



West Virginia University

# Board of Governors

## 2023 - 2024

### Meeting Agenda Booklet

#### December 15, 2023

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### Board Members

**Charles L. Capito, Jr.**  
**Bray Cary**  
**Elmer Coppoolse**  
**Kevin Craig**  
**Michael D'Annunzio**  
**Dr. Patrice Harris, Secretary**  
**J. Thomas Jones**  
**Alan Larrick**  
**Susan Lavenski**

**Paul Mattox**  
**Taunja Willis Miller, Chair**  
**Richard Pill, Vice-Chair**  
**Robert L. Reynolds**  
**Dr. Stanley Hileman**  
**Frances E. "Frankie" Tack**  
**Shirley Robinson**  
**Madison Santmyer**

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Regular Board Meeting – December 15, 2023 – 9:00 a.m.**

**Barnette BOG Room, Erickson Alumni Center**  
**Morgantown, WV**  
**And**  
**Via Zoom**  
**Meeting ID: 970 5150 8689**  
**Passcode: 7jkHxL4P**  
**Dial-in: (888) 475-4499**

**MEETING AGENDA**

- 1. Call to Order** **Member**  
**Willis-Miller**
- 2. Potential Executive Session, under authority in West Virginia Code §§6-9A-4(b)(2)(A), (b)(9), (b)(10), and (b)(12) to discuss:**
- a. Approval of Honorary Degree Candidates;**
  - b. Potential strategic initiatives relating to academic and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University;**
  - c. Possible naming opportunity; and**
  - d. Confidential and preliminary matters involving or affecting the University’s budget for the current and upcoming academic year, including retention and enrollment.**
- 3. Discussions Emanating from Executive Session – if any**
- 4. Approval of minutes for [November 17, 2023 Regular Board meeting](#), and [December 1, 2023 Special Board meeting](#)**
- 5. Information Items (Written Only)**
- a. [Report of Real Property Transactions – First Quarter of FY 2024](#)** **Furbee**
  - b. [Confirmation of Discontinuation of Undergraduate Academic Programs](#)** **Reed**
  - c. [Organizational Name Change at the West Virginia University Health Sciences Center](#)** **Reed**
  - d. [Confirmation of Previously Approved Naming Opportunity \(Clark Mountaineer Club\)](#)** **Reed**

- e. **Confirmation of Previously Approved Naming Opportunity (Hospitality and Tourism Management program at the John Chambers College of Business and Economics)** **Reed**
  
- 6. President's Report**
  
- 7. Consent Agenda (for Board Review and Action)**
  - a. **Approval of New Program: BS in Robotics Engineering in the Benjamin M. Statler College of Engineering and Mineral Resources** **Reed**
  
  - b. **Approval of the West Virginia University Personal Rapid Transit Agency Safety Plan** **Svehlik**
  
  - c. **Approval and execution of one Statements of Work ("SOW") under such MSA for audit, assurance, and other services provided by CliftonLarsonAllen LLP ("CLA"), WVU's external auditor, to West Virginia University** **Weiss**
  
  - d. **Naming Opportunity** **Svehlik**
  
  - e. **Approval of BOG Committee Changes** **Willis-Miller**
  
- 8. General Business**
  
- 9. The next regular board meeting is scheduled for February 23, 2024**
  
- 10. Adjournment**

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

November 17, 2023

The two hundred fourteenth meeting of the West Virginia University Board of Governors was held on November 17, 2023 in Morgantown, WV in person and via webinar. Board members in attendance/participating via zoom included Charles Capito, Bray Cary, Elmer Coppoolse, Kevin Craig, Michael D'Annunzio, Dr. Patrice Harris, J. Thomas Jones, Dr. Stanley Hileman, Alan Larrick, Susan Lavenski, Paul Mattox, Taunja Willis Miller, Richard Pill, Shirley Robinson, Madison Santmyer, Frankie Tack, and Robert Reynolds.

**Note: With this meeting being conducted in person and via zoom, there was no way to ascertain all attendees but the following WVU officers, divisional campus officers, representatives (and others) participated:**

President, E. Gordon Gee;  
Vice President for Strategic Initiatives, Rob Alsop;  
Provost and Vice President for Academic Affairs, Maryanne Reed;  
General Counsel, Stephanie Taylor;  
Vice President for University Relations, Sharon Martin;  
Vice President for Diversity, Equity and Inclusion, Meshea Poore;  
Vice Provost, Paul Kreider;  
Associate Provost for Budget, Facilities and Strategic Initiatives, Mark Gavin;  
Vice President and Chief Financial Officer, Paula Congelio;  
Senior Associate Vice President for Finance, Barbara Weiss;  
Associate Vice President for HSC Academic Affairs, Louise Veselicky;  
Associate Vice President and Executive Director of the Office of Global Affairs, Amber Brugnoli;  
Deputy General Counsel, Gary G. Furbee, II;  
Director of Internal Audit, Bryan Shaver;  
Assistant Vice President for Strategic Initiatives, Erin Newmeyer;  
Associate Provost for Faculty Development and Culture, Melissa Latimer;  
Associate Provost for Undergraduate Education, Evan Widders;  
Associate Provost for Curriculum and Assessment, Louis Slimak;  
Director of Communications, Office of the Provost, Kimberly Becker;  
Executive Officer and Assistant Board Secretary, Jennifer Fisher;  
Director of News Communications, Shauna Johnson;  
Executive Director of Communications, University Relations, April Kaull; and,  
Special Assistant to the Board of Governors, Valerie Lopez.

**Members of the Press also participated.**

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## **CALL TO ORDER**

The meeting was called to order by Chair Taunja Willis-Miller at 10:00 a.m. A roll call was taken to determine who was in attendance and a quorum established.

## **EXECUTIVE SESSION**

Chair Willis-Miller requested a motion to move Executive Session, under authority in West Virginia Code §§6-9A-4(b)(2)(A), (b)(9), (b)(10), and (b)(12) to discuss:

- a. Potential strategic initiatives relating to academic and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships; the purchase, sale or lease of property; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University;
- b. Possible naming opportunities; and
- c. Confidential and preliminary matters involving or affecting the University's budget for the current and upcoming academic year, including retention and enrollment.

The motion was made by J. Thomas Jones, seconded by Elmer Coppoolse, and passed. Following Executive Session Bray Cary moved that the board rise from Executive Session. The motion was seconded by Charles Capito and passed. Chair Willis-Miller stated that possible naming opportunities of a non-academic facility, two academic facilities, and an academic program were discussed in Executive Session, resulting in one of the items on today's Consent Agenda.

## **ACADEMIC AFFAIRS UPDATE**

Associate Provost Paul Kreider provided the following Academic Affairs Updates:

This morning in our Academic Affairs Committee meeting, we previewed our plan to institute a more robust annual and overall program review process — one that more intentionally links resource allocation to enrollment and financial trends. Our ultimate goal is to make this data available to everyone, so that academic leaders, faculty and staff can work together to ensure that our university is on the right track moving forward and empowered to make course corrections in a timely fashion.

Also in committee, we provided a brief update on the Academic Service Unit review process and timelines. There will be more to come in the following weeks regarding the review of Libraries and the Teaching and Learning Commons.

Similarly, we announced the academic program review timelines for WVU Extension and our regional campuses in Keyser and Beckley. In short, those efforts will officially kick off in

January 2024, with final recommendations communicated to WVU Faculty Senate and presented to the Board of Governors for approval in late spring. Our target is for the April meeting.

Lastly, we introduced our plans to conduct a thorough academic program review of our general education curriculum. The goals will be to improve relevancy of the curriculum and enhance student learning and outcomes – while also reducing redundancy and inefficiencies. The Board of Governors has indicated their support of our plans to move forward in this area.

### **New Programs**

While we've faced some significant challenges in recent months, there has also been forward momentum in a couple of areas. For example, even with limited resources, our colleges have launched new degree programs that are designed to attract new students to WVU and be highly relevant to the job market.

Just this semester, we launched two new majors in the Statler college: The new Engineering Technology major focuses on providing students hands-on experience and training in modern technologies to prepare them for the wide array of engineering jobs in West Virginia and beyond. This integrative, multi-disciplinary degree-program prepares students for a variety of careers in the manufacturing, energy, industrial, and technical service sectors — and provides a foundation for future entrepreneurs.

The new Environmental Engineering major focuses on teaching students the principles of engineering, sustainability, soil science, biology and chemistry to enable them to create solutions to environmental problems. The program prepares students for careers in engineering firms, government, research and development, and nonprofit organizations.

In addition, we continue to expand our nursing programs at WVU in response to the continuing demand for these health care professionals. Most recently, in partnership with the Morgantown campus School of Nursing, WVU Potomac State College is starting the only L-P-N to B-S-N program in the state, allowing entry-level working nurses to upgrade their credentials while continuing to work...The program is expected to launch 2024.

This fall, we also launched a new multi-disciplinary major in Esports, one of the first such majors in the country at an R1 institution. This new degree program prepares students to work in the business and media sectors of eSports – a growing billion-dollar industry that is highly popular among young people.

And as a side note, our Esports teams have been doing quite well.

Following a big win of the College Carball Association's Summer Series, WVU Esports made history by creating the first collegiate program in the country with an all-female varsity Rocket League roster.

Just last month, the Valorant team finished in the top 8 at the Red Bull National Championships, securing themselves a spot in the U.S.A. Finals which took place earlier this month.

### **Student Success Initiatives**

#### **REACH CENTER**

While we will always be looking to build and bolster academic programs that our students are seeking, we also remain steadfast in our commitment to their success once they're here. This year, the University experienced its second highest freshmen retention in university history – at 81.4 percent – and our highest 4-year graduation rate ever. But we know we can do even better, with the help of several new student success programs aimed at our most vulnerable students.

Our new “Respond, Engage and Climb Higher” – or REACH – program, partially funded by a grant from the Benedum Foundation, launched this fall and is aimed at helping students facing academic, financial or personal barriers succeed in and out of the classroom.

While open to all students, the Center encourages Pell-eligible, first-generation and historically under-represented undergraduates to take advantage of this free service. Students in the REACH program receive important reminders at key times during the academic calendar to help them stay on track. Staff members also help students uncover their personal goals and connect them to a range of WVU services, including peer mentorships, success coaching, tutoring, financial advising and assistance, strengths assessments, professional development enrichment, recreational activities, cultural events and more.

The new REACH Center is housed in the Student Services Building on the WVU Downtown Campus, where students can take advantage of free printing, as well as access to loaner laptops, school supplies and financial assistance with textbooks. It also includes a lounge and study space where students can make connections with peers and staff.

Since opening in late September, the Center has provided outreach to over 6,000 students and has had more than 200 visits to the downtown location.

#### **MAIER GRANTS**

You may recall our January announcement of a million-dollar gift, courtesy of the Maier Foundation, in Charleston. This is a West Virginia-based nonprofit organization focused on furthering higher education in the Mountain State. Those funds have gone to support a new “last dollar in” completion grant program to help improve student success outcomes at WVU.

The new Mountaineer Completion Grant program launched this fall and is already providing financial support to more than 150 seniors this semester, helping to remove financial barrier to completing their degree on time.

