

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 639 Session of
2003

INTRODUCED BY THOMPSON AND BRIGHTBILL, APRIL 17, 2003

REFERRED TO APPROPRIATIONS, APRIL 17, 2003

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, 2003, to
25 June 30, 2004, for the purposes and in the amounts as shown:

26 (1) For educational and general expenses..... \$11,544,000

1 (2) To enhance the recruitment and retention
2 of disadvantaged students..... 321,000

3 (3) For the International Affairs Institute... 290,000

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

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

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

16 Section 4. (a) Lincoln University shall apply the moneys
17 appropriated by this act only for such purposes as are permitted
18 in this act and shall at all times maintain proper records
19 showing the application of such moneys. Not later than 120 days
20 after the close of the fiscal year to which this act relates,
21 Lincoln University shall file, with the Secretary of Education,
22 the General Assembly and the Auditor General of the
23 Commonwealth, a statement setting forth the amounts and purposes
24 of all expenditures made from moneys appropriated by this act
25 and costs, as provided in section 2, used as a basis for receipt
26 of any 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 Lincoln University to the State Treasurer. In
3 respect to expenditures made by the university from moneys other
4 than those appropriated by this act, the Auditor General shall
5 have the right to review only, and he shall file annually with
6 the General Assembly such information concerning said
7 expenditures as the General Assembly or any of its committees
8 may require.

9 Section 5. 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. The report, to be submitted prior to September 1,
13 2004, shall cover the 12-month period beginning with the summer
14 term 2003 and shall include:

15 (1) The following counts and distributions for each term
16 during the period:

17 (i) The definitions and numbers of faculty members employed
18 full time, of faculty members employed part time, of full-time
19 students enrolled in graduate courses, of full-time students
20 enrolled in undergraduate courses, of part-time students
21 enrolled in graduate courses and of part-time students enrolled
22 in undergraduate courses.

23 (ii) The total numbers of undergraduate student credit
24 hours, divided into lower division and upper division course
25 levels, and of graduate student credit hours, divided into three
26 course levels--master's, first professional and doctoral.

27 (iii) The number of different courses scheduled by level of
28 instruction and the number of sections of individual instruction
29 scheduled by level of instruction, each further subdivided by
30 two-digit Classification of Instructional Program (CIP)

1 categories of instructional programs of higher education as
2 defined by the National Center for Education Statistics, United
3 States Department of Education.

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

5 (2) For the summer term and the following academic year in
6 total and for each two-digit CIP program category, a
7 classification of faculty members or other professional
8 employees by title, including: professor, associate professor,
9 assistant professor, instructor, lecturer, research associate,
10 librarian and academic administrator; faculty members or other
11 professional employees under each title to be subdivided by type
12 of assignment: teaching and nonteaching; and each such set of
13 faculty members or other professional employees to be further
14 subdivided by type of employment: full-time or part-time; and
15 the following aggregates for each such subdivided
16 classification:

17 (i) The number of faculty and other professional employees
18 and their full-time equivalence in instructional and
19 noninstructional functions.

20 (ii) The sum of credits assigned to undergraduate classroom
21 courses and the sum of credits assigned to graduate classroom
22 courses taught, divided into lower division, upper division,
23 master's, first professional and doctoral course levels.

24 (iii) The sum of credits assigned to undergraduate
25 individual instruction courses and the sum of credits assigned
26 to graduate individual instruction courses taught, divided into
27 lower division, upper division, master's, first professional and
28 doctoral course levels.

29 (iv) The sum of undergraduate classroom student credit hours
30 and the sum of graduate classroom student credit hours

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

3 (v) The sum of undergraduate individual instruction student
4 credit hours and the sum of graduate individual instruction
5 student credit hours generated, divided into lower division,
6 upper division, master's, first professional and doctoral course
7 levels.

8 (vi) The total salary paid for instructional functions and
9 for noninstructional functions and the amount of this salary
10 paid for each of these functions from university funds, Federal
11 funds and other funds.

12 (3) For each term of the period covered for each faculty
13 member employed full time identified by two-digit CIP program
14 category and title, the report shall contain an analysis of the
15 average hours per week spent in university-related activities,
16 stating specifically hours spent in undergraduate classroom
17 contact and graduate classroom contact, hours spent in
18 preparation, hours spent in research and hours spent in public
19 service.

20 Section 6. In addition to the requirements in section 5
21 relative to this appropriation, the report covering the 12-month
22 period beginning with the summer term 2003 shall include for all
23 programs of the university:

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

26 (2) Number of bachelor's degrees, master's degrees, first
27 professional degrees and doctoral degrees awarded in 1999, 2000,
28 2001, 2002, 2003 and estimated 2004.

29 Section 7. (a) The following words and phrases when used in
30 this section shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "Academic and administrative support units." Any
3 organizational entity, as defined in the organizational manual
4 of the university, that reports directly to the president of the
5 university, chief academic officer or vice president, including
6 the office of the president, chief academic officer and vice
7 president.

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

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

22 (b) Lincoln University shall disclose the following:

23 (1) Revenue and expenditure budgets of the university's
24 academic and administrative support units for the current fiscal
25 year.

26 (2) The actual revenue and expenditures for the prior year
27 in the same format as the information reported under paragraph
28 (1).

29 (3) For any defined project or program which is the subject
30 of a specific line item appropriation from the General Fund, the

1 university shall disclose the following:

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

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

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

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

14 (1) The number of employees by academic rank and by
15 classification the number of administrators, staff, clerical and
16 technical service employees.

17 (2) Median and mean salary by academic rank and by
18 classification the median and mean salaries of administrators,
19 staff, clerical and technical service employees.

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

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

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

28 (6) A list of purchase of service contracts which exceed
29 \$1,000 by category of service, including, but not limited to,
30 legal, instructional, management, accounting, architecture,

1 public relations and maintenance. The list shall contain the
2 name and address of the contractor, a statement of the nature of
3 the duties of the contractor and the academic and administrative
4 support unit for which the duties are performed. If a purchase
5 of service contract exceeds 10% of the total aggregate
6 expenditure of the contract category per academic or
7 administrative support unit, then the contracted amount shall
8 also be listed.

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

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

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

26 (1) Governor's Office.

27 (2) Secretary of Education.

28 (3) State Treasurer.

29 (4) Auditor General.

30 (5) Joint State Government Commission.

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

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

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

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

23 Section 8. The Lincoln University shall provide full,
24 complete and accurate information as may be required by the
25 Department of Education or the chairman or the minority chairman
26 of the Appropriations Committee of the Senate or the chairman or
27 the minority chairman of the Appropriations Committee of the
28 House of Representatives.

29 Section 9. Lincoln University shall present and report its
30 financial statements required under the provisions of this act

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

11 Section 10. Lincoln University shall make all articulation
12 agreements with other higher education institutions available on
13 the Internet.

14 Section 11. This act shall take effect July 1, 2003, or
15 immediately, whichever is later.