

## 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 AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 11, 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>\$148,540,000</del>	<del>&lt;—</del>
2	(1) FOR EDUCATIONAL AND GENERAL EXPENSES.....	\$153,290,000	<—
3	(2) For student life initiatives.....	434,000	
4	(3) For instruction - Doctor of Medicine only.	6,903,000	
5	(4) For operation of dental clinics in the		
6	school of dentistry.....	1,083,000	
7	(5) To enhance the recruitment and retention		
8	of disadvantaged students.....	337,000	
9	(6) For general maintenance and operation of		
10	the Western Psychiatric Institute and Clinic.....	8,087,000	
11	(7) For the teen suicide center at the Western		
12	Psychiatric Institute and Clinic.....	522,000	
13	(8) For the Graduate School of Public Health..	263,000	
14	(9) For rural education outreach.....	1,013,000	
15	<del>(10) For laboratories and equipment.....</del>	<del>2,375,000</del>	<del>&lt;—</del>
16	<del>(11) For information technology.....</del>	<del>2,375,000</del>	

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

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

27 Section 4. (a) Payments to the University of Pittsburgh of  
28 the appropriations provided in section 1 shall be made monthly  
29 during the fiscal year.

30 (b) Such monthly payments shall be made in accordance with

1 the provisions of section 2 on the basis of estimated costs. The  
2 estimate of costs shall be submitted by the University of  
3 Pittsburgh to the Secretary of Education, the General Assembly  
4 and the State Treasurer not later than 30 days prior to the date  
5 on which such payment is to be made.

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

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

1 Section 6. A report shall be submitted to the Governor and  
2 the Appropriations and Education Committees of the Senate and  
3 House of Representatives and shall include data for all  
4 programs, except for the Doctor of Medicine program. The report,  
5 to be submitted prior to September 1, 2003, shall cover the 12-  
6 month period beginning with the summer term 2002 and shall  
7 include:

8 (1) The following counts and distributions for each term  
9 during the period:

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

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

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

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

28 (2) For the summer term and the following academic year in  
29 total and for each two-digit CIP program category, a  
30 classification of faculty members or other professional

1 employees by title, including: professor, associate professor,  
2 assistant professor, instructor, lecturer, research associate,  
3 librarian and academic administrator; faculty members or other  
4 professional employees under each title to be subdivided by type  
5 of assignment: teaching and nonteaching; and each such set of  
6 faculty members or other professional employees to be further  
7 subdivided by type of employment: full-time or part-time; and  
8 the following aggregates for each such subdivided  
9 classification:

10 (i) The number of faculty and other professional employees  
11 and their full-time equivalence in instructional and  
12 noninstructional functions.

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

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

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

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

1 (vi) The total salary paid for instructional functions and  
2 for noninstructional functions and the amount of this salary  
3 paid for each of these functions from university funds, Federal  
4 funds and other funds.

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

13 Section 7. In addition to the requirements in section 6  
14 relative to this appropriation, the report covering the 12-month  
15 period beginning with the summer term 2002 shall include for all  
16 programs of the university:

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

19 (2) Number of bachelor's degrees, master's degrees, first  
20 professional degrees and doctoral degrees awarded in 1998, 1999,  
21 2000, 2001, 2002 and estimated 2003.

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

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

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

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

16 (b) The University of Pittsburgh 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 University of Pittsburgh shall provide full,  
19 complete and accurate information as may be required by the  
20 Department of Education or the chairman or the minority chairman  
21 of the Appropriations Committee of the Senate or the chairman or  
22 the minority chairman of the Appropriations Committee of the  
23 House of Representatives.

24 Section 10. The University of Pittsburgh shall present and  
25 report its financial statements required under the provisions of  
26 this act in accordance with: the generally accepted accounting  
27 principles as prescribed by the National Association of College  
28 and University Business Officers, the American Institute of  
29 Certified Public Accountants, or their successors, or by any  
30 other recognized authoritative body; 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"; and the financial reporting policies  
4 and standards promulgated by the Commonwealth of Pennsylvania  
5 and by the Federal Government that apply to the University of  
6 Pittsburgh.

7 Section 11. The University of Pittsburgh shall make all  
8 articulation agreements with other higher education institutions  
9 available on the Internet.

10 Section 12. No funds appropriated by this act may be used  
11 for costs of personnel and operations of the environmental law  
12 clinic.

13 SECTION 13. THE SECRETARY OF EDUCATION SHALL DEDUCT FROM ←  
14 FUNDS APPROPRIATED BY THIS ACT THE AMOUNT NECESSARY TO COVER ANY  
15 LEGAL COSTS INCURRED BY THE PENNSYLVANIA TURNPIKE COMMISSION AS  
16 A RESULT OF ACTIONS TAKEN BY THE ENVIRONMENTAL LAW CLINIC, ITS  
17 AGENTS OR CLIENTS AND TRANSFER THAT AMOUNT AS REIMBURSEMENT TO  
18 THE PENNSYLVANIA TURNPIKE COMMISSION. THE TRANSFER SHALL OCCUR  
19 NO LATER THAN 30 DAYS FOLLOWING THE RECEIPT OF DOCUMENTATION  
20 FROM THE PENNSYLVANIA TURNPIKE COMMISSION AND CERTIFICATION OF  
21 ITS CORRECTNESS BY THE SECRETARY AS TO THE AMOUNT OF SUCH LEGAL  
22 COSTS.

23 Section ~~13~~ 14. This act shall take effect July 1, 2002, or ←  
24 immediately, whichever is later.