

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1214 Session of
2001

INTRODUCED BY BARLEY, MARCH 27, 2001

REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 27, 2001

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

20 (1) For educational and general expenses..... \$242,920,000

1	(2) For the Information Systems Technology	
2	School.....	4,500,000
3	(3) For medical education.....	4,897,000
4	(4) For children's hospital.....	5,155,000
5	(5) For the Central Pennsylvania Psychiatric	
6	Institute.....	2,006,000
7	(6) For the cost of agricultural research.....	23,499,000
8	(7) For the cost of agricultural extension	
9	services.....	27,029,000
10	(8) To enhance the recruitment and retention	
11	of disadvantaged students.....	355,000
12	(9) For the Pennsylvania College of	
13	Technology.....	14,558,000
14	(10) For debt service related to the former	
15	Williamsport Area Community College.....	1,530,000
16	(11) For Capitol Campus Improvements.....	500,000
17	(12) For program initiatives, including at	
18	least \$250,000 for activities related to the	
19	National Sea Grant College Program at The Behrend	
20	College.....	5,000,000

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

25 Section 3. If necessary, The Pennsylvania State University
26 may transfer funds among the appropriations listed in section
27 1(1), (4) and (5), provided that the aggregate amount
28 transferred into or out of each appropriation during the fiscal
29 year shall not exceed 5% of the amount specifically appropriated
30 for that purpose.

1 Section 4. (a) Payments to The Pennsylvania State

2 University of the appropriations provided in section 1 shall be
3 made monthly during the fiscal year.

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

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

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

26 (b) Such statement of expenditures and costs shall be
27 reviewed by the Auditor General of the Commonwealth, and he
28 shall have the right, in respect to the moneys appropriated by
29 this act, to audit and disallow expenditures made for purposes
30 not permitted by this act and to cause such sums to be recovered

1 and paid by The Pennsylvania State University to the State
2 Treasurer. In respect to expenditures made by the university
3 from moneys other than those appropriated by this act, the
4 Auditor General shall have the right to review only, and he
5 shall file annually with the General Assembly such information
6 concerning such expenditures as the General Assembly or any of
7 its committees may require.

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

14 (1) The following counts and distributions for each term
15 during the period:

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

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

26 (iii) The number of different courses scheduled by level of
27 instruction and the number of sections of individual instruction
28 scheduled by level of instruction, each further subdivided by
29 two-digit Classification of Instructional Program (CIP)
30 categories of instructional programs of higher education as

1 defined by the National Center for Education Statistics, United
2 States Department of Education.

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

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

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

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

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

28 (iv) The sum of undergraduate classroom student credit hours
29 and the sum of graduate classroom student credit hours
30 generated, divided into lower division, upper division,

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

2 (v) The sum of undergraduate individual instruction student
3 credit hours and the sum of graduate individual instruction
4 student credit hours generated, divided into lower division,
5 upper division, master's, first professional and doctoral course
6 levels.

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

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

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

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

25 (2) Number of bachelor's degrees, master's degrees, first
26 professional degrees and doctoral degrees awarded in 1997, 1998,
27 1999, 2000, 2001 and estimated 2002.

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

1 "Academic and administrative support units." Any
2 organizational entity, as defined in the organizational manual
3 of the university, that reports directly to the president of the
4 university, chief academic officer or vice president, including
5 the office of the president, chief academic officer and vice
6 president.

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

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

14 (b) The Pennsylvania State University shall disclose the
15 following:

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

19 (2) The actual revenue and expenditures for the prior year
20 in the same format as the information reported under paragraph
21 (1).

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

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

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

30 (4) The revenue and expenditures of any auxiliary enterprise

1 which is directly funded in whole or in part by tuition or a
2 State appropriation for the current fiscal year.

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

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

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

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

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

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

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

1 also be listed.

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

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

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

19 (1) Governor's Office.

20 (2) Secretary of Education.

21 (3) State Treasurer.

22 (4) Auditor General.

23 (5) Joint State Government Commission.

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

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

30 (f) The Joint State Government Commission shall develop a

1 statistical comparison analysis recognizing differences in
2 missions from the reports made under this section. A majority of
3 the members of the commission may request additional
4 documentation, except for salary or identity of individuals,
5 necessary to complete the comparative analysis. The comparison
6 shall be provided to the Education Committee of the Senate and
7 the Appropriations Committee of the Senate and the Education
8 Committee of the House of Representatives and the Appropriations
9 Committee of the House of Representatives and the four State
10 regional libraries.

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

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

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

1 Colleges and Universities."

2 Section 11. This act shall take effect July 1, 2001, or
3 immediately, whichever is later.