned
  - Aware of preventive maintenance and repair procedures
- Provide annual refresher training on SMS and PRTASP
- Coordinate required annual safety trainings with the WVU EH&S Department
- Coordinate De-escalation Training with UPD
- Maintain employee training log/matrix
- Establish selection standards for any safety course instructors that include safety performance and knowledge of safety policies and procedures
- Develop training resource materials for safety-related training for all WVU PRT employees
- Assist with providing safety training for outside agencies and contractors
- Include orientation on basic safety program to all new employees
- Safety concern identification and reporting

The CSO is delegated the responsibility of safety and the SMS training that includes planning and appropriate coordination for employee safety training. With the assistance of the AD, the CSO will ensure that WVU PRT employee safety and related training is completed in accordance with all legislative and regulatory requirements in a timely manner.

# Appendix A

## WVU PRT Organizational Chart

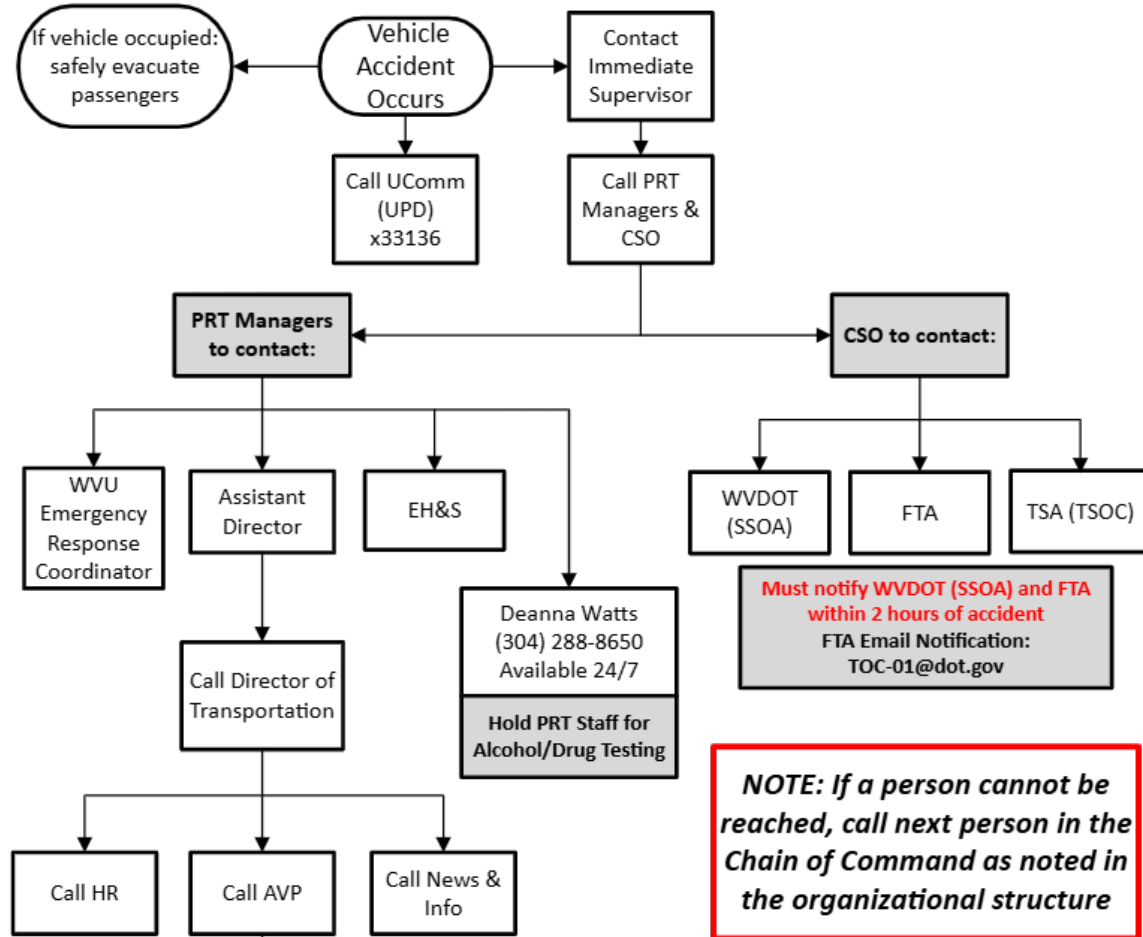
# Organizational Chart PRT



# **Appendix B**

## **WVU PRT Safety Event Reporting Protocol**

## WVU PRT Vehicle Accident Reporting Protocol



<u>CONTACT INFORMATION</u>	
Operations Manager – Jonathan Morehouse	(304) 629-2617
Chief Safety Officer (CSO) – Josh Murray	(304)-282-9129
Assistant Director – Steve Vozniak	(304) 476-7700
Director of Transportation – Jeremy Evans	(540) 355-8554
Assistant Vice President (AVP) – Chuck Roberts	(571) 279-9463
Human Resources (HR) - Chris George	(304) 293-5700
EH&S – Eric Jeppesen	(304) 293-5853
WVU Emergency Response Coordinator – John Hando	(304) 680-2165
News & Info – Shuana Johnson	(304) 293-8302
UComm (UPD)	(304) 293-3136
WVDOT (SSOA) – Tim Walker	(304) 414-8976
TSA – Jonathan Fadzen	(412) 439-0333
Transportation Security Operations Center (TSOC)	1-(866) 615-5150
Federal Transit Administration (FTA)	(202) 366-1863

Rev. 10 (8/15/25)

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 19, 2025**

**ITEM:** Endorsement of Mission Critical Materials, LLC Formation

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board – Consent Agenda

**STAFF MEMBER:** Mark Gavin, Vice Provost  
Stephanie D. Taylor, Vice President and General Counsel

