

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1254

Session of
1977

INTRODUCED BY PIEVSKY, JUNE 6, 1977

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
SEPTEMBER 28, 1977

A SUPPLEMENT

1 To the act of July 7, 1972 (P.L.743, No.176), entitled "An act
2 providing for the establishment and operation of Lincoln
3 University as an instrumentality of the Commonwealth to serve
4 as a State-related institution in the higher education system
5 of the Commonwealth; providing for change of name; providing
6 for the composition of the board of trustees; terms of
7 trustees, and the power and duties of such trustees;
8 providing for preference to Pennsylvania residents in
9 tuition; authorizing appropriations in amounts to be fixed
10 annually by the General Assembly; providing for the auditing
11 of accounts of expenditures from said appropriations;
12 providing for public support and capital improvements;
13 authorizing the issuance of bonds exempt from taxation within
14 the Commonwealth; requiring the President to make an annual
15 report of the operations of Lincoln University," making
16 appropriations for carrying the same into effect, providing
17 for a basis for payments of such appropriation, and providing
18 a method of accounting for the funds appropriated.

19 The General Assembly of the Commonwealth of Pennsylvania
20 hereby enacts as follows:

21 Section 1. The following sums, or as much thereof as may be
22 necessary, is hereby specifically appropriated to the Trustees
23 of the College of Lincoln University, Chester County, for the
24 fiscal period July 1, 1977 to June 30, 1978, for the purposes
25 and in the amounts as shown:

26 (1) For educational and general expenses..... \$3,428,000

1 (2) For cost of student aid..... 150,000

2 Section 2. Payments to Lincoln University on account of the
3 appropriations for the items provided in section 1 shall be made
4 on the basis of costs during the fiscal period.

5 Section 3. Payments to Lincoln University of the
6 appropriation herein provided shall be made monthly during the
7 fiscal period.

8 Such monthly payments shall be made in accordance with the
9 provisions of section 2, on the basis of estimated costs. The
10 estimate of costs shall be submitted by Lincoln University to
11 the Secretary of Education, the General Assembly and to the
12 State Treasurer not later than 30 days prior to the date on
13 which such payment is to be made.

14 Section 4. Lincoln University shall apply the moneys
15 appropriated by this act only for such purposes as are permitted
16 in this act and shall at all times maintain proper records
17 showing the application of such moneys. Not later than 120 days
18 after the close of the fiscal period to which this act relates,
19 Lincoln University shall file with the Secretary of Education,
20 the General Assembly and with the Auditor General of the
21 Commonwealth a statement setting forth the amounts and purposes
22 of all expenditures made from moneys appropriated by this act
23 and costs, as provided in section 2, used as a basis for receipt
24 of any appropriation during said fiscal period. Such statement
25 of expenditures and costs shall be reviewed by the Auditor
26 General of the Commonwealth, and he shall have the right, in
27 respect to the moneys appropriated by this act, to audit and
28 disallow expenditures made for purposes not permitted by this
29 act. The Auditor General shall also make a determination of
30 costs and make certification as to their correctness. In respect

1 to expenditures made by the university from moneys other than
2 those appropriated by this act, the Auditor General shall have
3 the right to review only and he shall file annually with the
4 General Assembly such information concerning said expenditures
5 as the General Assembly or any of its committees may require.

6 ~~Section 5. A report shall be submitted to the Secretary of~~ <—
7 ~~Education, the Governor, and the Appropriations and Education~~
8 ~~Committees of the Senate and House of Representatives and shall~~
9 ~~include data for all programs of the university except the~~
10 ~~Doctor of Medicine program. The report, to be submitted prior to~~
11 ~~October 1, 1977, shall cover the twelve month period beginning~~
12 ~~July 1, 1976 and ending June 30, 1977. The report shall~~
13 ~~include:~~

14 ~~(1) For each term during the period, the following counts~~
15 ~~and distributions:~~

16 ~~(i) The definitions and numbers of full time faculty~~
17 ~~members, of part time faculty members, of full time graduate~~
18 ~~students, of part time graduate students, of full time~~
19 ~~undergraduate students, and of part time undergraduate students.~~

20 ~~(ii) A distribution of part time faculty members by the~~
21 ~~percentage of full time employment.~~

22 ~~(iii) Definitions of course levels of instruction and the~~
23 ~~number of different courses scheduled by course level,~~
24 ~~distributed by the number of sections scheduled in each course~~
25 ~~and the sections distributed by the number of students enrolled~~
26 ~~in each section.~~