## **PURPOSE/ACTION**

Another program that I am particularly proud of is our Purpose-2-Action program, that provides Pell-eligible students the opportunity to engage with local communities, explore career pathways, and find purpose through meaningful work.

Housed within the WVU Center for Community Engagement, the program places students in paid positions with nonprofit and public sector organizations to participate in mission-driven projects while they work to discover their own purpose and values.

Since its official launch in spring 2023, P2A has supported more than 40 undergraduate students who have worked with upwards of two dozen different community organizations, including Project Healthy Kids, Scott's Run Settlement House, Habitat for Humanity, and the Milan Puskar Health Right.

Donors to the Academic Innovation Summit in October 2021 provided the program with initial funding. Now the project team has partnered with the WVU Hub to establish a new funding structure within the Federal Work-Study framework. Starting in Spring 2024, the program will expand from an eight-week to 12-week placement for each participant, providing more financial stability for students while also better serving the needs of community partners.

## **APPROVAL OF MINUTES**

Elmer Coppoolse moved that the minutes for the September 14, 2023 and September 15, 2023 board meetings be approved. This motion was seconded by Dr. Patrice Harris and passed.

## **INFORMATION ITEMS**

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

## **COMMITTEE REPORTS**

**November 16, 2023 Audit Committee Meeting:** Richard Pill, Audit Committee Chairman, reported as follows:

Thank you, Madama Chair. Yesterday afternoon, there was a meeting of the Audit Committee.

First, we heard from CliftonLarsonAllen, our external independent auditors. They reported on the FY 2023 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

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reviewed current events in higher education.

They reported that the University and Research Corporation received an unmodified opinion – which is the highest level of assurance that can be given. 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 no material weaknesses and no significant deficiencies.

We do have three individuals from CLA with us today – Don Loberg, Daniel Persaud, and Chris Knopik. Madam Chair, I would like to ask CLA to make some comments regarding the audit and the state of the higher education industry. Related to these two topics, the CLA representatives presented the slides attached hereto and made a part hereof by reference.

Yesterday we heard from Paula Congelio, who provided an overview of the University financial statements for the year ended June 30, 2023. Paula reported that the unadjusted operating margin, before capital related revenues, was a negative \$56.3 million due to the impact of several extraordinary events and items including changes in the Other Post-Employment Benefits (OPEB) Liability, amortization of donated software, and the implementation of a new accounting standard for subscription-based IT arrangements (GASB 96). After adjusting for these extraordinary items, the operating margin was a negative \$7.4 million.

Total assets of the University were \$2.5 billion and total liabilities were \$1.4 billion. The balance sheet remains stable with adequate operating cash and working capital to meet current obligations.

Madam Chair, the Fiscal Year 2023 Financial Statements and Audit Report for West Virginia University are included in the Board packet. I am happy to try and answer any questions, and I know Paula and CLA are also available to answer any further questions.

**Accordingly, Madam Chair, on behalf of the Audit Committee I move that the full Board approve and accept the Fiscal Year 2023 Financial Statements and Audit Report for WVU.**

**The Chair called for a vote – noting that no second is needed for a committee motion – and the motion passed.**

Next, Paula provided an overview of the WVU Research Corporation financial statements for the year ended June 30, 2023. The Corporation's total net position increased by approximately \$1.3 million. The Corporation's operating margin was \$8.6 million.

The Corporation's balance sheet remains stable with adequate working capital (current assets less current liabilities) to meet current obligations. Total assets are \$165 million and total liabilities are \$123 million.

Madam Chair, the Fiscal Year 2023 Financial Statements and Audit Report for WVU

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Research Corporation are included in the Board packet. Again, Paula and CLA are available to answer any questions.

**Accordingly, Madam Chair, on behalf of the Audit Committee, I move that the full Board approve and accept the Fiscal Year 2022 Financial Statements and Audit Report for WVU Research Corporation.**

**The Chair called for a vote – noting that no second is needed for a committee motion – and the motion passed.**

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.

Madam Chair, this concludes my report.

**November 16, 2023 Joint Finance and Facilities and Revitalization/Strategic Plans and Initiatives Committee Meeting:** Elmer Coppoolse, who chaired this joint committee meeting, reported as follows:

Thank you, Madame Chair. Yesterday afternoon, your committee on Strategic Initiatives met in joint session with the Finance and Facilities and Revitalization Committee.

The Committee first received a FY 2023 Financial update. The change in net position for the University was a negative \$7.4 million. This compared positively to our projected net position by \$52 million. This large variance is primarily the result of recording Capital grants and contracts revenue for donated software of \$39.3 Million, and also reimbursements from the Foundation for construction costs of Reynolds Hall. The donated software from Scumberger (18 million) and Haliburton (20.8 million) is for teaching and research and is not something that we plan for in our budget.

Total expenses of \$1.260B were \$6M lower than we projected or less than ½ percent. The major variances are mostly non-cash items and are a result of accounting entries that are necessary in our financial statement presentations.

Additionally, the Committee received an update on the First Quarter Ended September 30, 2023 Financial Results. WVU's total net position increased by \$59M, including the \$50M state appropriation to the Cancer Institute. After excluding the amortization of donated software of \$12.4M the change in net position was \$71.4M for the quarter. The University's balance sheet remains stable with adequate working capital (current assets less current liabilities) to meet our current obligations.

The Committee also received an update on the Deferred Maintenance project. In July 2023, with support from WVU the Board of Governors, WVU submitted an Application for the Higher Education Deferred Maintenance Grant from the State of West Virginia. This restricted grant provides funding for deferred maintenance projects at institutes of higher learning. The University requested approximately \$60M in total funding for its campuses and continued to work with the West Virginia Higher Education Policy Commission to provide required information.

In late September 2023, WVHEPC recommended \$46.6 million in requested projects be approved

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by the Governor's Office as follows:

- \$30.3 million for WVU's Morgantown campuses which included funding for projects around steam, utilities, life safety, and facilities.
- \$7.4 million for WVU Tech which included funding for projects around utilities & electrical, roofs, facilities, and heating/cooling.
- \$8.9 million for Potomac State College which included funding for its Davis Hall renovations and roof projects.

A Subgrant Agreement for above grants has been signed and submitted to WVHEPC. Final approvals from the Governor's office are in process, along disbursement of initial grant amounts. These grants will have a significant impact on the operations of WVU's campuses and we are thankful to the WV Legislature, Governor's Office and WVHEPC for their efforts.

The Joint Committee was also briefed on three capital projects/real estate transactions for approval, all included in the Board packet and on the consent agenda.

- One Waterfront Place Chiller & Cooling Tower Replacement
- Mon County Ballpark Artificial Turf Replacement
- Acquisition of Real Property in Morgantown

We then met in Executive Session. During Executive Session, we discussed potential strategic initiatives relating to academic, health sciences, and administrative priorities; personnel matters; computing, telecommunications, and network security programs; legislative or regulatory matters; and/or matters relating to the investment of public funds and other deliberative and proprietary matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University; and, confidential and preliminary matters involving or affecting the University's budget for the current and upcoming academic year, including retention and enrollment. No actions or votes were taken during executive session.

After a very productive afternoon and consideration of the above actions, the Joint Committee adjourned. That concludes my report, Madame Chair. Thank you.

**November 17, 2023 Academic Affairs and Accreditation Committee Meeting:**

Dr. Patrice Harris, Audit Committee Chairman, reported as follows:

Thank you, Madame Chair. Your committee on Academic Affairs held a public session this morning during which Provost Reed and members of her team shared updates on Academic Transformation.

Associate Provost Mark Gavin recapped the recently concluded program portfolio review and faculty reduction in force process for the Morgantown campus and highlighted plans for a more robust, coordinated, and data-informed review process moving forward. At the center of this new process will be a defined and transparent data platform from which all University constituents will work to make collaborative, timely and informed decisions about program and personnel changes.

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Dr. Gavin also provided an update on the status of the Academic Service Unit reviews, highlighting changes and opportunities with the Libraries, Teaching and Learning Commons, Career Services and WVU Online.

Associate Provost Lou Slimak then provided a high-level view of the timeline for the program review process at our regional campuses in Beckley and Keyser to begin in January 2024, with final recommendations being presented to the Board of Governors in April of next year.

Dr. Slimak also outlined a plan to redesign the University's general education program, also known as GEF, in conjunction with the Faculty Senate.

Madame Chair, we had a busy morning and productive conversation, and this concludes my report. Thank you.

## **PRESIDENT'S REPORT**

President Gee offered the following remarks:

As 2023 approaches its close, it is good to remember that West Virginia University is succeeding as a modern land-grant institution, growing stronger in academics, research and our student experience.

In just the past few days, we have new examples of our students and faculty fulfilling our vision on a world stage.

First, I am proud that Azeem Khan earned recognition as finalist for the Rhodes Scholarship. Passionate about public service, Azeem is a political science major with dual minors in business cybersecurity and philosophy. Earlier this year, he became the University's 26th Truman Scholar. An Honors College student, he is co-chair of the Mountaineer Fentanyl Task Force and a member of Presidential Student Ambassadors, and he previously served in student government. Azeem is an example of the high-caliber student that our University continues to attract. Enrolling such students testifies to our academic strength, now and in the future.

Meanwhile, recent faculty accomplishments highlight our world-class research status.

Our internationally renowned astrophysicists Duncan Lorimer and Maura McLaughlin recently traveled to Hong Kong to receive the Shaw Prize, often described as the Nobel Prize of the East.

Drs. Lorimer and McLaughlin, both professors in physics and astronomy in the Eberly College, helped to discover fast radio bursts — intense, unexplained pulses of energy, coming from billions of light years away. Since they discovered the first one in 2007, several thousand of these mysterious cosmic flashes have been spotted. The Shaw Prize reaffirms the magnitude of their discovery, in addition to the wealth of research they have contributed to astronomy and to our profile as an R1 university.

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Released at 11:00 a.m. this morning, our researchers also announced a potential breakthrough for those suffering with opioid use disorder. The Rockefeller Neuroscience Institute conducted a first-in-human study using smart pill technology to identify early indications of an overdose. The promising results are featured as the cover story of the November issue of *Device*. With more than 100,000 overdose deaths in the U.S. alone in 2022, this technology has amazing life-saving potential.

Our faculty also perform outreach that puts knowledge to work.

Ming Lei, senior associate vice president for research and graduate education for Health Sciences, has received the Dr. Howard K. Koh Award for outstanding leadership, service integrity, and significant contributions to the mission of the U.S. Department of Health and Human Services. Dr. Lei, who came to our University from the National Institutes of Health, made outstanding contributions to that organization's response to the COVID-19 pandemic. Among other roles, he led the development of a viral genome sequencing initiative that tracked the emergence and spread of COVID variants in rural and underserved populations.

All our teaching, research and service achievements are made possible by our University's loyal supporters, most notably our 210,000 alumni worldwide.

The WVU Alumni Association is celebrating 150 years connecting graduates with their alma mater, and I would like to thank their staff for that vital work. Most of all, I would like to thank all alumni for helping to make us strong.

After a challenging year, West Virginia University is moving forward and reaching new heights. I am grateful to all Mountaineers who are helping us build an even stronger University for future generations.

## CONSENT AGENDA

Chair Willis-Miller 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 being no such request made Elmer Coppoolse moved that today's Consent Agenda be approved. This motion was seconded by Alan Larrick and passed.

