

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1212** 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 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, 2001, to June 30, 2002,

1 for the purposes and in the amounts as shown:

2	(1) For education and general expenses.....	\$157,182,000
3	(2) For instruction - Doctor of Medicine only.	9,189,000
4	(3) For operation of dental clinics in the	
5	school of dentistry.....	1,140,000
6	(4) To enhance the recruitment and retention	
7	of disadvantaged students.....	355,000
8	(5) For maxillofacial prosthodontics.....	138,000
9	(6) For Podiatric Medicine.....	1,417,000
10	(7) For laboratories and equipment.....	2,500,000
11	(8) For the Richard J. Fox Bio-Medical Center.	500,000
12	(9) For program initiatives.....	6,600,000

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

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

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

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

30 (c) Payments to Temple University provided in section 1(9)

1 are contingent on the university making all articulation
2 agreements with other higher education institutions available on
3 the Internet.

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

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

27 Section 6. A report shall be submitted to the Governor and
28 the Appropriations and Education Committees of the Senate and
29 House of Representatives and shall include data for all programs
30 except the Doctor of Medicine program. The report, to be

1 submitted prior to September 1, 2002, shall cover the 12-month
2 period beginning with the summer term 2001 and shall include:

3 (1) The following counts and distributions for each term
4 during the period:

5 (i) The definitions and numbers of faculty members employed
6 full time, of faculty members employed part time, of full-time
7 students enrolled in graduate courses, of full-time students
8 enrolled in undergraduate courses, of part-time students
9 enrolled in graduate courses and of part-time students enrolled
10 in undergraduate courses.

11 (ii) The total numbers of undergraduate student credit
12 hours, divided into lower division and upper division course
13 levels, and of graduate student credit hours divided into three
14 course levels--master's, first professional and doctoral.

15 (iii) The number of different courses scheduled by level of
16 instruction and the number of sections of individual instruction
17 scheduled by level of instruction, each further subdivided by
18 two-digit Classification of Instructional Program (CIP)
19 categories of instructional programs of higher education as
20 defined by the National Center for Education Statistics, United
21 States Department of Education.

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

23 (2) For the summer term and the following academic year in
24 total and for each two-digit CIP program category, a
25 classification of faculty members or other professional
26 employees by title, including: professor, associate professor,
27 assistant professor, instructor, lecturer, research associate,
28 librarian and academic administrator; faculty members or other
29 professional employees under each title to be subdivided by type
30 of assignment: teaching and nonteaching; and each such set of

1 faculty members or other professional employees to be further
2 subdivided by type of employment: full-time or part-time; and
3 the following aggregates for each such subdivided
4 classification:

5 (i) The number of faculty and other professional employees
6 and their full-time equivalence in instructional and
7 noninstructional functions.

8 (ii) The sum of credits assigned to undergraduate classroom
9 courses and the sum of credits assigned to graduate classroom
10 courses taught, divided into lower division, upper division,
11 master's, first professional and doctoral course levels.

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

17 (iv) The sum of undergraduate classroom student credit hours
18 and the sum of graduate classroom student credit hours
19 generated, divided into lower division, upper division,
20 master's, first professional and doctoral course levels.

21 (v) The sum of undergraduate individual instruction student
22 credit hours and the sum of graduate individual instruction
23 student credit hours generated, divided into lower division,
24 upper division, master's, first professional and doctoral course
25 levels.

26 (vi) The total salary paid for instructional functions and
27 for noninstructional functions and the amount of this salary
28 paid for each of these functions from university funds, Federal
29 funds and other funds.

30 (3) For each term of the period covered for each faculty

1 member employed full time identified by two-digit CIP program
2 category and title, the report shall contain an analysis of the
3 average hours per week spent in university-related activities,
4 stating specifically hours spent in undergraduate classroom
5 contact and graduate classroom contact, hours spent in
6 preparation, hours spent in research and hours spent in public
7 service.

8 Section 7. In addition to the requirements in section 6
9 relative to this appropriation, each report covering the 12-
10 month period beginning with the summer term 2001 shall include
11 for all programs of the university:

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

14 (2) Number of bachelor's degrees, master's degrees, first
15 professional degrees and doctoral degrees awarded in 1997, 1998,
16 1999, 2000, 2001 and estimated 2002.

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

20 "Academic and administrative support units." Any
21 organizational entity, as defined in the organizational manual
22 of the university, that reports directly to the president of the
23 university, chief academic officer or vice president, including
24 the office of the president, chief academic officer and vice
25 president.

