

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2360 Session of  
1998

INTRODUCED BY BARLEY, MARCH 11, 1998

REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 11, 1998

A SUPPLEMENT

1 To the act of November 30, 1965 (P.L.843, No.355), entitled "An  
2 act providing for the establishment and operation of Temple  
3 University as an instrumentality of the Commonwealth to serve  
4 as a State-related university 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; providing for public support and capital  
10 improvements; authorizing appropriations in amounts to be  
11 fixed annually by the General Assembly; providing for the  
12 auditing of accounts of expenditures from said  
13 appropriations; authorizing the issuance of bonds exempt from  
14 taxation within the Commonwealth; requiring the President to  
15 make an annual report of the operations of Temple  
16 University," making appropriations for carrying the same into  
17 effect; providing for a basis for payments of such  
18 appropriations; and providing a method of accounting for the  
19 funds appropriated and for certain fiscal information  
20 disclosure.

21 The General Assembly of the Commonwealth of Pennsylvania  
22 hereby enacts as follows:

23 Section 1. The following sums, or as much thereof as may be  
24 necessary, are hereby appropriated to the Trustees of Temple  
25 University for the fiscal year July 1, 1998, to June 30, 1999,  
26 for the purposes and in the amounts as shown:

1	(1) For education and general expenses.....	\$147,911,000
2	(2) For instruction - Doctor of Medicine only.	8,746,000
3	(3) For operation of dental clinics in the	
4	school of dentistry.....	1,085,000
5	(4) To enhance the recruitment and retention	
6	of disadvantaged students.....	338,000
7	(5) For maxillofacial prosthodontics.....	132,000

8 Section 2. Payments to Temple University on account of the  
9 appropriations for all items as provided in section 1 shall be  
10 made on the basis of costs during the fiscal year.

11 Section 3. If necessary, Temple University may transfer  
12 funds among the appropriations listed in section 1(1) and (2),  
13 provided, that the aggregate amount transferred into or out of  
14 each appropriation during the fiscal year shall not exceed 5% of  
15 the amount specifically appropriated for that purpose.

16 Section 4. (a) Payment to Temple University of the  
17 appropriations provided in section 1 shall be made monthly  
18 during the fiscal year.

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

25 Section 5. (a) Temple University shall apply the moneys  
26 appropriated by this act only for such purposes as are permitted  
27 in this act and shall at all times maintain proper records  
28 showing the application of such moneys. Not later than 120 days  
29 after the close of the fiscal year to which this act relates,  
30 Temple University shall file, with the Secretary of Education,

1 the General Assembly and the Auditor General of the  
2 Commonwealth, a statement setting forth the amounts and purposes  
3 of all expenditures made from moneys appropriated by this act  
4 and other university accounts during said fiscal year, as  
5 provided in section 2, used as a basis for receipt of any  
6 appropriation during said fiscal year.

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

18 Section 6. A report shall be submitted to the Governor and  
19 the Appropriations and Education Committees of the Senate and  
20 House of Representatives and shall include data for all programs  
21 except the Doctor of Medicine program. The report, to be  
22 submitted prior to September 1, 1999, shall cover the 12-month  
23 period beginning with the summer term 1998 and shall include:

24 (1) The following counts and distributions for each term  
25 during the period:

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

1 in undergraduate courses.

2 (ii) The total numbers of undergraduate student credit  
3 hours, divided into lower division and upper division course  
4 levels, and of graduate student credit hours divided into three  
5 course levels--master's, first professional and doctoral.

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

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

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

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

29 (ii) The sum of credits assigned to undergraduate classroom  
30 courses and the sum of credits assigned to graduate classroom

1 courses taught, divided into lower division, upper division,  
2 master's, first professional and doctoral course levels.

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

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

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

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

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

29 Section 7. In addition to the requirements in section 6  
30 relative to this appropriation, each report covering the 12-

1 month period beginning with the summer term 1998 shall include  
2 for all programs of the university:

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

5 (2) Number of bachelor's degrees, master's degrees, first  
6 professional degrees and doctoral degrees awarded in 1994, 1995,  
7 1996, 1997, 1998 and estimated 1999.

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

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

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

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

24 (b) Temple University shall disclose the following:

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

28 (2) The actual revenue and expenditures for the prior year  
29 in the same format as the information reported under paragraph  
30 (1).

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

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

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

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

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

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

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

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

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

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

30 (6) A list of purchase of service contracts which exceed

1 \$1,000 by category of service, including, but not limited to,  
2 legal, instructional, management, accounting, architecture,  
3 public relations and maintenance. The list shall contain the  
4 name and address of the contractor, a statement of the nature of  
5 the duties of the contractor and the academic and administrative  
6 support unit for which the duties are performed. If a purchase  
7 of service contract exceeds 10% of the total aggregate  
8 expenditure of the contract category per academic or  
9 administrative support unit, then the contracted amount shall  
10 also be listed.

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

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

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

28 (1) Governor's Office.

29 (2) Secretary of Education.

30 (3) State Treasurer.



1 (4) Auditor General.

2 (5) Joint State Government Commission.

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

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

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

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

25 Section 9. Temple University shall provide full, complete  
26 and accurate information as may be required by the Department of  
27 Education or the majority chairman or the minority chairman of  
28 the Appropriations Committee of the Senate or the majority  
29 chairman or the minority chairman of the Appropriations  
30 Committee of the House of Representatives.

1 Section 10. Temple University shall report its revenues and  
2 expenditures and present its financial statements required under  
3 the provisions of this act in accordance with generally accepted  
4 accounting principles and procedures for educational  
5 institutions as set forth in the "Higher Education Finance  
6 Manual, United States Department of Health, Education and  
7 Welfare (1975)" and the "Commonwealth of Pennsylvania Budget  
8 Instructions for the State System of Higher Education, State-  
9 Related Universities and Non-State-Related Colleges and  
10 Universities."

11 Section 11. This act shall take effect July 1, 1998, or  
12 immediately, whichever is later.