

PUBLIC SCHOOL CODE OF 1949 - OMNIBUS AMENDMENTS

Act of Jul. 1, 2020, P.L. 558, No. 50

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Session of 2020

No. 2020-50

HB 2171

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in the State System of Higher Education, further providing for definitions, for establishment of the State System of Higher Education and its institutions, for purposes and general powers, for project contracts, for board of governors, for the chancellor, for powers and duties of the board of governors, for councils of trustees, for powers and duties of councils of trustees and for power and duties of institution presidents, for rental fees and other charges, for annual report and for campus police powers and duties and providing for student records.

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

Section 1. Section 2001-A(1) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended and the section is amended by adding paragraphs to read:

Section 2001-A. Definitions.--The following words and phrases when used in this article shall, for the purpose of this article, have the following meanings, respectively, except in those instances where the context clearly indicates a different meaning:

(1) "Affiliated entity" shall mean a private nonprofit corporation with the sole purpose of benefiting the State System of Higher Education or a State-owned university.

[1)] **(1.1) "Board" shall mean the Board of Governors of the State System of Higher Education.**

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(6.1) "Education record" shall have the same meaning as in the Family Educational Rights and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. § 1232g).

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Section 2. Section 2002-A of the act is amended to read:

Section 2002-A. Establishment of the State System of Higher Education and its Institutions.--(a) Subject to the regulatory powers conferred by law upon the State Board of Education, there is hereby established a body corporate and politic constituting a public corporation and government instrumentality [which shall] **to be known as the State System of Higher Education, independent of the Department of Education, hereinafter referred to as the system, which is granted sovereign immunity and official immunity pursuant to 1 Pa.C.S. § 2310 (relating to sovereign immunity reaffirmed; specific waiver) and which shall consist of the following institutions and such other institutions, presently existing [or newly created, as may hereafter be admitted by the board in concurrence with other**

agencies as required by law] or until changed as provided under subsections (a.1), (a.2), (a.3), (a.4), (a.5), (a.6) and (a.7):

- (1) Bloomsburg State College;
- (2) California State College;
- (3) Cheyney State College;
- (4) Clarion State College;
- (5) East Stroudsburg State College;
- (6) Edinboro State College;
- (7) Indiana University of Pennsylvania;
- (8) Kutztown State College;
- (9) Lock Haven State College;
- (10) Mansfield State College;
- (11) Millersville State College;
- (12) Shippensburg State College;
- (13) Slippery Rock State College; and
- (14) West Chester State College.

(a.1) The board shall develop policies and procedures by which the board may create, expand, consolidate, transfer or affiliate an institution, except for an institution with a Fall 2019 headcount enrollment greater than 10,000 students. This subsection shall not be construed to include the power to close an institution.

(a.2) Before the creation, expansion, consolidation, transfer or affiliation of an institution, the board shall direct the chancellor, in consultation with the board, to conduct a review of the financial stability of any impacted institution utilizing student support metrics, student success metrics and other financial metrics and develop a report and recommendations. The report and recommendations shall include, but not be limited to, an analysis of the following:

(1) Enrollment trends.

(2) Projections of revenues and expenditures for the current year and the next five (5) years, both assuming the continuation of present operations and as impacted by any recommendation for the board to exercise the board's powers under subsection (a.1).

(3) Assets, liabilities and institutional reserves.

(4) Actions undertaken to improve the financial stability of the institution and the financial impact of those actions.

(5) Additional actions that could be taken to improve the financial stability of the institution, the projected financial impact of those actions and whether those actions would alleviate the need for the board to exercise the board's powers under subsection (a.1).

(6) The financial impact on the institution and the system if no action is taken by the board to exercise the board's powers under subsection (a.1).

(7) The financial impact on the surrounding community of the institution if action is taken by the board to exercise the board's powers under subsection (a.1).

(8) Impacts on affiliated entities and any donor restrictions on the use of non-State-appropriated funds.

(a.3) Upon the board's receipt of the report and recommendation, the chancellor shall develop a proposed implementation plan. The proposed implementation plan shall include the following information:

(1) Description of the proposal to exercise powers under subsection (a.1).

(2) Rationale, goals and objectives of the proposal to exercise powers under subsection (a.1).

(3) Method for evaluating achievement of goals and objectives.

(4) Relation of the proposal to the mission and strategic plan of the institution and system as a whole.

(5) Impacts on academic programs, nonacademic units and accreditation.

(6) Impacts on students, faculty and staff.

