

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2791 Session of 1994

INTRODUCED BY EVANS, MAY 18, 1994

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 20, 1994

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 and, 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, 1994,
19 to June 30, 1995, for the purposes and in the amounts as shown:

1	(1) For educational and general expenses.....	\$198,600,000
2	(2) For medical education.....	4,425,000
3	(3) For children's hospital.....	4,659,000
4	(4) For the Central Pennsylvania Psychiatric	
5	Institute.....	1,568,000
6	(5) For the cost of agricultural research.....	18,300,000
7	(6) For cost of agricultural extension	
8	services.....	19,787,000
9	(7) To enhance the recruitment and retention	
10	of disadvantaged students.....	321,000
11	(8) For the Pennsylvania College of	
12	Technology.....	9,962,000
13	(9) For debt service related to the former	
14	Williamsport Area Community College.....	1,597,000

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

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

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

28 (b) Such monthly payments shall be made in accordance with
29 the provisions of section 2 on the basis of estimated costs. The
30 estimate of costs shall be submitted by The Pennsylvania State

1 University to the Secretary of Education, the General Assembly
2 and the State Treasurer not later than 30 days prior to the date
3 on which such payment is to be made.

4 Section 5. Notwithstanding any provision of the General
5 Appropriation Act of 1994 relating to the payment of retirement
6 expenses, the Trustees of The Pennsylvania State University
7 shall make all required payments to the State Employees'
8 Retirement Fund from the funds appropriated pursuant to this
9 act.

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

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

1 shall file annually with the General Assembly such information
2 concerning such expenditures as the General Assembly or any of
3 its committees may require.

4 Section 7. A report shall be submitted to the Governor and
5 the Appropriations and Education Committees of the Senate and
6 House of Representatives and shall include data for all programs
7 except the Doctor of Medicine program. The report, to be
8 submitted prior to September 1, 1995, shall cover the 12-month
9 period beginning with the summer term 1994 and shall include:

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

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

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

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

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

30 (2) For the summer term and the following academic year in

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

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

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

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

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

28 (v) The sum of undergraduate individual instruction student
29 credit hours and the sum of graduate individual instruction
30 student credit hours generated, divided into lower division,

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

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

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

15 Section 8. In addition to the requirements in section 7
16 relative to this appropriation, the report covering the 12-month
17 period beginning with the summer term 1994 shall include for all
18 programs of the university:

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

21 (2) Number of bachelor's degrees, master's degrees, first
22 professional degrees and doctoral degrees awarded in 1991, 1992,
23 1993, 1994 and estimated 1995.

24 SECTION 9. (A) THE FOLLOWING WORDS AND PHRASES WHEN USED IN <—
25 THIS SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
26 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

27 "ACADEMIC AND ADMINISTRATIVE SUPPORT UNITS." ANY
28 ORGANIZATIONAL ENTITY, AS DEFINED IN THE ORGANIZATIONAL MANUAL
29 OF THE UNIVERSITY, THAT REPORTS DIRECTLY TO THE PRESIDENT OF THE
30 UNIVERSITY, CHIEF ACADEMIC OFFICER OR VICE PRESIDENT, INCLUDING

1 THE OFFICE OF THE PRESIDENT, CHIEF ACADEMIC OFFICER AND VICE
2 PRESIDENT.

3 "EXPENDITURES." DISBURSEMENTS OF STATE APPROPRIATIONS,
4 TUITION AND FEES SUPPORTING EDUCATIONAL AND GENERAL CATEGORIES
5 AS DEFINED IN THE HIGHER EDUCATION FINANCE MANUAL, DEPARTMENT OF
6 HEALTH, EDUCATION AND WELFARE, 1975, OR DISBURSEMENT, SUPPORTED
7 BY STATE APPROPRIATIONS, TUITION OR FEES, TO SUPPORT A DEFINED
8 PROJECT OR PROGRAM UNDER SUBSECTION (B)(3).

9 "REVENUE." ALL STATE APPROPRIATIONS AND TUITION AND FEES.

10 (B) THE PENNSYLVANIA STATE UNIVERSITY SHALL DISCLOSE THE
11 FOLLOWING:

12 (1) REVENUE AND EXPENDITURE BUDGETS OF THE UNIVERSITY'S
13 ACADEMIC AND ADMINISTRATIVE SUPPORT UNITS FOR THE CURRENT FISCAL
14 YEAR.

