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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1212** Session of  
2001

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INTRODUCED BY BARLEY, MARCH 27, 2001

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SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JUNE 11, 2001

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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	<del>(1) For education and general expenses.....</del>	<del>\$157,182,000</del>	<del>&lt;—</del>
3	(1) FOR EDUCATION AND GENERAL EXPENSES.....	\$158,982,000	<—
4	(2) For instruction - Doctor of Medicine only.	9,189,000	
5	(3) For operation of dental clinics in the		
6	school of dentistry.....	1,140,000	
7	(4) To enhance the recruitment and retention		
8	of disadvantaged students.....	355,000	
9	(5) For maxillofacial prosthodontics.....	138,000	
10	(6) For Podiatric Medicine.....	1,417,000	
11	(7) For laboratories and equipment.....	2,500,000	
12	(8) For the Richard J. Fox Bio-Medical Center.	500,000	
13	<del>(9) For program initiatives.....</del>	<del>6,600,000</del>	<del>&lt;—</del>
14	(9) FOR PROGRAM INITIATIVES.....	5,950,000	<—

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

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

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

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

1 payment is to be made.

2 (c) Payments to Temple University provided in section 1(9)  
3 are contingent on the university making all articulation  
4 agreements with other higher education institutions available on  
5 the Internet.

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

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

29 Section 6. A report shall be submitted to the Governor and  
30 the Appropriations and Education Committees of the Senate and

1 House of Representatives and shall include data for all programs  
2 except the Doctor of Medicine program. The report, to be  
3 submitted prior to September 1, 2002, shall cover the 12-month  
4 period beginning with the summer term 2001 and shall include:

5 (1) The following counts and distributions for each term  
6 during the period:

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

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

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

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

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

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

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

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

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

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

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

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

1 funds and other funds.

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

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

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

16 (2) Number of bachelor's degrees, master's degrees, first  
17 professional degrees and doctoral degrees awarded in 1997, 1998,  
18 1999, 2000, 2001 and estimated 2002.

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

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

28 "Expenditures." Disbursements of State appropriations,  
29 tuition and fees supporting educational and general categories  
30 as defined in the "Higher Education Finance Manual, Department

1 of Health, Education and Welfare (1975)" or disbursement,  
2 supported by State appropriations, tuition or fees, to support a  
3 defined project or program under subsection (b)(3).

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

5 (b) Temple University shall disclose the following:

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

9 (2) The actual revenue and expenditures for the prior year  
10 in the same format as the information reported under paragraph  
11 (1).

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

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

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

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

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

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

30 (2) Median and mean salary by academic rank and by

1 classification the median and mean salaries of administrators,  
2 staff, clerical and technical service employees.

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

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

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

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

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

29 (8) A list by academic or administrative support unit in the  
30 aggregate, of the expenses of travel, subsistence and lodging,

1 whether provided or reimbursed.

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

9 (1) Governor's Office.

10 (2) Secretary of Education.

11 (3) State Treasurer.

12 (4) Auditor General.

13 (5) Joint State Government Commission.

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

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

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

1 (g) The university shall make a copy of the minutes of each  
2 public meeting of the institution's board of trustees, as well  
3 as a copy of the institution's integrated postsecondary  
4 education data systems report, available for public inspection  
5 in the institution's library.

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

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

22 ~~Section 11. Commonwealth funds appropriated to the Trustees~~ <—  
23 ~~of Temple University may not be used to subsidize the tuition of~~  
24 ~~a student who is not a resident of this Commonwealth. A current~~  
25 ~~student who is not a resident of this Commonwealth that receives~~  
26 ~~a tuition subsidy prior to the adoption of this act or any~~  
27 ~~renewal or continuation of that subsidy is exempt from this~~  
28 ~~prohibition.~~

29 Section ~~12~~ 11. This act shall take effect July 1, 2001, or <—  
30 immediately, whichever is later.