(7) Impacts on the community.

(8) Impacts on shared governance.

(9) Before and after organizational charts for all impacted institutions.

(10) Information included in the chancellor's report and recommendation under subsection (a.2).

(11) Timeline for the implementation plan.

(a.4) The proposed implementation plan shall be approved by a majority vote of the board. If the board rejects the proposed implementation plan, the chancellor may amend the proposal and present it to the board for reconsideration and approval by a majority vote of the board. Within fourteen (14) days after approval of the proposed implementation plan, the board shall do the following:

(1) Transmit a copy of the proposed implementation plan to the following:

(i) chairperson and minority chairperson of the Appropriations Committee of the Senate;

(ii) chairperson and minority chairperson of the Education Committee of the Senate;

(iii) chairperson and minority chairperson of the Appropriations Committee of the House of Representatives; and

(iv) chairperson and minority chairperson of the Education Committee of the House of Representatives.

(2) Make the proposed implementation plan available for review and solicit public comment for a period of not less than sixty (60) days.

(a.5) The board shall consult with stakeholders, including faculty, staff, students and administrators, and hold at least two public hearings as part of the public comment period under subsection (a.4) (2). After the public comment period and before any action may be taken pursuant to subsection (a.1), the board shall consider comments made by stakeholders during the public comment period and present an implementation plan at a public meeting subject to the approval by two-thirds of the board. If the board votes to approve the implementation plan, the board shall, within fourteen (14) days, transmit a copy of the final implementation plan to the following:

(1) Chairperson and minority chairperson of the Appropriations Committee of the Senate.

(2) Chairperson and minority chairperson of the Education Committee of the Senate.

(3) Chairperson and minority chairperson of the Appropriations Committee of the House of Representatives.

(4) Chairperson and minority chairperson of the Education Committee of the House of Representatives.

(a.6) The timeline for implementation to be completed as described in the final implementation plan shall be no earlier than twelve months from the date of the issuance of the proposed implementation plan.

(a.7) Upon development of a proposed implementation plan under subsection (a.3), the chancellor shall report on a quarterly basis in person to the chairperson and minority chairperson of the Appropriations Committee of the Senate, the chairperson and minority chairperson of the Education Committee of the Senate, the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives and

the chairperson and minority chairperson of the Education Committee of the House of Representatives information detailing the actions taken, actions planned to be taken in the next quarter and progress made toward developing and implementing the goals of the plan on the respective universities. Within fifteen (15) days of the issuance of a report to the chairpersons, the chancellor shall present the report at a joint public hearing of the Appropriations Committee of the Senate and the Education Committee of the Senate and a joint public hearing of the Appropriations Committee of the House of Representatives and the Education Committee of the House of Representatives. A report under this subsection shall continue until the plan is either rejected by the board or has been fully implemented. A report shall include, but is not limited to, the following information:

(1) An overview of the financial position of the respective universities at the time of plan approval and at the time of the report.

(2) The operating budget and total budget for each university at the time of plan approval and at the time of the report.

(3) The estimated amount of expenditures needed to support plan implementation at the time of plan approval and the cumulative amount of expenditures made to support plan implementation at the time of the report.

(4) The applicable organizational charts at the time of plan approval and at the time of the report.

(5) Full-time enrollments at the time of plan approval and at the time of the report.

(6) Graduation outcomes at the time of plan approval and at the time of the report.

(7) The cost of tuition, room and board and fees at the time of plan approval and at the time of the report.

(8) The average cost of attendance at the time of plan approval and at the time of the report.

(9) The number of faculty and nonfaculty employes at the time of plan approval and at the time of the report.

(10) The number of faculty and nonfaculty employes by location at the time of plan approval and at the time of the report.

(11) Each impact to faculty and nonfaculty employe staffing, including, but not limited to, separations, reductions in force, reclassifications of job responsibilities or roles or reassignments to other universities within the system. The notification under this paragraph shall include an estimated financial impact for the current and subsequent two fiscal years.

(12) The faculty-to-student ratio and the faculty and nonfaculty employe-to-student ratio at the time of plan approval and at the time of the report.

(13) A list of academic programs that have been terminated or consolidated and an explanation of the reasons for termination or consolidation.

(14) A list of new academic programs that have been approved and an explanation of the need for the programs.

(15) The number of academic programs by location at the time of plan approval and at the time of the report.

(16) A list of property that is for sale or has been sold and the value of the proceeds from the sale.

