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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 888**      Session of  
1997

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INTRODUCED BY BARLEY, MARCH 12, 1997

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SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, MAY 5, 1997

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



1 of all expenditures made from moneys appropriated by this act  
2 and costs, as provided in section 2, used as a basis for receipt  
3 of any appropriation during said fiscal year.

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

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

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

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

30 (ii) The total numbers of undergraduate student credit

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (2) Number of bachelor's degrees, master's degrees, first  
4 professional degrees and doctoral degrees awarded in 1993, 1994,  
5 1995, 1996, 1997 and estimated 1998.

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

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

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

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

22 (b) Lincoln University shall disclose the following:

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

26 (2) The actual revenue and expenditures for the prior year  
27 in the same format as the information reported under paragraph  
28 (1).

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

1 university shall disclose the following:

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

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

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

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

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

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

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

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

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

28 (6) A list of purchase of service contracts which exceed  
29 \$1,000 by category of service, including, but not limited to,  
30 legal, instructional, management, accounting, architecture,

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

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

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

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

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



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

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

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

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

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

29 Section 9. Lincoln University shall report its revenues and  
30 expenditures and present its financial statements required under

1 the provisions of this act in accordance with generally accepted  
2 accounting principles and procedures for educational  
3 institutions as set forth in the "Higher Education Finance  
4 Manual, United States Department of Health, Education and  
5 Welfare (1975)" and the "Commonwealth of Pennsylvania Budget  
6 Instructions for the State System of Higher Education, State-  
7 Related Universities and Non-State-Related Colleges and  
8 Universities."

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