

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 889**      Session of  
1997

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INTRODUCED BY BARLEY, MARCH 12, 1997

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

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## A SUPPLEMENT

1 To the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3),  
2 entitled "An act providing for the establishment and  
3 operation of the University of Pittsburgh as an  
4 instrumentality of the Commonwealth to serve as a State-  
5 related university in the higher education system of the  
6 Commonwealth; providing for change of name; providing for the  
7 composition of the board of trustees; terms of trustees, and  
8 the power and duties of such trustees; authorizing  
9 appropriations in amounts to be fixed annually by the General  
10 Assembly; providing for the auditing of accounts of  
11 expenditures from said appropriations; providing for public  
12 support and capital improvements; authorizing the issuance of  
13 bonds exempt from taxation within the Commonwealth; requiring  
14 the chancellor to make an annual report of the operations of  
15 the University of Pittsburgh," making appropriations for  
16 carrying the same into effect; providing for a basis for  
17 payments of such appropriations; and providing a method of  
18 accounting for the funds appropriated and for certain fiscal  
19 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 the  
24 University of Pittsburgh for the fiscal year July 1, 1997, to  
25 June 30, 1998, for the purposes and in the amounts as shown:

1	<del>(1) For educational and general expenses.....</del>	<del>\$134,880,000</del>	<—
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.....	\$134,880,000	
7	(2) For instruction - Doctor of Medicine only.	6,364,000	
8	(3) For operation of dental clinics in the		
9	school of dentistry.....	1,051,000	
10	(4) To enhance the recruitment and retention		
11	of disadvantaged students.....	327,000	
12	(5) For general maintenance and operation of		
13	the Western Psychiatric Institute and Clinic.....	7,847,000	
14	(6) For the teen suicide center at the Western		
15	Psychiatric Institute and Clinic.....	507,000	
16	(7) For the Graduate School of Public Health..	255,000	
17	(8) For rural education outreach.....	306,000	

18 Section 2. Payments to the University of Pittsburgh on  
19 account of the appropriations for all items as provided in  
20 section 1 shall be made on the basis of costs during the fiscal  
21 year.

22 Section 3. If necessary, the University of Pittsburgh may  
23 transfer funds between the appropriations listed in section 1(1)  
24 and (2), provided that the aggregate amount transferred into or  
25 out of each appropriation during the fiscal year shall not  
26 exceed 5% of the amount specifically appropriated for that  
27 purpose.

28 Section 4. (a) Payments to the University of Pittsburgh of  
29 the appropriations provided in section 1 shall be made monthly  
30 during the fiscal year.

1 (b) Such monthly payments shall be made in accordance with  
2 the provisions of section 2 on the basis of estimated costs. The  
3 estimate of costs shall be submitted by the University of  
4 Pittsburgh to the Secretary of Education, the General Assembly  
5 and the State Treasurer not later than 30 days prior to the date  
6 on which such payment is to be made.

7 Section 5. (a) The University of Pittsburgh shall apply the  
8 moneys appropriated by this act only for such purposes as are  
9 permitted in this act and shall at all times maintain proper  
10 records showing the application of such moneys. Not later than  
11 120 days after the close of the fiscal year to which this act  
12 relates, the University of Pittsburgh shall file, with the  
13 Secretary of Education, the General Assembly, the Auditor  
14 General of the Commonwealth and the chief administrator of each  
15 branch campus, a statement setting forth the amounts and  
16 purposes of all expenditures made from moneys appropriated by  
17 this act and other university accounts during said fiscal year,  
18 as provided in section 2, used as a basis for receipt of any  
19 appropriation during said fiscal year.

20 (b) Such statement of expenditures and costs shall be  
21 reviewed by the Auditor General of the Commonwealth, and he  
22 shall have the right, in respect to the moneys appropriated by  
23 this act, to audit and disallow expenditures made for purposes  
24 not permitted by this act and to cause such sums to be recovered  
25 and paid by the University of Pittsburgh to the State Treasurer.  
26 In respect to expenditures made by the university from moneys  
27 other than those appropriated by this act, the Auditor General  
28 shall have the right to review only, and he shall file annually  
29 with the General Assembly such information concerning such  
30 expenditures as the General Assembly or any of its committees

1 may require.

2 Section 6. A report shall be submitted to the Governor and  
3 the Appropriations and Education Committees of the Senate and  
4 House of Representatives and shall include data for all  
5 programs, except for the Doctor of Medicine program. The report,  
6 to be submitted prior to September 1, 1998, shall cover the 12-  
7 month period beginning with the summer term 1997 and shall  
8 include:

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

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

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

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

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

29 (2) For the summer term and the following academic year in  
30 total and for each two-digit CIP program category, a

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

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

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

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

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

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

1 levels.

