

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 2493** 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 July 7, 1972 (P.L.743, No.176), entitled "An act
2 providing for the establishment and operation of Lincoln
3 University as an instrumentality of the Commonwealth to serve
4 as a State-related institution in the higher education system
5 of the Commonwealth; providing for change of name; providing
6 for the composition of the board of trustees; terms of
7 trustees, and the power and duties of such trustees;
8 providing for preference to Pennsylvania residents in
9 tuition; authorizing appropriations in amounts to be fixed
10 annually by the General Assembly; providing for the auditing
11 of accounts of expenditures from said appropriations;
12 providing for public support and capital improvements;
13 authorizing the issuance of bonds exempt from taxation within
14 the Commonwealth; requiring the President to make an annual
15 report of the operations of Lincoln University," making
16 appropriations for carrying the same into effect; providing
17 for a basis for payments of such appropriations; and
18 providing a method of accounting for the funds appropriated
19 and for certain fiscal 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 Lincoln
24 University, Chester County, 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.....	\$10,224,000	<—
2	(1) FOR EDUCATIONAL AND GENERAL EXPENSES.....	\$11,904,000	<—
3	(2) To enhance the recruitment and retention		
4	of disadvantaged students.....	337,000	
5	(3) For the International Affairs Institute...	305,000	
6	(4) For Student Education Instruction		
7	Assistance.....	249,000	
8	(5) For Program Initiatives.....	1,180,000	<—

9 Section 2. Payments to Lincoln University on account of the
10 appropriations for the items provided in section 1 shall be made
11 on the basis of costs during the fiscal year.

12 Section 3. (a) Payments to Lincoln University of the
13 appropriations provided in section 1 shall be made monthly
14 during the fiscal year.

15 (b) Such monthly payments shall be made in accordance with
16 the provisions of section 2 on the basis of estimated costs. The
17 estimate of costs shall be submitted by Lincoln University to
18 the Secretary of Education, the General Assembly and the State
19 Treasurer not later than 30 days prior to the date on which such
20 payment is to be made.

21 ~~(c) Payments to Lincoln University provided in section 1(5)~~ <—
22 ~~are contingent on the university making all articulation~~
23 ~~agreements with other higher education institutions available on~~
24 ~~the Internet.~~

25 Section 4. (a) Lincoln University shall apply the moneys
26 appropriated by this act only for such purposes as are permitted
27 in this act and shall at all times maintain proper records
28 showing the application of such moneys. Not later than 120 days
29 after the close of the fiscal year to which this act relates,
30 Lincoln University shall file, with the Secretary of Education,

1 the General Assembly and the Auditor General of the
2 Commonwealth, a statement setting forth the amounts and purposes
3 of all expenditures made from moneys appropriated by this act
4 and costs, as provided in section 2, used as a basis for receipt
5 of any appropriation during said fiscal year.

6 (b) Such statement of expenditures and costs shall be
7 reviewed by the Auditor General of the Commonwealth, and he
8 shall have the right, in respect to the moneys appropriated by
9 this act, to audit and disallow expenditures made for purposes
10 not permitted by this act and to cause such sums to be recovered
11 and paid by Lincoln University to the State Treasurer. In
12 respect to expenditures made by the university from moneys other
13 than those appropriated by this act, the Auditor General shall
14 have the right to review only, and he shall file annually with
15 the General Assembly such information concerning said
16 expenditures as the General Assembly or any of its committees
17 may require.

18 Section 5. A report shall be submitted to the Governor and
19 the Appropriations and Education Committees of the Senate and
20 House of Representatives and shall include data for all
21 programs. The report, to be submitted prior to September 1,
22 2003, shall cover the 12-month period beginning with the summer
23 term 2002 and shall include:

24 (1) The following counts and distributions for each term
25 during the period:

26 (i) The definitions and numbers of faculty members employed
27 full time, of faculty members employed part time, of full-time
28 students enrolled in graduate courses, of full-time students
29 enrolled in undergraduate courses, of part-time students
30 enrolled in graduate courses and of part-time students enrolled

1 in undergraduate courses.

2 (ii) The total numbers of undergraduate student credit
3 hours, divided into lower division and upper division course
4 levels, and of graduate student credit hours, divided into three
5 course levels--master's, first professional and doctoral.

6 (iii) The number of different courses scheduled by level of
7 instruction and the number of sections of individual instruction
8 scheduled by level of instruction, each further subdivided by
9 two-digit Classification of Instructional Program (CIP)
10 categories of instructional programs of higher education as
11 defined by the National Center for Education Statistics, United
12 States Department of Education.

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

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

26 (i) The number of faculty and other professional employees
27 and their full-time equivalence in instructional and
28 noninstructional functions.

29 (ii) The sum of credits assigned to undergraduate classroom
30 courses and the sum of credits assigned to graduate classroom

1 courses taught, divided into lower division, upper division,
2 master's, first professional and doctoral course levels.

3 (iii) The sum of credits assigned to undergraduate
4 individual instruction courses and the sum of credits assigned
5 to graduate individual instruction courses taught, divided into
6 lower division, upper division, master's, first professional and
7 doctoral course levels.

