

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 888 Session of 1997

INTRODUCED BY BARLEY, MARCH 12, 1997

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, APRIL 2, 1997

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, 1997, to
25 June 30, 1998, for the purposes and in the amounts as shown:

1 ~~(1) For educational and general expenses.....~~ \$9,958,000 <—
 2 (1) FOR EDUCATIONAL AND GENERAL EXPENSES. NO <—
 3 FUNDS MAY BE ALLOCATED FROM THIS APPROPRIATION
 4 UNLESS ANY TUITION INCREASE FOR THE 1997-1998
 5 SCHOOL YEAR REMAINS UNDER 4.5% FOR PENNSYLVANIA
 6 RESIDENT STUDENTS..... \$9,958,000

7 (2) To enhance the recruitment and retention
 8 of disadvantaged students..... 327,000
 9 (3) For the International Affairs Institute... 295,000

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

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

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

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

1 and costs, as provided in section 2, used as a basis for receipt
2 of any appropriation during said fiscal year.

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

15 Section 5. A report shall be submitted to the Governor and
16 the Appropriations and Education Committees of the Senate and
17 House of Representatives and shall include data for all
18 programs. The report, to be submitted prior to September 1,
19 1998, shall cover the 12-month period beginning with the summer
20 term 1997 and shall include:

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

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

29 (ii) The total numbers of undergraduate student credit
30 hours, divided into lower division and upper division course

1 levels, and of graduate student credit hours, divided into three
2 course levels--master's, first professional and doctoral.

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

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

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

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

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

30 (iii) The sum of credits assigned to undergraduate

1 individual instruction courses and the sum of credits assigned
2 to graduate individual instruction courses taught, divided into
3 lower division, upper division, master's, first professional and
4 doctoral course levels.

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

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

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

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

26 Section 6. In addition to the requirements in section 5
27 relative to this appropriation, the report covering the 12-month
28 period beginning with the summer term 1997 shall include for all
29 programs of the university:

30 (1) Minimum number of credits required for a baccalaureate

1 degree and for a master's degree.

2 (2) Number of bachelor's degrees, master's degrees, first
3 professional degrees and doctoral degrees awarded in 1993, 1994,
4 1995, 1996, 1997 and estimated 1998.

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

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

14 "Expenditures." Disbursements of State appropriations,
15 tuition and fees supporting educational and general categories
16 as defined in the Higher Education Finance Manual, Department of
17 Health, Education and Welfare, 1975, or disbursement, supported
18 by State appropriations, tuition or fees, to support a defined
19 project or program under subsection (b)(3).

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

21 (b) Lincoln University shall disclose the following:

22 (1) Revenue and expenditure budgets of the university's
23 academic and administrative support units for the current fiscal
24 year.

25 (2) The actual revenue and expenditures for the prior year
26 in the same format as the information reported under paragraph
27 (1).

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

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

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

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

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

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

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

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

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

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

27 (6) A list of purchase of service contracts which exceed
28 \$1,000 by category of service, including, but not limited to,
29 legal, instructional, management, accounting, architecture,
30 public relations and maintenance. The list shall contain the

1 name and address of the contractor, a statement of the nature of
2 the duties of the contractor and the academic and administrative
3 support unit for which the duties are performed. If a purchase
4 of service contract exceeds 10% of the total aggregate
5 expenditure of the contract category per academic or
6 administrative support unit, then the contracted amount shall
7 also be listed.

8 (7) A list of purchase of goods contracts which exceed
9 \$1,000. The list shall contain the name and address of the
10 contractor and a list of the goods purchased and the academic or
11 administrative support unit for which such goods were
12 contracted. If a purchase of goods contract exceeds 10% of the
13 total aggregate expenditure per academic or administrative
14 support unit, then the contracted amount shall also be listed.

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

18 (d) The university shall submit a report of the information
19 under subsections (b) and (c) to the Education Committee of the
20 Senate and the Appropriations Committee of the Senate and the
21 Education Committee of the House of Representatives and the
22 Appropriations Committee of the House of Representatives. In
23 addition, the university shall submit a copy of the report to
24 each of the following:

- 25 (1) Governor's Office.
- 26 (2) Secretary of Education.
- 27 (3) State Treasurer.
- 28 (4) Auditor General.
- 29 (5) Joint State Government Commission.

30 Each such institution shall maintain a copy of the report in the

1 institution's library and shall submit a copy to each of the
2 four State regional library resource centers.

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

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

17 (g) The university shall make a copy of the minutes of each
18 public meeting of the institution's board of trustees, as well
19 as a copy of the institution's integrated postsecondary
20 education data systems report, available for public inspection
21 in the institution's library.

22 Section 8. The Lincoln University shall provide full,
23 complete and accurate information as may be required by the
24 Department of Education or the majority chairman or the minority
25 chairman of the Appropriations Committee of the Senate or the
26 majority chairman or the minority chairman of the Appropriations
27 Committee of the House of Representatives.

28 Section 9. Lincoln University shall report its revenues and
29 expenditures and present its financial statements required under
30 the provisions of this act in accordance with generally accepted

1 accounting principles and procedures for educational
2 institutions as set forth in the "Higher Education Finance
3 Manual, United States Department of Health, Education and
4 Welfare (1975)" and 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."

8 Section 10. This act shall take effect July 1, 1997, or
9 immediately, whichever is later.