

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2794** Session of  
1994

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INTRODUCED BY EVANS, MAY 18, 1994

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

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

- 1 (1) For educational and general expenses..... \$9,439,000
- 2 (2) To enhance the recruitment and retention
- 3 of disadvantaged students..... 321,000
- 4 (3) For the International Affairs Institute... 289,000

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

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

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

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

28 (b) Such statement of expenditures and costs shall be  
29 reviewed by the Auditor General of the Commonwealth, and he  
30 shall have the right, in respect to the moneys appropriated by

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

10 Section 5. A report shall be submitted to the Governor and  
11 the Appropriations and Education Committees of the Senate and  
12 House of Representatives and shall include data for all  
13 programs. The report, to be submitted prior to September 1,  
14 1995, shall cover the 12-month period beginning with the summer  
15 term 1994 and shall include:

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

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

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

28 (iii) The number of different courses scheduled by level of  
29 instruction and the number of sections of individual instruction  
30 scheduled by level of instruction, each further subdivided by

1 two-digit Classification of Instructional Program (CIP)  
2 categories of instructional programs of higher education as  
3 defined by the National Center for Education Statistics, United  
4 States Department of Education.

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

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

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

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

25 (iii) The sum of credits assigned to undergraduate  
26 individual instruction courses and the sum of credits assigned  
27 to graduate individual instruction courses taught, divided into  
28 lower division, upper division, master's, first professional and  
29 doctoral course levels.

30 (iv) The sum of undergraduate classroom student credit hours

1 and the sum of graduate classroom student credit hours  
2 generated, divided into lower division, upper division,  
3 master's, first professional and doctoral course levels.

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

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

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

21 Section 6. In addition to the requirements in section 5  
22 relative to this appropriation, the report covering the 12-month  
23 period beginning with the summer term 1994 shall include for all  
24 programs of the university:

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

27 (2) Number of bachelor's degrees, master's degrees, first  
28 professional degrees and doctoral degrees awarded in 1991, 1992,  
29 1993, 1994 and estimated 1995.

30 SECTION 7. (A) THE FOLLOWING WORDS AND PHRASES WHEN USED IN <—

1 THIS SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
2 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

3 "ACADEMIC AND ADMINISTRATIVE SUPPORT UNITS." ANY  
4 ORGANIZATIONAL ENTITY, AS DEFINED IN THE ORGANIZATIONAL MANUAL  
5 OF THE UNIVERSITY, THAT REPORTS DIRECTLY TO THE PRESIDENT OF THE  
6 UNIVERSITY, CHIEF ACADEMIC OFFICER OR VICE PRESIDENT, INCLUDING  
7 THE OFFICE OF THE PRESIDENT, CHIEF ACADEMIC OFFICER AND VICE  
8 PRESIDENT.

9 "EXPENDITURES." DISBURSEMENTS OF STATE APPROPRIATIONS,  
10 TUITION AND FEES SUPPORTING EDUCATIONAL AND GENERAL CATEGORIES  
11 AS DEFINED IN THE HIGHER EDUCATION FINANCE MANUAL, DEPARTMENT OF  
12 HEALTH, EDUCATION AND WELFARE, 1975, OR DISBURSEMENT, SUPPORTED  
13 BY STATE APPROPRIATIONS, TUITION OR FEES, TO SUPPORT A DEFINED  
14 PROJECT OR PROGRAM UNDER SUBSECTION (B)(3).

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

16 (B) LINCOLN UNIVERSITY SHALL DISCLOSE THE FOLLOWING:

17 (1) REVENUE AND EXPENDITURE BUDGETS OF THE UNIVERSITY'S  
18 ACADEMIC AND ADMINISTRATIVE SUPPORT UNITS FOR THE CURRENT FISCAL  
19 YEAR.

20 (2) THE ACTUAL REVENUE AND EXPENDITURES FOR THE PRIOR YEAR  
21 IN THE SAME FORMAT AS THE INFORMATION REPORTED UNDER PARAGRAPH  
22 (1).

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

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

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

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

4 (C) THE UNIVERSITY SHALL PROVIDE THE FOLLOWING ADDITIONAL  
5 INFORMATION FOR THE PRIOR FISCAL YEAR FOR EACH ACADEMIC OR  
6 ADMINISTRATIVE SUPPORT UNIT, FOR EACH DEFINED PROJECT OR PROGRAM  
7 AND FOR ANY AUXILIARY ENTERPRISE:

8 (1) THE NUMBER OF EMPLOYEES BY ACADEMIC RANK AND BY  
9 CLASSIFICATION THE NUMBER OF ADMINISTRATORS, STAFF, CLERICAL AND  
10 TECHNICAL SERVICE EMPLOYEES.

11 (2) MEDIAN AND MEAN SALARY BY ACADEMIC RANK AND BY  
12 CLASSIFICATION THE MEDIAN AND MEAN SALARIES OF ADMINISTRATORS,  
13 STAFF, CLERICAL AND TECHNICAL SERVICE EMPLOYEES.