Thereupon, the following Consent Agenda items were approved:

- 1. One Waterfront Place Chiller & Cooling Tower Replacement**  
Resolved: That the West Virginia University Board of Governors approves this project, as presented.
- 2. Mon County Ballpark Artificial Turf Replacement**  
Resolved: That the West Virginia University Board of Governors approves this project, as presented.

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**3. Acquisition of Real Property in Morgantown**

Resolved: That pursuant to BOG Governance Rule 5.1, the West Virginia University Board of Governors authorizes the acquisition of a one acre parcel located within the Core Arboretum, Morgantown, West Virginia.

**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 Opportunities**

Resolved: That pursuant to BOG Governance Rule 2.2, the West Virginia University Board of Governors hereby approves the naming opportunities of the facilities discussed during today's Executive Session.

**GENERAL DISCUSSION AND  
ADJOURNMENT**

Chair Taunja Willis-Miller announced a working group to assist with enrollment-related initiatives of the University. Board member Susan Lavenski will be in charge, and the group will include board members Madison Santmyer, Paul Mattox, Richard Pill, Shirley Robinson, and Michael D'Annunzio.

A governance ad hoc committee will work with General Counsel Stephanie Taylor to map out and provide guidance to the Board related to several areas, including best practices for a presidential search, rules on selection and evaluation of presidents, and the Board's overall committee structure, board training and other functions. Board member Dr. Patrice Harris will be in charge, and the group will include board members Charles Capito, Kevin Craig, Richard Pill and Frankie Tack.

The Chair will serve ex officio on both the working group and the ad hoc committee.

Additionally, Dr. Patrice Harris will step down as the chair of the Board's Academic Affairs and Accreditation Committee and be replaced by Charles Capito.

Chair Willis-Miller announced that the next planned board meeting is scheduled for December 15, 2023. There being no further business to come before the board, Paul Mattox moved to adjourn the meeting. The motion was seconded by Dr. Patrice Harris and passed. The meeting was adjourned at 2:05 p.m.

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Dr. Patrice Harris, Secretary

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*We'll get you there.*

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# West Virginia University

Audit Presentation

Year Ended June 30, 2023

Don Loberg, Principal

Chris Knopik, Principal

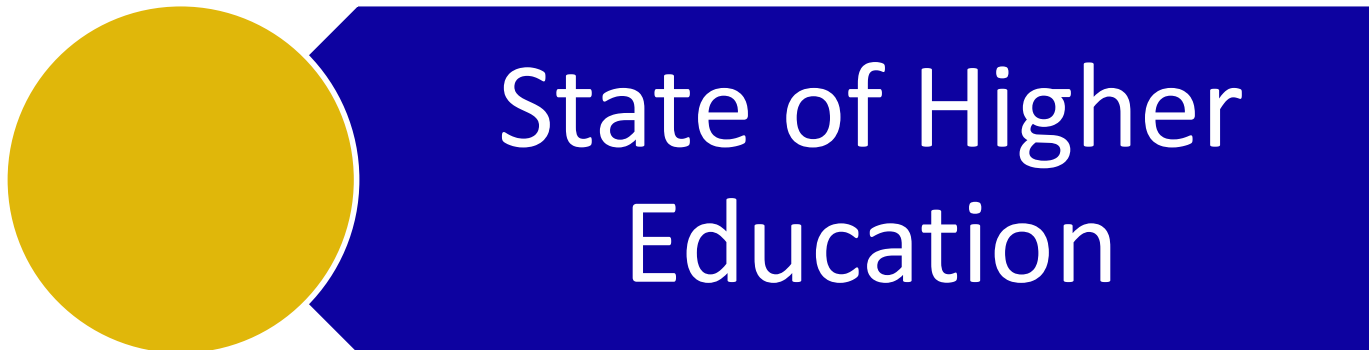
Daniel Persaud, Principal

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Investment advisory services are offered through CliftonLarsonAllen Wealth Advisors, LLC, an SEC-registered investment advisor.

# Overview

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**Audit Results**

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**State of Higher Education**





# West Virginia University Audit Results Summary

## Opinion

- Unmodified Opinion – highest level of assurance

## Adjustments and Results

- No material audit adjustments



# Research Corporation Audit Results Summary

## Opinion

- Unmodified Opinion – highest level of assurance
- Unmodified Opinion – compliance with Uniform Guidance

## Adjustments and Results

- No material audit adjustments
- No Findings relating to compliance issues causing material financial impact



# Internal Control Reporting- Definitions and Results

**West Virginia University**

No material weaknesses

No significant  
deficiencies

**Research Corporation**

No material weaknesses

No significant  
deficiencies

*Material Weaknesses* – deficiencies in internal control such that there is a reasonable possibility that a **material misstatement** would not be prevented or detected and corrected on a timely basis.

*Significant Deficiencies* – deficiencies in internal control that are **less severe than material weaknesses**, yet important enough to **merit attention by those charged with governance**.





*We'll get you there.*

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# State of Higher Education

West Virginia University

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# Current Financial Influences in Higher Education



Enrollment pressures



HEERF Hangover



Turnover and employee retention



Increasing costs – student experience



Negative perception of higher education



Financial Sustainability





# The Financial Story



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# Revenue Sources in Public Higher Ed

Net Tuition

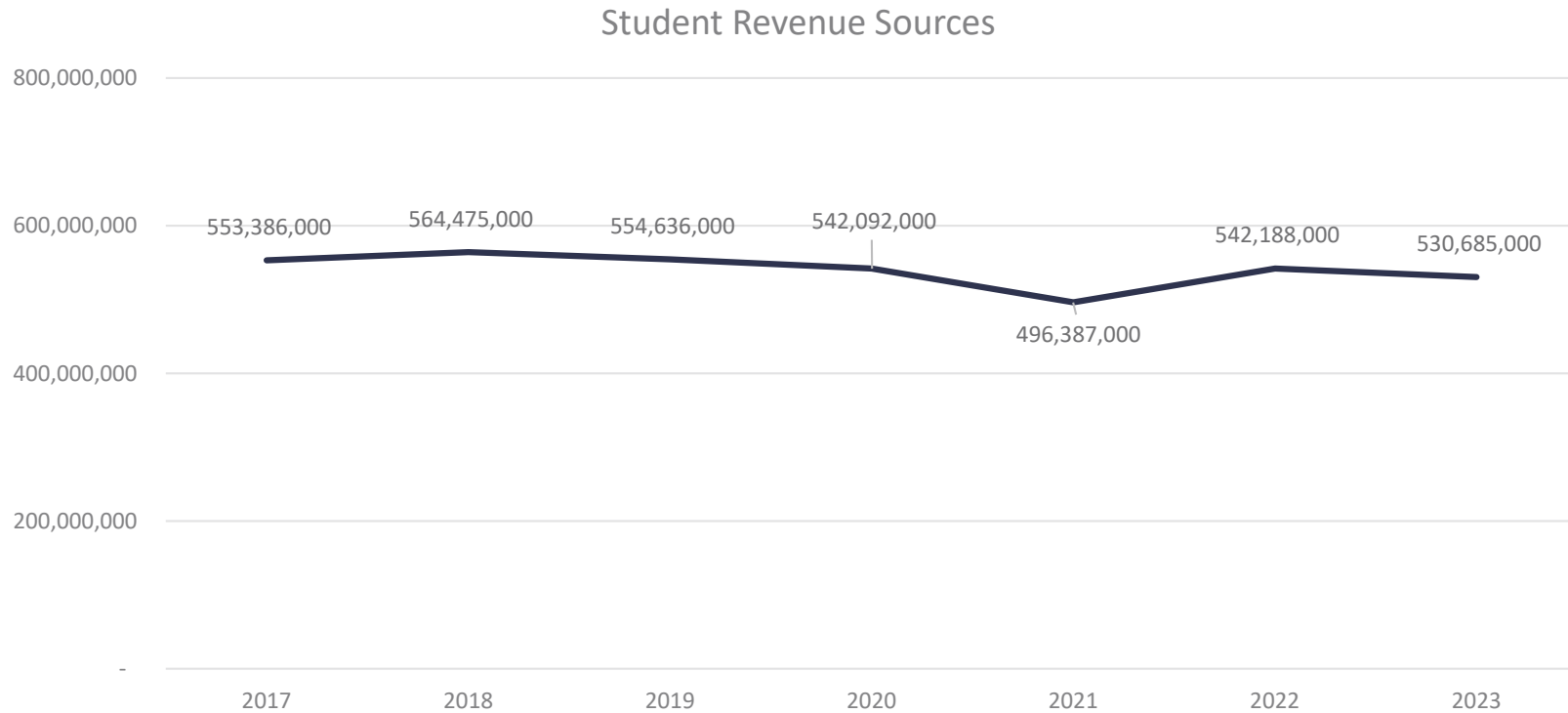
Auxiliary  
Revenue

Grants and  
Contracts

State  
Appropriations



# Trends: Net Tuition & Auxiliary Revenue Sources





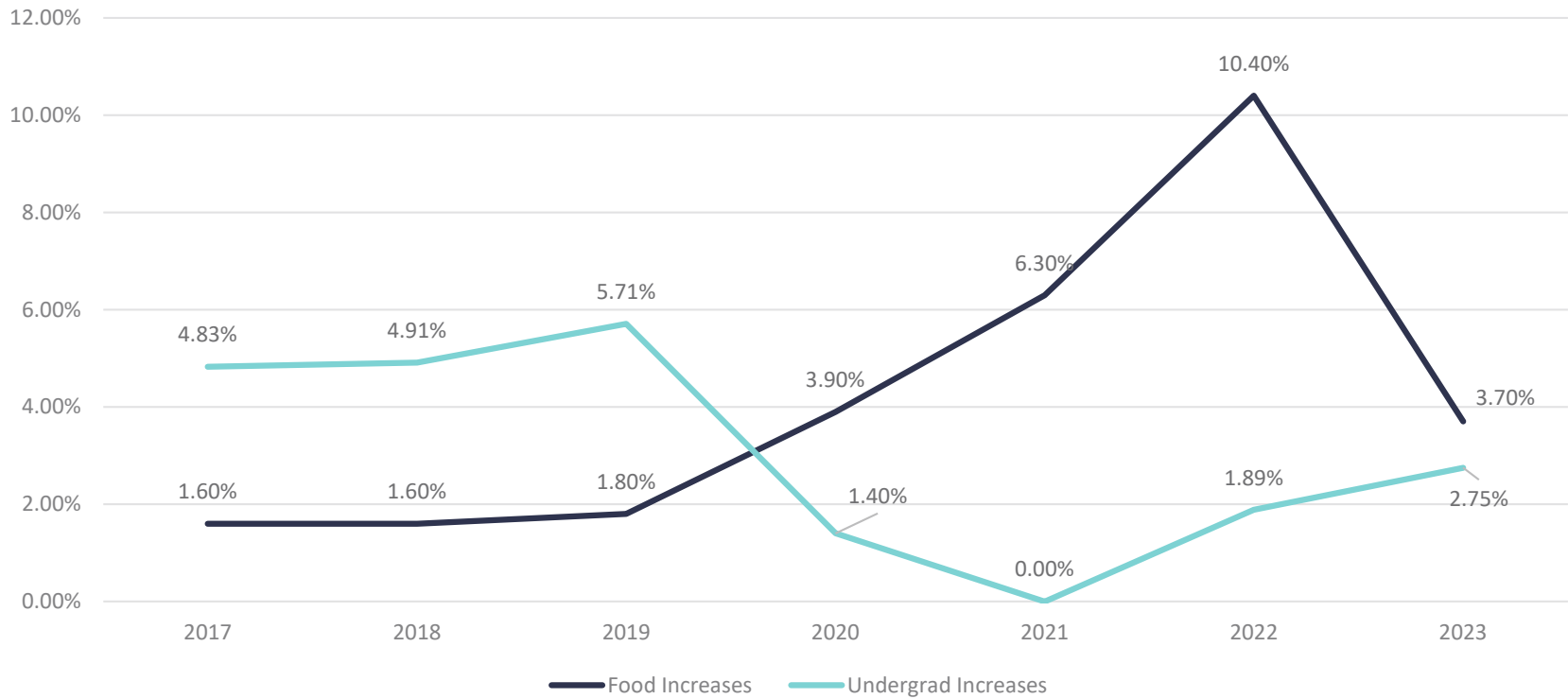
# Trends: WVU % Tuition Increases and Inflation %