15 (2) THE ACTUAL REVENUE AND EXPENDITURES FOR THE PRIOR YEAR
16 IN THE SAME FORMAT AS THE INFORMATION REPORTED UNDER PARAGRAPH
17 (1).

18 (3) FOR ANY DEFINED PROJECT OR PROGRAM WHICH IS THE SUBJECT
19 OF A SPECIFIC LINE ITEM APPROPRIATION FROM THE GENERAL FUND, THE
20 UNIVERSITY SHALL DISCLOSE THE FOLLOWING:

21 (I) REVENUE AND EXPENDITURE BUDGETS OF THE DEFINED PROGRAM
22 OR PROJECT FOR THE CURRENT FISCAL YEAR.

23 (II) THE ACTUAL REVENUE AND EXPENDITURES OF THE DEFINED
24 PROGRAM OR PROJECT FOR THE PRIOR YEAR IN THE SAME FORMAT AS THE
25 INFORMATION REPORTED UNDER PARAGRAPH (1).

26 (4) THE REVENUE AND EXPENDITURES OF ANY AUXILIARY ENTERPRISE
27 WHICH IS DIRECTLY FUNDED IN WHOLE OR IN PART BY TUITION OR A
28 STATE APPROPRIATION FOR THE CURRENT FISCAL YEAR.

29 (C) THE UNIVERSITY SHALL PROVIDE THE FOLLOWING ADDITIONAL
30 INFORMATION FOR THE PRIOR FISCAL YEAR FOR EACH ACADEMIC OR

1 ADMINISTRATIVE SUPPORT UNIT, FOR EACH DEFINED PROJECT OR PROGRAM
2 AND FOR ANY AUXILIARY ENTERPRISE:

3 (1) THE NUMBER OF EMPLOYEES BY ACADEMIC RANK AND BY
4 CLASSIFICATION THE NUMBER OF ADMINISTRATORS, STAFF, CLERICAL AND
5 TECHNICAL SERVICE EMPLOYEES.

6 (2) MEDIAN AND MEAN SALARY BY ACADEMIC RANK AND BY
7 CLASSIFICATION THE MEDIAN AND MEAN SALARIES OF ADMINISTRATORS,
8 STAFF, CLERICAL AND TECHNICAL SERVICE EMPLOYEES.

9 (3) NONSALARY COMPENSATION AS A PERCENTAGE OF SALARY.
10 NONSALARY COMPENSATION SHALL INCLUDE, BUT NOT BE LIMITED TO,
11 MEDICAL BENEFITS, LIFE INSURANCE BENEFITS, PENSION BENEFITS,
12 LEAVE BENEFITS, EMPLOYER SOCIAL SECURITY PAYMENTS AND WORKERS'
13 COMPENSATION BENEFITS.

14 (4) A STATEMENT OF THE UNIVERSITY'S RETIREMENT POLICIES.

15 (5) A POLICY STATEMENT RELATING TO A REDUCTION OF TUITION
16 FOR EMPLOYEES' FAMILY MEMBERS.

17 (6) A LIST OF PURCHASE OF SERVICE CONTRACTS WHICH EXCEED
18 \$1,000 BY CATEGORY OF SERVICE, INCLUDING, BUT NOT LIMITED TO,
19 LEGAL, INSTRUCTIONAL, MANAGEMENT, ACCOUNTING, ARCHITECTURE,
20 PUBLIC RELATIONS AND MAINTENANCE. THE LIST SHALL CONTAIN THE
21 NAME AND ADDRESS OF THE CONTRACTOR, A STATEMENT OF THE NATURE OF
22 THE DUTIES OF THE CONTRACTOR AND THE ACADEMIC AND ADMINISTRATIVE
23 SUPPORT UNIT FOR WHICH THE DUTIES ARE PERFORMED. IF A PURCHASE
24 OF SERVICE CONTRACT EXCEEDS 10% OF THE TOTAL AGGREGATE
25 EXPENDITURE OF THE CONTRACT CATEGORY PER ACADEMIC OR
26 ADMINISTRATIVE SUPPORT UNIT, THEN THE CONTRACTED AMOUNT SHALL
27 ALSO BE LISTED.

