

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 983 Session of
1999

INTRODUCED BY BARLEY, MARCH 22, 1999

REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 22, 1999

A SUPPLEMENT

1 To the act of April 1, 1863 (P.L.213, No.227), entitled "An act
2 to accept the grant of Public Lands, by the United States, to
3 the several states, for the endowment of Agricultural
4 Colleges," making appropriations for carrying the same into
5 effect; and providing for a basis for payments of such
6 appropriations, for a method of accounting for the funds
7 appropriated and for certain fiscal information disclosure.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. In order to carry into effect the act of
11 Congress, approved July 2, 1862, granting public land to the
12 several states for educational purposes, and subsequent acts of
13 Congress related thereto, and the act of the General Assembly of
14 Pennsylvania accepting the provisions and conditions of said
15 acts of Congress and pledging the faith of the State to carry
16 the same into effect, the following sums, or as much thereof as
17 may be necessary, are hereby appropriated to the Trustees of The
18 Pennsylvania State University for the fiscal year July 1, 1999,
19 to June 30, 2000, for the purposes and in the amounts as shown:

20 (1) For educational and general expenses..... \$234,727,000

1	(2) For medical education.....	4,778,000
2	(3) For children's hospital.....	5,029,000
3	(4) For the Central Pennsylvania Psychiatric	
4	Institute.....	1,957,000
5	(5) For the cost of agricultural research.....	22,104,000
6	(6) For the cost of agricultural extension	
7	services.....	23,858,000
8	(7) To enhance the recruitment and retention	
9	of disadvantaged students.....	346,000
10	(8) For the Pennsylvania College of	
11	Technology.....	12,192,000
12	(9) For debt service related to the former	
13	Williamsport Area Community College.....	1,530,000

14 Section 2. Payments to The Pennsylvania State University on
15 account of the appropriations for all items as provided in
16 section 1 shall be made on the basis of costs during the fiscal
17 year.

18 Section 3. If necessary, The Pennsylvania State University
19 may transfer funds among the appropriations listed in section
20 1(1), (3) and (4), provided that the aggregate amount
21 transferred into or out of each appropriation during the fiscal
22 year shall not exceed 5% of the amount specifically appropriated
23 for that purpose.

24 Section 4. (a) Payments to The Pennsylvania State
25 University of the appropriations provided in section 1 shall be
26 made monthly during the fiscal year.

27 (b) Such monthly payments shall be made in accordance with
28 the provisions of section 2 on the basis of estimated costs. The
29 estimate of costs shall be submitted by The Pennsylvania State
30 University to the Secretary of Education, the General Assembly

1 and the State Treasurer not later than 30 days prior to the date
2 on which such payment is to be made.

3 Section 5. Notwithstanding any provision of the General
4 Appropriation Act of 1999 relating to the payment of retirement
5 expenses, the Trustees of The Pennsylvania State University
6 shall make all required payments to the State Employees'
7 Retirement Fund from the funds appropriated pursuant to this
8 act.

9 Section 6. (a) The Pennsylvania State University shall
10 apply the moneys appropriated by this act only for such purposes
11 as are permitted in this act and shall at all times maintain
12 proper records showing the application of such moneys. Not later
13 than 120 days after the close of the fiscal year to which this
14 act relates, The Pennsylvania State University shall file, with
15 the Secretary of Education, the General Assembly and the Auditor
16 General of the Commonwealth, a statement setting forth the
17 amounts and purposes of all expenditures made from moneys
18 appropriated by this act and other university accounts during
19 said fiscal year, as provided in section 2, used as a basis for
20 receipt of any appropriation during said fiscal year.

21 (b) Such statement of expenditures and costs shall be
22 reviewed by the Auditor General of the Commonwealth, and he
23 shall have the right, in respect to the moneys appropriated by
24 this act, to audit and disallow expenditures made for purposes
25 not permitted by this act and to cause such sums to be recovered
26 and paid by The Pennsylvania State University to the State
27 Treasurer. In respect to expenditures made by the university
28 from moneys other than those appropriated by this act, the
29 Auditor General shall have the right to review only, and he
30 shall file annually with the General Assembly such information

1 concerning such expenditures as the General Assembly or any of
2 its committees may require.