**BACKGROUND:** West Virginia University has developed a growing portfolio of research and intellectual property related to rare earth elements and critical minerals, areas of increasing national strategic and economic importance. Recent alignment of federal funding priorities, industry interest, and commercialization pathways presents a timely opportunity to advance this work beyond the research environment and toward potential market application.

To responsibly position the University to pursue this opportunity, the West Virginia University Research Corporation (“WVURC”) has authorized the formation of a for-profit affiliate, Mission Critical Materials, LLC (“MCM”), to support the commercialization of WVU-developed technologies in this space. Operating through a WVURC-affiliated entity allows the University to engage with partners, investors, and federal agencies in a structure well suited to commercialization activities while maintaining appropriate institutional oversight.

Given the strategic significance of this opportunity and its potential long-term financial and reputational benefits to the University, University leadership briefed the Board of Governors Executive Committee and sought its guidance prior to moving forward.

The full Board of Governors has received the confidential and deliberative materials describing this opportunity. Additionally, the WVURC Board approved, on December 11, 2025, a resolution authorizing the formation of the entity. Through this endorsement, the Board of Governors affirms its support for the actions taken by the WVURC Board to form Mission Critical Materials, LLC, and signals institutional alignment as the University explores this opportunity in a measured and transparent manner.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 19, 2025**

**ITEM:** Notification of Technical Updates/Contact Information in BOG Governance Rule 1.6, Discrimination, Harassment, Sexual Harassment, Sexual Misconduct, Domestic Misconduct, Stalking, Retaliation, and Relationships, and Rule 1.7, Child Protection.

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board

**RECOMMENDATION:** Informational Only

**STAFF MEMBER:** James Goins, Jr., Executive Director of Compliance & Title IX Coordinator

**BACKGROUND:** Given organizational changes, some technical edits were necessary to two Board of Governors' rules. Specifically, the name of a former unit needed to be updated as well as websites in Board of Governors' Governance Rules 1.6 and 1.7. Both rules provide that the Title IX Coordinator may update contact information for specific University units or outside entities without going through the formal rulemaking process.

Accordingly, on December 8, 2025, both rules were updated on the Board's website and notations were made in the revision history header of each rule indicating the specific changes.