

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 2491** Session of  
2002

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INTRODUCED BY FLEAGLE, APRIL 8, 2002

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

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## A SUPPLEMENT

1 To the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3),  
2 entitled "An act providing for the establishment and  
3 operation of the University of Pittsburgh as an  
4 instrumentality of the Commonwealth to serve as a State-  
5 related university in the higher education system of the  
6 Commonwealth; providing for change of name; providing for the  
7 composition of the board of trustees; terms of trustees, and  
8 the power and duties of such trustees; authorizing  
9 appropriations in amounts to be fixed annually by the General  
10 Assembly; providing for the auditing of accounts of  
11 expenditures from said appropriations; providing for public  
12 support and capital improvements; authorizing the issuance of  
13 bonds exempt from taxation within the Commonwealth; requiring  
14 the chancellor to make an annual report of the operations of  
15 the University of Pittsburgh," making appropriations for  
16 carrying the same into effect; providing for a basis for  
17 payments of such appropriations; and providing a method of  
18 accounting for the funds appropriated and for certain fiscal  
19 information disclosure.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 Section 1. The following sums, or as much thereof as may be  
23 necessary, are hereby appropriated to the Trustees of the  
24 University of Pittsburgh for the fiscal year July 1, 2002, to  
25 June 30, 2003, for the purposes and in the amounts as shown:

1	<del>(1) For educational and general expenses.....</del>	<del>\$143,982,000</del>	<del>&lt;—</del>
2	<del>(2) For student life initiatives.....</del>	<del>475,000</del>	
3	<del>(3) For instruction — Doctor of Medicine only.</del>	<del>6,558,000</del>	
4	(1) FOR EDUCATIONAL AND GENERAL EXPENSES.....	\$148,540,000	<—
5	(2) FOR STUDENT LIFE INITIATIVES.....	434,000	
6	(3) FOR INSTRUCTION - DOCTOR OF MEDICINE ONLY.	6,903,000	
7	(4) For operation of dental clinics in the		
8	school of dentistry.....	1,083,000	
9	(5) To enhance the recruitment and retention		
10	of disadvantaged students.....	337,000	
11	(6) For general maintenance and operation of		
12	the Western Psychiatric Institute and Clinic.....	8,087,000	
13	(7) For the teen suicide center at the Western		
14	Psychiatric Institute and Clinic.....	522,000	
15	(8) For the Graduate School of Public Health..	263,000	
16	<del>(9) For rural education outreach.....</del>	<del>962,000</del>	<del>&lt;—</del>
17	(9) FOR RURAL EDUCATION OUTREACH.....	1,013,000	<—
18	(10) For laboratories and equipment.....	2,375,000	
19	<del>(11) For program initiatives.....</del>	<del>2,517,000</del>	<del>&lt;—</del>
20	<del>(12)</del> (11) For information technology.....	2,375,000	<—

21 Section 2. Payments to the University of Pittsburgh 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 University of Pittsburgh may  
26 transfer funds between the appropriations listed in section 1(1)  
27 and (3), provided that the aggregate amount transferred into or  
28 out of each appropriation during the fiscal year shall not  
29 exceed 5% of the amount specifically appropriated for that  
30 purpose.

1 Section 4. (a) Payments to the University of Pittsburgh of  
2 the appropriations provided in section 1 shall be made monthly  
3 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 University of  
7 Pittsburgh 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 University of Pittsburgh provided in~~ <—  
11 ~~section 1(11) 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 University of Pittsburgh shall apply the  
15 moneys appropriated by this act only for such purposes as are  
16 permitted in this act and shall at all times maintain proper  
17 records showing the application of such moneys. Not later than  
18 120 days after the close of the fiscal year to which this act  
19 relates, the University of Pittsburgh shall file, with the  
20 Secretary of Education, the General Assembly, the Auditor  
21 General of the Commonwealth and the chief administrator of each  
22 branch campus, a statement setting forth the amounts and  
23 purposes of all expenditures made from moneys appropriated by  
24 this act and other university accounts during said fiscal year,  
25 as provided in section 2, used as a basis for receipt of any  
26 appropriation during said fiscal year.