3 Section 7. A report shall be submitted to the Governor and
4 the Appropriations and Education Committees of the Senate and
5 House of Representatives and shall include data for all programs
6 except the Doctor of Medicine program. The report, to be
7 submitted prior to September 1, 2000, shall cover the 12-month
8 period beginning with the summer term 1999 and shall include:

9 (1) The following counts and distributions for each term
10 during the period:

11 (i) The definitions and numbers of faculty members employed
12 full time, of faculty members employed part time, of full-time
13 students enrolled in graduate courses, of full-time students
14 enrolled in undergraduate courses, of part-time students
15 enrolled in graduate courses and of part-time students enrolled
16 in undergraduate courses.

17 (ii) The total numbers of undergraduate student credit
18 hours, divided into lower division and upper division course
19 levels, and of graduate student credit hours, divided into three
20 course levels--master's, first professional and doctoral.

21 (iii) The number of different courses scheduled by level of
22 instruction and the number of sections of individual instruction
23 scheduled by level of instruction, each further subdivided by
24 two-digit Classification of Instructional Program (CIP)
25 categories of instructional programs of higher education as
26 defined by the National Center for Education Statistics, United
27 States Department of Education.

28 (iv) The number of terms scheduled and the dates thereof.

29 (2) For the summer term and the following academic year in
30 total and for each two-digit CIP program category, a

1 classification of faculty members or other professional
2 employees by title, including: professor, associate professor,
3 assistant professor, instructor, lecturer, research associate,
4 librarian and academic administrator; faculty members or other
5 professional employees under each title to be subdivided by type
6 of assignment: teaching and nonteaching; and each such set of
7 faculty members or other professional employees to be further
8 subdivided by type of employment: full-time or part-time; and
9 the following aggregates for each such subdivided
10 classification:

11 (i) The number of faculty and other professional employees
12 and their full-time equivalence in instructional and
13 noninstructional functions.

14 (ii) The sum of credits assigned to undergraduate classroom
15 courses and the sum of credits assigned to graduate classroom
16 courses taught, divided into lower division, upper division,
17 master's, first professional and doctoral course levels.

18 (iii) The sum of credits assigned to undergraduate
19 individual instruction courses and the sum of credits assigned
20 to graduate individual instruction courses taught, divided into
21 lower division, upper division, master's, first professional and
22 doctoral course levels.

23 (iv) The sum of undergraduate classroom student credit hours
24 and the sum of graduate classroom student credit hours
25 generated, divided into lower division, upper division,
26 master's, first professional and doctoral course levels.

27 (v) The sum of undergraduate individual instruction student
28 credit hours and the sum of graduate individual instruction
29 student credit hours generated, divided into lower division,
30 upper division, master's, first professional and doctoral course

1 levels.

2 (vi) The total salary paid for instructional functions and
3 for noninstructional functions and the amount of this salary
4 paid for each of these functions from university funds, Federal
5 funds and other funds.

6 (3) For each term of the period covered for each faculty
7 member employed full time identified by two-digit CIP program
8 category and title, the report shall contain an analysis of the
9 average hours per week spent in university-related activities,
10 stating specifically hours spent in undergraduate classroom
11 contact and graduate classroom contact, hours spent in
12 preparation, hours spent in research and hours spent in public
13 service.

14 Section 8. In addition to the requirements in section 7
15 relative to this appropriation, the report covering the 12-month
16 period beginning with the summer term 1999 shall include for all
17 programs of the university:

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

20 (2) Number of bachelor's degrees, master's degrees, first
21 professional degrees and doctoral degrees awarded in 1995, 1996,
22 1997, 1998, 1999 and estimated 2000.

23 Section 9. (a) The following words and phrases when used in
24 this section shall have the meanings given to them in this
25 subsection unless the context clearly indicates otherwise:

26 "Academic and administrative support units." Any
27 organizational entity, as defined in the organizational manual
28 of the university, that reports directly to the president of the
29 university, chief academic officer or vice president, including
30 the office of the president, chief academic officer and vice

1 president.

2 "Expenditures." Disbursements of State appropriations,
3 tuition and fees supporting educational and general categories
4 as defined in the Higher Education Finance Manual, Department of
5 Health, Education and Welfare, 1975, or disbursement, supported
6 by State appropriations, tuition or fees, to support a defined
7 project or program under subsection (b)(3).

8 "Revenue." All State appropriations and tuition and fees.

9 (b) The Pennsylvania State University shall disclose the
10 following:

11 (1) Revenue and expenditure budgets of the university's
12 academic and administrative support units for the current fiscal
13 year.

14 (2) The actual revenue and expenditures for the prior year
15 in the same format as the information reported under paragraph
16 (1).

17 (3) For any defined project or program which is the subject
18 of a specific line item appropriation from the General Fund, the
19 university shall disclose the following:

20 (i) Revenue and expenditure budgets of the defined program
21 or project for the current fiscal year.

