

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 10

Session of
1987

INTRODUCED BY COWELL, COLAFELLA, IRVIS, MANDERINO, E. Z. TAYLOR, O'DONNELL, NOYE, ITKIN, TIGUE, CAWLEY, SCHULER, JOSEPHS, HALUSKA, PRESTON, SWEET, DALEY, BELFANTI, LETTERMAN, LEVDANSKY, KUKOVICH, MICHLOVIC, KOSINSKI, HERMAN, ARTY, PISTELLA, GRUPPO, TRELLO, COY, YANDRISEVITS, DAVIES, ACOSTA, EVANS, MARKOSEK, MERRY, SHOWERS, VAN HORNE, FOX, STEWART, BATTISTO, D. W. SNYDER, FREEMAN, FATTAH, STAIRS, CARLSON, GEIST, LIVENGOOD, J. L. WRIGHT, MILLER, PRESSMANN, BALDWIN, BROUJOS, F. TAYLOR, LINTON, PETRARCA, DAWIDA, FREIND, LASHINGER, DeLUCA, OLASZ, D. R. WRIGHT, SEMMEL, CAPPABIANCA, FLICK, TELEK, BLAUM, BORTNER, BUNT, FISCHER, WOZNIAK, WILSON, RYBAK AND MORRIS, MARCH 18, 1987

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 12, 1987

AN ACT

1 Authorizing a program for the Department of Education to make
2 technology upgrade and acquisition grants on behalf of full-
3 time equivalent undergraduate students attending institutions
4 of higher education in this Commonwealth for one year; and
5 making an appropriation.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Technology
10 Upgrade and Acquisition Grants Act of 1987.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

1 "Community colleges." Institutions heretofore created
2 pursuant to the act of August 24, 1963 (P.L.1132, No.484), known
3 as the Community College Act of 1963, or now or hereafter
4 created pursuant to Article XIX-A of the act of March 10, 1949
5 (P.L.30, No.14), known as the Public School Code of 1949.

6 "Eligible institution." An independent institution of higher
7 education, a community college, a State-owned institution or a
8 State-related institution, any of which is approved by the
9 department. It shall not mean an institution which is determined
10 by the department to be a medical school, a ~~junior college~~, a <—
11 theological seminary or school of theology or a sectarian and
12 denominational institution.

13 "Full-time equivalent undergraduate students." The
14 enrollment in undergraduate programs at eligible institutions
15 expressed in terms of full-time students as determined by the
16 Department of Education.

17 "Independent institution of higher education." An
18 institution of higher education which is operated not for
19 profit, located in and incorporated or chartered by the
20 Commonwealth, entitled to confer degrees as set forth in section
21 211 of the act of May 5, 1933 (P.L.289, No.105), known as the
22 Nonprofit Corporation Law, and entitled to apply to itself the
23 designation "college" or "university" as provided for by
24 standards and qualifications prescribed by the State Board of
25 Education pursuant to the act of May 7, 1937 (P.L.585, No.150),
26 entitled, as amended, "An act prohibiting the use of the
27 designation of 'college' by any institution not conforming to
28 the standards of a college prescribed by the State Board of
29 Education; and providing for injunctions, and penalties."

30 "Pennsylvania-based." Manufactured or assembled within this

1 Commonwealth or sold, leased or otherwise provided to an
2 eligible institution by a vendor which has a place of business
3 in this Commonwealth.

4 "State-owned institutions." Those institutions which are
5 part of the State System of Higher Education pursuant to the act
6 of April 9, 1929 (P.L.177, No.175), known as The Administrative
7 Code of 1929.

8 "State-related institutions." The Pennsylvania State
9 University, the University of Pittsburgh, Temple University and
10 Lincoln University and their branch campuses.

11 "Technology grant." Money allocated by the Department of
12 Education for educational related materials, capital items,
13 hardware or software necessary for the educational mission of
14 the categories of institutions named herein which will be an
15 amount determined by dividing the funds appropriated, less
16 reasonable administrative expenses, by the total of all
17 certified full-time equivalent undergraduate students from all
18 eligible institutions applying for grants.

19 Section 3. Certification of recipients.

20 From the information it receives from colleges and
21 universities or, in the case of State-owned institutions, from
22 the State System of Higher Education, the department shall
23 certify the number of full-time equivalent undergraduate
24 students attending each eligible institution during the most
25 recent year for which data is available.

26 Section 4. Grants.

27 For the academic year beginning on or about September 1,
28 1987, the department shall allot directly to eligible
29 institutions on behalf of each full-time equivalent
30 undergraduate student attending an eligible institution as

1 certified a technology grant. Following the initial allocation
2 and allotment, if any funds appropriated have not been and
3 cannot be allocated to one or more institutions otherwise
4 eligible for funds for any reason, the department shall
5 reallocate these funds to the remaining eligible institutions so
6 that all funds herein appropriated have been allotted.

7 Section 5. Use of moneys.

8 Grant moneys shall be used only for, or in connection with,
9 expenses incurred by the eligible institution to purchase, lease
10 or otherwise upgrade and acquire Pennsylvania-based educational
11 related materials, capital items, hardware or software necessary
12 for the educational mission of the institution. If the eligible
13 institution purchases, leases or otherwise acquires educational
14 equipment which is not Pennsylvania based, it must file with the
15 department a statement of justification as to why Pennsylvania-
16 based educational equipment was not obtained.

17 Section 6. Forfeiture.

18 Any eligible institution which refuses to submit such
19 information or audit as required by this act or knowingly
20 submits misrepresentations or false statements with the
21 intention of fraudulently obtaining moneys from the department
22 shall be denied status as an eligible institution under the
23 provisions of this act.

24 Section 7. Appropriation.

25 The sum of \$20,300,000 is hereby appropriated to the
26 Department of Education for the fiscal year July 1, 1987, to
27 June 30, 1988, to carryout the provisions of this act.

28 Section 8. Sunset provision.

29 This act shall expire June 30, 1988.

30 Section 9. Effective date.

1 This act shall take effect July 1, 1987.