27 ~~(iv) Number of terms scheduled and the dates thereof.~~

28 ~~(2) For the twelve month period, the following, distributed~~
29 ~~by student level: lower division undergraduate, upper division~~
30 ~~undergraduate, graduate, and first professional (excluding~~

~~Doctor of Medicine) within HEGIS discipline division (as defined by "A Taxonomy of Instructional Programs in Higher Education," U. S. Department of Health, Education, and Welfare, Office of Education, 1970):~~

~~(i) The number of equivalent full time students (EFTS) taught.~~

~~(A) EFTS taught by HEGIS discipline will be determined from production student credit hours (student credit hours produced by an academic department, regardless of the student majors taking the courses).~~

~~(B) EFTS taught by student level within HEGIS discipline divisions will be determined by the level of the students taking the courses, regardless of the course level of instruction of the courses being taken.~~

~~(ii) Teaching salaries per equivalent full time student.~~

~~(A) Teaching salaries will be distributed by student level based on course credits taught, with equal weight given to all course levels of instruction.~~

~~(B) In distributing teaching salaries, each thirty student credit hours of thesis or dissertation work equals one three-credit section.~~

~~(C) In distributing teaching salaries, all students engaged in independent study who are assigned to one faculty member will be considered one three-credit section.~~

~~(D) Teaching salaries will be distributed by student level only for those individuals budgeted for instruction as reflected in Part III, "Instruction and Departmental Research," Commonwealth of Pennsylvania Budget Instructions for State Related Universities, Phase I, Fiscal Year 1978-1979.~~

~~(iii) Total costs per equivalent full time student.~~

~~(A) Direct costs other than teaching salaries will be allocated by student level within HEGIS discipline division based on institutional records.~~

~~(B) Indirect costs of instruction will be prorated to each student level within HEGIS discipline division as a percentage of direct costs. An exception will be major organized activities (e.g., university farm operations, dental clinics). These activities will be allocated directly to the related HEGIS discipline group.~~

~~(iv) Costs to the Commonwealth per equivalent full time student.~~

~~(A) Total costs will be offset by income for instruction to determine costs to the Commonwealth.~~

~~(B) Income for instruction derived from student tuition will be allocated by HEGIS discipline and by student level based on the number of equivalent full time students and the specific tuition rates for that level.~~

~~(C) Income for instruction derived from other sources and related to a specific HEGIS discipline group will be allocated directly to that group.~~

~~(D) Income for instruction derived from other sources and not related to a specific HEGIS discipline group will be allocated as a percentage of student tuition income.~~

~~(v) Totals by student level for all HEGIS discipline divisions combined for:~~

~~(A) The number of equivalent full time students taught.~~

~~(B) Teaching salaries per equivalent full time student.~~

~~(C) Total costs per equivalent full time student.~~

~~(D) Costs to the Commonwealth per equivalent full time student.~~

~~These totals must agree with the corresponding totals in Part III, "instruction and departmental research," Commonwealth of Pennsylvania Budget Instructions for State Related Universities, Phase I, Fiscal Year 1978-1979.~~

~~(vi) All program data will be compiled from institutional records. Program data are required for each HEGIS discipline in which the institution offers instructional programs. Unless otherwise specifically stated, the conventions and procedures will be the same as those specified in the Commonwealth of Pennsylvania Budget Instructions for State Related Universities, Phase I, Fiscal Year 1978-1979.~~

~~Section 6. In addition to the requirements of section 5, the report covering the twelve month period beginning July 1, 1976 and ending June 30, 1977, shall include for all programs of the university, except the Doctor of Medicine program:~~

~~(1) Minimum number of credits required for a baccalaureate degree, and for a master's degree.~~

~~(2) Number of associate degrees, baccalaureate degrees, master's degrees, first professional degrees, and doctoral degrees awarded by HEGIS discipline divisions, for 1975-1976, 1976-1977 and projected for 1977-1978.~~

~~(3) A listing of the academic departments and instructional subject matter in each of the HEGIS discipline divisions included in the report specified in section 5.~~

SECTION 5. A REPORT SHALL BE SUBMITTED TO THE GOVERNOR AND
THE APPROPRIATIONS AND EDUCATION COMMITTEES OF THE SENATE AND
HOUSE OF REPRESENTATIVES AND SHALL INCLUDE DATA FOR ALL PROGRAMS
EXCEPT THE DOCTOR OF MEDICINE PROGRAM. EACH SUCH REPORT, TO BE
SUBMITTED PRIOR TO NOVEMBER 1, 1978, SHALL COVER THE 12-MONTH
PERIOD BEGINNING SEPTEMBER 1, 1977 AND SHALL INCLUDE FOR EACH

