

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2173 Session of 2020

INTRODUCED BY SCHROEDER, SONNEY, TOPPER, BENNINGHOFF, BRIGGS, BROWN, DRISCOLL, EVERETT, GAYDOS, HARKINS, JAMES, JONES, KIM, KORTZ, MASSER, McCLINTON, MILLARD, MOUL, MUSTELLO, OBERLANDER, OWLETT, PICKETT, RADER, ROAE, ROTHMAN, ROZZI, SAYLOR, SHUSTERMAN, STAATS AND STRUZZI, JANUARY 22, 2020

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 22, 2020

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," in the State System of Higher  
 6 Education, further providing for purposes and general powers,  
 7 for rental fees and other charges and for annual report and  
 8 providing for student records.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Sections 2003-A(d), 2011-A and 2017-A of the act  
 12 of March 10, 1949 (P.L.30, No.14), known as the Public School  
 13 Code of 1949, are amended to read:

14 Section 2003-A. Purposes and General Powers.--\* \* \*

15 (d) The system may [enter into an agreement with any entity  
 16 for the cooperative use of supplies or services.] participate  
 17 in, sponsor, conduct or administer cooperative use or purchasing  
 18 agreements. All purchases and agreements made pursuant to this  
 19 subsection shall [be the result of a system of competitive

1 bidding and in accordance with the laws of this Commonwealth.]  
2 be made in accordance with 62 Pa.C.S. § 1902 (relating to  
3 cooperative purchasing authorized).

4 Section 2011-A. Rental Fees and Other Charges.--[(a)] In  
5 addition to rental fees fixed, charged and collected in the  
6 manner provided by law from each student residing in State-owned  
7 or State-leased residential facilities at an institution for the  
8 maintenance and operation of such facilities, a sum shall be  
9 fixed by the president, with approval of the Council of  
10 Trustees, and charged and collected from each such person as an  
11 additional rental fee. Such additional rental fees shall be  
12 credited to a Reserve Fund for contingencies and capital  
13 replacements.

14 [(b) In addition to the other fees from time to time fixed,  
15 charged and collected in the manner provided by law, a fee of  
16 ten dollars (\$10) per semester of eighteen (18) weeks and a  
17 proportionate fee for each trimester, quarter, term and summer  
18 sessions of six (6) weeks or three (3) weeks shall be fixed,  
19 charged and collected from each student while in attendance at a  
20 university for which the General State Authority has taken title  
21 to a student community building, which fee shall be credited to  
22 the Department of General Services and shall be fixed by the  
23 council of trustees in amounts sufficient to meet rentals due to  
24 the General State Authority, pursuant to contracts to lease  
25 student community buildings constructed by the said authority  
26 for the use of the system universities.

27 Section 2017-A. Annual Report.--(a) An annual report shall  
28 be submitted in electronic format by each institution to the  
29 Department of Education and the Joint State Government  
30 Commission, which shall include data for all programs of the

1 institution. Each such report, to be submitted prior to  
2 September 1, shall cover the 12-month period beginning with the  
3 summer term of the preceding year and shall include:

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

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

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

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

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

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

1 of assignment: teaching and nonteaching, and each such set of  
2 faculty members or other professional employes to be further  
3 subdivided by type of employment: full time or part time; and  
4 the following aggregates for each subdivided classification:

5 (i) The number of faculty and other professional employes  
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 (b) In addition to the requirements of subsection (a), each  
9 report covering the 12-month period shall include for all  
10 programs of the institution:

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

13 (2) Number of bachelor's degrees, master's degrees, first  
14 professional degrees and doctoral degrees awarded in the three  
15 previous years and those estimated for that year.

16 (c) The Joint State Government Commission shall develop a  
17 statistical comparison analysis recognizing differences in  
18 missions from the reports made under this section. The  
19 comparison shall be provided to the Education Committee of the  
20 Senate and the Appropriations Committee of the Senate and the  
21 Education Committee of the House of Representatives and the  
22 Appropriations Committee of the House of Representatives and the  
23 four State regional libraries. The comparative analysis shall be  
24 posted on the Joint State Government Commission's Internet  
25 website for a period of no less than five (5) years from the  
26 date of submission.

27 (d) Each report submitted under subsection (a) shall be  
28 posted by the Department of Education on its Internet website  
29 for a period of no less than five (5) years from the date of  
30 submission.]

1 Section 2. The act is amended by adding a section to read:

2 Section 2021-A. Student Records.--(a) Student education  
3 records maintained in connection with a transaction, business or  
4 activity of the system or university shall not be subject to the  
5 provisions of the act of February 14, 2008 (P.L.6, No.3), known  
6 as the "Right-to-Know Law."

7 (b) As used in this section, the term "education record"  
8 shall have the same meaning as in the Family Educational Rights  
9 and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. § 1232g).

10 Section 3. All acts and parts of acts are repealed and all  
11 regulations and parts of regulations are abrogated insofar as  
12 they are inconsistent with this act.

13 Section 4. This act shall take effect in 60 days.