8 (iv) The sum of undergraduate classroom student credit hours
9 and the sum of graduate classroom student credit hours
10 generated, divided into lower division, upper division,
11 master's, first professional and doctoral course levels.

12 (v) The sum of undergraduate individual instruction student
13 credit hours and the sum of graduate individual instruction
14 student credit hours generated, divided into lower division,
15 upper division, master's, first professional and doctoral course
16 levels.

17 (vi) The total salary paid for instructional functions and
18 for noninstructional functions and the amount of this salary
19 paid for each of these functions from university funds, Federal
20 funds and other funds.

21 (3) For each term of the period covered for each faculty
22 member employed full time identified by two-digit CIP program
23 category and title, the report shall contain an analysis of the
24 average hours per week spent in university-related activities,
25 stating specifically hours spent in undergraduate classroom
26 contact and graduate classroom contact, hours spent in
27 preparation, hours spent in research and hours spent in public
28 service.

29 Section 6. In addition to the requirements in section 5
30 relative to this appropriation, the report covering the 12-month

1 period beginning with the summer term 2002 shall include for all
2 programs of the university:

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

5 (2) Number of bachelor's degrees, master's degrees, first
6 professional degrees and doctoral degrees awarded in 1998, 1999,
7 2000, 2001, 2002 and estimated 2003.

8 Section 7. (a) The following words and phrases when used in
9 this section shall have the meanings given to them in this
10 subsection unless the context clearly indicates otherwise:

11 "Academic and administrative support units." Any
12 organizational entity, as defined in the organizational manual
13 of the university, that reports directly to the president of the
14 university, chief academic officer or vice president, including
15 the office of the president, chief academic officer and vice
16 president.

17 "Expenditures." Disbursements or payments of State
18 appropriations, tuition and fees supporting operational,
19 educational or other general categories of expenses as defined
20 in: the generally accepted accounting principles as prescribed
21 by the National Association of College and University Business
22 Officers, the American Institute of Certified Public
23 Accountants, or by their successors, or by any other recognized
24 authoritative body; the "Commonwealth of Pennsylvania Budget
25 Instructions for the State System of Higher Education, State-
26 Related Universities and Non-State-Related Colleges and
27 Universities"; and the financial reporting policies and
28 standards promulgated by the Commonwealth of Pennsylvania and by
29 the Federal Government that apply to Lincoln University.

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

1 (b) Lincoln University shall disclose the following:

2 (1) Revenue and expenditure budgets of the university's
3 academic and administrative support units for the current fiscal
4 year.

5 (2) The actual revenue and expenditures for the prior year
6 in the same format as the information reported under paragraph
7 (1).

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

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

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

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

19 (c) The university shall provide the following additional
20 information for the prior fiscal year for each academic or
21 administrative support unit, for each defined project or program
22 and for any auxiliary enterprise:

23 (1) The number of employees by academic rank and by
24 classification the number of administrators, staff, clerical and
25 technical service employees.

26 (2) Median and mean salary by academic rank and by
27 classification the median and mean salaries of administrators,
28 staff, clerical and technical service employees.

29 (3) Nonsalary compensation as a percentage of salary.
30 Nonsalary compensation shall include, but not be limited to,

1 medical benefits, life insurance benefits, pension benefits,
2 leave benefits, employer Social Security payments and workers'
3 compensation benefits.

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

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

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

18 (7) A list of purchase of goods contracts which exceed
19 \$1,000. The list shall contain the name and address of the
20 contractor and a list of the goods purchased and the academic or
21 administrative support unit for which such goods were
22 contracted. If a purchase of goods contract exceeds 10% of the
23 total aggregate expenditure per academic or administrative
24 support unit, then the contracted amount shall also be listed.

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

28 (d) The university shall submit a report of the information
29 under subsections (b) and (c) to the Education Committee of the
30 Senate and the Appropriations Committee of the Senate and the

1 Education Committee of the House of Representatives and the
2 Appropriations Committee of the House of Representatives. In
3 addition, the university shall submit a copy of the report to
4 each of the following:

- 5 (1) Governor's Office.
- 6 (2) Secretary of Education.
- 7 (3) State Treasurer.
- 8 (4) Auditor General.
- 9 (5) Joint State Government Commission.

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

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

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

27 (g) The university shall make a copy of the minutes of each
28 public meeting of the institution's board of trustees, as well
29 as a copy of the institution's integrated postsecondary
30 education data systems report, available for public inspection

1 in the institution's library.

2 Section 8. The Lincoln University shall provide full,
3 complete and accurate information as may be required by the
4 Department of Education or the chairman or the minority chairman
5 of the Appropriations Committee of the Senate or the chairman or
6 the minority chairman of the Appropriations Committee of the
7 House of Representatives.

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

20 SECTION 10. LINCOLN UNIVERSITY SHALL MAKE ALL ARTICULATION <—
21 AGREEMENTS WITH OTHER HIGHER EDUCATION INSTITUTIONS AVAILABLE ON
22 THE INTERNET.

23 Section ~~10~~ 11. This act shall take effect July 1, 2002, or <—
24 immediately, whichever is later.