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

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

14 Section 7. In addition to the requirements in section 6  
15 relative to this appropriation, the report covering the 12-month  
16 period beginning with the summer term 1997 shall include for all  
17 programs of the university:

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

20 (2) Number of bachelor's degrees, master's degrees, first  
21 professional degrees and doctoral degrees awarded in 1993, 1994,  
22 1995, 1996, 1997 and estimated 1998.

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

26 "Academic and administrative support units." Any  
27 organizational entity, as defined in the organizational manual  
28 of the university, that reports directly to the president of the  
29 university, chief academic officer or vice president, including  
30 the office of the president, chief academic officer and vice

1 president.

2 "Expenditures." Disbursements of State appropriations,  
3 tuition and fees supporting educational and general categories  
4 as defined in the Higher Education Finance Manual, Department of  
5 Health, Education and Welfare, 1975, or disbursement, supported  
6 by State appropriations, tuition or fees, to support a defined  
7 project or program under subsection (b)(3).

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

9 (b) The University of Pittsburgh shall disclose the  
10 following:

11 (1) Revenue and expenditure budgets of the university's  
12 academic and administrative support units for the current fiscal  
13 year.

14 (2) The actual revenue and expenditures for the prior year  
15 in the same format as the information reported under paragraph  
16 (1).

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

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

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

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

28 (c) The university shall provide the following additional  
29 information for the prior fiscal year for each academic or  
30 administrative support unit, for each defined project or program

1 and for any auxiliary enterprise:

2 (1) The number of employees by academic rank and by  
3 classification the number of administrators, staff, clerical and  
4 technical service employees.

5 (2) Median and mean salary by academic rank and by  
6 classification the median and mean salaries of administrators,  
7 staff, clerical and technical service employees.

8 (3) Nonsalary compensation as a percentage of salary.  
9 Nonsalary compensation shall include, but not be limited to,  
10 medical benefits, life insurance benefits, pension benefits,  
11 leave benefits, employer Social Security payments and workers'  
12 compensation benefits.

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

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

16 (6) A list of purchase of service contracts which exceed  
17 \$1,000 by category of service, including, but not limited to,  
18 legal, instructional, management, accounting, architecture,  
19 public relations and maintenance. The list shall contain the  
20 name and address of the contractor, a statement of the nature of  
21 the duties of the contractor and the academic and administrative  
22 support unit for which the duties are performed. If a purchase  
23 of service contract exceeds 10% of the total aggregate  
24 expenditure of the contract category per academic or  
25 administrative support unit, then the contracted amount shall  
26 also be listed.

27 (7) A list of purchase of goods contracts which exceed  
28 \$1,000. The list shall contain the name and address of the  
29 contractor and a list of the goods purchased and the academic or  
30 administrative support unit for which such goods were



1 contracted. If a purchase of goods contract exceeds 10% of the  
2 total aggregate expenditure per academic or administrative  
3 support unit, then the contracted amount shall also be listed.

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

7 (d) The university shall submit a report of the information  
8 under subsections (b) and (c) to the Education Committee of the  
9 Senate and the Appropriations Committee of the Senate and the  
10 Education Committee of the House of Representatives and the  
11 Appropriations Committee of the House of Representatives. In  
12 addition, the university shall submit a copy of the report to  
13 each of the following:

14 (1) Governor's Office.

15 (2) Secretary of Education.

16 (3) State Treasurer.

17 (4) Auditor General.

18 (5) Joint State Government Commission.

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

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

25 (f) The Joint State Government Commission shall develop a  
26 statistical comparison analysis recognizing differences in  
27 missions from the reports made under this section. A majority of  
28 the members of the commission may request additional  
29 documentation, except for salary or identity of individuals,  
30 necessary to complete the comparative analysis. The comparison

1 shall be provided to the Education Committee of the Senate and  
2 the Appropriations Committee of the Senate and the Education  
3 Committee of the House of Representatives and the Appropriations  
4 Committee of the House of Representatives and the four State  
5 regional libraries.

6 (g) The university shall make a copy of the minutes of each  
7 public meeting of the institution's board of trustees, as well  
8 as a copy of the institution's integrated postsecondary  
9 education data systems report, available for public inspection  
10 in the institution's library.

11 Section 9. The University of Pittsburgh shall provide full,  
12 complete and accurate information as may be required by the  
13 Department of Education or the majority chairman or the minority  
14 chairman of the Appropriations Committee of the Senate or the  
15 majority chairman or the minority chairman of the Appropriations  
16 Committee of the House of Representatives.

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

27 Section 11. This act shall take effect July 1, 1997, or  
28 immediately, whichever is later.