(17) A list of administrative service consolidations and the value of savings resulting from the consolidations.

(18) A list outlining concerns related to the implementation of the plan on the community and affiliated organizations.

(19) Any other information as requested by the chairpersons enumerated under this subsection.

(a.8) The board's authority to approve a final implementation plan shall expire three years from the effective date of this subsection.

(b) Each of the said institutions shall hereafter be known as the (Name) University of Pennsylvania of the State System of Higher Education, except for Indiana University of Pennsylvania, which shall retain its name. As successor institutions to the State Normal Schools, appropriations for their operation are ordinary expenses of government, requiring only a majority vote of each House of the General Assembly. The State System of Higher Education shall have the same preferred status for appropriations as is enjoyed by its constituent institutions. State funds appropriated to the system shall be allocated to the individual institutions on a formula based on, but not limited to, such factors as enrollments, degrees granted and programs.

Section 3. Section 2003-A(a) and (d) of the act are amended to read:

Section 2003-A. Purposes and General Powers.--(a) The State System of Higher Education shall be part of the Commonwealth's system of higher education. Its purpose shall be to provide high quality education at the lowest possible cost to [the] students. The primary mission of the system is the provision of instruction for undergraduate and graduate students to and beyond the master's degree in the liberal arts and sciences and in applied fields, including the teaching profession. Graduate instruction at the doctoral level, except for doctoral programs provided for in the act of December 16, 1965 (P.L.1113, No.430), known as the "Indiana University of Pennsylvania Act," only may be offered jointly with Indiana University or an institution chartered to offer work at the doctoral level. Programs of research and service may be provided which are approved by the Board of Governors, and which are consistent with the primary mission of the system. Each institution shall provide appropriate educational facilities, student living facilities and such other facilities as deemed necessary by the board.

* * *

(d) The system may [enter into an agreement with any entity for the cooperative use of supplies or services.] **participate in, sponsor, conduct or administer cooperative use or purchasing agreements.** All purchases and agreements made pursuant to this subsection shall [be the result of a system of competitive bidding and in accordance with the laws of this Commonwealth.] **be made in accordance with 62 Pa.C.S. § 1902 (relating to cooperative purchasing authorized).**

Section 4. Section 2004-A(a)(7) and (b) of the act are amended, subsection (a) is amended by adding a paragraph and the section is amended by adding a subsection to read:

Section 2004-A. Board of Governors.--(a) The system shall be governed and all of its corporate powers exercised by the Board of Governors, which shall consist of twenty (20) members to be appointed as follows:

* * *

(7) [Fourteen (14) members shall be appointed by the Governor with the advice and consent of the Senate of which six (6) shall be selected from the citizens of the Commonwealth. Three (3) members of the fourteen (14) shall be students whose terms shall expire upon graduation, separation or failure to

maintain good academic standards at their institution and five (5) of the fourteen (14) shall be trustees of constituent institutions, however, no more than one trustee representing a constituent institution. The student members shall be selected from the presidents of the local campus student government associations, or their local equivalent.] **Eleven (11) members shall be appointed by the Governor with the advice and consent of the Senate, of which six (6) members shall be selected from the residents of this Commonwealth and five (5) members shall be selected from trustees of constituent institutions, except that no more than one trustee may represent a constituent institution.**

(8) Three (3) of the members shall be students appointed by the board under section 2006-A(a)(17). The student members shall be selected with the advice and consent of institution presidents. A student's term shall expire upon graduation, separation or failure to maintain good academic standing at the institution in which the student is enrolled.

(b) All members of the board appointed by the Governor[, except for the students,] shall serve for terms of four (4) years. The Governor and Secretary of Education shall serve so long as they continue in office. Members of the board appointed from the General Assembly shall serve a term of office concurrent with their respective elective terms as members of the General Assembly.

* * *

(d.1) A student board member appointed under subsection (a)(8) may be removed by the board.

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Section 5. Section 2005-A(4) of the act is amended to read:
Section 2005-A. The Chancellor.--The chief executive officer of the system shall be a chancellor, who shall be employed by the board in accordance with clause (1) of section 2006-A. In addition to those prescribed by the board, the chancellor shall have the following duties:

* * *

(4) The chancellor shall assist the board in its appointment of the presidents for the constituent institutions by submitting to the board the name or names of individuals recommended by the council of trustees [of the appropriate constituent institution who shall involve students, faculty and alumni in the interview and selection process used to formulate their recommendation]. The chancellor shall submit to the board the recommended salary and other proposed terms of each such appointment. The board shall have the right to refuse the recommendation of the local council and to request that additional recommendations be submitted by the council.