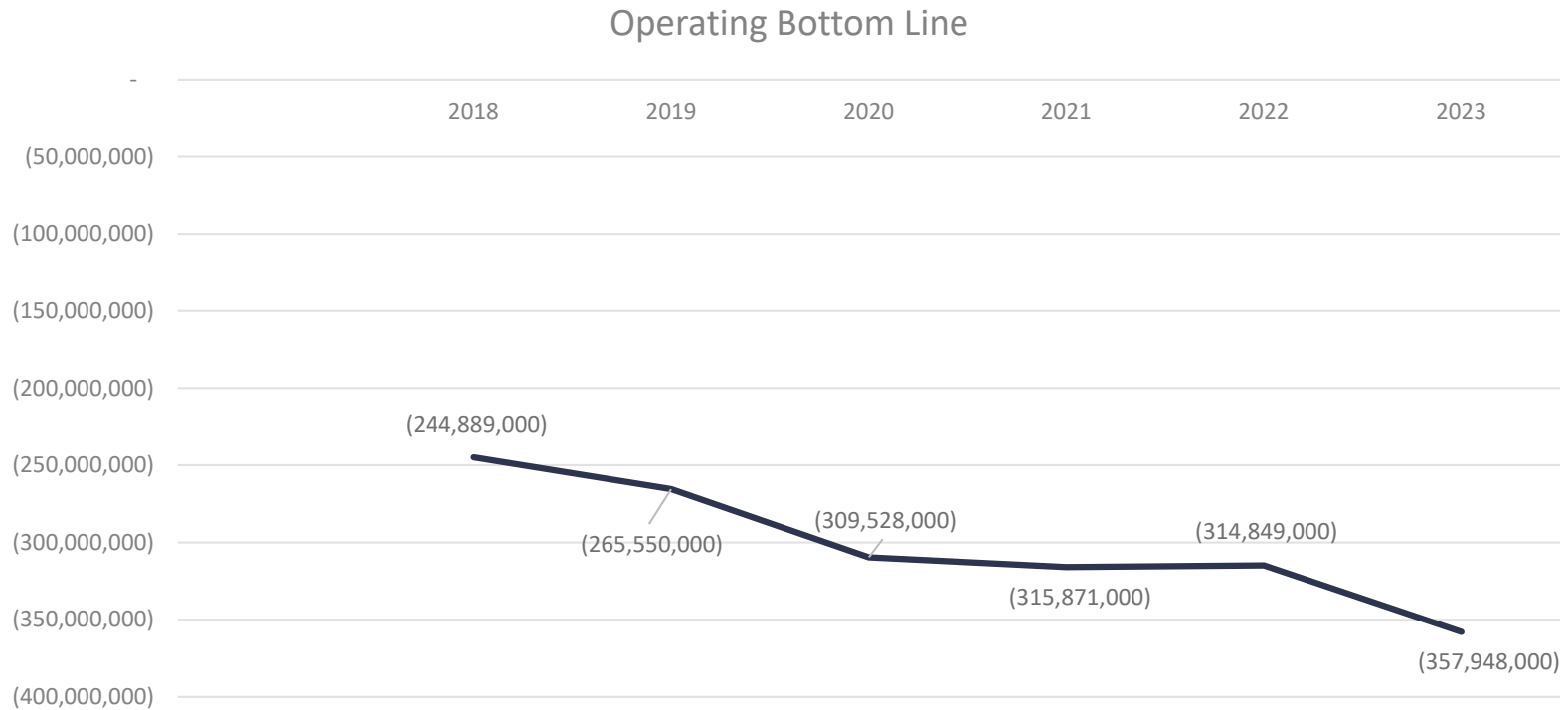
\* InflationSource: BLS.gov



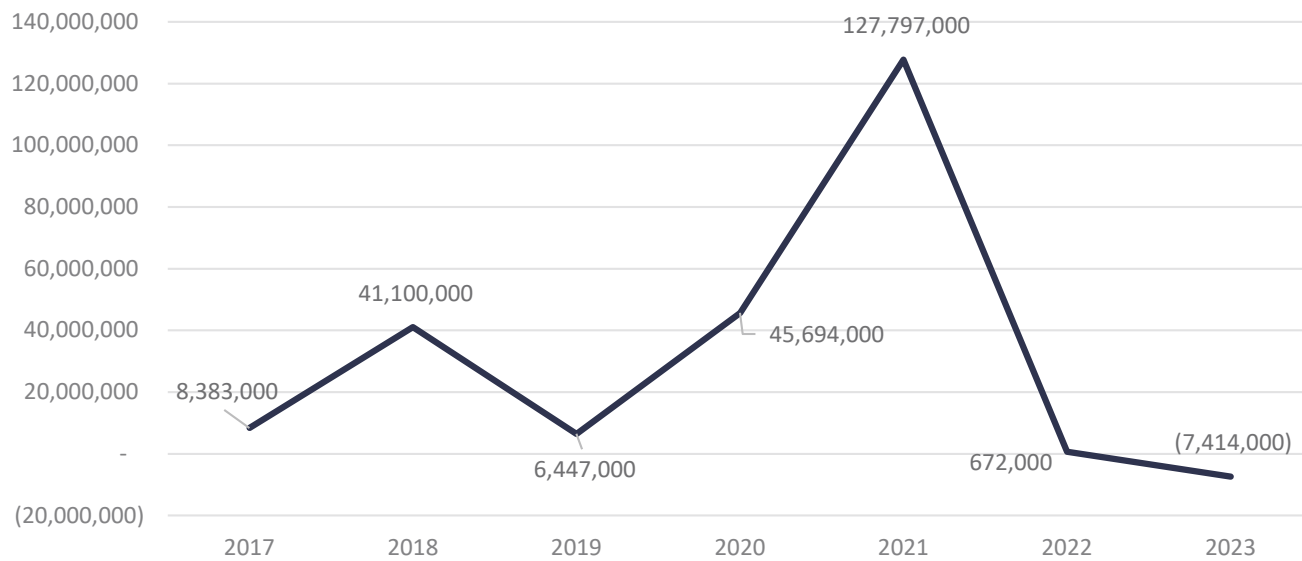
# Trend: WVU % Increase and U.S. Food Price Increases



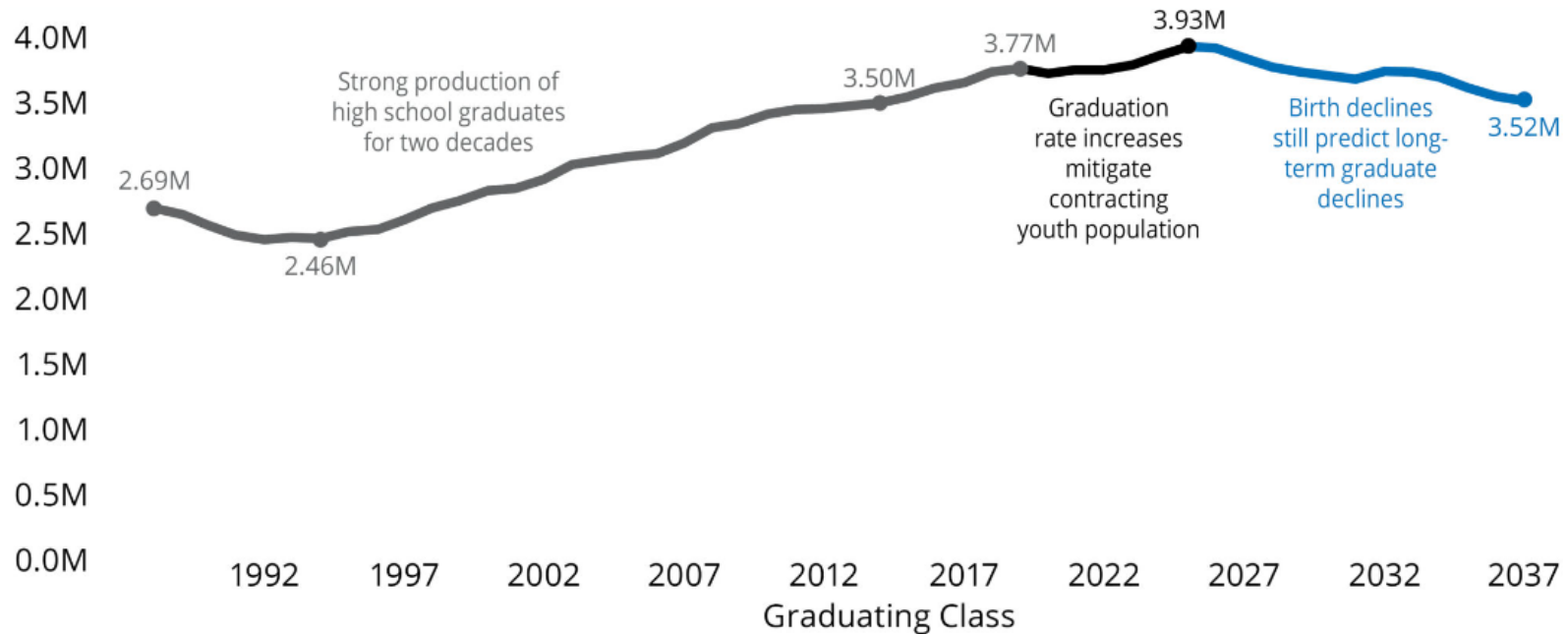
# Trends: Operating Bottom Line



# Trends: Total Bottom Line



# High School Graduation Projections



■ Class of 1988 to 2019 (reported) ■ Class of 2020 to 2025 (projected: increase) ■ Class of 2026 to 2037 (projected: decrease)

Source: Western Interstate Commission for Higher Education, *Knocking at the College Door*, 10th edition, 2020. See [Technical Appendix](#) for detailed sources of data through the Class of 2019; WICHE projections, Class of 2020 through 2037.





There are opportunities!



