

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 2490** Session of
2002

INTRODUCED BY FLEAGLE, APRIL 8, 2002

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 5, 2002

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, 2002,
19 to June 30, 2003, for the purposes and in the amounts as shown:

1	(1) For educational and general expenses.....	\$237,698,000	<—
2	(2) For the Information Systems Technology		
3	School.....	5,046,000	
4	(3) For medical education.....	4,792,000	
5	(1) FOR EDUCATIONAL AND GENERAL EXPENSES.....	\$244,744,000	<—
6	(2) FOR MEDICAL EDUCATION.....	5,044,000	
7	(4) (3) For children's hospital.....	5,044,000	<—
8	(5) (4) For the Central Pennsylvania		<—
9	Psychiatric Institute.....	1,963,000	
10	(6) (5) For the cost of agricultural research.	22,994,000	<—
11	(7) (6) For the cost of agricultural extension		<—
12	services.....	26,446,000	
13	(8) (7) To enhance the recruitment and		<—
14	retention of disadvantaged students.....	348,000	
15	(9) (8) For the Pennsylvania College of		<—
16	Technology.....	12,288,000	
17	(10) (9) For debt service related to the		<—
18	former Williamsport Area Community College.....	1,453,000	

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

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

29 Section 4. (a) Payments to The Pennsylvania State
30 University of the appropriations provided in section 1 shall be

1 made monthly during the fiscal year.

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

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

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

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

1 from moneys other than those appropriated by this act, the
2 Auditor General shall have the right to review only, and he
3 shall file annually with the General Assembly such information
4 concerning such expenditures as the General Assembly or any of
5 its committees may require.

6 Section 6. A report shall be submitted to the Governor and
7 the Appropriations and Education Committees of the Senate and
8 House of Representatives and shall include data for all programs
9 except the Doctor of Medicine program. The report, to be
10 submitted prior to September 1, 2003, shall cover the 12-month
11 period beginning with the summer term 2002 and shall 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 2002 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 1998, 1999,
25 2000, 2001, 2002 and estimated 2003.

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 or payments of State
6 appropriations, tuition and fees supporting operational,
7 educational or other general categories of expenses as defined
8 in: the generally accepted accounting principles as prescribed
9 by the National Association of College and University Business
10 Officers, the American Institute of Certified Public
11 Accountants, or by their successors, or by any other recognized
12 authoritative body; the "Commonwealth of Pennsylvania Budget
13 Instructions for the State System of Higher Education, State-
14 Related Universities and Non-State-Related Colleges and
15 Universities"; and, the financial reporting policies and
16 standards promulgated by the Commonwealth of Pennsylvania and by
17 the Federal Government that apply to the Pennsylvania State
18 University.

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

20 (b) The Pennsylvania State University shall disclose the
21 following:

22 (1) Revenue and expenditure budgets of the university's
23 academic and administrative support units for the current fiscal
24 year.

25 (2) The actual revenue and expenditures for the prior year
26 in the same format as the information reported under paragraph
27 (1).

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

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

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

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

9 (c) The university shall provide the following additional
10 information for the prior fiscal year for each academic or
11 administrative support unit, for each defined project or program
12 and for any auxiliary enterprise:

13 (1) The number of employees by academic rank and by
14 classification the number of administrators, staff, clerical and
15 technical service employees.

16 (2) Median and mean salary by academic rank and by
17 classification the median and mean salaries of administrators,
18 staff, clerical and technical service employees.

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

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

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

27 (6) A list of purchase of service contracts which exceed
28 \$1,000 by category of service, including, but not limited to,
29 legal, instructional, management, accounting, architecture,
30 public relations and maintenance. The list shall contain the

1 name and address of the contractor, a statement of the nature of
2 the duties of the contractor and the academic and administrative
3 support unit for which the duties are performed. If a purchase
4 of service contract exceeds 10% of the total aggregate
5 expenditure of the contract category per academic or
6 administrative support unit, then the contracted amount shall
7 also be listed.

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

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

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

- 25 (1) Governor's Office.
- 26 (2) Secretary of Education.
- 27 (3) State Treasurer.
- 28 (4) Auditor General.
- 29 (5) Joint State Government Commission.

30 Each such institution shall maintain a copy of the report in the

1 institution's library and shall submit a copy to each of the
2 four State regional library resource centers.

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

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

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

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

28 Section 10. The Pennsylvania State University shall present
29 and report its financial statements required under the
30 provisions of this act in accordance with: the generally

1 accepted accounting principles as prescribed by the National
2 Association of College and University Business Officers, the
3 American Institute of Certified Public Accountants, or their
4 successors, or by any other recognized authoritative body; the
5 "Commonwealth of Pennsylvania Budget Instructions for the State
6 System of Higher Education, State-Related Universities and Non-
7 State-Related Colleges and Universities"; and, the financial
8 reporting policies and standards promulgated by the Commonwealth
9 of Pennsylvania and by the Federal Government that apply to the
10 Pennsylvania State University.

11 SECTION 11. THE PENNSYLVANIA STATE UNIVERSITY SHALL MAKE ALL <—
12 ARTICULATION AGREEMENTS WITH OTHER HIGHER EDUCATION INSTITUTIONS
13 AVAILABLE ON THE INTERNET.

14 Section ~~11~~ 12. This act shall take effect July 1, 2002, or <—
15 immediately, whichever is later.