

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2452 Session of 2012

INTRODUCED BY ROAE, LAWRENCE AND MOUL, JUNE 7, 2012

REFERRED TO COMMITTEE ON EDUCATION, JUNE 7, 2012

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
 2 act relating to the public school system, including certain
 3 provisions applicable as well to private and parochial
 4 schools; amending, revising, consolidating and changing the
 5 laws relating thereto," further providing for power and
 6 duties of institution presidents.

7 The General Assembly of the Commonwealth of Pennsylvania
 8 hereby enacts as follows:

9 Section 1. Section 2010-A of the act of March 10, 1949
 10 (P.L.30, No.14), known as the Public School Code of 1949,
 11 amended or added November 12, 1982 (P.L.660, No.188), June 23,
 12 1988 (P.L.457, No.77), April 27, 1998 (P.L.270, No.46) and
 13 November 3, 2011 (P.L.400, No.97), is amended read:

14 Section 2010-A. Power [and], Duties and Salary of
 15 Institution Presidents.--(a) The president of each institution
 16 shall be appointed by the board. The president shall be the
 17 chief executive officer of that institution. He shall have the
 18 right to attend all meetings of the council of that institution
 19 and shall have the right to speak on all matters before the
 20 council but not to vote. Subject to the stated authority of the

1 board and the council, each president shall have the following
2 powers and duties:

3 (1) Except insofar as such matters are governed by
4 collective bargaining agreements entered pursuant to the act of
5 July 23, 1970 (P.L.563, No.195), known as the "Public Employe
6 Relations Act," and subject to the policies of the board, to
7 appoint such employes, professional and noninstructional,
8 graduate assistants, etc. as necessary, to fix the salaries and
9 benefits of employes, professional and noninstructional, and to
10 establish policies and procedures governing employment rights,
11 promotion, dismissal, tenure, leaves of absence, grievances and
12 salary schedules.

13 (2) To make and implement specific campus policies
14 pertaining to instructional programs, research programs and
15 public service programs and define academic standards in
16 accordance with policies of the board following consultation
17 with the council, faculty and students.

18 (3) To develop and implement policies and procedures for the
19 administration of the institution. To develop and implement, in
20 conjunction with the local campus student government
21 association, policies and procedures by which student
22 organizations may be created and operated.

23 (4) To establish policies and procedures for the admission,
24 discipline and expulsion of students which shall be consistent
25 with policies of the board and the local council.

26 (5) To establish policies and procedures governing the use
27 of institutional facilities and property in accordance with
28 guidelines established by the local council.

29 (6) In cooperation with the student association, to fix
30 student activity fees and supervise the collection, retention

1 and expenditure thereof.

2 (7) To waive, defer and refund tuition fees and other
3 charges and fees consistent with policies established by the
4 board.

5 (8) To prepare and, after review and action by the council,
6 submit to the chancellor the annual operating and capital budget
7 requirements for the institution.

8 (9) To determine from appropriations, tuition fees, charges
9 and other fees and other available funds with the exception of
10 student activity fees, the expenditures to be made for
11 instructional, extracurricular, administrative, custodial and
12 maintenance services, equipment and supplies, and for furniture
13 for instructional, extracurricular, administrative and service
14 facilities and to reallocate such sums among the various
15 expenditure classifications as may be necessary for the
16 effective management of the institution: Provided, That no such
17 reallocation shall exceed the total allocations of the
18 institution.

19 (10) Within the limitations of the operating budget and
20 other available funds in accordance with the procedures
21 established by the board and with the approval of the local
22 council, to negotiate and award all contracts for equipment,
23 services and supplies in excess of a cost of a base amount of
24 eighteen thousand five hundred dollars (\$18,500), subject to
25 adjustment under section 119, on a competitive bid basis and to
26 purchase instructional, educational, extracurricular, technical,
27 administrative, custodial and maintenance equipment and supplies
28 not in excess of a cost of a base amount of eighteen thousand
29 five hundred dollars (\$18,500), subject to adjustment under
30 section 119, without competitive bidding, except that such items

1 shall not be bought in series to avoid the dollar ceiling.

2 (11) To cooperate with and accept grants and assistance from
3 Federal and State agencies, local governments or other political
4 subdivisions, foundations, corporations, or any other source for
5 any of the lawful purposes of the institution. Each institution
6 shall have the power to bank and use such grants as directed by
7 the grantor and subject to the limitations of this act, except
8 that grants and assistance from sources other than State
9 agencies, local governments or other political subdivisions
10 shall not be subject to the provisions of clause (10). All
11 moneys received from sources authorized by this section are
12 hereby appropriated to each of the several institutions granted
13 such moneys. All such moneys shall be subject to audit by the
14 Auditor General.

15 (12) To authorize personnel to travel within or without the
16 Commonwealth at institutional expense in accordance with
17 regulations of the council.

18 (13) Within the limitations of the operating budget and
19 other available funds, to enter into contracts for consultative
20 service not to exceed five thousand dollars (\$5,000) per
21 contract.

22 (14) To enter into contracts in accordance with policies of
23 the council, to enable students to engage in student teaching or
24 other training in order to obtain experience in a particular
25 field.

26 (15) To employ or contract for the necessary institutional
27 services consistent with policies and procedures established by
28 the board.

29 (16) Consistent with the policies of the board to do and
30 perform all of those other things necessary and required for the

1 orderly operation of the institution.

2 (b) The maximum annual salary for a president appointed
3 under subsection (a) is one dollar (\$1) less than the annual
4 salary for the Governor provided under section 3 of the act of
5 September 30, 1983 (P.L.160, No.39), known as the "Public
6 Official Compensation Law."

7 Section 2. This act shall take effect in 60 days.