

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2531 Session of
2004

INTRODUCED BY ARGALL, APRIL 12, 2004

REFERRED TO COMMITTEE ON APPROPRIATIONS, APRIL 12, 2004

A SUPPLEMENT

1 To the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3),
2 entitled "An act providing for the establishment and
3 operation of the University of Pittsburgh as an
4 instrumentality of the Commonwealth to serve as a State-
5 related university in the higher education system of the
6 Commonwealth; providing for change of name; providing for the
7 composition of the board of trustees; terms of trustees, and
8 the power and duties of such trustees; authorizing
9 appropriations in amounts to be fixed annually by the General
10 Assembly; providing for the auditing of accounts of
11 expenditures from said appropriations; providing for public
12 support and capital improvements; authorizing the issuance of
13 bonds exempt from taxation within the Commonwealth; requiring
14 the chancellor to make an annual report of the operations of
15 the University of Pittsburgh," making appropriations for
16 carrying the same into effect; providing for a basis for
17 payments of such appropriations; and providing a method of
18 accounting for the funds appropriated and for certain fiscal
19 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 the
24 University of Pittsburgh for the fiscal year July 1, 2004, to
25 June 30, 2005, for the purposes and in the amounts as shown:

26 (1) For educational and general expenses..... \$149,301,000

1	(2) For student life initiatives.....	413,000
2	(3) For instruction - Doctor of Medicine only.	6,558,000
3	(4) For operation of dental clinics in the	
4	school of dentistry.....	1,029,000
5	(5) To enhance the recruitment and retention	
6	of disadvantaged students.....	321,000
7	(6) For general maintenance and operation of	
8	the Western Psychiatric Institute and Clinic.....	7,682,000
9	(7) For the teen suicide center at the Western	
10	Psychiatric Institute and Clinic.....	496,000
11	(8) For the Graduate School of Public Health..	249,000
12	(9) For rural education outreach.....	1,013,000

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

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

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

26 (b) Such monthly payments shall be made in accordance with
27 the provisions of section 2 on the basis of estimated costs. The
28 estimate of costs shall be submitted by the University of
29 Pittsburgh to the Secretary of Education, the General Assembly
30 and the State Treasurer not later than 30 days prior to the date

1 on which such payment is to be made.

2 Section 5. (a) The University of Pittsburgh shall apply the
3 moneys appropriated by this act only for such purposes as are
4 permitted in this act and shall at all times maintain proper
5 records showing the application of such moneys. Not later than
6 120 days after the close of the fiscal year to which this act
7 relates, the University of Pittsburgh shall file, with the
8 Secretary of Education, the General Assembly, the Auditor
9 General of the Commonwealth and the chief administrator of each
10 branch campus, a statement setting forth the amounts and
11 purposes of all expenditures made from moneys appropriated by
12 this act and other university accounts during said fiscal year,
13 as provided in section 2, used as a basis for receipt of any
14 appropriation during said fiscal year.

15 (b) Such statement of expenditures and costs shall be
16 reviewed by the Auditor General of the Commonwealth, and he
17 shall have the right, in respect to the moneys appropriated by
18 this act, to audit and disallow expenditures made for purposes
19 not permitted by this act and to cause such sums to be recovered
20 and paid by the University of Pittsburgh to the State Treasurer.
21 In respect to expenditures made by the university from moneys
22 other than those appropriated by this act, the Auditor General
23 shall have the right to review only, and he shall file annually
24 with the General Assembly such information concerning such
25 expenditures as the General Assembly or any of its committees
26 may require.

27 Section 6. A report shall be submitted to the Governor and
28 the Appropriations and Education Committees of the Senate and
29 House of Representatives and shall include data for all
30 programs, except for the Doctor of Medicine program. The report,

1 to be submitted prior to September 1, 2005, shall cover the 12-
2 month period beginning with the summer term 2004 and shall
3 include:

4 (1) The following counts and distributions for each term
5 during the period:

6 (i) The definitions and numbers of faculty members employed
7 full time, of faculty members employed part time, of full-time
8 students enrolled in graduate courses, of full-time students
9 enrolled in undergraduate courses, of part-time students
10 enrolled in graduate courses and of part-time students enrolled
11 in undergraduate courses.

12 (ii) The total numbers of undergraduate student credit
13 hours, divided into lower division and upper division course
14 levels, and of graduate student credit hours, divided into three
15 course levels--master's, first professional and doctoral.

