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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 826**      Session of  
2005

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INTRODUCED BY FEESE, MARCH 14, 2005

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SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JULY 5, 2005

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A SUPPLEMENT

1 To the act of November 30, 1965 (P.L.843, No.355), entitled "An  
2 act providing for the establishment and operation of Temple  
3 University as an instrumentality of the Commonwealth to serve  
4 as a State-related university 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; providing for public support and capital  
10 improvements; authorizing appropriations in amounts to be  
11 fixed annually by the General Assembly; providing for the  
12 auditing of accounts of expenditures from said  
13 appropriations; authorizing the issuance of bonds exempt from  
14 taxation within the Commonwealth; requiring the President to  
15 make an annual report of the operations of Temple  
16 University," making appropriations for carrying the same into  
17 effect; providing for a basis for payments of such  
18 appropriations; and providing a method of accounting for the  
19 funds appropriated and for certain fiscal information  
20 disclosure.

21 The General Assembly of the Commonwealth of Pennsylvania  
22 hereby enacts as follows:

23 Section 1. The following sums, or as much thereof as may be  
24 necessary, are hereby appropriated to the Trustees of Temple  
25 University for the fiscal year July 1, 2005, to June 30, 2006,

1 for the purposes and in the amounts as shown:

2	(1) For education and general expenses.....	\$161,811,000	
3	(2) To enhance the recruitment and retention		
4	of disadvantaged students.....	423,000	
5	<del>(3) For instruction — Doctor of Medicine only.</del>	<del>8,794,000</del>	<del>←</del>
6	<del>(4) For operation of dental clinics in the</del>		
7	<del>school of dentistry.....</del>	<del>1,037,000</del>	
8	<del>(5) For maxillofacial prosthodontics.....</del>	<del>126,000</del>	
9	<del>(6) For Podiatric Medicine.....</del>	<del>1,290,000</del>	
10	<del>(7) For the Richard J. Fox Biomedical Center..</del>	<del>454,000</del>	

11 Section 2. Payments to Temple University on account of the  
12 appropriations for all items as provided in section 1 shall be  
13 made on the basis of costs during the fiscal year.

14 Section 3. (a) Payment to Temple University of the  
15 appropriations provided in section 1 shall be made monthly  
16 during the fiscal year.

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

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

1 of all expenditures made from moneys appropriated by this act  
2 and other university accounts during said fiscal year, as  
3 provided in section 2, used as a basis for receipt of any  
4 appropriation during said fiscal year.

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

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

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

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

30 (ii) The total numbers of undergraduate student credit

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

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

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

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

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

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

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

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

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

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

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

27 Section 6. In addition to the requirements in section 5  
28 relative to this appropriation, each report covering the 12-  
29 month period beginning with the summer term 2005 shall include  
30 for all programs of the university:

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

3 (2) Number of bachelor's degrees, master's degrees, first  
4 professional degrees and doctoral degrees awarded in 2001, 2002,  
5 2003, 2004, 2005 and estimated 2006.

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

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

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

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

29 (b) Temple University shall disclose the following:

30 (1) Revenue and expenditure budgets of the university's

1 academic and administrative support units for the current fiscal  
2 year.

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

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

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

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

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

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

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

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

27 (3) Nonsalary compensation as a percentage of salary.  
28 Nonsalary compensation shall include, but not be limited to,  
29 medical benefits, life insurance benefits, pension benefits,  
30 leave benefits, employer Social Security payments and workers'

1 compensation benefits.

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

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

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

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

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

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



1 addition, the university shall submit a copy of the report to  
2 each of the following:

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

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

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

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

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

30 Section 8. Temple University shall provide full, complete

1 and accurate information as may be required by the Department of  
2 Education or the chairman or the minority chairman of the  
3 Appropriations Committee of the Senate or the chairman or the  
4 minority chairman of the Appropriations Committee of the House  
5 of Representatives.

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

18 Section 10. Temple University shall make all articulation  
19 agreements with other higher education institutions available on  
20 the Internet.

21 Section 11. This act shall take effect ~~July 1, 2005, or~~ <—  
22 ~~immediately, whichever is later~~ IMMEDIATELY. <—