
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2402 Session of
2000

INTRODUCED BY BARLEY, MARCH 16, 2000

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

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,

1 to June 30, 2001, for the purposes and in the amounts as shown:

| | | | |
|----|---|---------------|----|
| 2 | (1) For educational and general expenses..... | \$242,920,000 | |
| 3 | (2) FOR THE INFORMATION SYSTEMS TECHNOLOGY | | <— |
| 4 | SCHOOL..... | 4,500,000 | |
| 5 | (2) (3) For medical education..... | 4,897,000 | <— |
| 6 | (3) (4) For children's hospital..... | 5,155,000 | <— |
| 7 | (4) (5) For the Central Pennsylvania | | <— |
| 8 | Psychiatric Institute..... | 2,006,000 | |
| 9 | (5) For the cost of agricultural research..... | 22,767,000 | <— |
| 10 | (6) For the cost of agricultural extension | | |
| 11 | services..... | 26,761,000 | |
| 12 | (7) (6) FOR THE COST OF AGRICULTURAL | | <— |
| 13 | RESEARCH..... | 23,499,000 | |
| 14 | (7) FOR THE COST OF AGRICULTURAL EXTENSION | | |
| 15 | SERVICES..... | 27,029,000 | |
| 16 | (8) To enhance the recruitment and retention | | |
| 17 | of disadvantaged students..... | 355,000 | |
| 18 | (8) For the Pennsylvania College of | | <— |
| 19 | Technology..... | 12,558,000 | |
| 20 | (9) (9) FOR THE PENNSYLVANIA COLLEGE OF | | <— |
| 21 | TECHNOLOGY..... | 14,558,000 | |
| 22 | (10) For debt service related to the former | | |
| 23 | Williamsport Area Community College..... | 1,530,000 | |
| 24 | (10) For program initiatives..... | 3,000,000 | <— |
| 25 | (11) FOR CAPITOL CAMPUS IMPROVEMENTS..... | 500,000 | <— |
| 26 | (12) FOR PROGRAM INITIATIVES..... | 5,000,000 | <— |
| 27 | (12) FOR PROGRAM INITIATIVES, INCLUDING AT | | <— |
| 28 | LEAST \$250,000 FOR ACTIVITIES RELATED TO THE | | |
| 29 | NATIONAL SEA GRANT COLLEGE PROGRAM AT THE BEHREND | | |
| 30 | COLLEGE..... | 5,000,000 | |

1 Section 2. Payments to The Pennsylvania State University on
2 account of the appropriations for all items as provided in
3 section 1 shall be made on the basis of costs during the fiscal
4 year.

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

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

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

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

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

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

6 (b) Such statement of expenditures and costs shall be
7 reviewed by the Auditor General of the Commonwealth, and he
8 shall have the right, in respect to the moneys appropriated by
9 this act, to audit and disallow expenditures made for purposes
10 not permitted by this act and to cause such sums to be recovered
11 and paid by The Pennsylvania State University to the State
12 Treasurer. In respect to expenditures made by the university
13 from moneys other than those appropriated by this act, the
14 Auditor General shall have the right to review only, and he
15 shall file annually with the General Assembly such information
16 concerning such expenditures as the General Assembly or any of
17 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, 2001, shall cover the 12-month
23 period beginning with the summer term 2000 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, the report covering the 12-month

1 period beginning with the summer term 2000 shall include for all
2 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 1996, 1997,
7 1998, 1999, 2000 and estimated 2001.

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) The Pennsylvania State University shall disclose the
25 following:

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

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

1 (1).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (1) Governor's Office.

30 (2) Secretary of Education.

1 (3) State Treasurer.

2 (4) Auditor General.

3 (5) Joint State Government Commission.

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

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

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

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

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

1 Committee of the House of Representatives.

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

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