
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2491 Session of
2002

INTRODUCED BY FLEAGLE, APRIL 8, 2002

SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 27, 2002

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	(1) For educational and general expenses.....	\$153,290,000
2	(2) For student life initiatives.....	434,000
3	(3) For instruction - Doctor of Medicine only.	6,903,000
4	(4) For operation of dental clinics in the	
5	school of dentistry.....	1,083,000
6	(5) To enhance the recruitment and retention	
7	of disadvantaged students.....	337,000
8	(6) For general maintenance and operation of	
9	the Western Psychiatric Institute and Clinic.....	8,087,000
10	(7) For the teen suicide center at the Western	
11	Psychiatric Institute and Clinic.....	522,000
12	(8) For the Graduate School of Public Health..	263,000
13	(9) For rural education outreach.....	1,013,000

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

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

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

27 (b) Such monthly payments shall be made in accordance with
28 the provisions of section 2 on the basis of estimated costs. The
29 estimate of costs shall be submitted by the University of
30 Pittsburgh to the Secretary of Education, the General Assembly

1 and the State Treasurer not later than 30 days prior to the date
2 on which such payment is to be made.

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

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

28 Section 6. A report shall be submitted to the Governor and
29 the Appropriations and Education Committees of the Senate and
30 House of Representatives and shall include data for all

1 programs, except for the Doctor of Medicine program. The report,
2 to be submitted prior to September 1, 2003, shall cover the 12-
3 month period beginning with the summer term 2002 and shall
4 include:

5 (1) The following counts and distributions for each term
6 during the period:

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

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

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

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

25 (2) For the summer term and the following academic year in
26 total and for each two-digit CIP program category, a
27 classification of faculty members or other professional
28 employees by title, including: professor, associate professor,
29 assistant professor, instructor, lecturer, research associate,
30 librarian and academic administrator; faculty members or other

1 professional employees under each title to be subdivided by type
2 of assignment: teaching and nonteaching; and each such set of
3 faculty members or other professional employees to be further
4 subdivided by type of employment: full-time or part-time; and
5 the following aggregates for each such subdivided
6 classification:

7 (i) The number of faculty and other professional employees
8 and their full-time equivalence in instructional and
9 noninstructional functions.

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

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

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

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

28 (vi) The total salary paid for instructional functions and
29 for noninstructional functions and the amount of this salary
30 paid for each of these functions from university funds, Federal

1 funds and other funds.

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

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

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

16 (2) Number of bachelor's degrees, master's degrees, first
17 professional degrees and doctoral degrees awarded in 1998, 1999,
18 2000, 2001, 2002 and estimated 2003.

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

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

28 "Expenditures." Disbursements or payments of State
29 appropriations, tuition and fees supporting operational,
30 educational or other general categories of expenses as defined

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

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

13 (b) The University of Pittsburgh shall disclose the
14 following:

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

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

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

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

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

29 (4) The revenue and expenditures of any auxiliary enterprise
30 which is directly funded in whole or in part by tuition or a

1 State appropriation for the current fiscal year.

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

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

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

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

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

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

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

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

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

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

18 (1) Governor's Office.

19 (2) Secretary of Education.

20 (3) State Treasurer.

21 (4) Auditor General.

22 (5) Joint State Government Commission.

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

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

29 (f) The Joint State Government Commission shall develop a
30 statistical comparison analysis recognizing differences in

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

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

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

21 Section 10. The University of Pittsburgh shall present and
22 report its financial statements required under the provisions of
23 this act in accordance with: the generally accepted accounting
24 principles as prescribed by the National Association of College
25 and University Business Officers, the American Institute of
26 Certified Public Accountants, or their successors, or by any
27 other recognized authoritative body; the "Commonwealth of
28 Pennsylvania Budget Instructions for the State System of Higher
29 Education, State-Related Universities and Non-State-Related
30 Colleges and Universities"; and the financial reporting policies

1 and standards promulgated by the Commonwealth of Pennsylvania
2 and by the Federal Government that apply to the University of
3 Pittsburgh.

4 Section 11. The University of Pittsburgh shall make all
5 articulation agreements with other higher education institutions
6 available on the Internet.

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

10 ~~Section 13. The Secretary of Education shall deduct from~~ <—
11 ~~funds appropriated by this act the amount necessary to cover any~~
12 ~~legal costs incurred by the Pennsylvania Turnpike Commission as~~
13 ~~a result of actions taken by the Environmental Law Clinic, its~~
14 ~~agents or clients and transfer that amount as reimbursement to~~
15 ~~the Pennsylvania Turnpike Commission. The transfer shall occur~~
16 ~~no later than 30 days following the receipt of documentation~~
17 ~~from the Pennsylvania Turnpike Commission and certification of~~
18 ~~its correctness by the secretary as to the amount of such legal~~
19 ~~costs.~~

20 Section 14 13. This act shall take effect July 1, 2002, or <—
21 immediately, whichever is later.