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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2493

Session of  
2002

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INTRODUCED BY FLEAGLE, APRIL 8, 2002

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SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JUNE 27, 2002

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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 appropriations; and  
18 providing a method of accounting for the funds appropriated  
19 and for certain fiscal information disclosure.

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

22 Section 1. The following sums, or as much thereof as may be  
23 necessary, are hereby appropriated to the Trustees of Lincoln  
24 University, Chester County, for the fiscal year July 1, 2002, to  
25 June 30, 2003, for the purposes and in the amounts as shown:

1	<del>(1) For educational and general expenses.....</del>	<del>\$11,904,000</del>	<del>&lt;—</del>
2	(1) FOR EDUCATIONAL AND GENERAL EXPENSES.....	\$12,153,000	<—
3	(2) To enhance the recruitment and retention		
4	of disadvantaged students.....	337,000	
5	(3) For the International Affairs Institute...	305,000	
6	<del>(4) For Student Education Instruction</del>		<del>&lt;—</del>
7	<del>Assistance.....</del>	<del>249,000</del>	

8       Section 2. Payments to Lincoln University on account of the  
9 appropriations for the items provided in section 1 shall be made  
10 on the basis of costs during the fiscal year.

11       Section 3. (a) Payments to Lincoln University of the  
12 appropriations provided in section 1 shall be made monthly  
13 during the fiscal year.

14       (b) Such monthly payments shall be made in accordance with  
15 the provisions of section 2 on the basis of estimated costs. The  
16 estimate of costs shall be submitted by Lincoln University to  
17 the Secretary of Education, the General Assembly and the State  
18 Treasurer not later than 30 days prior to the date on which such  
19 payment is to be made.

20       Section 4. (a) Lincoln University shall apply the moneys  
21 appropriated by this act only for such purposes as are permitted  
22 in this act and shall at all times maintain proper records  
23 showing the application of such moneys. Not later than 120 days  
24 after the close of the fiscal year to which this act relates,  
25 Lincoln University shall file, with the Secretary of Education,  
26 the General Assembly and the Auditor General of the  
27 Commonwealth, a statement setting forth the amounts and purposes  
28 of all expenditures made from moneys appropriated by this act  
29 and costs, as provided in section 2, used as a basis for receipt  
30 of any appropriation during said fiscal year.

1 (b) Such statement of expenditures and costs shall be  
2 reviewed by the Auditor General of the Commonwealth, and he  
3 shall have the right, in respect to the moneys appropriated by  
4 this act, to audit and disallow expenditures made for purposes  
5 not permitted by this act and to cause such sums to be recovered  
6 and paid by Lincoln University to the State Treasurer. In  
7 respect to expenditures made by the university from moneys other  
8 than those appropriated by this act, the Auditor General shall  
9 have the right to review only, and he shall file annually with  
10 the General Assembly such information concerning said  
11 expenditures as the General Assembly or any of its committees  
12 may require.

13 Section 5. A report shall be submitted to the Governor and  
14 the Appropriations and Education Committees of the Senate and  
15 House of Representatives and shall include data for all  
16 programs. The report, to be submitted prior to September 1,  
17 2003, shall cover the 12-month period beginning with the summer  
18 term 2002 and shall include:

19 (1) The following counts and distributions for each term  
20 during the period:

21 (i) The definitions and numbers of faculty members employed  
22 full time, of faculty members employed part time, of full-time  
23 students enrolled in graduate courses, of full-time students  
24 enrolled in undergraduate courses, of part-time students  
25 enrolled in graduate courses and of part-time students enrolled  
26 in undergraduate courses.

27 (ii) The total numbers of undergraduate student credit  
28 hours, divided into lower division and upper division course  
29 levels, and of graduate student credit hours, divided into three  
30 course levels--master's, first professional and doctoral.

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

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

(2) For the summer term and the following academic year in total and for each two-digit CIP program category, a classification of faculty members or other professional employees by title, including: professor, associate professor, assistant professor, instructor, lecturer, research associate, librarian and academic administrator; faculty members or other professional employees under each title to be subdivided by type of assignment: teaching and nonteaching; and each such set of faculty members or other professional employees to be further subdivided by type of employment: full-time or part-time; and the following aggregates for each such subdivided classification:

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

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

(iii) The sum of credits assigned to undergraduate individual instruction courses and the sum of credits assigned to graduate individual instruction courses taught, divided into

1 lower division, upper division, master's, first professional and  
2 doctoral course levels.

3 (iv) The sum of undergraduate classroom student credit hours  
4 and the sum of graduate classroom student credit hours  
5 generated, divided into lower division, upper division,  
6 master's, first professional and doctoral course levels.

7 (v) The sum of undergraduate individual instruction student  
8 credit hours and the sum of graduate individual instruction  
9 student credit hours generated, divided into lower division,  
10 upper division, master's, first professional and doctoral course  
11 levels.

12 (vi) The total salary paid for instructional functions and  
13 for noninstructional functions and the amount of this salary  
14 paid for each of these functions from university funds, Federal  
15 funds and other funds.

16 (3) For each term of the period covered for each faculty  
17 member employed full time identified by two-digit CIP program  
18 category and title, the report shall contain an analysis of the  
19 average hours per week spent in university-related activities,  
20 stating specifically hours spent in undergraduate classroom  
21 contact and graduate classroom contact, hours spent in  
22 preparation, hours spent in research and hours spent in public  
23 service.

24 Section 6. In addition to the requirements in section 5  
25 relative to this appropriation, the report covering the 12-month  
26 period beginning with the summer term 2002 shall include for all  
27 programs of the university:

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

30 (2) Number of bachelor's degrees, master's degrees, first

1 professional degrees and doctoral degrees awarded in 1998, 1999,  
2 2000, 2001, 2002 and estimated 2003.