14 (3) NONSALARY COMPENSATION AS A PERCENTAGE OF SALARY.  
15 NONSALARY COMPENSATION SHALL INCLUDE, BUT NOT BE LIMITED TO,  
16 MEDICAL BENEFITS, LIFE INSURANCE BENEFITS, PENSION BENEFITS,  
17 LEAVE BENEFITS, EMPLOYER SOCIAL SECURITY PAYMENTS AND WORKERS'  
18 COMPENSATION BENEFITS.

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

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

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

1 ADMINISTRATIVE SUPPORT UNIT, THEN THE CONTRACTED AMOUNT SHALL  
2 ALSO BE LISTED.

3 (7) A LIST OF PURCHASE OF GOODS CONTRACTS WHICH EXCEED  
4 \$1,000. THE LIST SHALL CONTAIN THE NAME AND ADDRESS OF THE  
5 CONTRACTOR AND A LIST OF THE GOODS PURCHASED AND THE ACADEMIC OR  
6 ADMINISTRATIVE SUPPORT UNIT FOR WHICH SUCH GOODS WERE  
7 CONTRACTED. IF A PURCHASE OF GOODS CONTRACT EXCEEDS 10% OF THE  
8 TOTAL AGGREGATE EXPENDITURE PER ACADEMIC OR ADMINISTRATIVE  
9 SUPPORT UNIT, THEN THE CONTRACTED AMOUNT SHALL ALSO BE LISTED.

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

13 (D) THE UNIVERSITY SHALL SUBMIT A REPORT OF THE INFORMATION  
14 UNDER SUBSECTIONS (B) AND (C) TO THE EDUCATION COMMITTEE OF THE  
15 SENATE AND THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE  
16 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE  
17 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES. IN  
18 ADDITION, THE UNIVERSITY SHALL SUBMIT A COPY OF THE REPORT TO  
19 EACH OF THE FOLLOWING:

20 (1) GOVERNOR'S OFFICE.

21 (2) SECRETARY OF EDUCATION.

22 (3) STATE TREASURER.

23 (4) AUDITOR GENERAL.

24 (5) JOINT STATE GOVERNMENT COMMISSION.

25 EACH SUCH INSTITUTION SHALL MAINTAIN A COPY OF THE REPORT IN THE  
26 INSTITUTION'S LIBRARY AND SHALL SUBMIT A COPY TO EACH OF THE  
27 FOUR STATE REGIONAL LIBRARY RESOURCE CENTERS.

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

1 (F) THE JOINT STATE GOVERNMENT COMMISSION SHALL DEVELOP A  
2 STATISTICAL COMPARISON ANALYSIS RECOGNIZING DIFFERENCES IN  
3 MISSIONS FROM THE REPORTS MADE UNDER THIS SECTION. A MAJORITY OF  
4 THE MEMBERS OF THE COMMISSION MAY REQUEST ADDITIONAL  
5 DOCUMENTATION, EXCEPT FOR SALARY OR IDENTITY OF INDIVIDUALS,  
6 NECESSARY TO COMPLETE THE COMPARATIVE ANALYSIS. THE COMPARISON  
7 SHALL BE PROVIDED TO THE EDUCATION COMMITTEE OF THE SENATE AND  
8 THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE EDUCATION  
9 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE APPROPRIATIONS  
10 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE FOUR STATE  
11 REGIONAL LIBRARIES.

12 (G) THE UNIVERSITY SHALL MAKE A COPY OF THE MINUTES OF EACH  
13 PUBLIC MEETING OF THE INSTITUTION'S BOARD OF TRUSTEES, AS WELL  
14 AS A COPY OF THE INSTITUTION'S INTEGRATED POSTSECONDARY  
15 EDUCATION DATA SYSTEMS REPORT, AVAILABLE FOR PUBLIC INSPECTION  
16 IN THE INSTITUTION'S LIBRARY.

17 Section 7 8. The Lincoln University shall provide full, <—  
18 complete and accurate information as may be required by the  
19 Department of Education or the majority chairman or the minority  
20 chairman of the Appropriations Committee of the Senate or the  
21 majority chairman or the minority chairman of the Appropriations  
22 Committee of the House of Representatives.

23 Section 8 9. Lincoln University shall report its revenues <—  
24 and expenditures and present its financial statements required  
25 under the provisions of this act in accordance with generally  
26 accepted accounting principles and procedures for educational  
27 institutions as set forth in the "Higher Education Finance  
28 Manual, United States Department of Health, Education and  
29 Welfare (1975)" and the "Commonwealth of Pennsylvania Budget  
30 Instructions for the State System of Higher Education, State-

1 Related Universities and Non-State-Related Colleges and  
2 Universities."

3 Section 9 10. This act shall take effect July 1, 1994, or ←  
4 immediately, whichever is later.