

**State System of Higher Education  
Facilities Manual**

**Volume I**

**Statutory Requirements (Act 188)**

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The State System of Higher Education’s enabling legislation, Commonwealth of Pennsylvania Act 188 of 1982, as amended, provides the basis for planning and programming facilities projects for State System components. A copy of the act is provided in Appendix I of this volume. Pertinent sections of the act are reiterated here to emphasize the basic parameters which guide the policies and procedures for planning and programming facilities projects within the State System of Higher Education.

**Section 20-2001A (19)** defines facilities maintenance projects. Although this definition was included in the act to establish the scope of facilities projects which could be administered by the State System’s contract authority, the definition provides identification of facilities projects which are routinely funded by State System revenues, or funds provided for deferred maintenance projects from Act 50 of 1993, known as *The Keystone Recreation, Park, and Conservation Fund Act*. Planning and programming procedures for facilities maintenance projects, which are funded by State System revenues or from funds provided by Act 50 of 1993, are outlined in Volume III.

**Section 20-2003-A(b)(3)** establishes the State System’s power to acquire, purchase, hold, lease as lessee, and use any property (real, personal, etc.) which provides the basis for the State System’s real property acquisition program addressed in Volume VII, Section C.

**Section 20-2003-A.I.** establishes the authority and statutory requirements for administering contracts for construction, repair, renovation, and maintenance projects by the State System of Higher Education. Implementing procedures are contained in the State System’s *Administrative Procedures for Professional Services* and *Contract Procurement of Facilities Projects* manuals. Volume VIII of this manual addresses the connection between planning and programming facilities projects and accomplishment of approved and funded projects by contract procurement.

**Section 20-2006-A (a)(7) and (9)** establishes the requirement for the Board of Governors to approve annual capital budget requirements and State System building projects. The procedures established in Volumes VI and VII of this manual were developed to assist the Board of Governors in considering facilities projects for approval.

**Section 20-2009-A (4) and (8)** specifies the council of trustees’ role in approving use of institutional facilities and property, and recommending maintenance and construction to the Board of Governors.

**Section 20-2010-A (5) and (8)** establishes the requirement for university presidents to establish policies and procedures governing the use of university facilities and property and to prepare and submit capital budget requirements to the Chancellor. The procedures contained in this manual were prepared to assist the councils of trustees and presidents in recommending facilities projects for approval.

**Section 20-2011-A(a) and (b)** establishes the requirement for imposing rental fees for operation, maintenance, capital replacement, and contingencies for residential facilities. These fees are used to fund projects as specified in Volume V and Volume VII, Section B of this manual.

**Section 20-2014-A** establishes the legal basis for disposition of real property owned by the State System. These requirements are addressed in Volume VII, Section C of this manual.

These statutory requirements and the Board of Governors' policies contained in Volume II form the basis for planning and programming facilities projects for the State System of Higher Education.

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