

## LEGISLATIVE REFERENCE BUREAU

## AMENDMENTS TO SENATE BILL NO. 411

Sponsor:

Printer's No. 332

1 Amend Bill, page 1, line 18, by striking out "and,"

2 Amend Bill, page 1, line 21, by striking out the period after  
3 "Records" and inserting

4 ; and, in State-related institutions, further providing for  
5 reporting, for contents of report and for copies and posting,  
6 and providing for contracts.

7 Amend Bill, page 19, line 11, by striking out "Section 1310  
8 of the act is" and inserting

9 Sections 1310, 1502, 1503 and 1504 of the act are

10 Amend Bill, page 22, line 5, by striking out all of said line  
11 and inserting

12 Section 1502. [Reporting] Filing.

13 No later than May 30 of each year, unless otherwise provided  
14 under this chapter, a State-related institution shall file [with  
15 the Governor's Office, the General Assembly, the Auditor General  
16 and the State Library] the information set forth in section 1503  
17 under the requirements of section 1504.

18 Section 1503. Contents of [report] filing.

19 (a) Information included.--The [report] filing required  
20 under section 1502 shall include the following:

21 (1) Except as provided in paragraph (4), all information  
22 required by Form 990 or an equivalent form of the United  
23 States Department of the Treasury, Internal Revenue Service,  
24 entitled the Return of Organization Exempt From Income Tax,  
25 regardless of whether the State-related institution is  
26 required to file the form by the Federal Government.

27 (2) The salaries of all officers and directors of the  
28 State-related institution.

29 (3) The highest 25 salaries paid to employees of the  
30 institution that are not included under paragraph (2).

31 (3.1) For a State-related institution with 2,500  
32 employees or more, the next highest 175 salaries paid to  
33 employees of the institution that are not included under

1 paragraph (2). The salaries of faculty members must be  
2 presented in salary ranges comprised of bands of no more than  
3 \$75,000 with individual faculty member names itemized  
4 alphabetically in the respective salary range. The  
5 institution department to which a faculty member is assigned  
6 must be presented with the name of the faculty member.

7 (4) The [report] filing shall not include information  
8 relating to individual donors.

9 (5) Revenue and expenditure budgets of the State-related  
10 institution's academic and administrative support units for  
11 the current fiscal year.

12 (6) The actual revenue and expenditures for the prior  
13 year.

14 (7) For any defined project or program which is the  
15 subject of a specific line item appropriation from the  
16 General Fund, the State-related institution shall disclose  
17 the following:

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

20 (ii) The actual revenue and expenditures of the  
21 defined program or project for the prior year.

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

25 (9) The most recent audited financial statement for the  
26 State-related institution.

27 (10) The following information for the prior fiscal year  
28 for each academic or administrative support unit, for each  
29 defined project or program and for an auxiliary enterprise:

30 (i) The number of employees by academic rank.

31 (ii) The number of administrators, staff, clerical  
32 and technical service employees, by classification.

33 (iii) Median and mean salary by academic rank.

34 (iv) Median and mean salaries of administrators,  
35 staff, clerical and technical service employees, by  
36 classification.

37 (v) Nonsalary compensation as a percentage of  
38 salary. Nonsalary compensation shall include:

39 (A) Medical benefits.

40 (B) Life insurance benefits.

41 (C) Pension benefits.

42 (D) Leave benefits.

43 (E) Employer Social Security payments.

44 (F) Workers' compensation benefits.

45 (vi) A statement of the State-related institution's  
46 retirement policies.

47 (vii) A policy statement relating to a reduction of  
48 tuition for employees' family members.

49 (viii) A list by academic or administrative support  
50 unit in the aggregate of the expenses of travel,  
51 subsistence and lodging, whether provided or reimbursed.

