
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1211 Session of
2001

INTRODUCED BY BARLEY, MARCH 27, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 24, 2001

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, 2001, to
25 June 30, 2002, for the purposes and in the amounts as shown:

1	(1) For educational and general expenses.....	\$149,760,000
2	(2) For student life initiatives.....	500,000
3	(3) For instruction - Doctor of Medicine only.	6,903,000
4	(4) For operation of dental clinics in the	
5	school of dentistry.....	1,140,000
6	(5) To enhance the recruitment and retention	
7	of disadvantaged students.....	355,000
8	(6) For general maintenance and operation of	
9	the Western Psychiatric Institute and Clinic.....	8,513,000
10	(7) For the teen suicide center at the Western	
11	Psychiatric Institute and Clinic.....	549,000
12	(8) For the Graduate School of Public Health..	277,000
13	(9) For rural education outreach.....	913,000
14	(10) For laboratories and equipment.....	2,500,000
15	(11) For program initiatives.....	3,500,000
16	(12) For information technology.....	2,500,000

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

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

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

30 (b) Such monthly payments shall be made in accordance with

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

6 (c) Payments to the University of Pittsburgh provided in
7 section 1(11) are contingent on the university making all
8 articulation agreements with other higher education institutions
9 available on the Internet.

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

23 (b) Such statement of expenditures and costs shall be
24 reviewed by the Auditor General of the Commonwealth, and he
25 shall have the right, in respect to the moneys appropriated by
26 this act, to audit and disallow expenditures made for purposes
27 not permitted by this act and to cause such sums to be recovered
28 and paid by the University of Pittsburgh to the State Treasurer.
29 In respect to expenditures made by the university from moneys
30 other than those appropriated by this act, the Auditor General

1 shall have the right to review only, and he shall file annually
2 with the General Assembly such information concerning such
3 expenditures as the General Assembly or any of its committees
4 may require.

5 Section 6. A report shall be submitted to the Governor and
6 the Appropriations and Education Committees of the Senate and
7 House of Representatives and shall include data for all
8 programs, except for the Doctor of Medicine program. The report,
9 to be submitted prior to September 1, 2002, shall cover the 12-
10 month period beginning with the summer term 2001 and shall
11 include:

12 (1) The following counts and distributions for each term
13 during the period:

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

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

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

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

2 (2) For the summer term and the following academic year in
3 total and for each two-digit CIP program category, a
4 classification of faculty members or other professional
5 employees by title, including: professor, associate professor,
6 assistant professor, instructor, lecturer, research associate,
7 librarian and academic administrator; faculty members or other
8 professional employees under each title to be subdivided by type
9 of assignment: teaching and nonteaching; and each such set of
10 faculty members or other professional employees to be further
11 subdivided by type of employment: full-time or part-time; and
12 the following aggregates for each such subdivided
13 classification:

14 (i) The number of faculty and other professional employees
15 and their full-time equivalence in instructional and
16 noninstructional functions.

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

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

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

30 (v) The sum of undergraduate individual instruction student

1 credit hours and the sum of graduate individual instruction
2 student credit hours generated, divided into lower division,
3 upper division, master's, first professional and doctoral course
4 levels.

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

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

17 Section 7. In addition to the requirements in section 6
18 relative to this appropriation, the report covering the 12-month
19 period beginning with the summer term 2001 shall include for all
20 programs of the university:

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

23 (2) Number of bachelor's degrees, master's degrees, first
24 professional degrees and doctoral degrees awarded in 1997, 1998,
25 1999, 2000, 2001 and estimated 2002.

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

29 "Academic and administrative support units." Any
30 organizational entity, as defined in the organizational manual

1 of the university, that reports directly to the president of the
2 university, chief academic officer or vice president, including
3 the office of the president, chief academic officer and vice
4 president.

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

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

12 (b) The University of Pittsburgh shall disclose the
13 following:

14 (1) Revenue and expenditure budgets of the university's
15 academic and administrative support units for the current fiscal
16 year.

17 (2) The actual revenue and expenditures for the prior year
18 in the same format as the information reported under paragraph
19 (1).

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

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

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

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

1 (c) The university shall provide the following additional
2 information for the prior fiscal year for each academic or
3 administrative support unit, for each defined project or program
4 and for any auxiliary enterprise:

5 (1) The number of employees by academic rank and by
6 classification the number of administrators, staff, clerical and
7 technical service employees.

8 (2) Median and mean salary by academic rank and by
9 classification the median and mean salaries of administrators,
10 staff, clerical and technical service employees.

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

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

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

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

30 (7) A list of purchase of goods contracts which exceed

1 \$1,000. The list shall contain the name and address of the
2 contractor and a list of the goods purchased and the academic or
3 administrative support unit for which such goods were
4 contracted. If a purchase of goods contract exceeds 10% of the
5 total aggregate expenditure per academic or administrative
6 support unit, then the contracted amount shall also be listed.

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

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

17 (1) Governor's Office.

18 (2) Secretary of Education.

19 (3) State Treasurer.

20 (4) Auditor General.

21 (5) Joint State Government Commission.

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

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

28 (f) The Joint State Government Commission shall develop a
29 statistical comparison analysis recognizing differences in
30 missions from the reports made under this section. A majority of

1 the members of the commission may request additional
2 documentation, except for salary or identity of individuals,
3 necessary to complete the comparative analysis. The comparison
4 shall be provided to the Education Committee of the Senate and
5 the Appropriations Committee of the Senate and the Education
6 Committee of the House of Representatives and the Appropriations
7 Committee of the House of Representatives and the four State
8 regional libraries.

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

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

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

30 SECTION 11. COMMONWEALTH FUNDS APPROPRIATED TO THE TRUSTEES

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1 OF THE UNIVERSITY OF PITTSBURGH MAY NOT BE USED TO SUBSIDIZE THE
2 TUITION OF A STUDENT WHO IS NOT A RESIDENT OF THIS COMMONWEALTH.
3 A CURRENT STUDENT WHO IS NOT A RESIDENT OF THIS COMMONWEALTH
4 THAT RECEIVES A TUITION SUBSIDY PRIOR TO THE ADOPTION OF THIS
5 ACT OR ANY RENEWAL OR CONTINUATION OF THAT SUBSIDY IS EXEMPT
6 FROM THIS PROHIBITION.

7 Section ~~11~~ 12. This act shall take effect July 1, 2001, or ←
8 immediately, whichever is later.