

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2529 Session of
2004

INTRODUCED BY ARGALL, APRIL 12, 2004

REFERRED TO COMMITTEE ON APPROPRIATIONS, APRIL 12, 2004

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, 2004,
19 to June 30, 2005, for the purposes and in the amounts as shown:

20 (1) For educational and general expenses..... \$239,434,000

1	(2) For medical education.....	4,793,000
2	(3) For children's hospital.....	4,793,000
3	(4) For the Central Pennsylvania Psychiatric	
4	Institute.....	1,864,000
5	(5) For the cost of agricultural research.....	22,922,000
6	(6) For the cost of agricultural extension	
7	services.....	27,580,000
8	(7) To enhance the recruitment and retention	
9	of disadvantaged students.....	332,000
10	(8) For the Pennsylvania College of	
11	Technology.....	11,673,000
12	(9) For debt service related to the former	
13	Williamsport Area Community College.....	1,379,000

14 Section 2. Payments to The Pennsylvania State University 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 Pennsylvania State University
19 may transfer funds among the appropriations listed in section
20 1(1), (4) and (5), provided that the aggregate amount
21 transferred into or out of each appropriation during the fiscal
22 year shall not exceed 5% of the amount specifically appropriated
23 for that purpose.

24 Section 4. (a) Payments to The Pennsylvania State
25 University of the appropriations provided in section 1 shall be
26 made monthly 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 Pennsylvania State
30 University 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 Pennsylvania State University shall
4 apply the moneys appropriated by this act only for such purposes
5 as are permitted in this act and shall at all times maintain
6 proper records showing the application of such moneys. Not later
7 than 120 days after the close of the fiscal year to which this
8 act relates, The Pennsylvania State University shall file, with
9 the Secretary of Education, the General Assembly and the Auditor
10 General of the Commonwealth, a statement setting forth the
11 amounts and purposes of all expenditures made from moneys
12 appropriated by this act and other university accounts during
13 said fiscal year, as provided in section 2, used as a basis for
14 receipt of any appropriation during said fiscal year.

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

27 Section 6. A report shall be submitted to the Governor and
28 the Appropriations and Education Committees of the Senate and
29 House of Representatives and shall include data for all programs
30 except the Doctor of Medicine program. The report, to be

1 submitted prior to September 1, 2005, shall cover the 12-month
2 period beginning with the summer term 2004 and shall include:

3 (1) The following counts and distributions for each term
4 during the period:

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

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

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

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

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

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

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

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

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

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

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

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

30 (3) For each term of the period covered for each faculty

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

8 Section 7. In addition to the requirements in section 6
9 relative to this appropriation, the report covering the 12-month
10 period beginning with the summer term 2004 shall include for all
11 programs of the university:

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

14 (2) Number of bachelor's degrees, master's degrees, first
15 professional degrees and doctoral degrees awarded in 2000, 2001,
16 2002, 2003, 2004 and estimated 2005.

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

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

26 "Expenditures." Disbursements or payments of State
27 appropriations, tuition and fees supporting operational,
28 educational or other general categories of expenses as defined
29 in: the generally accepted accounting principles as prescribed
30 by the National Association of College and University Business

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

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

11 (b) The Pennsylvania State University shall disclose the
12 following:

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

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

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

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

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

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

30 (c) The university shall provide the following additional

1 information for the prior fiscal year for each academic or
2 administrative support unit, for each defined project or program
3 and for any auxiliary enterprise:

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

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

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

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

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

18 (6) A list of purchase of service contracts which exceed
19 \$1,000 by category of service, including, but not limited to,
20 legal, instructional, management, accounting, architecture,
21 public relations and maintenance. The list shall contain the
22 name and address of the contractor, a statement of the nature of
23 the duties of the contractor and the academic and administrative
24 support unit for which the duties are performed. If a purchase
25 of service contract exceeds 10% of the total aggregate
26 expenditure of the contract category per academic or
27 administrative support unit, then the contracted amount shall
28 also be listed.

29 (7) A list of purchase of goods contracts which exceed
30 \$1,000. The list shall contain the name and address of the

1 contractor and a list of the goods purchased and the academic or
2 administrative support unit for which such goods were
3 contracted. If a purchase of goods contract exceeds 10% of the
4 total aggregate expenditure per academic or administrative
5 support unit, then the contracted amount shall also be listed.

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

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

- 16 (1) Governor's Office.
- 17 (2) Secretary of Education.
- 18 (3) State Treasurer.
- 19 (4) Auditor General.
- 20 (5) Joint State Government Commission.

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

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

27 (f) The Joint State Government Commission shall develop a
28 statistical comparison analysis recognizing differences in
29 missions from the reports made under this section. A majority of
30 the members of the commission may request additional

1 documentation, except for salary or identity of individuals,
2 necessary to complete the comparative analysis. The comparison
3 shall be provided to the Education Committee of the Senate and
4 the Appropriations Committee of the Senate and the Education
5 Committee of the House of Representatives and the Appropriations
6 Committee of the House of Representatives and the four State
7 regional libraries.

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

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

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

1 Pennsylvania State University.

2 Section 11. The Pennsylvania State University shall make all
3 articulation agreements with other higher education institutions
4 available on the Internet.

5 Section 12. This act shall take effect July 1, 2004, or
6 immediately, whichever is later.