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# Opportunities based on Environment



Transfer of Wealth



The Culling of institutions



Acceptance and investing in online classes



Acquisitions and mergers



Greater collaboration within the system



# Questions?





# Governance Communication Letter

Overall	Estimates	Difficulties	Other
<ul style="list-style-type: none"><li>• Provides an update on the audit since the planning meeting</li><li>• Subscription Arrangement implemented</li><li>• No changes in scope of audit</li></ul>	<ul style="list-style-type: none"><li>• Depreciable lives</li><li>• Allowance for doubtful accounts</li><li>• Compensated absences</li><li>• Scholarship allowance</li><li>• Other postemployment benefits liability</li><li>• Unearned revenue</li><li>• Fair value of Investments</li><li>• Net pension items</li><li>• Functional Expenses (Innovation Corporation)</li><li>• We are comfortable with management's estimate</li></ul>	<ul style="list-style-type: none"><li>• No difficulties encountered</li><li>• No disagreements encountered</li><li>• No other findings to report</li></ul>	<ul style="list-style-type: none"><li>• No material adjustments recorded</li><li>• No passed adjustments</li><li>• Audit reports have been issued</li></ul>





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

December 1, 2023

The two hundred fifteenth meeting of the West Virginia University Board of Governors was held on December 1, 2023 in Morgantown, WV via zoom. Board members in attendance/participating via zoom included Charles Capito, Kevin Craig, Michael D’Annunzio, Dr. Patrice Harris, J. Thomas Jones, Dr. Stanley Hileman, Alan Larrick, Susan Lavenski, Paul Mattox, Taunja Willis Miller, Richard Pill, Shirley Robinson, Madison Santmyer, Frances E. “Frankie” Tack, and Robert Reynolds. Board members Bray Cary and Elmer Coppoolse were absent and excused.

**Note: With this meeting being conducted via zoom, there was no way to ascertain all attendees but the following WVU officers, divisional campus officers, representatives (and others) participated:**

President, E. Gordon Gee;  
Provost and Vice President for Academic Affairs, Maryanne Reed;  
General Counsel, Stephanie Taylor;  
Vice President and Chief Financial Officer, Paula Congelio;  
Executive Officer and Assistant Board Secretary, Jennifer Fisher;  
Director of News Communications, Shauna Johnson;  
Executive Director of Communications, University Relations,  
April Kaull; and,  
Special Assistant to the Board of Governors, Valerie Lopez.

**Members of the Press also participated.**

**CALL TO ORDER**

The meeting was called to order by Chair Taunja Willis-Miller at 12:30 p.m. A roll call was taken to determine who was in attendance and a quorum established.

**EXECUTIVE SESSION**

Chair Willis-Miller requested a motion to move Executive Session, , under authority in West Virginia Code §§6-9A-4(b)(2)(A), (b)(9), (b)(10), and (b)(12) to discuss:

- a. Potential strategic initiatives relating to academic and administrative priorities; personnel matters; corporate collaborations and financial matters relating to public private partnerships; the purchase, sale or lease of property; and other deliberative matters involving commercial competition which, if made public, might adversely affect the financial or other interest of the University; and

- b. Confidential and preliminary matters involving or affecting the University's budget for the current and upcoming academic year, including retention and enrollment.

The motion was made by Charles Capito, seconded by Alan Larrick, and passed. Following Executive Session Kevin Craig moved that the board rise from Executive Session. The motion was seconded by Paul Mattox and passed. Chair Willis-Miller stated that no actions resulted from today's Executive Session discussions.

### **ADJOURNMENT**

There being no further business to come before the board, Charles Capito moved to adjourn the meeting. The motion was seconded by Dr. Patrice Harris and passed. The meeting was adjourned at 2:31 p.m.

---

Dr. Patrice Harris, Secretary

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of September 15, 2023**

**ITEM:** Report of Real Property Transactions –  
First Quarter of FY 2024

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board

**RECOMMENDATION:** Informational

**STAFF MEMBER:** Gary Furbee, II  
Deputy General Counsel & Exec. Dir. of Real Estate Operations

**BACKGROUND:** Pursuant to Section 2.3 of BOG Finance and Administration Rule 5.1, a report of all leases and transfers of real property shall be presented to the Board at least quarterly.

**Completed and Pending Acquisition(s) or Disposition(s)**

- Pursuant to authorization granted on November 17, 2023, the University is in the process of purchasing a one acre parcel located within the Core Arboretum, Morgantown, West Virginia. A closing has not yet been scheduled.
- Pursuant to standing authority renewed on June 23, 2023, the University is in the process of leasing and eventually transferring certain parcels of vacant land located in Montgomery, WV, to the City of Montgomery.

**Other Real Property Transactions (e.g., Leases and Easements)**

Attached is a two-part report summarizing the real property agreements which were executed or became effective in the previous fiscal quarter.

## REPORT OF REAL PROPERTY TRANSACTIONS\* – PART 1: Q1, FY 23-24, FROM WVU TO A THIRD PARTY

Date of Agreement	Type of Agreement*	Lessee / Grantee / Licensee	Location	Term End	Space / Description
10/1/2022	Lease	Army National Guard	Morgantown, WV	9/30/2031	Approximately 568 Sq ft of space in Room 120 of Eagle Place
10/1/2022	Lease	West Virginia Department of Highways	Morgantown, WV	9/30/2025	4 to 6 cubicles on the seventh floor of Chestnut Ridge Research Building
4/20/2023	Easement†	City of Morgantown	Morgantown, WV	N/A	2,777 Sq ft (0.06 Acres) First Street between Beechurst Avenue & Hall Street
7/1/2023	Lease	Thomas & Haley Rosson	Morgantown, WV	6/30/2024	Private Residence
7/1/2023	Lease	Arron Scott Fleming	Beckley, WV	6/30/2024	Private Residence
7/1/2023	Lease‡	Willow Bend Agricultural Innovation Center, Inc.	Union, WV	Until Terminated	Grounds, buildings & equipment at Willow Bend Research, Education and Outreach Center
7/28/2023	Lease Addendum II	Jordan Graham	Keyser, WV	6/30/2024	Private Residence
7/31/2023	2 <sup>nd</sup> Amendment to Application & Additional License for DAS Nodes	Crown Castle Fiber LLC	Morgantown, WV	N/A	Equipment upgrades & additions to cellular equipment in DAS HUB

# REPORT OF REAL PROPERTY TRANSACTIONS\* – PART 1: Q1, FY 23-24, FROM WVU TO A THIRD PARTY

Date of Agreement	Type of Agreement†	Lessee / Grantee / Licensee	Location	Term End	Space / Description
9/1/2023	Lease	Naresh Ramesh	Beckley, WV	10/21/2023	Private Residence
9/11/2023	Lease Addendum II	Ronald McDonald House Charities of Pittsburgh and Morgantown, Inc.	Morgantown, WV	6/30/2048	Non-discretionary extension of term

\* Unless otherwise noted, WVU Finance and Administration BOG Rule 5.1 did not require prior authorization or approval by the Board.

† Authorized by the Board on February 17, 2023.

‡ Authorized by the Board on June 23, 2023.

## REPORT OF REAL PROPERTY TRANSACTIONS\* – PART 2: Q1, FY 23-24, TO WVU FROM A THIRD PARTY

Date of Agreement	Type of Agreement*	WVU Program	Planned Use	Lessor / Grantor	Location	Term End	Space / Description
1/1/2023	(WVU-A009) Parking Lot Use Agreement	WVU Athletics	Parking Lot Use	United Bank, Inc.	990 Elmer Prince Drive Morgantown, WV	12/31/2027	Football gameday parking – 93 parking spaces
7/1/2023	(WVU-148) Lease Addendum	Osher Lifelong Learning Institute	Academic	GP Mountaineer LLC	Mountaineer Mall 5000 Greenbag Road, Morgantown, WV	6/30/2026	3,939 sq ft Commercial Space
7/1/2023	(WVU-223) Lease Addendum II	Institute for Community & Rural Health	Housing for community based clinical experiences	O.C.G. Rentals, LLC	123 Lode Drive Beckley, WV	Until Terminated	Residential Apartment
7/1/2023	(WVU-303) Lease Addendum II	Institute for Community & Rural Health	Housing for community based clinical experiences	Craig & Rebecca Snow	336 McDowell Street, Apt. B Welch, WV	Until Terminated	Residential Apartment
7/1/2023	(WVU-304) Lease Addendum	Institute for Community & Rural Health	Housing for community based clinical experiences	J. Walters Enterprises, LLC	79 Lynwood Avenue Wheeling, WV	Until Terminated	Residential Apartment and two parking spaces
7/1/2023	(WVU-316) Lease Addendum	School of Pharmacy	Housing for community based clinical experiences	CAMC Housing Corporation	Dunlop Hall - #37 3000 Staunton Ave SE Charleston, WV	6/30/2024	Residential Apartment

\* Unless otherwise noted, WVU Finance and Administration BOG Rule 5.1 did not require prior authorization or approval by the Board.



## REPORT OF REAL PROPERTY TRANSACTIONS\* – PART 2: Q1, FY 23-24, TO WVU FROM A THIRD PARTY

Date of Agreement	Type of Agreement*	WVU Program	Planned Use	Lessor / Grantor	Location	Term End	Space / Description
7/1/2023	(WVU-317) Lease Addendum	School of Pharmacy	Housing for community based clinical experiences	CAMC Housing Corporation	Dunlop Hall - #43 3000 Staunton Ave SE Charleston, WV	6/30/2024	Residential Apartment
7/1/2023	(WVU-335) Lease Addendum	West Virginia University Institute of Technology	Parking	Beckley First Baptist Church	422 Neville Street Beckley, WV	6/30/2024	Two Parking Lots in Beckley
7/1/2023	(WVU-341) Lease	Extension – Putnam County	Office Space	G&G Investments LLC	3058 Mt. Vernon Road Hurricane, WV	6/30/2028	1,971 Sq ft Commercial Office Space
7/1/2023	(WVU-342) Lease	Extension Service	Office Space	K&B Supply LLC	303 Juliana Street Elizabeth, WV	Until Terminated	Commercial Office Space
7/1/2023	(WVU-A050) Facilities Use Agreement	Ascend West Virginia	Storage Space	Seneca Mall LLC	100 Third Street Elkins, WV	Until Terminated	400 Sq ft Storage Space
8/1/2023	(WVU-A051) Facilities Use Agreement	WVU Tech Athletics	Stadium Use	Linda K. Epling Stadium	476 Ragland Road Beckley, WV	Until Terminated	Baseball Stadium
9/1/2023	(WVU-343) Lease	Institute for Community & Rural Health	Housing for community based clinical experiences	RE Investments, LLC	2685 Old Bluefield Road Princeton, WV	6/30/2024	Private Residence

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 15, 2023**

**ITEM:** Confirmation of Discontinuation of Undergraduate Academic Programs

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board

**RECOMMENDATION:** Informational

**STAFF MEMBERS:** E. Gordon Gee, Ph.D.  
President

Maryanne Reed, BA, MS  
Provost and Vice President for Academic Affairs

**BACKGROUND:** Pursuant to WVU BOG Academics Rule 2.2 and in furtherance of the approval by the Board of Governors in its September 15, 2023, meeting, the following academic programs have been formally discontinued effective Fall 2024:

- BA in Technical Art History degree program, College of Creative Arts;
- BSBSE in Biometric Systems Engineering degree program, Benjamin M. Statler College of Engineering and Mineral Resources;
- BS in Environmental and Community Planning, Davis College of Agriculture, Natural Resources and Design (School of Design and Community Development); and
- BSR in Recreation, Parks and Tourism, Davis College of Agriculture, Natural Resources and Design.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS  
Meeting of December 15, 2023**

<b>ITEM:</b>	Organizational Name Change at the West Virginia University Health Sciences Center
<b>INSTITUTION:</b>	West Virginia University
<b>COMMITTEE:</b>	Full Board
<b>RECOMMENDATION:</b>	Informational
<b>STAFF MEMBERS:</b>	Dr. E. Gordon Gee President  Maryanne Reed Provost and Vice President for Academic Affairs
<b>BACKGROUND:</b>	<b>WVU BOG Governance Rule 1.2, Section 2.1 – 2.2 provides that “the President may, for purposes of organizational efficiency or other administrative or academic purposes, implement changes in the administrative and academic structures of the University or within the organization of colleges, schools, divisions, departments or other administrative units. The president of the institution shall inform the Board of Governors of any such change prior to its implementation.”</b>

Since 1994, the School of Medicine has had a unit identified as Professional and Undergraduate Degree Programs. At that time, the unit housed the undergraduate (BS) degrees in Medical Laboratory Science and Physical Therapy, with a new master’s degree in Occupational Therapy approved. In addition, as part of university re-alignment, several degree programs were moved from the College of Physical Education (at that time) over to the School of Medicine. Those degrees were in Exercise Physiology and Community Health/School Health.