3 Section 7. (a) The following words and phrases when used in  
4 this section shall have the meanings given to them in this  
5 subsection unless the context clearly indicates otherwise:

6 "Academic and administrative support units." Any  
7 organizational entity, as defined in the organizational manual  
8 of the university, that reports directly to the president of the  
9 university, chief academic officer or vice president, including  
10 the office of the president, chief academic officer and vice  
11 president.

12 "Expenditures." Disbursements or payments of State  
13 appropriations, tuition and fees supporting operational,  
14 educational or other general categories of expenses as defined  
15 in: the generally accepted accounting principles as prescribed  
16 by the National Association of College and University Business  
17 Officers, the American Institute of Certified Public  
18 Accountants, or by their successors, or by any other recognized  
19 authoritative body; the "Commonwealth of Pennsylvania Budget  
20 Instructions for the State System of Higher Education, State-  
21 Related Universities and Non-State-Related Colleges and  
22 Universities"; and the financial reporting policies and  
23 standards promulgated by the Commonwealth of Pennsylvania and by  
24 the Federal Government that apply to Lincoln University.

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

26 (b) Lincoln University shall disclose the following:

27 (1) Revenue and expenditure budgets of the university's  
28 academic and administrative support units for the current fiscal  
29 year.

30 (2) The actual revenue and expenditures for the prior year

1 in the same format as the information reported under paragraph  
2 (1).

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

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

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

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

14 (c) The university shall provide the following additional  
15 information for the prior fiscal year for each academic or  
16 administrative support unit, for each defined project or program  
17 and for any auxiliary enterprise:

18 (1) The number of employees by academic rank and by  
19 classification the number of administrators, staff, clerical and  
20 technical service employees.

21 (2) Median and mean salary by academic rank and by  
22 classification the median and mean salaries of administrators,  
23 staff, clerical and technical service employees.

24 (3) Nonsalary compensation as a percentage of salary.  
25 Nonsalary compensation shall include, but not be limited to,  
26 medical benefits, life insurance benefits, pension benefits,  
27 leave benefits, employer Social Security payments and workers'  
28 compensation benefits.

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

30 (5) A policy statement relating to a reduction of tuition

1 for employees' family members.

2 (6) A list of purchase of service contracts which exceed  
3 \$1,000 by category of service, including, but not limited to,  
4 legal, instructional, management, accounting, architecture,  
5 public relations and maintenance. The list shall contain the  
6 name and address of the contractor, a statement of the nature of  
7 the duties of the contractor and the academic and administrative  
8 support unit for which the duties are performed. If a purchase  
9 of service contract exceeds 10% of the total aggregate  
10 expenditure of the contract category per academic or  
11 administrative support unit, then the contracted amount shall  
12 also be listed.

13 (7) A list of purchase of goods contracts which exceed  
14 \$1,000. The list shall contain the name and address of the  
15 contractor and a list of the goods purchased and the academic or  
16 administrative support unit for which such goods were  
17 contracted. If a purchase of goods contract exceeds 10% of the  
18 total aggregate expenditure per academic or administrative  
19 support unit, then the contracted amount shall also be listed.

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

23 (d) The university shall submit a report of the information  
24 under subsections (b) and (c) to the Education Committee of the  
25 Senate and the Appropriations Committee of the Senate and the  
26 Education Committee of the House of Representatives and the  
27 Appropriations Committee of the House of Representatives. In  
28 addition, the university shall submit a copy of the report to  
29 each of the following:

30 (1) Governor's Office.

1 (2) Secretary of Education.

2 (3) State Treasurer.

3 (4) Auditor General.

4 (5) Joint State Government Commission.

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

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

11 (f) The Joint State Government Commission shall develop a  
12 statistical comparison analysis recognizing differences in  
13 missions from the reports made under this section. A majority of  
14 the members of the commission may request additional  
15 documentation, except for salary or identity of individuals,  
16 necessary to complete the comparative analysis. The comparison  
17 shall be provided to the Education Committee of the Senate and  
18 the Appropriations Committee of the Senate and the Education  
19 Committee of the House of Representatives and the Appropriations  
20 Committee of the House of Representatives and the four State  
21 regional libraries.

22 (g) The university shall make a copy of the minutes of each  
23 public meeting of the institution's board of trustees, as well  
24 as a copy of the institution's integrated postsecondary  
25 education data systems report, available for public inspection  
26 in the institution's library.

27 Section 8. The Lincoln University shall provide full,  
28 complete and accurate information as may be required by the  
29 Department of Education or the chairman or the minority chairman  
30 of the Appropriations Committee of the Senate or the chairman or

1 the minority chairman of the Appropriations Committee of the  
2 House of Representatives.

3 Section 9. Lincoln University shall present and report its  
4 financial statements required under the provisions of this act  
5 in accordance with: the generally accepted accounting principles  
6 as prescribed by the National Association of College and  
7 University Business Officers, the American Institute of  
8 Certified Public Accountants, or their successors, or by any  
9 other recognized authoritative body; the "Commonwealth of  
10 Pennsylvania Budget Instructions for the State System of Higher  
11 Education, State-Related Universities and Non-State-Related  
12 Colleges and Universities"; and the financial reporting policies  
13 and standards promulgated by the Commonwealth of Pennsylvania  
14 and by the Federal Government that apply to Lincoln University.

15 Section 10. Lincoln University shall make all articulation  
16 agreements with other higher education institutions available on  
17 the Internet.

18 Section 11. This act shall take effect July 1, 2002, or  
19 immediately, whichever is later.