28 (7) A LIST OF PURCHASE OF GOODS CONTRACTS WHICH EXCEED
29 \$1,000. THE LIST SHALL CONTAIN THE NAME AND ADDRESS OF THE
30 CONTRACTOR AND A LIST OF THE GOODS PURCHASED AND THE ACADEMIC OR

1 ADMINISTRATIVE SUPPORT UNIT FOR WHICH SUCH GOODS WERE
2 CONTRACTED. IF A PURCHASE OF GOODS CONTRACT EXCEEDS 10% OF THE
3 TOTAL AGGREGATE EXPENDITURE PER ACADEMIC OR ADMINISTRATIVE
4 SUPPORT UNIT, THEN THE CONTRACTED AMOUNT SHALL ALSO BE LISTED.

5 (8) A LIST BY ACADEMIC OR ADMINISTRATIVE SUPPORT UNIT IN THE
6 AGGREGATE, OF THE EXPENSES OF TRAVEL, SUBSISTENCE AND LODGING,
7 WHETHER PROVIDED OR REIMBURSED.

8 (D) THE UNIVERSITY SHALL SUBMIT A REPORT OF THE INFORMATION
9 UNDER SUBSECTIONS (B) AND (C) TO THE EDUCATION COMMITTEE OF THE
10 SENATE AND THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
11 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
12 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES. IN
13 ADDITION, THE UNIVERSITY SHALL SUBMIT A COPY OF THE REPORT TO
14 EACH OF THE FOLLOWING:

15 (1) GOVERNOR'S OFFICE.

16 (2) SECRETARY OF EDUCATION.

17 (3) STATE TREASURER.

18 (4) AUDITOR GENERAL.

19 (5) JOINT STATE GOVERNMENT COMMISSION.

20 EACH SUCH INSTITUTION SHALL MAINTAIN A COPY OF THE REPORT IN THE
21 INSTITUTION'S LIBRARY AND SHALL SUBMIT A COPY TO EACH OF THE
22 FOUR STATE REGIONAL LIBRARY RESOURCE CENTERS.

23 (E) A UNIVERSITY'S REPORT REQUIRED TO BE SUBMITTED UNDER
24 THIS SECTION SHALL BE SUBMITTED WITHIN 180 DAYS OF THE CLOSE OF
25 THE UNIVERSITY'S CURRENT FISCAL YEAR.

26 (F) THE JOINT STATE GOVERNMENT COMMISSION SHALL DEVELOP A
27 STATISTICAL COMPARISON ANALYSIS RECOGNIZING DIFFERENCES IN
28 MISSIONS FROM THE REPORTS MADE UNDER THIS SECTION. A MAJORITY OF
29 THE MEMBERS OF THE COMMISSION MAY REQUEST ADDITIONAL
30 DOCUMENTATION, EXCEPT FOR SALARY OR IDENTITY OF INDIVIDUALS,

1 NECESSARY TO COMPLETE THE COMPARATIVE ANALYSIS. THE COMPARISON
2 SHALL BE PROVIDED TO THE EDUCATION COMMITTEE OF THE SENATE AND
3 THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE EDUCATION
4 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE APPROPRIATIONS
5 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE FOUR STATE
6 REGIONAL LIBRARIES.

7 (G) THE UNIVERSITY SHALL MAKE A COPY OF THE MINUTES OF EACH
8 PUBLIC MEETING OF THE INSTITUTION'S BOARD OF TRUSTEES, AS WELL
9 AS A COPY OF THE INSTITUTION'S INTEGRATED POSTSECONDARY
10 EDUCATION DATA SYSTEMS REPORT, AVAILABLE FOR PUBLIC INSPECTION
11 IN THE INSTITUTION'S LIBRARY.

12 Section ~~9~~ 10. The Pennsylvania State University shall <—
13 provide full, complete and accurate information as may be
14 required by the Department of Education or the chairman or the
15 minority chairman of the Appropriations Committee of the Senate
16 or the chairman or the minority chairman of the Appropriations
17 Committee of the House of Representatives.

18 Section ~~10~~ 11. The Pennsylvania State University shall <—
19 report its revenues and expenditures and present its financial
20 statements required under the provisions of this act in
21 accordance with generally accepted accounting principles and
22 procedures for educational institutions as set forth in the
23 "Higher Education Finance Manual, United States Department of
24 Health, Education and Welfare (1975)" and the "Commonwealth of
25 Pennsylvania Budget Instructions for the State System of Higher
26 Education, State-Related Universities and Non-State-Related
27 Colleges and Universities."

28 Section ~~11~~ 12. This act shall take effect July 1, 1994, or <—
29 immediately, whichever is later.