Over 30 years, there has been explosive growth in these programs, not only at WVU, but nationally in response to workforce needs in the healthcare setting. Additional programs have been moved to the School of Medicine because of accreditation requirements (athletic training) or opportunities for clinical revenue generation (communication sciences & disorders). The programs currently housed under the School of Medicine, Professional & Undergraduate Programs include the following:

Undergraduate:

Exercise Physiology	(BS)
Communication Sciences & Disorders	(BS)
Immunology & Medical Microbiology	(BS)
Biomedical Laboratory Diagnostics	(BS)
Health Informatics & Information Management	(BS)
Respiratory Therapy	(BS) (currently seeking approval)

Graduate:

Exercise Physiology	(MS)
Speech Language Pathology	(MS)
Pathologists' Assistant	(MHS)
Physician Assistant	(MHS)
Occupational Therapy	(MOT)
Biomedical Laboratory Diagnostics	(MS)
Athletic Training	(MS)

First Professional (Carnegie classification)

Physical Therapy	(DPT)
Occupational Therapy	(OTD)
Audiology	(AuD)

*Fall enrollment total is 1,527*

Nationally, most of these programs are housed in academic units such as: College of Health Professions, College of Health and Rehabilitation Sciences, School of Health Sciences. An investigation into creating a new academic unit such as the College of Health Professions at WVU was undertaken through the 22-23 academic year. The conclusion was that it was not fiscally prudent to pursue that avenue at this time, especially since the liabilities of such programs being housed in a School of Medicine are small compared to the enormous benefits.

However, the name Professional and Undergraduate Programs is not recognizable to outside constituencies. In the Carnegie Classification system, a Professional Program is a distinct classification and includes health and non-health related fields of study that award professional doctoral degrees. Furthermore, other colleges and schools use the term "professional programs" to distinguish practice from research fields of study. The term "Allied Health" is dated and is virtually eliminated from the lexicon of any university.

It is our recommendation that we use the most common term "Health Professions" for these academic units and apply it after the sponsoring school, thereby creating a unit known as "School of Medicine, Health Professions".

This recommendation is a name change only and is budget neutral. It is designed to make it easier to reach out to prospective students and alumni with an identifiable name.

Administratively, the unit will continue to be run by a Vice Dean, School of Medicine Health Professions, who reports directly to the Executive Dean & Chancellor of Health Sciences.

**WVU BOG Governance Rule, Section 2.3, provides that “the president’s written notification to the Board of Governors . . . shall confirm that, when appropriate, elected faculty, classified staff, student representatives and/or organizations were consulted prior to implementing any organizational change.**

Such consultation occurred with the appropriate representatives that are affected by this change. The leadership of each of the programs listed above has approved this name change. Students will be unaffected, but are aware of the name “Health Professions” as the most common site for programs of this nature. The recruitment staff for the unit reports that having their degree tied to a School of Medicine is attractive to many prospective students. The communications team for the School of Medicine has supported this change as making it easier to identify a constituency for outreach, as has the development office. Finally, executive leadership has approved this change as meeting the goal of moving this programs into a more distinguishable unit.

The effective date for this change is January 1, 2024.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 15, 2023**

**ITEM:** Confirmation of Previously Approved Naming Opportunity  
(Clark Mountaineer Club)

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board – Information Only

**STAFF MEMBERS:** Dr. E. Gordon Gee  
President

Maryanne Reed  
Provost and Vice President for Academic Affairs

**BACKGROUND:** At a previous meeting the Board of Governors approved a naming opportunity related to a non-academic facility. Information concerning the naming opportunity was withheld until a later date to allow for a formal announcement.

On December 6, 2023 it was announced that a new, dual-purpose, premium space and training table named the Clark Mountaineer Club has opened its doors at the WVU Coliseum.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 15, 2023**

**ITEM:** Confirmation of Previously Approved Naming Opportunity  
(Hospitality and Tourism Management program at the John Chambers  
College of Business and Economics)

**INSTITUTION:** West Virginia University

**COMMITTEE:** Full Board – Information Only

**STAFF MEMBERS:** Dr. E. Gordon Gee  
President

Maryanne Reed  
Provost and Vice President for Academic Affairs

**BACKGROUND:** At a previous meeting the Board of Governors approved a naming  
opportunity related to an academic program. Information  
concerning the naming opportunity was withheld until a later date  
to allow for a formal announcement.

On November 24, 2023 it was announced that future WVU  
students will benefit in the Hospitality and Tourism Management  
program at the John Chambers College of Business and  
Economics.

## WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS

Meeting of December 15, 2023

**ITEM:** Approval of New Program: BS in Robotics Engineering in the Benjamin M. Statler College of Engineering and Mineral Resources

**INSTITUTION:** West Virginia University

**COMMITTEE:** Consent Agenda

**RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approve the creation of a new BS degree in the Benjamin M. Statler College of Engineering and Mineral Resources

**STAFF MEMBERS:** Maryanne Reed. BA, MS  
Provost and Vice President for Academic Affairs

**BACKGROUND:** This proposal would build upon our existing educational and research capacity in robotics within the Department of Mechanical and Aerospace Engineering and in Statler. The new degree program would help attract and retain engineering students to the university and would provide well-trained students to our already successful graduate program, thus allowing its expansion and, consequently, increasing WVU's research capability in robotics. A coordinator would interface between existing BS in Mechanical and BS and Computer Engineering programs, maintain the robotics lab spaces, coordinate K-12 outreach events in partnership with the WV Robotics Alliance, and support industrial outreach to foster robotics related career opportunities for WVU students.

Strengthening our robotics education with a new degree program is a proposed to achieve sustainable growth in robotics as opposed to only continuing seeking funds for specific research endeavors.

The main goal of the proposed intent to plan is to create a Bachelor of Science in Robotics Engineering program at WVU. There is growing demand for robotics from the students finishing high school, from industry requiring workers with these qualifications, and from the state government by seeking to improve the quality of life in West Virginia by leveraging and growing scientific research and innovation at higher education institutions.

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 December 4, 2023, meeting.

The curriculum is designed to be 124 credit hours. The new degree program will be available to students beginning in Fall 2024.



**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 15, 2023**

- 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:** Ted Svehlik  
Associate Vice President – Auxiliary and Business Services
- 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 4**  
**October 2023**

## 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>	Jeremy Evans Acting 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

**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 Cook	West Virginia University	University Police Department
Eric Jeppesen	West Virginia University	Environmental Health & Safety
John Hando	West Virginia University	Environmental Health & Safety
Deanna Watts	West Virginia University	Talent and Culture – Medical Management
Sarah Seime	West Virginia University	Talent and Culture – Employee Relations
Samantha Burwell	West Virginia University	Talent and Culture - Operations
Jamie Kosik	West Virginia University	Facilities Management
Joe Patten	West Virginia University	Auxiliary and Business Services
Ted Svehlik	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 B:** WVU PRT Accident 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

**Accident:** an event that involves any of the following: a loss of life; a report of a serious injury to a person, a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

**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.

**Event:** any accident, incident, or occurrence.

**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.

**Incident:** an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring a medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

**Investigation:** the process of determining the causal and contributing factors of an accident, incident, 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.

**Occurrence:** an event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

**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 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 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, 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.



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 69 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 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 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.

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Jeremy Evans  
Accountable Executive

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Date

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**

	<b>Safety Performance Targets</b>	<b>Safety Performance Measures</b>
<b>Fatalities</b>	0 annually	Total number of NTD reportable fatalities
	0 per all revenue miles	Rate per all vehicle revenue miles
<b>Injuries</b>	<12 annually	Total number of NTD reportable injuries
	<1 per 250,000 revenue miles	Rate per 250,000 vehicle revenue miles
<b>Safety Events</b>	< 50 annually	Total number of NTD reportable events
	<1 per 70,000 revenue miles	Rate per 70,000 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.

WVU PRT may adjust or establish additional safety performance objectives in response to 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), and US DOT Drug and Alcohol standards found in 49 CFR Part 655. 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 Event Reporting Thresholds*

The thresholds below are the FTA guidelines for the reporting of 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 Accidents*

If an event meets any of the conditions listed below, the event is considered an accident and the State Safety Oversight Agency (SSOA) and the Federal Transit Administration (FTA) must be notified of the event within two hours after it occurs. Contact information for the SSOA and FTA is provided in the next section. Please see Appendix B for the accident reporting/communication protocol.

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

**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 Accident 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 adjacent track; or customer self-evacuation or transfer of passengers to rescue vehicles or alternant means of transportation due to obstructions, loss of power, mechanical breakdown and system failures, or damage.

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

#### *1.1.2.2 Incidents*

According to Section 9 of the SSOA Program Standard, WVU PRT shall notify the SSOA of all incidents within **1 business day**.

An incident means an event that involves any of the following:

1. A personal injury that is not a serious injury;
2. One or more injuries requiring medical transport;
3. Damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a fixed guideway transit agency.

#### *1.1.2.3 Occurrences*

According to Section 9 of the SSOA Program Standard, WVU PRT shall notify the SSOA of all occurrences within **1 business day**. An occurrence means an event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a fixed guideway transit agency.

### 1.1.3 Agency Contact Information

#### How to notify the FTA of an accident:

- Contact the U.S. Department of Transportation Crisis Management Center (CMC) within two hours of a reportable accident, 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 accident information details as specified in the SSOA Program Standard.