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Section 6. Section 2006-A(a)(5), (14) and (15) of the act are amended and the subsection is amended by adding paragraphs to read:

Section 2006-A. Powers and Duties of the Board of Governors.--(a) The Board of Governors shall have overall responsibility for planning and coordinating the development and operation of the system. The powers and duties of the Board of Governors shall be:

* * *

(5) To [create] **approve** new undergraduate and graduate degree programs, which shall not be subject to the rules and regulations of the State Board of Education; to approve extension campuses and new external degree programs subject to the rules and regulations of the State Board of Education; to

promote cooperation among institutions, including the development of consortia within the system and other educational institutions and agencies.

* * *

(14) To make all reasonable [rules and regulations] **policies and procedures** necessary to carry out the purposes of this article and the duties of the board.

(15) To do and perform generally all of those things necessary and required to accomplish the role and objectives of the system, **unless otherwise delegated by the board to the chancellor.**

(16) To **require institutions to share services and to participate in collaborations when the system has shown evidence in writing of cost reductions and improved efficiencies across the system. For a new, amended or altered shared services contract or collaboration, the institution's council of trustees may reject it by a two-thirds vote with written notice provided to the board within ten (10) days of the council of trustees' decision. This paragraph shall not be construed to allow an institution's council of trustees retroactive discretion over a shared service or collaboration already in effect prior to the effective date of this paragraph.**

(17) To appoint student members to the board and councils.

(18) To document the movement of money from an account of the system or an institution to another account or institution and include a plan for repayment. Repayment shall be given priority when any new Federal or State money is appropriated.

(19) To **make, issue and enforce board policies, procedures and standards for the management and conduct of the instructional, administrative and financial affairs of the system.**

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Section 7. Sections 2008-A, 2009-A and 2010-A introductory paragraph, (1), (5), (10.1), (11), (12), (13) and (14) of the act are amended to read:

Section 2008-A. Councils of Trustees.--(a) The council of each of the institutions shall consist of eleven (11) members who, except for student members, shall be nominated and appointed by the Governor with the advice and consent of the Senate. At least two (2) members of the eleven (11) member council of trustees shall be alumni of the institution.

(b) [Ten (10) members of each council shall serve terms of six (6) years, respectively, and until their respective successors are duly appointed and qualified. One (1) member of each council shall be a full-time undergraduate student in good academic standing, other than freshman, enrolled for at least twelve (12) semester hours at the institution of which he is a trustee. The student member shall serve a term of four (4) years or for so long as he is a full-time undergraduate student in attendance at the institution of which he is a trustee, whichever period is shorter, and is in good academic standing. Vacancies occurring before the expiration of the term of any member shall be filled in like manner for the unexpired term. Student members of the Council of Trustees shall be appointed by the Governor and shall not be subject to Senate confirmation. If a student member is temporarily unable, for medical or valid academic reasons, to fulfill the responsibilities of office, the Council of Trustees may request that the Governor appoint an otherwise qualified student to serve as an alternate until the return of the student member.

(c) The members of each board of trustees of a former State college or university serving in such capacity on the effective

date of this act shall continue to serve for the balance of their respective terms.] **Ten (10) members of each council shall serve terms of six (6) years, respectively and until their respective successors are duly appointed and qualified .**

(b.1) One (1) member of each council shall be a student appointed by the board under section 2006-A(a)(17). The student member shall serve a term of four (4) years or for so long as the student is a full-time student in attendance at the institution of which the student is a trustee, whichever period is shorter, and is in good academic standing. If a student member is temporarily unable, for medical or valid academic reasons, to fulfill the responsibilities of office, the Council of Trustees may appoint an otherwise qualified student to serve as an alternate until the return of the student member.

(b.2) Vacancies occurring before the expiration of the term of any member shall be filled in like manner for the unexpired term.

(d) Six (6) members of a council shall constitute a quorum. Each council shall select from its members a chairperson and a secretary to serve at the pleasure of the council. Each council shall meet at least quarterly, and additionally at the call of the president, or its chairperson, or upon request of three (3) of its members.

Section 2009-A. Powers and Duties of Councils of Trustees.--(a) In accordance with [the rules and regulations] **policies, procedures and standards** adopted by the board, the council of each institution shall have the power and its duty shall be:

(1) To make recommendations to the chancellor for the appointment[,] **and** retention [or dismissal] of the president following [consultation with] **input by** students, faculty, **staff** and alumni.