22 (ii) The actual revenue and expenditures of the defined
23 program or project for the prior year in the same format as the
24 information reported under paragraph (1).

25 (4) The revenue and expenditures of any auxiliary enterprise
26 which is directly funded in whole or in part by tuition or a
27 State appropriation for the current fiscal year.

28 (c) The university shall provide the following additional
29 information for the prior fiscal year for each academic or
30 administrative support unit, for each defined project or program

1 and for any auxiliary enterprise:

2 (1) The number of employees by academic rank and by
3 classification the number of administrators, staff, clerical and
4 technical service employees.

5 (2) Median and mean salary by academic rank and by
6 classification the median and mean salaries of administrators,
7 staff, clerical and technical service employees.

8 (3) Nonsalary compensation as a percentage of salary.
9 Nonsalary compensation shall include, but not be limited to,
10 medical benefits, life insurance benefits, pension benefits,
11 leave benefits, employer Social Security payments and workers'
12 compensation benefits.

13 (4) A statement of the university's retirement policies.

14 (5) A policy statement relating to a reduction of tuition
15 for employees' family members.

16 (6) A list of purchase of service contracts which exceed
17 \$1,000 by category of service, including, but not limited to,
18 legal, instructional, management, accounting, architecture,
19 public relations and maintenance. The list shall contain the
20 name and address of the contractor, a statement of the nature of
21 the duties of the contractor and the academic and administrative
22 support unit for which the duties are performed. If a purchase
23 of service contract exceeds 10% of the total aggregate
24 expenditure of the contract category per academic or
25 administrative support unit, then the contracted amount shall
26 also be listed.

27 (7) A list of purchase of goods contracts which exceed
28 \$1,000. The list shall contain the name and address of the
29 contractor and a list of the goods purchased and the academic or
30 administrative support unit for which such goods were

1 contracted. If a purchase of goods contract exceeds 10% of the
2 total aggregate expenditure per academic or administrative
3 support unit, then the contracted amount shall also be listed.

4 (8) A list by academic or administrative support unit in the
5 aggregate, of the expenses of travel, subsistence and lodging,
6 whether provided or reimbursed.

7 (d) The university shall submit a report of the information
8 under subsections (b) and (c) to the Education Committee of the
9 Senate and the Appropriations Committee of the Senate and the
10 Education Committee of the House of Representatives and the
11 Appropriations Committee of the House of Representatives. In
12 addition, the university shall submit a copy of the report to
13 each of the following:

14 (1) Governor's Office.

15 (2) Secretary of Education.

16 (3) State Treasurer.

17 (4) Auditor General.

18 (5) Joint State Government Commission.

19 Each such institution shall maintain a copy of the report in the
20 institution's library and shall submit a copy to each of the
21 four State regional library resource centers.

22 (e) A university's report required to be submitted under
23 this section shall be submitted within 180 days of the close of
24 the university's current fiscal year.

25 (f) The Joint State Government Commission shall develop a
26 statistical comparison analysis recognizing differences in
27 missions from the reports made under this section. A majority of
28 the members of the commission may request additional
29 documentation, except for salary or identity of individuals,
30 necessary to complete the comparative analysis. The comparison

1 shall be provided to the Education Committee of the Senate and
2 the Appropriations Committee of the Senate and the Education
3 Committee of the House of Representatives and the Appropriations
4 Committee of the House of Representatives and the four State
5 regional libraries.

6 (g) The university shall make a copy of the minutes of each
7 public meeting of the institution's board of trustees, as well
8 as a copy of the institution's integrated postsecondary
9 education data systems report, available for public inspection
10 in the institution's library.

11 Section 10. The Pennsylvania State University shall provide
12 full, complete and accurate information as may be required by
13 the Department of Education or the chairman or the minority
14 chairman of the Appropriations Committee of the Senate or the
15 chairman or the minority chairman of the Appropriations
16 Committee of the House of Representatives.

17 Section 11. The Pennsylvania State University shall report
18 its revenues and expenditures and present its financial
19 statements required under the provisions of this act in
20 accordance with generally accepted accounting principles and
21 procedures for educational institutions as set forth in the
22 "Higher Education Finance Manual, United States Department of
23 Health, Education and Welfare (1975)" and the "Commonwealth of
24 Pennsylvania Budget Instructions for the State System of Higher
25 Education, State-Related Universities and Non-State-Related
26 Colleges and Universities."

27 Section 12. This act shall take effect July 1, 1999, or
28 immediately, whichever is later.