

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1214 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 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:

1	(1) For educational and general expenses.....	\$242,920,000	<—
2	(1) FOR EDUCATIONAL AND GENERAL EXPENSES.....	\$242,910,480	<—
3	(2) For the Information Systems Technology		
4	School.....	4,500,000	
5	(3) For medical education.....	4,897,000	
6	(4) For children's hospital.....	5,155,000	
7	(5) For the Central Pennsylvania Psychiatric		
8	Institute.....	2,006,000	
9	(6) For the cost of agricultural research.....	23,499,000	
10	(7) For the cost of agricultural extension		
11	services.....	27,029,000	
12	(8) To enhance the recruitment and retention		
13	of disadvantaged students.....	355,000	
14	(9) For the Pennsylvania College of		
15	Technology.....	14,558,000	
16	(10) For debt service related to the former		
17	Williamsport Area Community College.....	1,530,000	
18	(11) For Capitol Campus Improvements.....	500,000	
19	(12) For program initiatives, including at		
20	least \$250,000 for activities related to the		
21	National Sea Grant College Program at The Behrend		
22	College.....	5,000,000	

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

27 Section 3. If necessary, The Pennsylvania State University
28 may transfer funds among the appropriations listed in section
29 1(1), (4) and (5), provided that the aggregate amount
30 transferred into or out of each appropriation during the fiscal

1 year shall not exceed 5% of the amount specifically appropriated
2 for that purpose.

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

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

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

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

28 (b) Such statement of expenditures and costs shall be
29 reviewed by the Auditor General of the Commonwealth, and he
30 shall have the right, in respect to the moneys appropriated by

1 this act, to audit and disallow expenditures made for purposes
2 not permitted by this act and to cause such sums to be recovered
3 and paid by The Pennsylvania State University to the State
4 Treasurer. In respect to expenditures made by the university
5 from moneys other than those appropriated by this act, the
6 Auditor General shall have the right to review only, and he
7 shall file annually with the General Assembly such information
8 concerning such expenditures as the General Assembly or any of
9 its committees may require.

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

16 (1) The following counts and distributions for each term
17 during the period:

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

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

28 (iii) The number of different courses scheduled by level of
29 instruction and the number of sections of individual instruction
30 scheduled by level of instruction, each further subdivided by

1 two-digit Classification of Instructional Program (CIP)
2 categories of instructional programs of higher education as
3 defined by the National Center for Education Statistics, United
4 States Department of Education.

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

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

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

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

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

30 (iv) The sum of undergraduate classroom student credit hours

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

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

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

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

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

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

27 (2) Number of bachelor's degrees, master's degrees, first
28 professional degrees and doctoral degrees awarded in 1997, 1998,
29 1999, 2000, 2001 and estimated 2002.

30 Section 8. (a) The following words and phrases when used in

1 this section shall have the meanings given to them in this
2 subsection unless the context clearly indicates otherwise:

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

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

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

16 (b) The Pennsylvania State University shall disclose the
17 following:

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

21 (2) The actual revenue and expenditures for the prior year
22 in the same format as the information reported under paragraph
23 (1).

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

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

29 (ii) The actual revenue and expenditures of the defined
30 program or project for the prior year in the same format as the

1 information reported under paragraph (1).

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

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

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

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

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

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

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

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

1 expenditure of the contract category per academic or
2 administrative support unit, then the contracted amount shall
3 also be listed.

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

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

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

21 (1) Governor's Office.

22 (2) Secretary of Education.

23 (3) State Treasurer.

24 (4) Auditor General.

25 (5) Joint State Government Commission.

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

29 (e) A university's report required to be submitted under
30 this section shall be submitted within 180 days of the close of

1 the university's current fiscal year.

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

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

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

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

1 Pennsylvania Budget Instructions for the State System of Higher
2 Education, State-Related Universities and Non-State-Related
3 Colleges and Universities."

4 SECTION 11. COMMONWEALTH FUNDS APPROPRIATED TO THE TRUSTEES <—
5 OF THE PENNSYLVANIA STATE UNIVERSITY MAY NOT BE USED TO
6 SUBSIDIZE THE TUITION OF A STUDENT WHO IS NOT A RESIDENT OF THIS
7 COMMONWEALTH. A CURRENT STUDENT WHO IS NOT A RESIDENT OF THIS
8 COMMONWEALTH THAT RECEIVES A TUITION SUBSIDY PRIOR TO THE
9 ADOPTION OF THIS ACT OR ANY RENEWAL OR CONTINUATION OF THAT
10 SUBSIDY IS EXEMPT FROM THIS PROHIBITION.

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