(1.1) To make recommendations to the chancellor for the dismissal of the president.

(2) To assist the president in developing proper relations and understanding between the institution and its programs and the public, in order to serve the interests and needs of both.

[(3) To review and approve the recommendations of the president as to standards for the admission, discipline and expulsion of students.]

(4) To review and [approve the recommendations of] **provide input to** the president pertaining to policies and procedures governing the use of institutional facilities and property.

(5) To approve schools and academic programs.

(6) To review and approve the recommendations of the president pertaining to annual operating and capital budget requirements for forwarding to the board.

(7) To review and approve **recommendations for** charges for **tuition, and to approve** room and board and other fees except student activity fees **and any fees related to the provision of contracted health services.**

[(8) To conduct an annual physical inspection of facilities and make recommendations regarding maintenance and construction to the board.]

(9) To review [and approve all] contracts and purchases negotiated or awarded by the president, **including any contract or purchase reports**, with or without competitive bidding and all contracts for consultative services entered by the president.

(10) To represent the institution at official functions of the Commonwealth.

(11) To take such other action as may be necessary to effectuate the powers and duties herein delegated.

(12) In accordance with the evaluation procedure established by the board each council shall conduct an evaluation of the president and forward the results of that evaluation with recommendation to the chancellor for submission to the board.

(13) By resolution adopted by the council to authorize campus police who have completed firearms training in accordance with 53 Pa.C.S. § 2167(a) (relating to police training) to carry firearms in the course of duty for any institution whose campus police are authorized to carry firearms on the effective date of this paragraph, the authority to carry firearms shall remain in effect unless the council by resolution dissolves such authority.

Section 2010-A. Power and Duties of Institution Presidents.--The president of each institution shall be appointed by the board. The president shall be the chief executive officer of that institution. [He] **The president** shall have the right to attend all meetings of the council of that institution and shall have the right to speak on all matters before the council but not to vote. Subject to the stated authority of the board and the council, each president shall have the following powers and duties:

(1) Except insofar as such matters are governed by collective bargaining agreements entered pursuant to the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employee Relations Act," and subject to the policies of the board, to appoint such employes, professional and noninstructional, graduate assistants, etc. as necessary, to fix the salaries and [benefits of employes, professional and noninstructional, and to establish policies and procedures governing employment rights, promotion, dismissal, tenure, leaves of absence, grievances and] salary schedules.

* * *

(5) To establish policies and procedures governing the use of institutional facilities and property in [accordance with guidelines established by] **consultation with** the local council.

* * *

(10.1) Within the limitations of the operating budget and other available funds in accordance with the procedures established by the board [and with the approval of the local council,] to negotiate and award all contracts for equipment, services and supplies in excess of a cost of a base amount of eighteen thousand five hundred dollars (\$18,500), subject to adjustment under section [120] **2003-A.1(c.3)**, on a competitive bid basis [and]. **Contracts** to purchase instructional, educational, extracurricular, technical, administrative, custodial and maintenance equipment and supplies not in excess of a cost of a base amount of eighteen thousand five hundred dollars (\$18,500), subject to adjustment under section [120] **2003-A.1(c.3)**, **may be procured**, without competitive bidding, except that such items shall not be bought in series to avoid the dollar ceiling.

(11) To cooperate with and accept grants and assistance from Federal and State agencies, local governments or other political subdivisions, foundations, corporations, or any other source for any of the lawful purposes of the institution. Each institution shall have the power to bank and use such grants as directed by the grantor and subject to the limitations of this act[, except that grants and assistance from sources other than State agencies, local governments or other political subdivisions shall not be subject to the provisions of clause

(10)]. All moneys received from sources authorized by this section are hereby appropriated to each of the several institutions granted such moneys. All such moneys shall be subject to audit by the Auditor General.

(12) To authorize personnel to travel within or without the Commonwealth at institutional expense [in accordance with regulations of the council].

(13) Within the limitations of the operating budget and other available funds, to enter into contracts for consultative service [not to exceed five thousand dollars (\$5,000) per contract].

(14) To enter into contracts [in accordance with policies of the council,] to enable students to engage in student teaching or other training in order to obtain experience in a particular field.