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

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

24 (2) For the summer term and the following academic year in
25 total and for each two-digit CIP program category, a
26 classification of faculty members or other professional
27 employees by title, including: professor, associate professor,
28 assistant professor, instructor, lecturer, research associate,
29 librarian and academic administrator; faculty members or other
30 professional employees under each title to be subdivided by type

1 of assignment: teaching and nonteaching; and each such set of
2 faculty members or other professional employees to be further
3 subdivided by type of employment: full-time or part-time; and
4 the following aggregates for each such subdivided
5 classification:

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

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

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

18 (iv) The sum of undergraduate classroom student credit hours
19 and the sum of graduate classroom student credit hours
20 generated, divided into lower division, upper division,
21 master's, first professional and doctoral course levels.

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

27 (vi) The total salary paid for instructional functions and
28 for noninstructional functions and the amount of this salary
29 paid for each of these functions from university funds, Federal
30 funds and other funds.

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

Section 7. In addition to the requirements in section 6 relative to this appropriation, the report covering the 12-month period beginning with the summer term 2004 shall include for all programs of the university:

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

(2) Number of bachelor's degrees, master's degrees, first professional degrees and doctoral degrees awarded in 2000, 2001, 2002, 2003, 2004 and estimated 2005.

Section 8. (a) The following words and phrases when used in this section shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

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

"Expenditures." Disbursements or payments of State appropriations, tuition and fees supporting operational, educational or other general categories of expenses as defined in: the generally accepted accounting principles as prescribed

1 by the National Association of College and University Business
2 Officers, the American Institute of Certified Public
3 Accountants, or by their successors, or by any other recognized
4 authoritative body; the "Commonwealth of Pennsylvania Budget
5 Instructions for the State System of Higher Education, State-
6 Related Universities and Non-State-Related Colleges and
7 Universities"; and the financial reporting policies and
8 standards promulgated by the Commonwealth of Pennsylvania and by
9 the Federal Government that apply to the University of
10 Pittsburgh.

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

12 (b) The University of Pittsburgh shall disclose the
13 following:

14 (1) Revenue and expenditure budgets of the university's
15 academic and administrative support units for the current fiscal
16 year.

17 (2) The actual revenue and expenditures for the prior year
18 in the same format as the information reported under paragraph
19 (1).

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

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

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

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

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

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

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

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

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

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

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

(7) A list of purchase of goods contracts which exceed

1 \$1,000. The list shall contain the name and address of the
2 contractor and a list of the goods purchased and the academic or
3 administrative support unit for which such goods were
4 contracted. If a purchase of goods contract exceeds 10% of the
5 total aggregate expenditure per academic or administrative
6 support unit, then the contracted amount shall also be listed.

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

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

17 (1) Governor's Office.

18 (2) Secretary of Education.

19 (3) State Treasurer.

20 (4) Auditor General.

21 (5) Joint State Government Commission.

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

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

28 (f) The Joint State Government Commission shall develop a
29 statistical comparison analysis recognizing differences in
30 missions from the reports made under this section. A majority of

1 the members of the commission may request additional
2 documentation, except for salary or identity of individuals,
3 necessary to complete the comparative analysis. The comparison
4 shall be provided to the Education Committee of the Senate and
5 the Appropriations Committee of the Senate and the Education
6 Committee of the House of Representatives and the Appropriations
7 Committee of the House of Representatives and the four State
8 regional libraries.

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

14 Section 9. The University of Pittsburgh shall provide full,
15 complete and accurate information as may be required by the
16 Department of Education or the chairman or the minority chairman
17 of the Appropriations Committee of the Senate or the chairman or
18 the minority chairman of the Appropriations Committee of the
19 House of Representatives.

20 Section 10. The University of Pittsburgh shall present and
21 report its financial statements required under the provisions of
22 this act in accordance with: the generally accepted accounting
23 principles as prescribed by the National Association of College
24 and University Business Officers, the American Institute of
25 Certified Public Accountants, or their successors, or by any
26 other recognized authoritative body; the "Commonwealth of
27 Pennsylvania Budget Instructions for the State System of Higher
28 Education, State-Related Universities and Non-State-Related
29 Colleges and Universities"; and the financial reporting policies
30 and standards promulgated by the Commonwealth of Pennsylvania

1 and by the Federal Government that apply to the University of
2 Pittsburgh.

3 Section 11. The University of Pittsburgh shall make all
4 articulation agreements with other higher education institutions
5 available on the Internet.

6 Section 12. No funds appropriated by this act may be used
7 for costs of personnel and operations of the environmental law
8 clinic.

9 Section 13. This act shall take effect July 1, 2004, or
10 immediately, whichever is later.