<—

1 TERM DURING THE PERIOD:

2 (1) THE FOLLOWING COUNTS AND DISTRIBUTIONS:

3 (I) THE DEFINITIONS AND NUMBERS OF FULL-TIME FACULTY
4 MEMBERS, OF PART-TIME FACULTY MEMBERS, OF FULL-TIME
5 STUDENTS ENROLLED IN GRADUATE COURSES, OF FULL-TIME
6 STUDENTS ENROLLED IN UNDERGRADUATE COURSES, OF PART-TIME
7 STUDENTS ENROLLED IN GRADUATE COURSES, AND OF PART-TIME
8 STUDENTS ENROLLED IN UNDERGRADUATE COURSES.

9 (II) A DISTRIBUTION OF PART-TIME FACULTY MEMBERS BY
10 THE PERCENTAGE OF FULL-TIME EMPLOYMENT.

11 (III) TOTAL NUMBERS OF UNDERGRADUATE STUDENT CREDIT
12 HOURS, DIVIDED INTO LOWER DIVISION AND UPPER DIVISION
13 LEVELS, AND OF GRADUATE STUDENT CREDIT HOURS DIVIDED INTO
14 THREE LEVELS--MASTER'S, FIRST PROFESSIONAL AND DOCTORAL.

15 (IV) NUMBER OF DIFFERENT COURSES SCHEDULED BY LEVEL
16 OF INSTRUCTION, DISTRIBUTED BY THE NUMBER OF SECTIONS
17 SCHEDULED IN EACH COURSE AND THE SECTIONS DISTRIBUTED BY
18 THE NUMBER OF STUDENTS ENROLLED IN EACH SECTION.

19 (V) NUMBER OF TERMS SCHEDULED AND THE DATES THEREOF.

20 (2) A CLASSIFICATION OF FACULTY MEMBERS OR OTHER
21 PROFESSIONAL EMPLOYEES BY TITLE INCLUDING: PROFESSOR,
22 ASSOCIATE PROFESSOR, ASSISTANT PROFESSOR, INSTRUCTOR,
23 LECTURER, RESEARCH ASSOCIATE, LIBRARIAN, AND ACADEMIC
24 ADMINISTRATOR; FACULTY MEMBERS OR OTHER PROFESSIONAL
25 EMPLOYEES UNDER EACH TITLE TO BE SUBDIVIDED BY TYPE OF
26 ASSIGNMENT: UNDERGRADUATE COURSES ONLY, GRADUATE COURSES
27 ONLY, OR BOTH GRADUATE AND UNDERGRADUATE COURSES; AND EACH
28 SUCH SET OF FACULTY MEMBERS OR OTHER PROFESSIONAL EMPLOYEES
29 TO BE FURTHER SUBDIVIDED BY TYPE OF EMPLOYMENT: FULL-TIME OR
30 PART-TIME; AND THE FOLLOWING AGGREGATES FOR EACH SUCH

1 SUBDIVIDED CLASSIFICATION:

2 (I) THE NUMBER.

3 (II) THE SUM OF CREDITS ASSIGNED TO UNDERGRADUATE
4 COURSES AND THE SUM OF CREDITS ASSIGNED TO GRADUATE
5 COURSES TAUGHT, DIVIDED INTO LOWER DIVISION, UPPER
6 DIVISION, MASTER'S, FIRST PROFESSIONAL AND DOCTORAL
7 LEVELS.

8 (III) THE SUM OF UNDERGRADUATE STUDENT CREDIT HOURS
9 AND THE SUM OF GRADUATE STUDENT CREDIT HOURS GENERATED;
10 DIVIDED INTO LOWER DIVISION, UPPER DIVISION, MASTER'S,
11 FIRST PROFESSIONAL AND DOCTORAL LEVELS.

12 (IV) TOTAL SALARY PAID.

13 (V) TOTAL SALARY PAID FROM COLLEGE OR UNIVERSITY
14 FUNDS.

15 (VI) TOTAL SALARY PAID FROM FEDERAL FUNDS.

16 (VII) TOTAL SALARY PAID FROM OTHER FUNDS.