* * *

Section 8. Sections 2011-A and 2017-A of the act are amended to read:

Section 2011-A. Rental Fees and Other Charges.--(a) In addition to rental fees fixed, charged and collected in the manner provided by law from each student residing in State-owned or State-leased residential facilities at an institution for the maintenance and operation of such facilities, a sum shall be fixed by the president, with approval of the Council of Trustees, and charged and collected from each such person as an additional rental fee. Such additional rental fees shall be credited to a Reserve Fund for contingencies and capital replacements.

[(b) In addition to the other fees from time to time fixed, charged and collected in the manner provided by law, a fee of ten dollars (\$10) per semester of eighteen (18) weeks and a proportionate fee for each trimester, quarter, term and summer sessions of six (6) weeks or three (3) weeks shall be fixed, charged and collected from each student while in attendance at a university for which the General State Authority has taken title to a student community building, which fee shall be credited to the Department of General Services and shall be fixed by the council of trustees in amounts sufficient to meet rentals due to the General State Authority, pursuant to contracts to lease student community buildings constructed by the said authority for the use of the system universities.

Section 2017-A. Annual Report.--(a) An annual report shall be submitted in electronic format by each institution to the Department of Education and the Joint State Government Commission, which shall include data for all programs of the institution. Each such report, to be submitted prior to September 1, shall cover the 12-month period beginning with the summer term of the preceding year and shall include:

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

(i) The definitions and numbers of faculty members employed full time, of faculty members employed part time, of full-time students enrolled in graduate courses, of full-time students enrolled in undergraduate courses, of part-time students enrolled in graduate courses, and of part-time students enrolled in undergraduate courses.

(ii) The total numbers of undergraduate student credit hours, divided into lower division and upper division course levels, and of graduate student credit hours divided into three 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 employes by title, including: professor, associate professor, assistant professor, instructor, lecturer, research associate, librarian and academic administrator; faculty members or other professional employes under each title to be subdivided by type of assignment: teaching and nonteaching, and each such set of faculty members or other professional employes to be further subdivided by type of employment: full time or part time; and the following aggregates for each subdivided classification:

(i) The number of faculty and other professional employes 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 lower division, upper division, master's, first professional and doctoral course levels.

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

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

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

(b) In addition to the requirements of subsection (a), each report covering the 12-month period shall include for all programs of the institution:

(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 the three previous years and those estimated for that year.

(c) The Joint State Government Commission shall develop a statistical comparison analysis recognizing differences in missions from the reports made under this section. The comparison shall be provided to the Education Committee of the

Senate and the Appropriations Committee of the Senate and the Education Committee of the House of Representatives and the Appropriations Committee of the House of Representatives and the four State regional libraries. The comparative analysis shall be posted on the Joint State Government Commission's Internet website for a period of no less than five (5) years from the date of submission.

(d) Each report submitted under subsection (a) shall be posted by the Department of Education on its Internet website for a period of no less than five (5) years from the date of submission.]

Section 9. Section 2019-A of the act is amended by adding a subsection to read:

Section 2019-A. Campus Police Powers and Duties.--* * *

(d) Campus police may disseminate investigative information as defined in 18 Pa.C.S. § 9102 (relating to definitions) to university officials for use in student disciplinary matters subject to 22 Pa. Code Ch. 505 (relating to student personnel). Notwithstanding this section, all other provisions of 18 Pa.C.S. Ch. 91 (relating to criminal history record information) shall apply to campus police.

Section 10. The act is amended by adding a section to read:

Section 2021-A. Student Records.--Student education records maintained in connection with a transaction, business or activity of the system or university shall not be subject to the provisions of the act of February 14, 2008 (P.L.6, No.3), known as the "Right-to-Know Law."

Section 11. All acts and parts of acts are repealed and all regulations and parts of regulations are abrogated insofar as they are inconsistent with this act.

Section 12. The provisions of section 2002-A(a.1), (a.2), (a.3), (a.4), (a.5), (a.6), (a.7) and (a.8) of the act shall expire when the reporting requirements in section 2002-A(a.7) of the act have concluded. Upon conclusion of the reporting requirements, the Board of Governors of the State System of Higher Education, the chairperson and minority chairperson of the Appropriations Committee of the Senate, the chairperson and minority chairperson of the Education Committee of the Senate, the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives and the chairperson and minority chairperson of the Education Committee of the House of Representatives shall jointly transmit notice of the expiration of section 2002-A(a.1), (a.2), (a.3), (a.4), (a.5), (a.6), (a.7) and (a.8) of the act to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Section 13. This act shall take effect immediately.

APPROVED--The 1st day of July, A.D. 2020.

TOM WOLF