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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 825**      Session of  
2005

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INTRODUCED BY FEESE, MARCH 14, 2005

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REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 14, 2005

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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, for a method of accounting  
18 for the funds appropriated and for certain fiscal information  
19 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, 2005, to  
25 June 30, 2006, for the purposes and in the amounts as shown:

26 (1) For educational and general expenses..... \$153,401,000

1	(2) For student life initiatives.....	416,000
2	(3) To enhance the recruitment and retention	
3	of disadvantaged students.....	423,000
4	(4) For the teen suicide center at the Western	
5	Psychiatric Institute and Clinic.....	500,000
6	(5) For rural education outreach.....	1,401,000

7 Section 2. Payments to the University of Pittsburgh on  
8 account of the appropriations for all items as provided in  
9 section 1 shall be made on the basis of costs during the fiscal  
10 year.

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

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

20 Section 4. (a) The University of Pittsburgh shall apply the  
21 moneys appropriated by this act only for such purposes as are  
22 permitted in this act and shall at all times maintain proper  
23 records showing the application of such moneys. Not later than  
24 120 days after the close of the fiscal year to which this act  
25 relates, the University of Pittsburgh shall file, with the  
26 Secretary of Education, the General Assembly, the Auditor  
27 General of the Commonwealth and the chief administrator of each  
28 branch campus, a statement setting forth the amounts and  
29 purposes of all expenditures made from moneys appropriated by  
30 this act and other university accounts during said fiscal year,

1 as provided in section 2, used as a basis for receipt of any  
2 appropriation during said fiscal year.

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

15 Section 5. A report shall be submitted to the Governor and  
16 the Appropriations and Education Committees of the Senate and  
17 House of Representatives and shall include data for all  
18 programs. The report, to be submitted prior to September 1,  
19 2006, shall cover the 12-month period beginning with the summer  
20 term 2005 and shall include:

21 (1) The following counts and distributions for each term  
22 during the period:

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

29 (ii) The total numbers of undergraduate student credit  
30 hours, divided into lower division and upper division course

1 levels, and of graduate student credit hours, divided into three  
2 course levels--master's, first professional and doctoral.

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

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

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

23 (i) The number of faculty and other professional employees  
24 and their full-time equivalence in instructional and  
25 noninstructional functions.

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

30 (iii) The sum of credits assigned to undergraduate

1 individual instruction courses and the sum of credits assigned  
2 to graduate individual instruction courses taught, divided into  
3 lower division, upper division, master's, first professional and  
4 doctoral course levels.

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

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

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

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

26 Section 6. In addition to the requirements in section 6  
27 relative to this appropriation, the report covering the 12-month  
28 period beginning with the summer term 2005 shall include for all  
29 programs of the university:

30 (1) Minimum number of credits required for a baccalaureate

1 degree and for a master's degree.

2 (2) Number of bachelor's degrees, master's degrees, first  
3 professional degrees and doctoral degrees awarded in 2001, 2002,  
4 2003, 2004, 2005 and estimated 2006.

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

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

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

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

29 (b) The University of Pittsburgh shall disclose the  
30 following:

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

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

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

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

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

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

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

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

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

28 (3) Nonsalary compensation as a percentage of salary.  
29 Nonsalary compensation shall include, but not be limited to,  
30 medical benefits, life insurance benefits, pension benefits,

1 leave benefits, employer Social Security payments and workers'  
2 compensation benefits.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 Section 10. The University of Pittsburgh shall make all  
21 articulation agreements with other higher education institutions  
22 available on the Internet.

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

26 Section 12. This act shall take effect July 1, 2005, or  
27 immediately, whichever is later.