27 (b) Such statement of expenditures and costs shall be  
28 reviewed by the Auditor General of the Commonwealth, and he  
29 shall have the right, in respect to the moneys appropriated by  
30 this act, to audit and disallow expenditures made for purposes

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

9 Section 6. A report shall be submitted to the Governor and  
10 the Appropriations and Education Committees of the Senate and  
11 House of Representatives and shall include data for all  
12 programs, except for the Doctor of Medicine program. The report,  
13 to be submitted prior to September 1, 2003, shall cover the 12-  
14 month period beginning with the summer term 2002 and shall  
15 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 2002 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 1998, 1999,  
29 2000, 2001, 2002 and estimated 2003.

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 or payments of State  
10 appropriations, tuition and fees supporting operational,  
11 educational or other general categories of expenses as defined  
12 in: the generally accepted accounting principles as prescribed  
13 by the National Association of College and University Business  
14 Officers, the American Institute of Certified Public  
15 Accountants, or by their successors, or by any other recognized  
16 authoritative body; 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"; and the financial reporting policies and  
20 standards promulgated by the Commonwealth of Pennsylvania and by  
21 the Federal Government that apply to the University of  
22 Pittsburgh.

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

24 (b) The University of Pittsburgh shall disclose the  
25 following:

26 (1) Revenue and expenditure budgets of the university's  
27 academic and administrative support units for the current fiscal  
28 year.

29 (2) The actual revenue and expenditures for the prior year  
30 in the same format as the information reported under paragraph

1 (1).

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

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

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

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

13 (c) The university shall provide the following additional  
14 information for the prior fiscal year for each academic or  
15 administrative support unit, for each defined project or program  
16 and for any auxiliary enterprise:

17 (1) The number of employees by academic rank and by  
18 classification the number of administrators, staff, clerical and  
19 technical service employees.

20 (2) Median and mean salary by academic rank and by  
21 classification the median and mean salaries of administrators,  
22 staff, clerical and technical service employees.

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

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

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



1 (6) A list of purchase of service contracts which exceed  
2 \$1,000 by category of service, including, but not limited to,  
3 legal, instructional, management, accounting, architecture,  
4 public relations and maintenance. The list shall contain the  
5 name and address of the contractor, a statement of the nature of  
6 the duties of the contractor and the academic and administrative  
7 support unit for which the duties are performed. If a purchase  
8 of service contract exceeds 10% of the total aggregate  
9 expenditure of the contract category per academic or  
10 administrative support unit, then the contracted amount shall  
11 also be listed.

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

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

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

29 (1) Governor's Office.

30 (2) Secretary of Education.

1 (3) State Treasurer.

2 (4) Auditor General.

3 (5) Joint State Government Commission.

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

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

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

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

26 Section 9. The University of Pittsburgh shall provide full,  
27 complete and accurate information as may be required by the  
28 Department of Education or the chairman or the minority chairman  
29 of the Appropriations Committee of the Senate or the chairman or  
30 the minority chairman of the Appropriations Committee of the

1 House of Representatives.

2 Section 10. The University of Pittsburgh shall present and  
3 report its financial statements required under the provisions of  
4 this act in accordance with: the generally accepted accounting  
5 principles as prescribed by the National Association of College  
6 and University Business Officers, the American Institute of  
7 Certified Public Accountants, or their successors, or by any  
8 other recognized authoritative body; the "Commonwealth of  
9 Pennsylvania Budget Instructions for the State System of Higher  
10 Education, State-Related Universities and Non-State-Related  
11 Colleges and Universities"; and the financial reporting policies  
12 and standards promulgated by the Commonwealth of Pennsylvania  
13 and by the Federal Government that apply to the University of  
14 Pittsburgh.

15 SECTION 11. THE UNIVERSITY OF PITTSBURGH SHALL MAKE ALL <—  
16 ARTICULATION AGREEMENTS WITH OTHER HIGHER EDUCATION INSTITUTIONS  
17 AVAILABLE ON THE INTERNET.

18 SECTION 12. NO FUNDS APPROPRIATED BY THIS ACT MAY BE USED  
19 FOR COSTS OF PERSONNEL AND OPERATIONS OF THE ENVIRONMENTAL LAW  
20 CLINIC.

21 Section ~~11~~ 13. This act shall take effect July 1, 2002, or <—  
22 immediately, whichever is later.