#### How to notify the WVDOT-DMTF-PT SSOA of an accident:

- 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**

Title	
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 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 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 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 Division of Public Transit (WVDPT). 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 accidents to identify trends and recommend an appropriate CAP
- Conduct investigations and review of all events
- Participate in root cause analysis of accidents and incidents 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 WVDPT or its agents
- Collaborate with WVU PRT managers to integrate the safety in equipment, facilities, and processes
- Coordinate and implement safety training programs
- Coordinate with emergency responders and other supporting agencies during major 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 events and passenger or employee injuries and illnesses. This position designs and implements initiatives to support safety policies, 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 system-wide efforts are taken to resolve significant safety issues. The AD will play a key role in event investigations and root cause analysis of collisions, passenger and employee injuries/illnesses and fatalities, major fires and other serious 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 events and emergencies
- Actively participate in investigations of all accidents, passenger or employee injuries or fatalities, fires, major equipment damage, and other major 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 accident 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 procedurals, 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 incidents and accidents to agencies is outlined in the accident 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/emergency-management/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 accident/incident data
- Upon written notification from the SSOA

WVU PRT will maintain records associated with SMS activities identified in this plan. 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 WVDPT

Annual revisions of the PRTASP are finalized and submitted to SSOA by December 31 each year. 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 accidents, 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
- 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 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 report hazards and safety concerns anonymously 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.

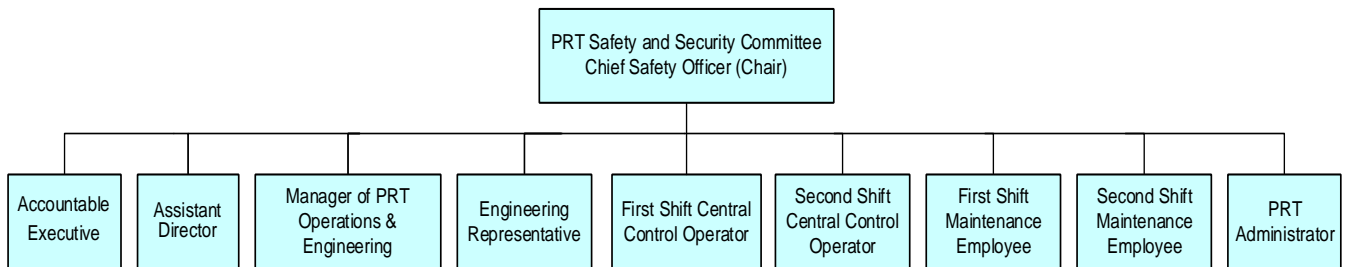
#### 2.2.1 WVU PRT Safety and Security Committee

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, 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**

<b>Likelihood Levels</b>	<b>Within Specific Individual Items</b>	<b>Within a Fleet or Inventory</b>
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

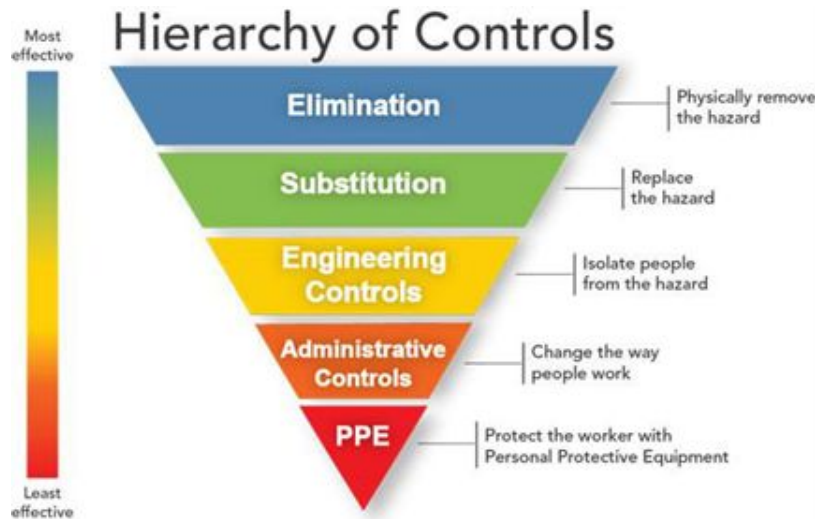
The categories in which the hazard ratings fall under are outlined in the WVU PRT Hazard Risk Management Procedure.

- **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

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 events (accidents, incidents, occurrences) 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 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.

## *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 events, safety concerns, and hazardous conditions. Reports shall be developed regarding safety performance trends and other related data such as 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 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)
- Event (accident/incident) reports
- Accident 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 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 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 event investigations at WVU PRT. The FTA Administrator also has the authority to investigate or review findings related to an accident. 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 an accident, the investigation will be led by the CSO with active participation by the AD and WVU EH&S, as needed.

The purpose of investigations are to identify causal factors and as needed, identify mitigations to prevent events from reoccurring. The CSO needs to be Public Transportation Safety Certification Program (PTSCP) certified, familiar with the WVU PRT SOPs, NTD reporting requirements, and continue taking the required TSI training courses. When responding to any event, the CSO and AD will evaluate if they are qualified to successfully investigate the event and recommend corrective actions. If necessary, WVU PRT will augment its investigative team with appropriate outside experts, including WVU EH&S, UPD, or the WVU Emergency Response Coordinator.

Following the notification to the SSOA of an accident, 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 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 an 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 events deemed by SSOA as requiring investigation will be investigated by the CSO, appropriate WVU PRT staff, and WVU EH&S, as necessary.

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

If an 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 an 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

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

Each CAP will be submitted to the SSOA for review and approval within 30 business days of an event. 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.

### 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. An 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.

### 3.2 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.

## 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. 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 accident and incident 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 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.

The CSO is responsible for the following training activities:

- 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
  - Oriented to the location of safety equipment in their assigned
  - Aware of preventive maintenance and repair procedures

The CSO is responsible for the following training activities:

- Provide annual refresher training on SMS and PRTASP
- Coordinate required annual safety trainings with the WVU EH&S Department
- 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

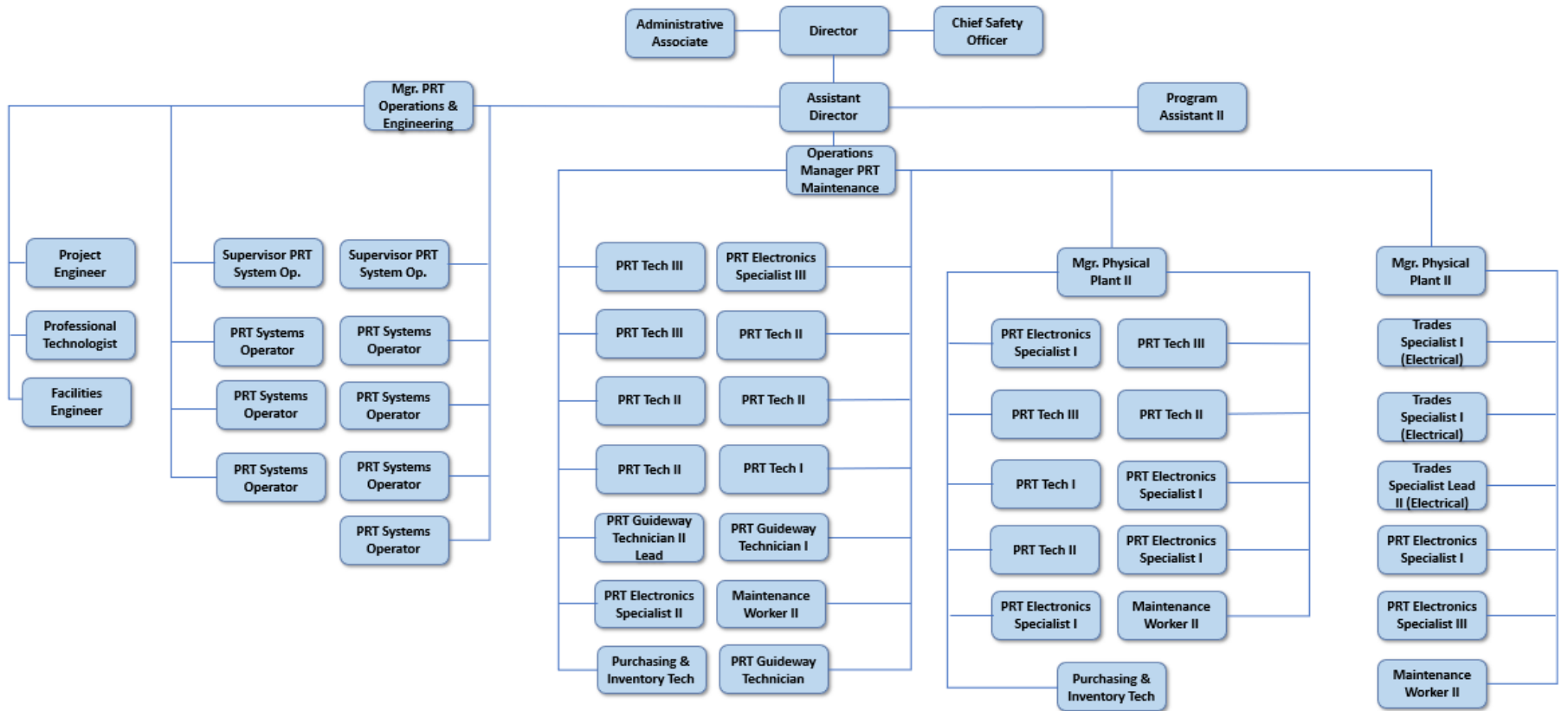
The CSO is delegated the responsibility of safety and the SMS training that includes planning and appropriate coordination for employee safety training. With the assistance of the AD, the CSO will ensure that WVU PRT employee safety and related training is completed in accordance with all legislative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