1 (b) Providing information.--Each State-related institution  
2 shall provide full, complete and accurate information as may be  
3 required by the Department of Education or the chairman or  
4 minority chairman of the Appropriations Committee of the Senate  
5 or the chairman or minority chairman of the Appropriations  
6 Committee of the House of Representatives.

7 (c) Financial statements.--Each State-related institution  
8 shall present and report its financial statements required under  
9 the provisions of this act in accordance with:

10 (1) The generally accepted accounting principles as  
11 prescribed by the National Association of College and  
12 University Business Officers, the American Institute of  
13 Certified Public Accountants or by another recognized  
14 authoritative body.

15 (2) 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."

19 (3) The financial reporting policies and standards  
20 promulgated by the Commonwealth of Pennsylvania and by the  
21 Federal Government that apply to the State-related  
22 institutions.

23 (d) Nonpreferred appropriations.--

24 (1) In a year a State-related institution receives a  
25 nonpreferred appropriation, a report shall be submitted prior  
26 to September 1 and must cover the 12-month period beginning  
27 with the summer term of the preceding year. The report shall  
28 include:

29 (i) The following counts and distributions for each  
30 term during the period:

31 (A) The definition and number of:

32 (I) Faculty members employed full time.

33 (II) Faculty members employed part time.

34 (III) Full-time students enrolled in a  
35 graduate course.

36 (IV) Full-time students enrolled in an  
37 undergraduate course.

38 (V) Part-time students enrolled in a  
39 graduate course.

40 (VI) Part-time students enrolled in an  
41 undergraduate course.

42 (B) The total number of:

43 (I) Undergraduate student credit hours,  
44 divided into lower division and upper division  
45 course levels.

46 (II) Graduate student credit hours, divided  
47 into three course levels: master's, first  
48 professional and doctoral.

49 (C) The number of different courses scheduled by  
50 level of instruction and the number of sections of  
51 individual instruction scheduled by level of

1 instruction, each further subdivided by two-digit  
2 Classification of Instructional Program (CIP)  
3 categories of instructional programs of higher  
4 education as defined by the National Center for  
5 Education Statistics, United States Department of  
6 Education.

7 (D) The number of terms scheduled and the dates  
8 of the terms.

9 (ii) For the summer term and the following academic  
10 year in total and for each two-digit CIP program  
11 category:

12 (A) A classification of faculty members or other  
13 professional employees by title, including:

14 (I) Professor.

15 (II) Associate professor.

16 (III) Assistant professor.

17 (IV) Instructor.

18 (V) Lecturer.

19 (VI) Research associate.

20 (VII) Librarian and academic administrator.

21 (B) Faculty members or other professional  
22 employees under each title to be subdivided into  
23 teaching and nonteaching.

24 (C) Each set of faculty members or other  
25 professional employees to be further subdivided by  
26 full-time or part-time employment.

27 (D) The following aggregates for each  
28 subdivided classification:

29 (I) The number of faculty and other  
30 professional employees and the full-time  
31 equivalence in instructional and noninstructional  
32 functions.

33 (II) The sum of credits assigned to  
34 undergraduate classroom courses and the sum of  
35 credits assigned to graduate classroom courses  
36 taught divided into lower division, upper  
37 division, master's, first professional and  
38 doctoral course levels.

39 (III) The sum of credits assigned to  
40 undergraduate individual instruction courses and  
41 the sum of credits assigned to graduate  
42 individual instruction courses taught divided  
43 into lower division, upper division, master's,  
44 first professional and doctoral course levels.

45 (IV) The sum of undergraduate classroom  
46 student credit hours and the sum of graduate  
47 classroom student credit hours generated, divided  
48 into lower division, upper division, master's,  
49 first professional and doctoral course levels.

50 (V) The sum of undergraduate individual  
51 instruction student credit hours and the sum of

1 graduate individual instruction student credit  
2 hours generated, divided into lower division,  
3 upper division, master's, first professional and  
4 doctoral course levels.

