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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2402 Session of  
2000

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INTRODUCED BY BARLEY, MARCH 16, 2000

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AS AMENDED ON THIRD CONSIDERATION, IN SENATE, MAY 16, 2000

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A SUPPLEMENT

1 To the act of April 1, 1863 (P.L.213, No.227), entitled "An act  
2 to accept the grant of Public Lands, by the United States, to  
3 the several states, for the endowment of Agricultural  
4 Colleges," making appropriations for carrying the same into  
5 effect; and providing for a basis for payments of such  
6 appropriations, for a method of accounting for the funds  
7 appropriated and for certain fiscal information disclosure.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. In order to carry into effect the act of  
11 Congress, approved July 2, 1862, granting public land to the  
12 several states for educational purposes, and subsequent acts of  
13 Congress related thereto, and the act of the General Assembly of  
14 Pennsylvania accepting the provisions and conditions of said  
15 acts of Congress and pledging the faith of the State to carry  
16 the same into effect, the following sums, or as much thereof as  
17 may be necessary, are hereby appropriated to the Trustees of The  
18 Pennsylvania State University for the fiscal year July 1, 2000,  
19 to June 30, 2001, for the purposes and in the amounts as shown:

1	(1) For educational and general expenses.....	\$242,920,000	
2	(2) FOR THE INFORMATION SYSTEMS TECHNOLOGY		<—
3	SCHOOL.....	4,500,000	
4	<del>(2)</del> (3) For medical education.....	4,897,000	<—
5	<del>(3)</del> (4) For children's hospital.....	5,155,000	<—
6	<del>(4)</del> (5) For the Central Pennsylvania		<—
7	Psychiatric Institute.....	2,006,000	
8	<del>(5)</del> For the cost of agricultural research.....	22,767,000	<—
9	<del>(6)</del> For the cost of agricultural extension		
10	services.....	26,761,000	
11	<del>(7)</del> (6) FOR THE COST OF AGRICULTURAL		<—
12	RESEARCH.....	23,499,000	
13	(7) FOR THE COST OF AGRICULTURAL EXTENSION		
14	SERVICES.....	27,029,000	
15	(8) To enhance the recruitment and retention		
16	of disadvantaged students.....	355,000	
17	<del>(8)</del> For the Pennsylvania College of		<—
18	Technology.....	12,558,000	
19	<del>(9)</del> (9) FOR THE PENNSYLVANIA COLLEGE OF		<—
20	TECHNOLOGY.....	14,558,000	
21	(10) For debt service related to the former		
22	Williamsport Area Community College.....	1,530,000	
23	<del>(10)</del> For program initiatives.....	3,000,000	<—
24	(11) FOR CAPITOL CAMPUS IMPROVEMENTS.....	500,000	<—
25	<del>(12)</del> FOR PROGRAM INITIATIVES.....	5,000,000	<—
26	(12) FOR PROGRAM INITIATIVES, INCLUDING AT		<—
27	LEAST \$250,000 FOR ACTIVITIES RELATED TO THE		
28	NATIONAL SEA GRANT COLLEGE PROGRAM AT THE BEHREND		
29	COLLEGE.		

30 Section 2. Payments to The Pennsylvania State University on

1 account of the appropriations for all items as provided in  
2 section 1 shall be made on the basis of costs during the fiscal  
3 year.

4 Section 3. If necessary, The Pennsylvania State University  
5 may transfer funds among the appropriations listed in section  
6 1(1), ~~(3) and (4)~~ (4) AND (5), provided that the aggregate ←  
7 amount transferred into or out of each appropriation during the  
8 fiscal year shall not exceed 5% of the amount specifically  
9 appropriated for that purpose.

10 Section 4. (a) Payments to The Pennsylvania State  
11 University of the appropriations provided in section 1 shall be  
12 made monthly during the fiscal year.

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

19 (c) Payments to The Pennsylvania State University provided  
20 in section ~~1(10)~~ 1(12) are contingent on the university making ←  
21 all articulation agreements with other higher education  
22 institutions available on the Internet.

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

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

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

17 Section 6. A report shall be submitted to the Governor and  
18 the Appropriations and Education Committees of the Senate and  
19 House of Representatives and shall include data for all programs  
20 except the Doctor of Medicine program. The report, to be  
21 submitted prior to September 1, 2001, shall cover the 12-month  
22 period beginning with the summer term 2000 and shall include:

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

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

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

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

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

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

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

28 (ii) The sum of credits assigned to undergraduate classroom  
29 courses and the sum of credits assigned to graduate classroom  
30 courses taught, divided into lower division, upper division,

1 master's, first professional and doctoral course levels.

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

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

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

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

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

28 Section 7. In addition to the requirements in section 6  
29 relative to this appropriation, the report covering the 12-month  
30 period beginning with the summer term 2000 shall include for all

1 programs of the university:

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

4 (2) Number of bachelor's degrees, master's degrees, first  
5 professional degrees and doctoral degrees awarded in 1996, 1997,  
6 1998, 1999, 2000 and estimated 2001.

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

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

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

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

23 (b) The Pennsylvania State University shall disclose the  
24 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. The Pennsylvania State University shall provide  
26 full, complete and accurate information as may be required by  
27 the Department of Education or the chairman or the minority  
28 chairman of the Appropriations Committee of the Senate or the  
29 chairman or the minority chairman of the Appropriations  
30 Committee of the House of Representatives.

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

11 Section 11. This act shall take effect July 1, 2000, or  
12 immediately, whichever is later.