26 "Expenditures." Disbursements of State appropriations,
27 tuition and fees supporting educational and general categories
28 as defined in the "Higher Education Finance Manual, Department
29 of Health, Education and Welfare (1975)" or disbursement,
30 supported by State appropriations, tuition or fees, to support a

1 defined project or program under subsection (b)(3).

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

3 (b) Temple University shall disclose the following:

4 (1) Revenue and expenditure budgets of the university's
5 academic and administrative support units for the current fiscal
6 year.

7 (2) The actual revenue and expenditures for the prior year
8 in the same format as the information reported under paragraph
9 (1).

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

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

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

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

21 (c) The university shall provide the following additional
22 information for the prior fiscal year for each academic or
23 administrative support unit, for each defined project or program
24 and for any auxiliary enterprise:

25 (1) The number of employees by academic rank and by
26 classification the number of administrators, staff, clerical and
27 technical service employees.

28 (2) Median and mean salary by academic rank and by
29 classification the median and mean salaries of administrators,
30 staff, clerical and technical service employees.

1 (3) Nonsalary compensation as a percentage of salary.
2 Nonsalary compensation shall include, but not be limited to,
3 medical benefits, life insurance benefits, pension benefits,
4 leave benefits, employer Social Security payments and workers'
5 compensation benefits.

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

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

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

20 (7) A list of purchase of goods contracts which exceed
21 \$1,000. The list shall contain the name and address of the
22 contractor and a list of the goods purchased and the academic or
23 administrative support unit for which such goods were
24 contracted. If a purchase of goods contract exceeds 10% of the
25 total aggregate expenditure per academic or administrative
26 support unit, then the contracted amount shall also be listed.

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

30 (d) The university shall submit a report of the information

1 under subsections (b) and (c) to the Education Committee of the
2 Senate and the Appropriations Committee of the Senate and the
3 Education Committee of the House of Representatives and the
4 Appropriations Committee of the House of Representatives. In
5 addition, the university shall submit a copy of the report to
6 each of the following:

7 (1) Governor's Office.

8 (2) Secretary of Education.

9 (3) State Treasurer.

10 (4) Auditor General.

11 (5) Joint State Government Commission.

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

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

18 (f) The Joint State Government Commission shall develop a
19 statistical comparison analysis recognizing differences in
20 missions from the reports made under this section. A majority of
21 the members of the commission may request additional
22 documentation, except for salary or identity of individuals,
23 necessary to complete the comparative analysis. The comparison
24 shall be provided to the Education Committee of the Senate and
25 the Appropriations Committee of the Senate and the Education
26 Committee of the House of Representatives and the Appropriations
27 Committee of the House of Representatives and the four State
28 regional libraries.

29 (g) The university shall make a copy of the minutes of each
30 public meeting of the institution's board of trustees, as well

1 as a copy of the institution's integrated postsecondary
2 education data systems report, available for public inspection
3 in the institution's library.

4 Section 9. Temple University shall provide full, complete
5 and accurate information as may be required by the Department of
6 Education or the chairman or the minority chairman of the
7 Appropriations Committee of the Senate or the chairman or the
8 minority chairman of the Appropriations Committee of the House
9 of Representatives.

10 Section 10. Temple University shall report its revenues and
11 expenditures and present its financial statements required under
12 the provisions of this act in accordance with generally accepted
13 accounting principles and procedures for educational
14 institutions as set forth in the "Higher Education Finance
15 Manual, United States Department of Health, Education and
16 Welfare (1975)" and the "Commonwealth of Pennsylvania Budget
17 Instructions for the State System of Higher Education, State-
18 Related Universities and Non-State-Related Colleges and
19 Universities."

20 SECTION 11. COMMONWEALTH FUNDS APPROPRIATED TO THE TRUSTEES ←
21 OF TEMPLE UNIVERSITY MAY NOT BE USED TO SUBSIDIZE THE TUITION OF
22 A STUDENT WHO IS NOT A RESIDENT OF THIS COMMONWEALTH. A CURRENT
23 STUDENT WHO IS NOT A RESIDENT OF THIS COMMONWEALTH THAT RECEIVES
24 A TUITION SUBSIDY PRIOR TO THE ADOPTION OF THIS ACT OR ANY
25 RENEWAL OR CONTINUATION OF THAT SUBSIDY IS EXEMPT FROM THIS
26 PROHIBITION.

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