5 (VI) The total salary paid for instructional  
6 functions and for noninstructional functions and  
7 the amount of salary paid for each of these  
8 functions from State-related institution funds,  
9 Federal funds and other funds.

10 (iii) For each term of the period covered for each  
11 faculty member employed full time identified by two-digit  
12 CIP program category and title, the report shall contain  
13 an analysis of the average hours per week spent:

14 (A) In State-related institution-related  
15 activities, stating specifically hours spent in  
16 undergraduate classroom contact and graduate  
17 classroom contact hours spent in preparation.

18 (B) In research.

19 (C) In public service.

20 (2) The report covering the 12-month period shall  
21 include for each program of the State-related institution:

22 (i) Minimum number of credits required for a  
23 baccalaureate degree and for a master's degree.

24 (ii) Number of bachelor's degrees, master's degrees,  
25 first professional degrees and doctoral degrees awarded  
26 for the previous five years and those estimates for that  
27 year.

28 (e) Minutes.--Each State-related institution shall make a  
29 copy of the minutes of each public meeting of the institution's  
30 board of trustees available for public inspection in the  
31 institution's library in print format and online on the  
32 institution's publicly accessible Internet website. The minutes  
33 shall be maintained in print and online for no fewer than 20  
34 years.

35 (f) Data systems report.--Each State-related university  
36 shall make a copy of the institution's integrated postsecondary  
37 education data systems report available for public inspection in  
38 the institution's library in print format and online on the  
39 institution's publicly accessible Internet website.  
40 Section 1504. [Copies and posting] Requirements for information  
41 in filings.

42 [A State-related institution shall maintain, for at least  
43 seven years, a copy of the report in the institution's library  
44 and shall provide free access to the report on the institution's  
45 Internet website.] A State-related institution shall make the  
46 information required by section 1502 accessible to the public in  
47 accordance with the following:

48 (1) The information shall be posted online on the  
49 institution's publicly accessible Internet website in a  
50 searchable, sortable and downloadable database format that is  
51 freely accessible by the public. To the extent possible, a

1 State-related institution shall post the information online  
2 in a similar manner in order to facilitate easy public  
3 review. The information of prior years shall be maintained  
4 for no fewer than ten years.

5 (2) The information shall be maintained in print format  
6 in the institution's library for no fewer than ten years.

7 (3) The information shall be provided in electronic  
8 format to the Department of Education and the Joint State  
9 Government Commission.

10 (4) The information shall be provided in print format to  
11 the General Assembly and to each of the State regional  
12 library resource centers.

13 Section 10. The act is amended by adding a section to read:  
14 Section 1505. Contracts.

15 (a) Scope.--By May 30 of each year, a State-related  
16 institution shall file with the Governor's Office, the Secretary  
17 of the Senate, the Chief Clerk of the House of Representatives  
18 and the State Library an annual list of contracts in excess of  
19 \$5,000 for the purchase of all goods and third-party services.

20 (b) Contents.--The list shall include all of the following:

21 (1) Date of execution.

22 (2) Amount of the contract.

23 (3) Beginning date of the contract.

24 (4) End date of the contract, if applicable.

25 (5) The name and address of the vendor.

26 (6) Subject matter of the contract.

27 (c) Privilege.--This section shall not apply to a contract  
28 for services protected by a privilege.

29 (d) Evidence.--This section:

30 (1) shall apply to a purchase order evidencing new  
31 obligations; but

32 (2) shall not apply to a purchase order evidencing  
33 fulfillment of an existing contract.

34 (e) Posting.--Information under this section shall be posted  
35 and maintained on the institution's Internet website.

36 Section 11. This act shall take effect as follows:

37 (1) The amendment or addition of sections 1501, 1503 and  
38 1505 of the act shall take effect July 1, 2015, or  
39 immediately, whichever is later.

40 (2) This section shall take effect immediately.

41 (3) The remainder of this act shall take effect December  
42 31, 2015.