# **Appendix A**

## **WVU PRT Organizational Chart**



# Organizational Chart PRT

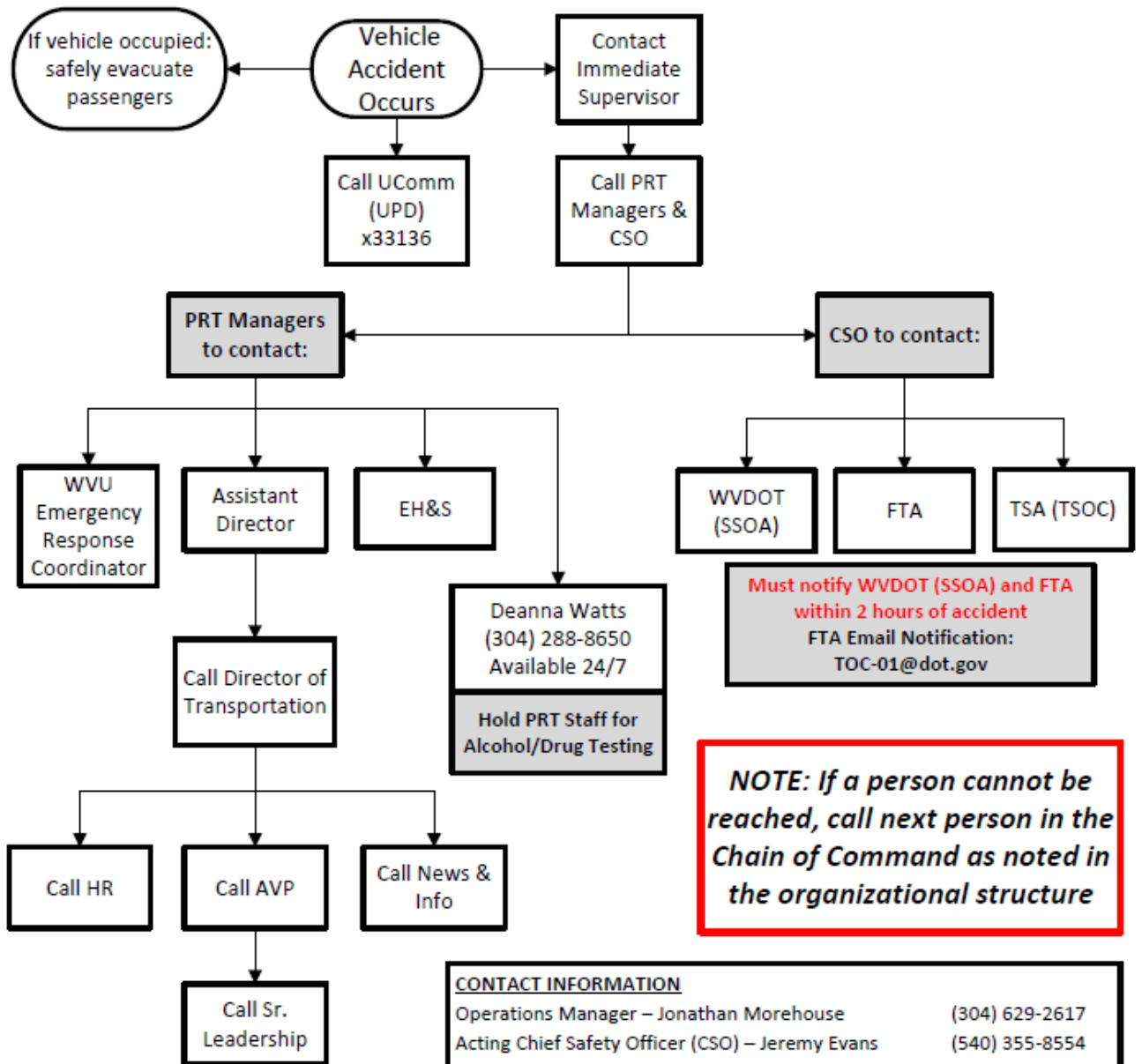


# **Appendix B**

## **WVU PRT Accident Reporting Protocol**



## WVU PRT Vehicle Accident Reporting Protocol



CONTACT INFORMATION	
Operations Manager – Jonathan Morehouse	(304) 629-2617
Acting Chief Safety Officer (CSO) – Jeremy Evans	(540) 355-8554
Assistant Director – Steve Vozniak	(304) 476-7700
Director of Transportation – Jeremy Evans	(540) 355-8554
Assistant Vice President (AVP) – Joe Patten	(304) 293-5876
Human Resources (HR) - Maria Witt	(304) 692-6285
EH&S – Eric Jeppesen	(304) 293-5853
WVU Emergency Response Coordinator – John Hando	(304) 680-2165
News & Info – April Kaull	(304) 293-3990
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

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 15, 2023**

- ITEM:** Approval and execution of one Statements of Work (“SOW”) under such MSA for audit, assurance, and other services provided by CliftonLarsonAllen LLP (“CLA”), WVU’s external auditor, to West Virginia University
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- STAFF MEMBER:** Barbara Weiss  
Senior Associate Vice President for Finance
- BACKGROUND:** The following SOW will be executed under the MSA by the Audit Committee Chair, Richard Pill. The SOW describes the scope of the specific professional services to be provided by CLA -
- SOW – Agreed Upon Procedures (“AUP”) for WVU as of December 31, 2023
- The SOWs for WVU and WVURC for the audit work related to the fiscal year ending June 30, 2024, will be brought to the committee after the RFP process is complete and HEPC’s contract with the selected firm is finalized. The existing CLA contract is a five-year contract and is up for renewal.



## Statement of Work - Agreed-upon Procedures

December 1, 2023

This document constitutes a statement of work ("SOW") under the master service agreement ("MSA") dated November 29, 2022, or superseding MSA, made by and between CliftonLarsonAllen LLP ("CLA," "we," "us," and "our") and West Virginia University ("you," "your," "University," or "the entity") and the West Virginia University Board of Governors. 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 six-month period ended December 31, 2023.

Don Loberg is responsible for the services provided to you. They will be assisted by Chris Knopik, who 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 has specified and agreed to, listed in the attached schedule, to evaluate your compliance with the interim reporting requirement as defined by the Audit Committee of West Virginia University as of or for the six-month period ended December 31, 2023. West Virginia University is responsible for evaluate your compliance with the interim reporting requirement as defined by the Audit Committee.

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 agrees to and acknowledges the procedures performed or to be performed are appropriate for the intended purpose of interim reporting requirements as defined by the Audit Committee of the University. The intended users of the agreed-upon procedures report are the Board of Governors, Audit Committee, and management of the University. Intended users in addition to West Virginia University 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 \$100,000 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 evaluate your compliance with the interim reporting requirement as defined by the Audit Committee 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 the Board of Governors, Audit Committee, and management of the 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 evaluate your compliance with the interim reporting requirement as defined by the Audit Committee 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 evaluate your compliance with the interim reporting requirement as defined by the Audit Committee, 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 evaluate your compliance with the interim reporting requirement as defined by the Audit Committee 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 evaluate your compliance with the interim reporting requirement as defined by the Audit Committee that may affect the evaluate your compliance with the interim reporting requirement as defined by the Audit Committee.

**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 will not exceed \$20,900. We will also bill for expenses including travel, internal and administrative charges) plus a technology and client support fee of five percent (5%) of all professional fees billed. 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 each month as work progresses and are payable on presentation.

**Agreement**

We appreciate the opportunity to be of service to you and believe this SOW accurately summarizes the significant terms of our engagement. This SOW constitutes the entire agreement regarding these services and supersedes all prior agreements (whether oral or written), understandings, negotiations, and discussions between you and CLA. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this SOW, please sign, date, and return the enclosed copy to us.

Sincerely,

**CliftonLarsonAllen LLP**



**CLA**

CliftonLarsonAllen LLP

*Christopher G. Knopik*

\_\_\_\_\_  
Christopher G. Knopik, Principal

DATE: \_\_\_\_\_

West Virginia University

SIGN: \_\_\_\_\_

Richard Pill, Audit Committee Chair

DATE: \_\_\_\_\_

**Client**

West Virginia University

SIGN: \_\_\_\_\_

Paula Congelio, Vice President and CFO

**Agreed Upon Procedures**

1. Obtain the bank reconciliations and statements of all bank accounts as of December 31, 2023, and January 31, 2024 for the University (excluding WVU Research, WVU Athletic Department Clearing Account, WVU Athletic Department Game Advance Account, WVU Mountainlair Advance Account, and OASIS bank accounts) and perform the following procedures:
  - a. Using the December 31, 2023, bank reconciliation, compare the reconciled bank balance to the general ledger as of December 31, 2023, for the above listed bank and deposit accounts.
  - b. Identify and select checks over \$1,000,000 that cleared the bank on each of the January 2024 bank statements. If the check is dated prior to January 1, 2024, site the check is on the outstanding checklist to determine if the check is included in the December 31, 2023, bank reconciliation as an outstanding check; if the check is dated subsequent to December 31, 2023, bank reconciliation scan the list to determine if the check is properly not included in the December 31, 2023, bank reconciliation outstanding check list.
  - c. Identify and select deposits over \$1,000,000 that cleared the bank on the January 2024 bank statements. If the deposit is dated prior to January 1, 2024, by sighting the deposit is on the deposit in transit list to determine if they the deposit is included in the December 31, 2023, bank reconciliation as a deposit in transit; if the deposit is dated subsequent to December 31, 2023, scan the list to determine if the deposit is properly not included in the December 31, 2023, bank reconciliation deposits in transit.

d. Using the December 31, 2023, bank reconciliations, identify and select checks over \$1,000,000 that are included on the outstanding check list but did not clear the January 2024 bank statement. With the identified checks, utilize the invoice or supporting documentation to determine if the invoice, statement, or other documentation is dated prior to January 1, 2024 (by sighting date). This procedure will review those checks not tested in step lb.

2. 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. Select the largest invoices associated with each selected project to achieve a minimum of sixty-five percent of the dollar value of the 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, 2023. Selections should exclude assets related to the implementation of GASB Statement No. 87 - Leases and GASB Statement No. 96 - Subscription Based Information Technology Arrangements.

3. Recalculate the compensated absences accrual amount in accordance with the "University's Methodology for Certain Adjustments to the Quarterly Financial Statements FY 2024" (the "Methodology") for the six months ended December 31, 2023, as supported by the applicable workpapers prepared by management and compare such amounts to the balances recorded in the unaudited financial statements. NOTE: We will not be looking at supporting documentation to ensure the numbers are accurate but rather recalculating for mathematical accuracy.

4. Obtain management's calculation of the unearned revenue for tuition and fees as of December 31, 2023. Recalculate the unearned revenue for tuition and fees as of December 31, 2023, as defined in the "University's Methodology for Certain Adjustments to the Quarterly Financial Statements FY 2024" (the "Methodology"), as prepared by the University's management, which details specific University policy for calculating these amounts. NOTE: We will not be looking at supporting documentation to ensure the numbers are accurate but rather recalculating for mathematical accuracy.

5. We will recompute the difference between actual revenues and expenses reported on the unaudited financial statements for the six-month periods ended December 31, 2023, and 2022. For any differences in revenues and expenses which are greater than or equal to \$1,000,000 and 10% of the six-month period ended December 31, 2023, amounts, we will do the following:

a. Inquire of the department management regarding reason for the variances. We will not vouch any documents but will ensure that the explanations appear reasonable.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 15, 2023**

- ITEM:** Naming Opportunity
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That pursuant to BOG Governance Rule 2.2, the West Virginia University Board of Governors hereby approves the naming opportunity discussed during today’s Executive Session.
- STAFF MEMBERS:** E. Gordon Gee  
President
- Ted Svehlik  
Associate Vice President of Auxiliary and Business Services
- BACKGROUND:** The administration has presented an honorific naming opportunity. Details of the naming opportunity will be withheld until a later date at which time formal announcements and ceremonies will be held.

**WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS**  
**Meeting of December 15, 2023**

- ITEM:** Approval of BOG Committee Changes
- INSTITUTION:** West Virginia University
- COMMITTEE:** Full Board – Consent Agenda
- RECOMMENDATION:** Resolved: That the West Virginia University Board of Governors approves the two proposed committee changes, set forth below, to be incorporated into the existing committee assignments currently listed on the WVU Board of Governors website
- STAFF MEMBER:** Taunja Willis-Miller  
BOG Chair

**Formation of a Governance Ad Hoc Committee**

A Governance Ad Hoc Committee will work with General Counsel Stephanie Taylor to map out and provide guidance to the Board related to several areas, including best practices for a presidential search, rules on selection and evaluation of presidents, and the Board's overall committee structure, board training and other functions. Board member Dr. Patrice Harris will serve as Chair of this committee, and the group will include board members Charles Capito, Kevin Craig, Richard Pill and Frankie Tack. Chair Taunja Willis-Miller will serve as ex officio on this committee.

Additionally, Dr. Patrice Harris will step down as the Chair of the Board's Academic Affairs and Accreditation Committee and be replaced by Charles Capito.