17 (3) FOR EACH TERM OF THE PERIOD COVERED FOR EACH FULL-
18 TIME FACULTY MEMBER IDENTIFIED BY SCHOOL, DEPARTMENT AND
19 TITLE:

20 (I) AN ANALYSIS OF THE AVERAGE HOURS PER WEEK SPENT
21 IN COLLEGE OR UNIVERSITY-RELATED ACTIVITIES, STATING
22 SPECIFICALLY HOURS SPENT IN UNDERGRADUATE CLASSROOM
23 CONTACT AND GRADUATE CLASSROOM CONTACT, HOURS SPENT IN
24 PREPARATION, HOURS SPENT IN RESEARCH AND HOURS SPENT IN
25 PUBLIC SERVICE.

26 (II) THE TOTAL SALARY PAID AND THE SALARY PAID FROM
27 COLLEGE OR UNIVERSITY FUNDS.

28 IN ADDITION TO THE ABOVE REQUIREMENTS RELATIVE TO THIS
29 APPROPRIATION, EACH REPORT COVERING THE 12-MONTH PERIOD
30 BEGINNING SEPTEMBER 1, 1977, SHALL INCLUDE FOR ALL PROGRAMS OF

1 THE UNIVERSITY:

2 (1) MINIMUM NUMBER OF CREDITS REQUIRED FOR A
3 BACCALAUREATE DEGREE AND FOR A MASTER'S DEGREE.

4 (2) NUMBER OF BACHELOR'S DEGREES, MASTER'S DEGREES,
5 FIRST PROFESSIONAL DEGREES, AND DOCTORAL DEGREES AWARDED IN
6 1975, 1976, 1977 AND ESTIMATED 1978.

7 THE UNIVERSITY SHALL REPORT ITS REVENUES AND EXPENDITURES AND
8 PRESENT ITS FINANCIAL STATEMENTS REQUIRED UNDER THE PROVISIONS
9 OF THIS ACT IN ACCORDANCE WITH HIGHER EDUCATION FINANCE MANUAL
10 (1975).

11 Section 7 6. The university shall provide such information <—
12 and in such form and manner as the Department of Education may
13 prescribe.

14 Section 8 7. The university shall report its revenues and <—
15 expenditures and present its financial statements required under
16 the provisions of this act in accordance with generally accepted
17 accounting principles and procedures for educational
18 institutions as set forth in "Higher Education Finance Manual"
19 United States Department of Health, Education and Welfare (1975)
20 with the exceptions set forth in the Commonwealth of
21 Pennsylvania Budget Instructions for State-Related Universities,
22 Phase I, Fiscal Year 1977-1978. Credits granted for non-
23 traditional programs such as CLEP, lifelong learning etc.,
24 including all related costs and revenues thereof shall be
25 excluded from the function of "Instruction" and included under
26 "Public Service."

27 SECTION 8. AS A CONDITION TO RECEIVING THESE APPROPRIATIONS, <—
28 THE UNIVERSITY SHALL NOT ESTABLISH OR CONDUCT OR COOPERATE WITH
29 ANY AGENCY TO ESTABLISH OR CONDUCT ANY RESEARCH OR EXPERIMENTS
30 WHICH HAVE THE POTENTIAL TO INTERFERE WITH THOUGHT PROCESSES OF

1 ANY HUMAN BEING WITHOUT THE INFORMED CONSENT OF SUCH INDIVIDUAL.
2 THE GENERAL ASSEMBLY MAY WITHHOLD PART OR ALL OF ANY
3 APPROPRIATION IF THE UNIVERSITY IS FOUND TO BE VIOLATING THE
4 PROVISIONS OF THIS SECTION. THIS SECTION SHALL NOT APPLY TO ANY
5 CONTRACTS FOR RESEARCH OR EXPERIMENTATION WHICH ARE IN EFFECT ON
6 THE EFFECTIVE DATE OF THIS ACT.

7 SECTION 9. EXCEPT WHERE RESTRICTED BY CONTRACT OR BY TERMS
8 OF AN ENDOWMENT, DISTINGUISHED FACULTY MEMBERS IN WRITING,
9 LECTURING, AUDIO-VISUAL TECHNIQUES OR RECOGNIZED ON A NATIONAL
10 OR REGIONAL LEVEL AS AN EXPERT IN A SPECIFIC DISCIPLINE AT THE
11 UNIVERSITY SHALL PRESENT AT LEAST THREE ACADEMIC LECTURES OR
12 FIVE ACADEMIC CLASSROOM PRESENTATIONS PER ACADEMIC YEAR.

13 Section 9 10. This act shall take effect July 1, 1977.

<—